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#### Signature strikes are not targeted killing—the topic is limited to individual strikes

Anderson 11—Professor at Washington College of Law, American University (Kenneth, 8/29/11, Distinguishing High Value Targeted Killing and “Signature” Attacks on Taliban Fighters, http://www.volokh.com/2011/08/29/distinguishing-high-value-targeted-killing-and-signature-attacks-on-taliban-fighters/)

From the US standpoint, it is partly that it does not depend as much as it did on Pakistan’s intelligence. But it is also partly, as a couple of well-publicized incidents a few months ago made clear, that sharing targeting decisions with Pakistan’s military and ISI runs a very considerable possibility of having the targets tipped off (as even The Onion has observed). The article notes in this regard, the U.S. worries that “if they tell the Pakistanis that a drone strike is coming someone within Pakistani intelligence could tip off the intended target.” However, the Journal’s reporting goes from there to emphasize an aspect of targeted killing and drone warfare that is not sufficiently appreciated in public discussions trying to assess such issues as civilian collateral damage, strategic value and uses, and the uses of drones in counterterrorism and counterinsurgency as distinct activities. The article explains:¶ The CIA carries out two different types of drone strikes in the tribal areas of Pakistan—those against so-called high-value targets, including Mr. Rahman, and “signature” strikes targeting Taliban foot-soldiers who criss-cross the border with Afghanistan to fight U.S. forces there.¶ High-value targets are added to a classified list that the CIA maintains and updates. The agency often doesn’t know the names of the signature targets, but it tracks their movements and activities for hours or days before striking them, U.S. officials say.¶ Another way to put this is that, loosely speaking, the high value targets are part of a counterterrorism campaign – a worldwide one, reaching these days to Yemen and other places. It is targeted killing in its strict sense using drones – aimed at a distinct individual who has been identified by intelligence. The “signature” strikes, by contrast, are not strictly speaking “targeted killing,” because they are aimed at larger numbers of fighters who are targeted on the basis of being combatants, but not on the basis of individuated intelligence. They are fighting formations, being targeted on a mass basis as part of the counterinsurgency campaign in Afghanistan, as part of the basic CI doctrine of closing down cross-border safe havens and border interdiction of fighters. Both of these functions can be, and are, carried out by drones – though each strategic function could be carried out by other means, such as SEAL 6 or CIA human teams, in the case of targeted killing, or manned aircraft in the case of attacks on Taliban formations. The fundamental point is that they serve distinct strategic purposes. Targeted killing is not synonymous with drone warfare, just as counterterrorism is analytically distinct from counterinsurgency. (I discuss this in the opening sections of this draft chapter on SSRN.)¶ This analytic point affects how one sees the levels of drone attacks going up or down over the years. Neither the total numbers of fighters killed nor the total number of drone strikes – going up or down over months – tells the whole story. Total numbers do not distinguish between the high value targets, being targeted as part of the top down dismantling of Al Qaeda as a transnational terrorist organization, on the one hand, and ordinary Taliban being killed in much larger numbers as part of counterinsurgency activities essentially part of the ground war in Afghanistan, on the other. Yet the distinction is crucial insofar as the two activities are, at the level of truly grand strategy, in support of each other – the war in Afghanistan and the global counterterrorism war both in support of the AUMF and US national security broadly – but at the level of ordinary strategic concerns, quite distinct in their requirements and conduct. If targeted killing against AQ leadership goes well in Pakistan, those might diminish at some point in the future; what happens in the war against the Afghan Taliban is distinct and has its own rhythm, and in that effort, drones are simply another form of air weapon, an alternative to manned aircraft in an overt, conventional war. Rising or falling numbers of drone strikes in the aggregate will not tell one very much without knowing what mission is at issue.¶ Moreover, to the extent that one can have confidence in counts of civilian casualties (though there is a convergence on accepting that drone warfare is gradually producing far lower civilian casualty counts than alternative means), it is still crucial to distinguish between the two types of strategic uses of drones. Totals that run the two activities together are not analytically very useful. Moreover, there is some reason to believe that the kind of targeting that might produce the most civilian casualties is, under some circumstances (and perhaps counterintuitively) targeting a single, individual terrorist leader, rather than a larger group of fighters. The reason is that a terrorist leader in Al Qaeda might well deliberately surround himself with many women and children all the time, as human shields, thus raising at least the possibility of greater civilian harm, should political authorities decide that a strike is warranted despite the civilian presence. The Taliban formation might consist of more fighters, but fewer civilians.¶ These are analytic possibilities; the publicly available data does not seem to me sufficiently robust to draw strong conclusions about the kind of activity and civilian casualties. My point is an analytic one – one has not said very much about drone warfare without disentangling the distinct strategic uses to which the weapon is put.

#### Voter for limits

**Silva 3** (Sebastian Jose Silva, Faculte de Droit de l'Universite de Montreal, “Death For Life: A Study of Targeted Killing by States In International Law,” August 2003)

As defined by Steven R. David, targeted killing is the "**intentional slaying** of a specific individual or group of individuals undertaken with explicit **governmental approval**.,,25 Though concise, the problem with this definition is that it **fails to specify the intended targets** and **ignores the context** in which they are carried out. By failing to define targeted killings as measures of counter-terrorism, killings of all types may indiscriminately fall under its mantle with devastating consequences. As such, the killing of political leaders in peacetime, which amounts to assassination, can fall within its scope. The same can be said about the killing of specific enemy combatants in armed conflict, which amounts to targeted military strikes, and the intentional slaying of common criminals, dissidents, or opposition leaders. Actions carried-out by governments within their jurisdictions can also be interpreted as targeted killings. Although the killing of terrorists abroad may constitute lawful and proportionate self-defense in response to armed attacks, the use of such measures by states for an unspecified number of reasons renders shady their very suggestion. David's definition is essentially correct but over-inclusive.

#### Predictability – their interpretation conflates what targeted killing actually means – our interp has a clear intent to define and exclude. Predictability is a prerequisite for engagement because if an argument is not predictable, we will never be able to properly prepare

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#### Statutory restrictions are temporary and unenforceable in the long term

**Posner and Vermeule, 10** - \*professor of law at the University of Chicago AND \*\*professor of law at Harvard (Eric and Adrian, The Executive Unbound, p. 41-45)

Liberal legalists, following Madison, describe Congress as the deliberative institution par excellence. On this view, Congress is a summation of local majorities, bringing local information and diverse perspectives to national issues. The bicameral structure of Congress aids deliberation; the House shifts rapidly in response to changing conditions and national moods, while the Senate provides a long-term perspective, and cools off overheated or panicky legislation. The Madisonian emphasis on the cooling-off function of the Senate functions as a check on executive claims that an emergency is at hand. The application of the Madisonian view to crises or emergencies is the default position among legal academics. On this view, even in crisis situations the executive may act only on the basis of clear congressional authorization that follows public deliberation, and the executive’s actions must presumptively be subject to judicial review. A proviso to the Madisonian view is that if immediate action is literally necessary, the executive may act, but only until Congress can convene to deliberate; if the executive’s interim actions were illegal, it must seek ratification from Congress and the public after the fact.53 In the Schmittian view, by contrast, the Madisonian vision of Congress seems hopelessly optimistic. Even in normal times, Schmitt believed, the deliberative aspirations of classical parliamentary democracy have become a transparent sham under modern conditions of party discipline, interest-group conflict, and a rapidly changing economic and technical environment. Rather than deliberate, legislators bargain, largely along partisan lines. Discussion on the legislative floor, if it even occurs, is carefully orchestrated posturing for public consumption, while the real work goes on behind closed doors, in party caucuses. How does this picture relate to Schmitt’s point that legislatures invariably “come too late” to a crisis? Crises expose legislative debility to view, but do not create it. Indeed, legislative failure during crises is in part a consequence of legislative failure during the normal times that precede crises. The basic dilemma for legislators, is that before a crisis, they lack the motivation and information to provide for it in advance, while after the crisis has begun, they lack the capacity to manage it themselves. We will describe each horn of the dilemma in detail. BEFORE THE CRISIS In the precrisis state, legislatures mired in partisan conflict about ordinary politics lack the motivation to address long-term problems. Legislators at this point act from behind a veil of uncertainty about the future, and may thus prove relatively impartial; at least high uncertainty obscures the distributive effects of legislation for the future, and thus reduces partisan opposition. However, by virtue of these very facts, there is no strong partisan support for legislation, and no bloc of legislators has powerful incentives to push legislation onto the crowded agenda. The very impartiality that makes ex ante legislation relatively attractive, from a Madisonian perspective, also reduces the motivation to enact it. This point is related to, but distinct from, Schmitt’s more famous claim about the “norm” and the “exception.” In a modern rendition, that claim holds that ex ante legal rules cannot regulate crises in advance, because unanticipated events will invariably arise. Legislatures therefore either decline to regulate in advance or enact emergency statutes with vague standards that defy judicial enforcement ex post. Here, however, a different point is at issue: even if ex ante legal rules could perfectly anticipate all future events, legislatures will often lack the incentive to adopt them in advance. Occasionally, when a high-water mark of public outrage against the executive is reached, legislatures do adopt framework statutes that attempt to regulate executive behavior ex ante; several statutes of this kind were adopted after Watergate. The problem is that new presidents arrive, the political coalitions that produced the framework statute come apart as new issues emerge, and public outrage against executive abuses cools. Congress soon relapses into passivity and cannot sustain the will to enforce, ex post, the rules set out in the framework statutes. As we will discuss more fully in chapter 3, the post-Watergate framework statutes have thus, for the most part, proven to impose little constraint on executive action in crisis, in large part because Congress lacks the motivation to enforce them. DURING THE CRISIS The other horn of the dilemma arises after the crisis has begun to unfold. Because of their numerous memberships, elaborate procedures, and internal structures, such as bicameralism and the committee system, and internal problems of collective action, legislatures can rarely act swiftly and decisively as events unfold. The very complexity and diversity that make legislatures the best deliberators, from a Madisonian perspective, also raise the opportunity costs of deliberation during crises and disable legislatures from decisively managing rapidly changing conditions. After 9/11, everyone realized that another attack might be imminent; only an immediate, massive response could forestall it. In September 2008, the financial markets needed immediate reassurance: only credible announcements from government agencies that they would provide massive liquidity could supply such reassurance. Indeed, though commentators unanimously urged Congress to take its time, within weeks the Bush administration was being criticized for not acting quickly enough. In such circumstances, legislatures are constrained to a reactive role, at most modifying the executive’s response at the margins, but not themselves making basic policy choices. Liberal legalists sometimes urge that the executive, too, is large and unwieldy; we pointed out in the introduction that the scale of executive institutions dwarfs that of legislative and judicial institutions. On this view, the executive has no systematic advantages in speed and decisiveness. Yet this is fatally noncomparative. The executive is internally complex, but it is structured in a far more hierarchical fashion than is Congress, especially the Senate, where standard procedure requires the unanimous consent of a hundred barons, each of whom must be cosseted and appeased. In all the main cases we consider here, the executive proved capable of acting with dispatch and power, while Congress fretted, fumed, and delayed. The main implication of this contrast is that crises in the administrative state tend to follow a similar pattern. In the first stage, there is an unanticipated event requiring immediate action. Executive and administrative officials will necessarily take responsibility for the front-line response; typically, when asked to cite their legal authority for doing so, they will either resort to vague claims of inherent power or will offer creative readings of old statutes. Because legislatures come too late to the scene, old statutes enacted in different circumstances, and for different reasons, are typically all that administrators have to work with in the initial stages of a crisis. “Over time, the size and complexity of the economy will outgrow the sophistication of static financial safety buffers”54—a comment that can also be made about static security safety buffers, which the advance of weapons technology renders obsolete. In this sense, administrators also “come too late”—they are forced to “base decisions about the complex, ever-changing dynamics of contemporary economic [and, we add, security] conditions on legal relics from an oftentimes distant past.”55 Thus Franklin Roosevelt regulated banks, in 1933, by offering a creative reading of the Trading with the Enemy Act of 1917, a statute that needless to say was enacted with different problems in mind. Likewise, when in 2008 it became apparent on short notice that the insurance giant AIG had to be bailed out, lest a systemwide meltdown occur, the Treasury and Federal Reserve had to proceed through a strained reading of a hoary 1932 statute. While the statute authorized “loans,” it did not authorize government to purchase private firms; administrators structured a transaction that in effect accomplished a purchase in the form of a loan. Ad hoc “regulation by deal,”56 especially in the first phase of the financial crisis, was accomplished under the vague authority of old statutes. The pattern holds for security matters as well as economic issues, and for issues at the intersection of the two domains. Thus after 9/11, the Bush administration’s attempts to choke off Al Qaeda’s funding initially proceeded in part under provisions of the International Emergency Economic Powers Act, a 1977 statute whose purpose, when enacted, was actually to restrict the president’s power to seize property in times of crisis.57

#### The plan undermines speed and flexibility in warfighting

**Blank, 13 –** professor of law at Emory (Laurie, “LEARNING TO LIVE WITH (A LITTLE) UNCERTAINTY: THE OPERATIONAL ASPECTS AND CONSEQUENCES OF THE GEOGRAPHY OF CONFLICT DEBATE” <http://www.pennlawreview.com/online/161-U-Pa-L-Rev-Online-347.pdf>) **LOAC = Law of Armed Conflict**

Second, implementation in the context of a new law of war framework as proposed, based on distinctions between various zones of security needs and the shifting procedural obligations that result, poses even more signiﬁcant concerns. Pragmatically, threat and the concomitant need to respond to that threat will always be the primary consideration driving the strategic, operational, and tactical calculus: “Armed conﬂict is a threat-driven concept, arising when the threat necessitates resort to combat power, and extending to wherever the operational and tactical opportunity to produce a militarily valuable eﬀect on the enemy arises.”21 Divorcing a geographic analysis from this fundamental nature of military operations and decisionmaking can make the law less practical in the immediate sense, and can also, as explained below, hinder the development of the law going forward. During military operations, the law plays an essential protective role not only for those uninvolved in the conﬂict, but—just as importantly—for those who are ﬁghting.22 Beyond speciﬁc provisions that protect soldiers, sailors, airmen, and Marines (such as the obligation to care for the wounded,23 the prohibition on weapons that cause superﬂuous injury,24 and the protections provided for prisoners of war25), the law accomplishes this key purpose by striving for clarity and predictability. At the most basic level, soldiers need to know when and against whom they can use force. Uncertainty regarding that most fundamental aspect of wartime conduct places an extraordinary burden on the soldier and places him or her in grave danger beyond that already inherent in the nature of conﬂict. It may well be possible that a new law of war framework with binding rules that depend on a security calculus drawn from diﬀerent geographic zones can offer more guidance for a policymaker or other decisionmaker at the highest strategic level. For the men and women directly facing the enemy, however, it muddies the waters by introducing additional considerations to the tactical and operational decisionmaking process, a process that is measured in seconds, if not less.26

#### even temporary restraints undermine speed and flexibility

**Posner and Vermeule, 7** – \*Kirkland and Ellis Professor of Law at the University of Chicago Law School AND \*\*professor at Harvard Law School (Eric and Adrian, Terror in the Balance: Security, Liberty, and the Courts p. 170)

A requirement of ex post statutory authorization thus seems more plausible than the ex ante statutory framework approach, but it does not seem better than the judicial deference approach. As we discussed in chapter 1, the involvement of Congress produces costs as well as benefits. On the cost side, congressional deliberation is slow and unsuited for emergencies. Congress has trouble keeping secrets and is always vulnerable to obstruction at the behest of members of Congress who place the interests of their constituents ahead of those of the nation as a whole. It is implicitly for these reasons that Ackerman gives the president the freedom to act unilaterally at the start of the emergency. But there is no reason to think that the problem of congressional obstruction and inefficiency will decline over time.

What are the benefits of congressional involvement? One possible benefit is that Congress has technical information about the advantages and disadvantages of various security measures and, relying on this information, will be able to block poorly considered security measures. But it is doubtful that Congress’s information is better than the executive branch’s, and in any event Congress can share this information with the executive branch if necessary. The modern national security system deprives Congress of useful information about threats to national security, and Congress by necessity must play a passive role.

The main possible benefit from congressional involvement is that Congress can prevent the executive from using the emergency as an opportunity to engage in self-aggrandizement, to obtain new powers, and to entrench them so that the executive will be more powerful even after the emergency ends. As we argued in chapter 1, however, it is not at all clear that executive aggrandizement during emergencies is a problem, and even if it is, congressional involvement might make things worse, not better. The value of congressional authorization is ambiguous as a theoretical matter. It slows down executive action, which is costly during emergencies, but may (or may not) block efforts by the executive to aggrandize its power. We also argued in chapter 1 that the historical evidence suggests that Congress is too weak an institution, during emergencies, to provide the asserted benefits. Congress defers to the executive during emergencies because it agrees that the executive alone has the information and the means necessary to respond to imminent threats. The added risk of executive abuse is a cost that Congress and voters have been willing to bear.

#### The impact is leadership and every global crisis

**Berkowitz, 8** - research fellow at the Hoover Institution at Stanford University and a senior analyst at RAND. He is currently a consultant to the Defense Department and the intelligence community (Bruce, STRATEGIC ADVANTAGE: CHALLENGERS, COMPETITORS, AND THREATS TO AMERICA’S FUTURE, p. 1-4)

THIS BOOK is intended to help readers better understand the national security issues facing the United States today and offer the general outline of a strategy for dealing with them. National security policy—both making it and debating it — is harder today because the issues that are involved are more numerous and varied. The problem of the day can change at a moment's notice. Yesterday, it might have been proliferation; today, terrorism; tomorrow, hostile regional powers. Threats are also more likely to be intertwined—proliferators use the same networks as narco-traffickers, narco-traffickers support terrorists, and terrorists align themselves with regional powers. Yet, as worrisome as these immediate concerns may be, the long-term challenges are even harder to deal with, and the stakes are higher. Whereas the main Cold War threat — the Soviet Union — was brittle, most of the potential adversaries and challengers America now faces are resilient. In at least one dimension where the Soviets were weak (economic efficiency, public morale, or leadership), the new threats are strong. They are going to be with us for a long time. As a result, we need to reconsider how we think about national security. The most important task for U.S. national security today is simply to retain the strategic advantage. This term, from the world of military doctrine, refers to the overall ability of a nation to control, or at least influence, the course of events.1 When you hold the strategic advantage, situations unfold in your favor, and each round ends so that you are in an advantageous position for the next. When you do not hold the strategic advantage, they do not. As national goals go, “keeping the strategic advantage” may not have the idealistic ring of “making the world safe for democracy” and does not sound as decisively macho as “maintaining American hegemony.” But keeping the strategic advantage is critical, because it is essential for just about everything else America hopes to achieve — promoting freedom, protecting the homeland, defending its values, preserving peace, and so on. The Changing Threat If one needs proof of this new, dynamic environment, consider the recent record. A search of the media during the past fifteen years suggests that there were at least a dozen or so events that were considered at one time or another the most pressing national security problem facing the United States — and thus the organizing concept for U.S. national security. What is most interesting is how varied and different the issues were, and how many different sets of players they involved — and how each was replaced in turn by a different issue and a cast of characters that seemed, at least for the moment, even more pressing. They included, roughly in chronological order, • regional conflicts — like Desert Storm — involving the threat of war between conventional armies; • stabilizing “failed states” like Somalia, where government broke down in toto; • staying economically competitive with Japan; • integrating Russia into the international community after the fall of communism and controlling the nuclear weapons it inherited from the Soviet Union; • dealing with “rogue states,” unruly nations like North Korea that engage in trafficking and proliferation as a matter of national policy; • combating international crime, like the scandal involving the Bank of Credit and Commerce International, or imports of illegal drugs; • strengthening international institutions for trade as countries in Asia, Eastern Europe, and Latin America adopted market economies; • responding to ethnic conflicts and civil wars triggered by the reemergence of culture as a political force in the “clash of civilizations”; • providing relief to millions of people affected by natural catastrophes like earthquakes, tsunamis, typhoons, droughts, and the spread of HIV/AIDS and malaria; • combating terrorism driven by sectarian or religious extremism; • grassroots activism on a global scale, ranging from the campaign to ban land mines to antiglobalization hoodlums and environmentalist crazies; • border security and illegal immigration; • the worldwide ripple effects of currency fluctuations and the collapse of confidence in complex financial securities; and • for at least one fleeting moment, the safety of toys imported from China. There is some overlap in this list, and one might want to group some of the events differently or add others. The important point, however, is that when you look at these problems and how they evolved during the past fifteen years, you do not see a single lesson or organizing principle on which to base U.S. strategy. Another way to see the dynamic nature of today's national security challenges is to consider the annual threat briefing the U.S. intelligence community has given Congress during the past decade. These briefings are essentially a snapshot of what U.S. officials worry most about. If one briefing is a snapshot, then several put together back to back provide a movie, showing how views have evolved.2 Figure 1 summarizes these assessments for every other year between 1996 and 2006. It shows when a particular threat first appeared, its rise and fall in the rankings, and in some cases how it fell off the chart completely. So, in 1995, when the public briefing first became a regular affair, the threat at the very top of the list was North Korea. This likely reflected the crisis that had occurred the preceding year, when Pyongyang seemed determined to develop nuclear weapons, Bill Clinton's administration seemed ready to use military action to prevent this, and the affair was defused by an agreement brokered by Jimmy Carter. Russia and China ranked high as threats in the early years, but by the end of the decade they sometimes did not even make the list. Proliferation has always been high in the listings, although the particular countries of greatest concern have varied. Terrorism made its first appearance in 1998, rose to first place after the September 11, 2001, terrorist attacks, and remains there today. The Balkans appeared and disappeared in the middle to late 1990s. A few of the entries today seem quaint and overstated. Catastrophic threats to information systems like an “electronic Pearl Harbor” and the “Y2K problem” entered the list in 1998 but disappeared after 2001. (Apparently, after people saw an airliner crash into a Manhattan skyscraper, the possible loss of their Quicken files seemed a lot less urgent.) Iraq first appeared in the briefing as a regional threat in 1997 and was still high on the list a decade later—though, of course, the Iraqi problem in the early years (suspected weapons of mass destruction) was very different from the later one (an insurgency and internationalized civil war). All this is why the United States needs agility. It not only must be able to refocus its resources repeatedly; it needs to do this faster than an adversary can focus its own resources.

#### Extinction

Barnett 11 (Thomas, Former Senior Strategic Researcher and Professor in the Warfare Analysis & Research Department, worked as the Assistant for Strategic Futures in the Office of Force Transformation in the Department of Defense, *“The New Rules: Leadership Fatigue Puts U.S., and Globalization, at Crossroads,”* The World Politics Review, March 7, 2011, <http://www.worldpoliticsreview.com/articles/8099/the-new-rules-leadership-fatigue-puts-u-s-and-globalization-at-crossroads>)

Events in Libya are a further reminder for Americans that we stand at a crossroads in our continuing evolution as the world's sole full-service superpower. Unfortunately, we are increasingly seeking change without cost, and shirking from risk because we are tired of the responsibility. We don't know who we are anymore, and our president is a big part of that problem. Instead of leading us, he explains to us. Barack Obama would have us believe that he is practicing strategic patience. But many experts and ordinary citizens alike have concluded that he is actually beset by strategic incoherence -- in effect, a man overmatched by the job. It is worth first examining the larger picture: We live in a time of arguably the greatest structural change in the global order yet endured, with this historical moment's most amazing feature being its relative and absolute lack of mass violence. That is something to consider when Americans contemplate military intervention in Libya, because if we do take the step to prevent larger-scale killing by engaging in some killing of our own, we will not be adding to some fantastically imagined global death count stemming from the ongoing "megalomania" and "evil" of American "empire." We'll be engaging in the same sort of system-administering activity that has marked our stunningly successful stewardship of global order since World War II. Let me be more blunt: As the guardian of globalization, the U.S. military has been the greatest force for peace the world has ever known. Had America been removed from the global dynamics that governed the 20th century, the mass murder never would have ended. Indeed, it's entirely conceivable there would now be no identifiable human civilization left, once nuclear weapons entered the killing equation. But the world did not keep sliding down that path of perpetual war. Instead, America stepped up and changed everything by ushering in our now-perpetual great-power peace. We introduced the international liberal trade order known as globalization and played loyal Leviathan over its spread. What resulted was the collapse of empires, an explosion of democracy, the persistent spread of human rights, the liberation of women, the doubling of life expectancy, and a roughly 10-fold increase in adjusted global GDP and a profound and persistent reduction in battle deaths from state-based conflicts. That is what American "hubris" actually delivered. Please remember that the next time some TV pundit sells you the image of "unbridled" American military power as the cause of global disorder instead of its cure. With self-deprecation bordering on self-loathing, we now imagine a post-American world that is anything but. Just watch who scatters and who steps up as the Facebook revolutions erupt across the Arab world. While we might imagine ourselves the status quo power, we remain the world's most vigorously revisionist force. As for the sheer "evil" that is our military-industrial complex, again, let's examine what the world looked like before that establishment reared its ugly head. The last great period of global structural change was the first half of the 20th century, a period that saw a death toll of about 100 million across two world wars. That comes to an average of 2 million deaths a year in a world of approximately 2 billion souls. Today, with far more comprehensive worldwide reporting, researchers report an average of less than 100,000 battle deaths annually in a world fast approaching 7 billion people. Though admittedly crude, these calculations suggest a 90 percent absolute drop and a 99 percent relative drop in deaths due to war. We are clearly headed for a world order characterized by multipolarity, something the American-birthed system was designed to both encourage and accommodate. But given how things turned out the last time we collectively faced such a fluid structure, we would do well to keep U.S. power, in all of its forms, deeply embedded in the geometry to come. To continue the historical survey, after salvaging Western Europe from its half-century of civil war, the U.S. emerged as the progenitor of a new, far more just form of globalization -- one based on actual free trade rather than colonialism. America then successfully replicated globalization further in East Asia over the second half of the 20th century, setting the stage for the Pacific Century now unfolding. As a result, the vector of structure-building connectivity shifted from trans-Atlantic to trans-Pacific. But if the connectivity push of the past several decades has been from West to East, with little connectivity extended to the South outside of the narrow trade of energy and raw materials, the current connectivity dynamic is dramatically different. Now, the dominant trends are: first, the East cross-connecting back to the West via financial and investment flows as well as Asian companies "going global"; and second, the East creating vast new connectivity networks with the South through South-South trade and investment. The challenge here is how to adjust great-power politics to these profound forces of structural change. Because of the West's connectivity to the East, we are by extension becoming more deeply connected to the unstable South, with China as the primary conduit. Meanwhile, America's self-exhausting post-Sept. 11 unilateralist bender triggered the illusion -- all the rage these days -- of a G-Zero, post-American world. The result, predictably enough for manic-depressive America, is that we've sworn off any overall responsibility for the South, even as we retain the right to go anywhere and kill any individuals -- preferably with flying robots -- that we deem immediately threatening to our narrowly defined national security interests. The problem with this approach is that China has neither the intention nor the ability to step up and play anything resembling a responsible Leviathan over the restive South, where globalization's advance -- again, with a Chinese face -- produces a lot of near-term instability even as it builds the basis for longer-term stability. Libya is a perfect example of where the world is now stuck: America is very reticent to get involved militarily, while China, for the first time in its history, engages in long-range military operations to evacuate its workforce there. Meanwhile, the expanding civil war rages on, to everyone's moral and economic distress. The point is not that America must invade Libya pronto to keep the world as we know it from coming to an end. But if the United States and the West sit by while the Rest, risers that they are, manage nothing more than pious warnings about needlessly butting in, then we all run the risk of collectively making the post-American, G-Zero, do-nothing storyline a self-fulfilling prophecy. While that alone won't stop the world from spinning, if it persists as a pattern, globalization will slide down another path: one of regionalism, spheres of influence and neocolonial burdens that are intuitively hoarded by great powers grown increasingly suspicious of one another. And if you know your history, that should make you nervous.

### 1nc politics

#### Obama will win on debt ceiling if he maintains his position of strength

**Liasson, 9/21/13** (Mara, “Have Obama's Troubles Weakened Him For Fall's Fiscal Fights?” NPR, <http://www.npr.org/blogs/itsallpolitics/2013/09/21/224494760/have-obamas-troubles-weakened-him-for-falls-fiscal-fights>)

"[Obama] had some missteps within the caucus," Manley says, but "now that he has those situations behind him ... he can turn his attention to the debt limit and the spending issues." Manley says the president will be well-positioned to take on Republicans in those fiscal fights, "if only because ... their policies are so out of the mainstream that they won't enjoy any support on the Hill and/or with the American people." The plan to bomb Syria was extremely unpopular. But on budget issues, the president is on firmer footing with the public, who may not like Obamacare but don't want it repealed or defunded. So, in the House at least, Republicans are making demands the president cannot and will not meet. "You have never seen, in the history of the United States, the debt ceiling or the threat of not raising the debt ceiling being used to extort a president or a governing party, and trying to force issues that have nothing to do with the budget and have nothing to do with the debt," Obama has said. White House officials say Democrats will always have internal divisions, but right now they are nothing compared with the fights inside the GOP. "There is essentially a civil war brimming in the Republican Party right now," says Dan Pfeiffer, the president's senior adviser. Pfeiffer points to open warfare between Tea Party conservatives and moderates, and even between House and Senate conservatives, as Republicans struggle to settle on a viable budget strategy. "The important thing is, as we head into these budget battles this fall, Democrats ... are in lock-step about the way to approach this," he says, "which is that we are not going to negotiate on the debt ceiling — we're not going to allow the full faith and credit of the United States to be held hostage by the Republicans, who want to ... deny health insurance to millions of Americans. We're in lock-step and they're divided, so I feel pretty good about that." Despite the setbacks of the spring and summer, the Obama team is counting on the latent power of the presidency — one of the most resilient institutions in American life. Unlike on Syria, Obama seems to have a budget strategy. He's hanging tough on his two red lines: no negotiations on the debt ceiling and no changes to Obamacare. The president is willing for now to let the Republicans flirt with the unpopular and dangerous possibilities of a government shutdown and a debt default. It's a high-stakes game of chicken, and one where the White House feels confident it has the upper hand.

#### Revoking authority spills over to the debt ceiling

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

<http://www.latimes.com/nation/la-na-obama-congress-20130913,0,2959396.story>)

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

#### Capital is finite and spending it elsewhere prevents a deal

**Moore, 9/10/13 –** Guardian's US finance and economics editor.(Heidi, “Syria: the great distraction” The Guardian, <http://www.theguardian.com/commentisfree/2013/sep/10/obama-syria-what-about-sequester>)

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 impact is the global economy

**Davidson, 9/10/13** – co-founder of NPR’s Planet Money (Adam, “Our Debt to Society” New York Times, <http://www.nytimes.com/2013/09/15/magazine/our-debt-to-society.html?pagewanted=all>)

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 United States, 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.

#### Nuclear war

**Friedberg and Schoenfeld 8**

[Aaron, Prof. Politics. And IR @ Princeton’s Woodrow Wilson School and Visiting Scholar @ Witherspoon Institute, and Gabriel, Senior Editor of Commentary and Wall Street Journal, “The Dangers of a Diminished America”, 10-28, <http://online.wsj.com/article/SB122455074012352571.html>]

Then there are the dolorous consequences of a potential collapse of the world's financial architecture. For decades now, Americans have enjoyed the advantages of being at the center of that system. The worldwide use of the dollar, and the stability of our economy, among other things, made it easier for us to run huge budget deficits, as we counted on foreigners to pick up the tab by buying dollar-denominated assets as a safe haven. Will this be possible in the future? Meanwhile, traditional foreign-policy challenges are multiplying. The threat from al Qaeda and Islamic terrorist affiliates has not been extinguished. Iran and North Korea are continuing on their bellicose paths, while Pakistan and Afghanistan are progressing smartly down the road to chaos. Russia's new militancy and China's seemingly relentless rise also give cause for concern. If America now tries to pull back from the world stage, it will leave a dangerous power vacuum. The stabilizing effects of our presence in Asia, our continuing commitment to Europe, and our position as defender of last resort for Middle East energy sources and supply lines could all be placed at risk. In such a scenario there are shades of the 1930s, when global trade and finance ground nearly to a halt, the peaceful democracies failed to cooperate, and aggressive powers led by the remorseless fanatics who rose up on the crest of economic disaster exploited their divisions. Today we run the risk that rogue states may choose to become ever more reckless with their nuclear toys, just at our moment of maximum vulnerability. The aftershocks of the financial crisis will almost certainly rock our principal strategic competitors even harder than they will rock us. The dramatic free fall of the Russian stock market has demonstrated the fragility of a state whose economic performance hinges on high oil prices, now driven down by the global slowdown. China is perhaps even more fragile, its economic growth depending heavily on foreign investment and access to foreign markets. Both will now be constricted, inflicting economic pain and perhaps even sparking unrest in a country where political legitimacy rests on progress in the long march to prosperity. None of this is good news if the authoritarian leaders of these countries seek to divert attention from internal travails with external adventures.

### 1nc resolution cp

#### The United States Federal Government should pass a concurrent Congressional resolution expressing Congressional support for restricting the President’s war powers authority for targeted killing as a first resort outside zones of active hostilities, including but not limited to statutory mechanisms, and expressing the intent to remove funding if the executive continues targeted killing as a first resort outside zones of hostilities.

#### It competes – it’s non-statutory

**Swaine, 10 -** Associate Professor, George Washington University Law School (Edward, “THE POLITICAL ECONOMY OF YOUNGSTOWN” <http://scholarship.law.gwu.edu/cgi/viewcontent.cgi?article=1017&context=faculty_publications>)

Furthermore, Justice Jackson’s framework also suggested that congressional will could be expressed non-statutorily – again, at least insofar as its negative was involved. Assessing Truman’s seizure, Jackson appeared to reason that the absence of circumstances qualifying for Category One or Category Two necessarily meant that Category Three applied; where “the President cannot claim that [his action was] necessitated or invited by failure of Congress to legislate,” he suggested, such an action must be incompatible with the implied will of Congress.104 That implied will might be expressed informally,105 as clarified by passages from the other concurrences to which Justice Jackson expressly subscribed.106 Justices Black and Frankfurter, in particular, each invoked congressional inaction – namely, the fact that Congress had refused amendments to the Taft-Hartley Act that would have clearly given President Truman seizure authority.107 If congressional will can be informally expressed, as by refusing to take action, it suggests the relevance of acts by a subset of Congress rather than Congress as a whole. Individual legislators, certainly, may rise in sufficient opposition to defeat a statutory initiative, and a committee may prevent a bill from making the requisite progress. Presumably other “soft law” measures – like simple resolutions passed by the majority of one house only, or concurrent resolutions passed by both houses but not presented to the President – would be even better indicia.108

#### The CP changes the allocation of authority without enforcing legal restrictions

**Gersen and Posner, 8 -** Kirkland and Ellis Professor of Law, The University of Chicago (Jacob and Eric, “Soft Law: Lessons from Congressional Practice” 61 Stan. L. Rev. 573, lexis)

Soft statutes can also play an important role in the allocation of authority between Congress and the President. Consider the question of how the courts should evaluate executive action at the boundaries of Article II authority. In Youngstown Sheet & Tube Co. v. Sawyer, n113 Justice Jackson famously established a typology for understanding the borders of Article II power. "When the President acts pursuant to an express or implied authorization of Congress, his authority is at its maximum ... ." n114 When Congress has said nothing or there is concurrent authority, there is a "zone of twilight" n115: When the President acts in absence of either a congressional grant or denial of authority, he can only rely upon his own independent powers, but there is a zone of twilight in which he and Congress may have concurrent authority, or in which its distribution is uncertain. Therefore, congressional inertia, indifference or quiescence may sometimes, at least as a practical matter, enable, if not invite, measures on independent presidential responsibility. n116 The President is on weakest ground when Congress has disapproved of the action: "When the President takes measures incompatible with the expressed or implied will of Congress, his power is at its lowest ebb, for then he can rely only upon his own constitutional powers minus any constitutional powers of Congress over the matter." n117 Justice Jackson's language is instructive. He does not say "when a formal statute grants or denies presidential authority." Instead, he refers to the express or implied will of Congress, suggesting that implicit acquiescence will be enough to justify executive action in the zone of ambiguous executive authority. The soft statute should be the preferred mechanism for articulating congressional views in this setting n118 because it is a better indicator of legislative views than legislative inaction. There are dozens of reasons Congress fails to act, and negative inferences in the context of Article II powers are especially hazardous. In fact, the soft law analytic frame makes clear that Justice Jackson's typology is actually incomplete. Speaking of congressional agreement, disapproval, or silence is unnecessarily crude. The House might authorize the presidential action and the Senate might expressly disavow it (or vice versa), creating a twilight of the twilight category. In fact, Congress does sometimes use resolutions for these purposes. For example, during 2007, a concurrent resolution was introduced, "expressing the sense of Congress that the President should not initiate military action against Iran without first obtaining authorization from Congress." n119 During the same Congress, Senate Resolutions were offered to censure the President, Vice-President, and Attorney General for conduct related to the war in Iraq, detainment of enemy combatants, and wiretapping practices undertaken without warrants. n120 Another proposed resolution expressed the sense of the Senate that the President has constitutional authority to veto individual items of appropriation without additional statutory authorization. n121 These potential soft [\*604] statutes were not passed by majorities, but they are precisely the sort of information on the scope of permissible executive authority that would inform Justice Jackson's analysis. n122 In this scenario, legislative sentiments, expressed in nonbinding mechanisms, are taken as inputs in the decision-making processes of other institutions - the courts - that themselves generate binding rules, that is, hard law. Even without judicial involvement, however, resolutions that assert congressional authority or limitations on presidential authority may influence the way that the two political branches share power with each other - either as moves in a game where each side must both cooperate and compete, or as appeals to public opinion. n123

#### It avoids politics

**Harvard Law Review, 11** (“A CHEVRON FOR THE HOUSE AND SENATE: DEFERRING TO POST-ENACTMENT CONGRESSIONAL RESOLUTIONS THAT INTERPRET AMBIGUOUS STATUTES” 124 Harv. L. Rev. 1507, April, lexis)

If Congress wishes to resolve a statutory ambiguity, it always has the option of passing a law via bicameralism and presentment. In reality, however, passing laws is extremely difficult, and often the legislative enactment costs are simply greater than the benefits of resolving the ambiguity correctly. n1 Indeed, these high legislative enactment costs are among the reasons that so many of our statutes set forth broad principles rather than specify concrete requirements: gaining consensus on concrete textual mandates imposes even more costs on the already difficult process of legislation. A future Congress may want to clarify these vague statutory mandates as societal, legal, or technological circumstances change, as the consequences of certain policy choices become more apparent, or as legislators simply resolve their differences of opinion. But the costs of legislating a fix are usually too high. n2 Some leading commentators argue that this problem of statutory ossification due to high legislative enactment costs requires judges to interpret statutes as living documents. Professor William Eskridge claims that a statute’s meaning changes over time, and thus judges should “dynamically” interpret statutes.3 Judge Calabresi argues that judges should “update” obsolete statutes by striking down or ignoring any statute that is “sufficiently out of phase with the whole [contemporary] legal framework so that, whatever its age, it can only stand if a current majoritarian or representative body reaffirms it.”4 However, most commentators have criticized such approaches as putting too much power in the hands of unelected and unaccountable judges.5 Instead, Congress has largely relied on administrative agencies to continually update the policies that implement various statutes. When charged with administering statutes, such agencies often have the authority to interpret the legislation's vague commands by translating them into more precise and concrete rules. n6 Moreover, courts have given great deference to agency interpretations of ambiguous statutes under Chevron U.S.A. Inc. v. Natural Resources Defense Council, Inc. n7 These agency interpretations, although the products of a more politically accountable process than judicial interpretations, nonetheless are not as publicly deliberative or as nationally representative as a congressional decision. Worse, many other statutes that are similarly indefinite are not administered by any particular agency, thus leaving courts with the primary responsibility to develop the law - and thus the policy - under these statutes, despite judges' lack of expertise and accountability. n8 But by prohibiting one house of Congress from vetoing agency actions, the Supreme Court, in INS v. Chadha, n9 limited Congress's role in administering statutes, despite its institutional advantages over courts - and, in some respects, over agencies - in developing policy. In a recent article, Professors Jacob Gersen and Eric Posner suggest that courts should pay greater attention to post-enactment congressional resolutions when interpreting statutes. n10 This Note develops their idea by proposing more modest congressional involvement than the legislative veto invalidated in Chadha: courts should defer to a [\*1509] House or Senate resolution that adopts a reasonable interpretation of an ambiguous statute. n11 For statutes not administered by any agency with interpretive authority, such deference to a congressional resolution would improve lawmaking by bringing to bear the legislature's policy expertise and democratic accountability. But even for statutes administered by agencies, this proposal would increase accountability. Further, this proposal would help to restore checks and balances and the Constitution's original allocation of power by making the House and Senate coequal with executive agencies in interpreting ambiguous statutory provisions. Whenever these institutions disagree, courts should simply adopt their own best reading of the statute, de novo. I. Statutes Without Agencies Courts should give Chevron-like deference to any resolution passed by either the House or the Senate that reasonably interprets a statutory ambiguity. When deciding whether to defer to such a congressional resolution, courts should engage in both steps of the Chevron analysis, just as they do for agency interpretations of statutes: First, the statute must be "silent or ambiguous with respect to the specific issue" addressed by the congressional resolution. n12 Second, the resolution's interpretation must be "based on a permissible construction of the statute." n13

### Norms

#### No cascading drone prolif – tech and diplomacy check

**Singh 12** [Joseph, researcher at the Center for a New American Security, Time Magazine, “Betting Against a Drone Arms Race,” Aug 13, 2012, http://nation.time.com/2012/08/13/betting-against-a-drone-arms-race/]

Bold predictions of a coming drones arms race are all the rage since the uptake in their deployment under the Obama Administration. Noel Sharkey, for example, argues in an August 3 op-ed for the Guardian that rapidly developing drone technology — coupled with minimal military risk — portends an era in which states will become increasingly aggressive in their use of drones. As drones develop the ability to fly completely autonomously, Sharkey predicts a proliferation of their use that will set dangerous precedents, seemingly inviting hostile nations to use drones against one another. Yet, the narrow applications of current drone technology coupled with what we know about state behavior in the international system lend no credence to these ominous warnings. Indeed, critics seem overly-focused on the domestic implications of drone use. In a June piece for the Financial Times, Michael Ignatieff writes that “virtual technologies make it easier for democracies to wage war because they eliminate the risk of blood sacrifice that once forced democratic peoples to be prudent.” Significant public support for the Obama Administration’s increasing deployment of drones would also seem to legitimate this claim. Yet, there remain equally serious diplomatic and political costs that emanate from beyond a fickle electorate, which will prevent the likes of the increased drone aggression predicted by both Ignatieff and Sharkey. Most recently, the serious diplomatic scuffle instigated by Syria’s downing a Turkish reconnaissance plane in June illustrated the very serious risks of operating any aircraft in foreign territory. States launching drones must still weigh the diplomatic and political costs of their actions, which make the calculation surrounding their use no fundamentally different to any other aerial engagement. This recent bout also illustrated a salient point regarding drone technology: most states maintain at least minimal air defenses that can quickly detect and take down drones, as the U.S. discovered when it employed drones at the onset of the Iraq invasion, while Saddam Hussein’s surface-to-air missiles were still active.

#### Brooks isn’t solely about the plan, but the lack of accountability more broadly -- the plan doesn’t check that

#### Even if there’s drone prolif, American actions can’t influence it

**Anderson 11** [Kenneth, 10/9/2011, “What Kind of Drones Arms Race Is Coming?” http://opiniojuris.org/2011/10/09/what-kind-of-drones-arms-race-is-coming/]

By asserting that “we’re” creating it, this is a claim that there is an arms race among states over military drones, and that it is a consequence of the US creating the technology and deploying it — and then, beyond the technology, changing the normative legal and moral rules in the international community about using it across borders. In effect, the combination of those two, technological and normative, forces other countries in strategic competition with the US to follow suit. It sounds like it must be true. But is it? There are a number of reasons to doubt that moves by other countries are an arms race in the sense that the US “created” it or could have stopped it, or that something different would have happened had the US not pursued the technology or not used it in the ways it has against non-state terrorist actors. Here are a couple of quick reasons why I don’t find this thesis very persuasive, and what I think the real “arms race” surrounding drones will be. Unmanned aerial vehicles have clearly got a big push from the US military in the way of research, development, and deployment. But the reality today is that the technology will transform civil aviation, in many of the same ways and for the same reasons that another robotic technology, driverless cars (which Google is busily plying up and down the streets of San Francisco, but which started as a DARPA project), will eventually have an important place in ordinary ground transport. UAVs will eventually move into many roles in ordinary aviation, because it is cheaper, relatively safer, more reliable — and it will eventually include cargo planes, crop dusting, border patrol, forest fire patrols, and many other tasks. There is a reason for this — the avionics involved are simply not so complicated as to be beyond the abilities of many, many states. Military applications will carry drones many different directions, from next-generation unmanned fighter aircraft able to operate against other craft at much higher G stresses to tiny surveillance drones. But the flying-around technology for aircraft that are generally sizes flown today is not that difficult, and any substantial state that feels like developing them will be able to do so. But the point is that this was happening anyway, and the technology was already available. The US might have been first, but it hasn’t sparked an arms race in any sense that absent the US push, no one would have done this. That’s just a fantasy reading of where the technology in general aviation was already going; Zenko’s ‘original sin’ attribution of this to the US opening Pandora’s box is not a credible understanding of the development and applications of the technology. Had the US not moved on this, the result would have been a US playing catch-up to someone else. For that matter, the off-the-shelf technology for small, hobbyist UAVs is simple enough and available enough that terrorists will eventually try to do their own amateur version, putting some kind of bomb on it. Moving on from the avionics, weaponizing the craft is also not difficult. The US stuck an anti-tank missile on a Predator; this is also not rocket science. Many states can build drones, many states can operate them, and crudely weaponizing them is also not rocket science. The US didn’t spark an arms race; this would occur to any state with a drone. To the extent that there is real development here, it lies in the development of specialized weapons that enable vastly more discriminating targeting. The details are sketchy, but there are indications from DangerRoom and other observers (including some comments from military officials off the record) that US military budgets include amounts for much smaller missiles designed not as anti-tank weapons, but to penetrate and kill persons inside a car without blowing it to bits, for example. This is genuinely harder to do — but still not all that difficult for a major state, whether leading NATO states, China, Russia, or India. The question is whether it would be a bad thing to have states competing to come up with weapons technologies that are … more discriminating.

#### Turkey model fails – hurts stability more than it helps

**Cagaptay 11** (Soner, Senior Fellow and Director of the Turkish Reseaerch Program – Washington Institute for Near East Policy, “Turkey's Future Role in the 'Arab Spring',” inFocus Quarterly, 5(4), Winter, http://www.jewishpolicycenter.org/2814/turkey-arab-spring)

Turkey ruled the Arab Middle East until World War I, and it must now be careful about how its messages are perceived there. Arabs might be drawn to fellow Muslims; the Turks are also former imperial masters. Arabs are pressing for democracy, and if Turkey behaves like a new imperial power, this approach will backfire. Arab liberals and Islamists alike regularly suggest that Turkey is welcome in the Middle East but should not dominate it. Then, there is the problem of transferring the "Turkish model" to Arab countries. In September 2011, when Turkish Prime Minister Recep Tayyip Erdogan landed at Cairo's new airport terminal (built by Turkish companies), he was warmly met by joyous millions, mobilized by the Muslim Brotherhood. However, he soon upset his pious hosts by preaching about the importance of a secular government that provides freedom of religion, using the Turkish word "laiklik"—derived from the French word for secularism. In Arabic, this term translates as "irreligious." Mr. Erdogan's message may have been partly lost in translation, yet the incident illustrates the limits of Turkey's influence in countries that are far more socially conservative than it is. What is more, Ankara also faces domestic challenges that could hamper its influence in the "Arab Spring." At the moment, Turkey is debating chartering its first civilian-made constitution. If Turkey wants to become a true beacon of democracy in the Middle East, its new constitution must provide broader individual rights for the country's citizens, as well as lifting limits on freedoms, such as curbs on the media. Turkey will also need to fulfill Foreign Minister Ahmet Davutoglu's vision of a "no problems" foreign policy. This means moving past the 2010 flotilla episode to rebuild strong ties with Israel and getting along with the Greek Cypriots who live on the southern part of the divided island of Cyprus (Turkish Cypriots control the north).

#### Turkish influence trades off with Saudi power – now is the key time

**Ennis and Momani, 13** – Crystal A., PhD candidate, Global Governance and International Political Economy, at the University of Waterloo and Bessma, Associate Professor at the University of Waterloo’s Balsillie School of International Affairs and a Fellow at Brookings Institution (“Shaping the Middle East in the Midst of the Arab Uprisings: Turkish and Saudi foreign policy strategies,” Third World Quarterly, vol. 34, is. 6, 2013 //Red)

While the Middle East and North Africa ( mena ) are undergoing rapid change, many domestic, regional and international **actors are vying for** space and **influence** as systems and customs evolve and adopt new forms. This paper characterises and compares the evolving foreign policy strategies of two such regional actors, Turkey and Saudi Arabia. It further assesses the motivations and activities of and challenges to Turkish and Saudi involvement throughout the region since the Arab uprisings. Ultimately these cases provide intriguing insight into the foreign policy purpose and methods of emerging states under conditions of uncertainty. The Middle East is in a delicate period of political transition, given the momentous changes sweeping the region since the onset of the 2011 Arab uprisings. The present is a critical period in modern Middle East history, where the region is **especially vulnerable to competing ideas and interests.** This paper seeks to assess and compare the foreign policy strategies of two influential regional actors, Turkey and Saudi Arabia. Both states have, to various degrees over the years, held leadership roles in the region. While holding divergent preferences on the region’s direction and revolutionary outcomes, the current regional climate provides a **renewed impetus for each to exert influence.** Neither state expects to use hard power to achieve its foreign policy objectives. Instead, both Turkey and Saudi Arabia use a mixture of public diplomacy, media, economic incentives, convening power and the mobilisation of Islam. While both countries share similar foreign policy instruments, they vary greatly in how they utilise these instruments and justify their involvement in the region. Turkey has prided itself on being viewed as a modern role model. Its rapidly growing economy, built on modern industrialisation, along with its successful Islamist government, are offered as examples to be emulated. Where Saudi Arabia has been predominately counter-revolutionary, motivated by **geopolitical security fears** and driven by sectarianism, Turkey has been able to walk a clearer line in support of democratic, albeit Islamist, transitions. In contrast, Saudi Arabia has long considered its role as custodian of the holy Islamic cities of Mecca and Medina as its de facto guarantee of regional significance, while promulgating its prominent role in the G20, the Organization of Islamic States and the Arab League as examples of regional leadership.

#### Saudi model key to regime stability, countering Iran heg

**Ennis and Momani, 13** – Crystal A., PhD candidate, Global Governance and International Political Economy, at the University of Waterloo and Bessma, Associate Professor at the University of Waterloo’s Balsillie School of International Affairs and a Fellow at Brookings Institution (“Shaping the Middle East in the Midst of the Arab Uprisings: Turkish and Saudi foreign policy strategies,” Third World Quarterly, vol. 34, is. 6, 2013 //Red)

In order to understand Saudi Arabia’s foreign policy over the past few years, it is important to take a long view. Saudi foreign policy, even if fragmented, has historically been depicted as cautious, pragmatic and characterised by interpersonal relations. From the outset **it has been primarily concerned with regime and state survival.** It is in this vein that Saudi Arabia has retooled its foreign policy since 2011. Containment of the Arab uprisings has become a defining feature. 18 Containment has proven difficult, however, resulting in much international floundering through attempts to shape outcomes in ways that maintain the regional balance of power. Indeed, the Saudi focus on containment can best be understood by recognising the conventional determinants that shape Saudi Arabia’s foreign affairs. A concern with domestic security has long structured how external security is approached, prioritising the endurance of the ruling House of Saud and the geographic integrity of what has become the Kingdom of Saudi Arabia. In this regard foreign policy in Saudi Arabia is largely determined by domestic concerns. 19 This occurs through the cross-utilisation of resources, traditional legitimacy and control. Natural resources have played a significant role in structuring Saudi Arabia’s relationships both internationally and within the state. As one of the top two countries in the world with the highest proven oil reserves, Saudi Arabia’s 267 billion barrels in oil reserves unsurprisingly shape its international and domestic affairs. 20 The availability of such vast financial means with which to support its foreign policy and security objectives is central to how it wields its policy tools. Not only does oil generate great wealth, it fashions relations between the ruling family, business interests and international capital, expertise and energy. 21 It also bestows on Saudi Arabia the ability to moderate international oil prices by functioning as a swing producer. This in turn serves as a significant bargaining chip and policy tool. 22Resources and access to resources dominate much international engagement, give Saudi Arabia geo-strategic significance, propel its friendly relationship with the US and help secure its role in OPEC and the G20, along with a dominant position in the MENA region more broadly and the Arabian peninsula in particular. One must be mindful that, first and foremost, Saudi international relations are defined by an odd alliance with the US that started with the early days of oil exploration and extends to the present. Their current relationship is best ‘characterized as transactional, each side seeking specific benefits from the other through cooperation on various issues’. 23 Saudi security has been undergirded by many US military agreements since the 1940s. 24 The emphasis on the Saudi–US relationship has drawn international attention since the Arab uprisings, especially where they diverge on support for or opposition to the various revolutions. Despite this, accusations that relations are in **crisis are exaggerated.** All evidence points to the US–Saudi relationship weathering this test to its relationship much like it weathered arguably more serious ones like the 1973 oil embargo and 9/11. 25 Normative concerns with the US’s continued implicit support for authoritarian governments in the Gulf is another debate. Pointing to human rights and political reform concerns, scholars and activists are known to decry the US complicity in torture and human rights abuses, and note its impact on local activists. 26 These same people advocate a rethinking of the US–Saudi alliance, and look to Obama’s second term as a possible moment of opportunity. Although Saudi and Western resource and security interests do not always converge, common ground can often be found, even if the rationale diverges. Saudi Arabia tends to craft its foreign policy moves based on economic, primarily oil, interests and domestic stability concerns, both of which reinforce each other. For instance, where the US portrays Iran as a significant security threat and regional rival, the Saudis tend to emphasise an assumed more insidious ideological and political challenge domestically, while pursuing competitive energy and political manoeuvring abroad. 27 This demonstrates the nexus of domestic security and foreign policy in Saudi politics. It also points to the significance of the second tool mentioned above—legitimacy. Saudi foreign policy must take into account concerns from various segments within society. Even in the absence of formal policy input mechanisms, the legitimacy and consequently the security of the Saudi state partially rest upon various social groups. Gerd Nonneman calls this ‘omnibalancing’, in that it involves a fragile multilevel balancing of resources and risks. 28 In order to maintain its domestic legitimacy, Saudi Arabia leverages oil rent, its family leadership tradition, the ‘manipulation of a cultural ideal related to leadership’, its importance as the custodian of the holy sites of Mecca and Medina with a concomitant association of religious guardianship, and its championing of Islamic and Arab causes. 29 It also uses the divisive politics of sectarianism alongside the summoning of the Wahhabi religious tradition. This is especially evident in its relationship with the Arab uprisings. 30 The utilisation of oil rent to both secure legitimacy and promote political quiescence to rule is well documented in literature on the rentier state. 31 A growing population and widening fiscal constraints on the state are limiting its ability to wield rent resources as effectively as in the past. With rising expenditure since 2011, some estimates put Saudi’s breakeven oil price at US$90 per barrel in 2012—quite a leap from $35 per barrel in 2005. 32 Legitimacy resources, given a decreased capacity to manage welfare and patronage distribution as effectively, must be sought from other sources. 33 These include religion and control. Conventional interpretations of domestic legitimacy and foreign policy see these resting on a foundation of religion in general, and the Wahhabi Sunni tradition in particular. The early alliance of Abdulaziz ibn Saud with Muhammad Al-Wahhab and his followers has extended into the present with a peculiar religo-political alliance. Whatever security this does provide, however, has also resulted in something of a catch-22 for the House of Saud. Legitimating their rule in these terms has been complicated by the transnational identity of Islam and other domestic and regional religious movements. As such, ‘because of the importance of Arabist and Islamist feelings among the Saudi population, encouraged to some extent by the government itself, Riyadh risks domestic reactions if it is seen as deviating too far from the Arab-nationalist and/or Islamist consensus on issues concerning Israel and relations with the United States’.34 The same logic applies to domestic reforms as well, which has seen conservative patriarchal elements of society protest at government legislative moves deemed ‘un-Islamic’. 35 Religion provides the Saudi leadership with a sharp legitimacy tool that, like any sharp tools, has the potential to cut its handler. Therefore control plays an important role. Like many authoritarian states, Saudi Arabia uses the promise of economic well-being and the provision of national security. This is combined with the use of a strong security apparatus, fear and control over official discourse ranging from religion to political and social issues. Oil revenues have allowed the Saudis to develop a robust security apparatus. Its military expenditure as a share of GDP was 10.1% in 2010, the highest in the world for that year. 36 In addition to this, it consolidates its control by distributing a division of royal labour across key security and foreign policy roles. The late crown prince Sultan, for example, was both minister of defence and responsible for the Special Office for Yemeni Affairs until his death in 2011. 37 The current crown prince, Salman bin Abdulaziz, is the current minister of defence. Various members of the Saudi royal family, particularly the remaining members of the so-called Sudairi Seven and more recently their sons, maintain these posts. The House of Saud must constantly maintain this balance of internal and external security and legitimacy, appeasing various segments of society and maintaining a strong, principled image. It must balance local perceptions of danger emanating from the forces of globalisation and the presence of foreign culture through the heavy presence of expatriate workers, as well as pressure from Europe and the USA in particular. Its control and authoritarianism have long been rooted in the struggle of ordering natural resources and society. As Toby Jones argues, this struggle can be seen as constructing and entrenching authoritarianism more than early alliances between religious actors and the Al Saud. 38 Regionally and internationally Saudi Arabia has tried to flex its diplomatic muscles through multilateral organisations for some time. Its founding role in the Organization of Islamic Conference (OIC), the Gulf Cooperation Council (GCC), and the Arab League, for instance, are suggestive of its self-proclaimed interest in playing an ‘effective role’ in international and regional organisations and leveraging soft power toward its aims. 39 Its long-standing role in OPECalready cast it as an economic force, which it happily continued to embrace with its inclusion in the G20. Saudi Arabia is, in fact, the only Arab and the only OPEC member in the G20. Its increasing exposure to international economic vicissitudes with its expanding financialisation, given its sovereign wealth funds and transition from a debtor to a creditor country, have made it a natural peer to other emerging economies in the G20. One should not underestimate its economic considerations in its international foreign policy moves. Since the global financial crisis of 2008 the Saudis have been affected by finance, oil and food commodity markets. 40 In the same vein Saudi Arabia has also been diversifying its international economic and political partners. After joining the World Trade Organization (WTO), following over a decade of negotiations and the accession of King Abdullah to the throne, both in 2005, Saudi Arabia appears to have jump-started its integration into the global community. 41 Visits to China and the Pope, and mushrooming relations with both India and China all indicate a ‘more pragmatic, rational and economy-oriented foreign policy’. 42 Nonetheless, alongside its participation in regional and international organisations, one can also trace a history of Saudi Arabia **serving in a mediating role** since the early 1970s and arguably earlier. Indeed, Saudi Arabia considers ‘**mediation as an integral tool in its foreign policy goals of maintaining an active involvement in regional issues, enhancing and deepening its influence**’. 43 Saudi foreign policy under King Abdullah may be seen as more reformist or pragmatic, but it continues to pursue its chief goals of domestic and regional security and stability. This has long included the support of regional actors aligned with Saudi and Western interests, along with countering Iranian influence in its neighbourhood, especially in Iraq, Lebanon, Syria, Yemen and Bahrain. It is only since 2011 that it found itself also pursuing a new foreign policy objective, namely ‘containment’ of the revolutions sweeping the Arab world. 44 This new behaviour, however, **can be viewed in the same context of protecting regime security and domestic and regional stability.** Saudi Arabia is a peculiar middle power. Its foreign policy is not designed simply to balance neighbouring interests or yield to US pressure, but rather **walks a fine line between managing domestic and external pressure so as to guarantee regime survival and regional authority.** Understanding the determinants of Saudi foreign policy can help us understand its seemingly schizophrenic reaction to the Arab revolutions. The notion of containment fits well within this narrative. Not only does Saudi Arabia want to maintain its role as a soft power mediator and be seen as advancing and even leading Arab causes, it wants to be the dominant religio-regional figurehead, opposite Iran. Along with acceptance and complicity in consigning unfriendly Arab states to casualties of the Arab Spring, it has sought to aid its regional friends and, when that failed, tried to forge new friendships. This was particularly evident in the case of Egypt, where Saudi Arabia tried to help Hosni Mubarak stave off unrest and now finds itself in the awkward position of trying to mend relations with the Egyptian Muslim Brotherhood. Simultaneously it has tried to buttress monarchy in the region, while leveraging sectarianism to marginalise and discredit dissent in its eastern province and Bahrain.

#### Saudi stability is key to the economy, terror and solves iran containment

**Riedel, 13** – Bruce, Senior Fellow, Foreign Policy, Saban Center for Middle East Policy (“Revolution in Riyadh,” Brookings, 1/17/13, <http://www.brookings.edu/research/papers/2013/01/revolution-in-riyadh> //Red)

So far, they have helped ensure that revolution has not unseated any Arab monarch. However, Bahrain and Jordan have become the weakest links in the royal chain. The King of Bahrain is failing to suppress a prolonged rebellion against his rule; the King of Jordan could be next. Unrest in Jordan would threaten the peace with Israel. But the United States – **and Israel** – can cope with instability in both small states. **Not so in Saudi Arabia.** If an Awakening takes place in Saudi Arabia it will probably look a lot like the revolutions in the other Arab states. Already demonstrations, peaceful and violent, have wracked the oil-rich Eastern Province for over a year. These are Shia protests and thus atypical of the rest of the Kingdom because Shias represent only 10 percent of the population. Shia dissidents in ARAMCO, the Saudi oil company, have also used cyber warfare to attack its computer systems, crashing over 30,000 work-stations this past August. They probably received Iranian help. Much more disturbing to the royals would be protests in Sunni parts of the Kingdom. These might start in the so-called Koran belt north of the capital where dissent is endemic or in the neglected Asir province on the Yemeni border. Once they start they could snowball and reach the major cities of the Hejaz, including Jidda, Mecca, Taif, and Medina. The Saudi opposition is well-armed with mobile phone technology, which could ensure rapid communication of dissent within the Kingdom and to the outside world. The critical defender of the regime would be the National Guard. King Abdallah has spent his life building this Praetorian elite force. The United States has trained and equipped it with tens of billions of dollars’ worth of helicopters and armored vehicles. But the key unknown is whether the Guard will shoot on its brothers and sisters in the street. It may fragment or it may simply refuse to suppress dissent if it is largely peaceful, especially at the start. The succession issue adds another layer of complication. Every succession in the Kingdom since its founder Abdel Aziz bin Saud died in 1953 has been among his brothers. King Abdallah and Crown Prince Salman are, literally, the end of that breed and both are in frail health; after them there are only two remaining half brothers that might suit and then there is no clear line of succession in the next generation. If Abdallah and/or Salman die as unrest unfolds, and a succession crisis ensues, then the Kingdom could be even more vulnerable to revolution. Like in other Arab revolutions, the opposition revolutionaries will not be united on anything except ousting the monarchy. There will be secular democrats but also al Qaeda and Wahhabi elements in the opposition. Trying to pick and choose will be very difficult. The unity of the kingdom could collapse as the Hejaz separates from the rest, the east falls to Iranbacked Shia and the center **becomes a jihadist stronghold.** For the United States, revolution in Saudi Arabia would be a game-changer. While the United States can live without Saudi oil, China, India, Japan and Europe cannot. **Any disruption** in Saudi oil exports either due to unrest, cyber attacks or a new regime’s decision to reduce exports substantially **will have major impacts on the global economy.** The CIA war against al Qaeda is heavily dependent on the Kingdom; Saudi intelligence operations **foiled the last two a**l **Q**aeda in the **A**rabian **P**eninsula **attacks** on the American homeland. The U.S. military training mission in the Kingdom, founded in 1953, is the largest such mission in the world. **The Saudis have also been a key player in containing Iran for decades.** King Abdallah was the author of the Arab peace plan that bears his name.

#### Nuclear war

**Ben-Meir 7**—Alon Ben-Meir, professor of international relations at the Center for Global Affairs at NYU, 2/6/07, Realpolitik: Ending Iran's defiance, <http://www.upi.com/Security_Industry/2007/02/06/Realpolitik-Ending-Irans-defiance/UPI-69491170778058/>

Feeling emboldened and unrestrained, Tehran may, however, **miscalculate** the consequences of its own actions, which could precipitate a catastrophic **regional war.** The Bush administration has less than a year to rein in Iran's reckless behavior if it hopes to prevent such an ominous outcome and achieve, at least, a modicum of regional stability.

By all assessments, Iran has reaped the greatest benefits from the Iraq war. The war's consequences and the American preoccupation with it have provided Iran with an historic opportunity to establish Shiite dominance in the region while aggressively pursuing a nuclear weapon program to deter any challenge to its strategy.

Tehran is fully cognizant that the successful pursuit of its regional hegemony has now become intertwined with the clout that a nuclear program bestows. Therefore, it is most unlikely that Iran will give up its nuclear ambitions at this juncture, unless it concludes that the price will be too high to bear. That is, whereas before the Iraq war Washington could deal with Iran's nuclear program by itself, now the Bush administration must also disabuse Iran of the belief that it can achieve its regional objectives with impunity.

Thus, while the administration attempts to stem the Sunni-Shiite violence in Iraq to prevent it from engulfing other states in the region, Washington must also take a clear stand in Lebanon. Under no circumstances should Iranian-backed Hezbollah be allowed to topple the secular Lebanese government. If this were to occur, it would trigger not only a devastating civil war in Lebanon but a wider Sunni-Shiite bloody conflict.

The Arab Sunni states, especially, Saudi Arabia, Egypt and Jordan, are terrified of this possible outcome. For them Lebanon may well provide the litmus test of the administration's resolve to inhibit Tehran's adventurism but they must be prepared to directly support U.S. efforts.

In this regard, the Bush administration must wean Syria from Iran. This move is of paramount importance because not only could Syria end its political and logistical support for Hezbollah, but it could return Syria, which is predominantly Sunni, to the Arab-Sunni fold.

President Bush must realize that Damascus' strategic interests are not compatible with Tehran's and the Assad regime knows only too well its future political stability and economic prosperity depends on peace with Israel and normal relations with the United States. President Bashar Assad may talk tough and embrace militancy as a policy tool; he is, however, the same president who called, more than once, for unconditional resumption of peace negotiation with Israel and was rebuffed.

The stakes for the United States and its allies in the region are too high to preclude testing Syria's real intentions which can be ascertained only through direct talks. It is high time for the administration to reassess its policy toward Syria and begin by abandoning its schemes of regime change in Damascus. Syria simply matters; the administration must end its efforts to marginalize a country that can play such a pivotal role in changing the political dynamic for the better throughout the region.

Although ideally direct negotiations between the United States and Iran should be the first resort to resolve the nuclear issue, as long as Tehran does not feel seriously threatened, it seems unlikely that the clergy will at this stage end the nuclear program. In possession of nuclear weapons Iran will intimidate the larger Sunni Arab states in the region, bully smaller states into submission, threaten Israel's very existence, use oil as a political weapon to blackmail the West and **instigate regional prolif**eration of nuclear weapons' programs.

In short, if unchecked, Iran could plunge the Middle East into a deliberate or **inadvertent nuclear conflagration**. If we take the administration at its word that it would not tolerate a nuclear Iran and considering these regional implications, Washington is left with no choice but to warn Iran of the severe consequences of not halting its nuclear program.

Such a warning, however, cannot be ambiguous or open ended; rather, it should include a reasonable timeline (a few months) to allow the representatives of the European Union -- France, Germany and England, perhaps with the support of Russia and China -- to make a last-ditch effort.

To prevent Iran from miscalculating the consequences of its own actions, the administration should back this warning with credible punitive measures that leave Iran in no doubt whatsoever of the consequences for defying the international community. As it is, there is growing concerns inside Iran both about socio-economic conditions and President Mahmoud Ahmadinejad's foreign policy provocations. American pressure at this time will not be taken lightly by Iran, which dreads major U.S. punitive measures.

### Terror

#### No public backlash

Sides 13 (John, George Washington University, “Most Americans approve of foreign drone strikes,” 3-10, <http://www.washingtonpost.com/blogs/wonkblog/wp/2013/03/10/most-americans-approve-of-foreign-drone-strikes/>)

In fact, drone strikes attracted roughly similar amounts of support from across the partisan spectrum: 68 percent of Republicans approved, as did 58 percent of Democrats and 51 percent of independents. A pattern of relative bipartisanship is not all that common in public opinion today, but it is predictable in this case. When leaders in the two parties don't really disagree on something, there is no reason for partisans in the public to disagree either. In John Zaller's magisterial account of how public opinion is formed and evolves, he refers to a pattern of bipartisanship like this one as a "mainstream effect." Like it or not, drone warfare has become so common that "mainstream" does not sound inapt.

Thus, there is little reason to expect public opinion about the drone program to change without concerted and prolonged dissent from political leaders. That does not seem to be forthcoming. Paul's dissent -- which didn't even emphasize foreign targets of American drones -- was met with harsh rebuttals from Lindsay Graham, John McCain and the Wall Street Journal editorial page. Democrats were not exactly rushing to stand with Paul either.

#### Backlash doesn’t kill drones – it’s under the radar

Ezell 9-17 (Wayne, “Robotics revolution changing warfare and public's role, Brookings scholar says,” <http://jacksonville.com/news/metro/2013-09-17/story/robotics-revolution-changing-warfare-and-publics-role-brookings-scholar>)

Read more at Jacksonville.com: http://jacksonville.com/news/metro/2013-09-17/story/robotics-revolution-changing-warfare-and-publics-role-brookings-scholar#ixzz2fkMeKV1w

Drones and other robotics are changing the nature of war, making it easier to initiate attacks and even major conflicts without public opposition, says a leading expert in 21st century warfare.

The growth in robotics and the potential for sophisticated cyber warfare are redefining military power and conflicts, but the importance of humans, especially organizational leadership, will be enhanced, said Peter W. Singer, a senior fellow at the Brookings Institution.

What began as the robots of science fiction now face us as reality and is raising serious questions relating to war, politics, ethics and business, Singer said.

As the use of drones and other robotics moves to the private sector, beyond manufacturing and into policing, journalism and other fields, they will pose new challenges, especially when they get into the wrong hands.

Even our present concept of a drone, such as the slow-moving, propeller driven Predator now used by the military, will change. Think about drones with jet-engine and stealth capability.

“These are like the Model T compared to what is coming,” Singer said in an interview.

He will speak to the Jacksonville World Affairs Council Tuesday evening on the topic of his most recent book “Wired for War: The Robotics Revolution and Conflict in the 21st Century.” That event is sold out, but more about Singer’s views and publications can be found at www.pwsinger.com.

Changing risk calculations by limiting human losses and reducing the news profile alters the dynamics of how conflicts start and are waged, says Singer, who has written articles for many of the world’s major newspapers and magazines, and has provided commentary on the military for major TV outlets in the U.S. and abroad.

“Political leaders weigh things differently when boots are on the ground,” he said.

For example, hundreds of deadly drone strikes on military targets get little attention while insertion of even a few soldiers would make major headlines.

#### 1ac Zenko proves the threshold for the impact is small – it exists now – if a strike were truly key to solve nuke terror, it would be done anyway

#### No retaliation—definitely no escalation

**Mueller 5** (John, Professor of Political Science – Ohio State University, Reactions and Overreactions to Terrorism, http://polisci.osu.edu/faculty/jmueller/NB.PDF)

However, history clearly demonstrates that overreaction is not necessarily inevitable. Sometimes, in fact, leaders have been able to restrain their instinct to overreact. Even more important, **restrained reaction--or even capitulation to terrorist acts--has often proved to be entirely acceptable politically**. That is, there are many instances where leaders did nothing after a terrorist attack (or at least refrained from overreacting) and did not suffer politically or otherwise. Similarly, after an unacceptable loss of American lives in Somalia in 1993, Bill Clinton responded by withdrawing the troops without noticeable negative impact on his 1996 re-election bid. Although Clinton responded with (apparently counterproductive) military retaliations after the two U.S. embassies were bombed in Africa in 1998 as discussed earlier, his administration did not have a notable response to terrorist attacks on American targets in Saudi Arabia (Khobar Towers) in 1996 or to the bombing of the U.S.S. Cole in 2000, and these non-responses never caused it political pain. George W. Bush's response to the anthrax attacks of 2001 did include, as noted above, a costly and wasteful stocking-up of anthrax vaccine and enormous extra spending by the U.S. Post Office. However, beyond that, it was the same as Clinton's had been to the terrorist attacks against the World Trade Center in 1993 and in Oklahoma City in 1995 and the same as the one applied in Spain when terrorist bombed trains there in 2004 or in Britain after attacks in 2005: the dedicated application of police work to try to apprehend the perpetrators. This approach was politically acceptable even though the culprit in the anthrax case (unlike the other ones) has yet to be found. The demands for retaliation may be somewhat more problematic in the case of suicide terrorists since the direct perpetrators of the terrorist act are already dead, thus sometimes impelling a vengeful need to seek out other targets. Nonetheless, the attacks in Lebanon, Saudi Arabia, Great Britain, and against the Cole were all suicidal, yet no direct retaliatory action was taken. **Thus, despite short-term demands that some sort of action must be taken**, experience suggests politicians can often successfully ride out this demand after the obligatory (and inexpensive) expressions of outrage are prominently issued.

#### Limits exchange doesn’t cause extinction – one or two nukes don’t rise to the level of nuclear winter

#### No scenario for nuclear terror---consensus of experts

Matt Fay 13, PhD student in the history department at Temple University, has a Bachelor’s degree in Political Science from St. Xavier University and a Master’s in International Relations and Conflict Resolution with a minor in Transnational Security Studies from American Military University, 7/18/13, “The Ever-Shrinking Odds of Nuclear Terrorism”, webcache.googleusercontent.com/search?q=cache:HoItCUNhbgUJ:hegemonicobsessions.com/%3Fp%3D902+&cd=1&hl=en&ct=clnk&gl=us&client=firefox-a

For over a decade now, one of the most oft-repeated threats raised by policymakers—the one that in many ways justified the invasion of Iraq—has been that of nuclear terrorism. Officials in both the Bush and Obama administrations, including the presidents themselves, have raised the specter of the atomic terrorist. But beyond mere rhetoric, how likely is a nuclear terrorist attack really?¶ While pessimistic estimates about America’s ability to avoid a nuclear terrorist attack became something of a cottage industry following the September 11th attacks, a number of scholars in recent years have pushed back against this trend. Frank Gavin has put post-9/11 fears of nuclear terrorism into historical context (pdf) and argued against the prevailing alarmism. Anne Stenersen of the Norwegian Defence Research Establishment has challenged the idea that al Qaeda was ever bound and determined to acquire a nuclear weapon. John Mueller ridiculed the notion of nuclear terrorism in his book Atomic Obsessions and highlighted the numerous steps a terrorist group would need to take—all of which would have to be successful—in order to procure, deliver, and detonate an atomic weapon. And in his excellent, and exceedingly even-handed, treatment of the subject, On Nuclear Terrorism, Michael Levi outlined the difficulties terrorists would face building their own nuclear weapon and discussed how a “system of systems” could be developed to interdict potential materials smuggled into the United States—citing a “Murphy’s law of nuclear terrorism” that could possibly dissuade terrorists from even trying in the first place.¶ But what about the possibility that a rogue state could transfer a nuclear weapon to a terrorist group? That was ostensibly why the United States deposed Saddam Hussein’s regime: fear he would turnover one of his hypothetical nuclear weapons for al Qaeda to use.¶ Enter into this discussion Keir Lieber and Daryl Press and their article in the most recent edition of International Security, “Why States Won’t Give Nuclear Weapons to Terrorists.” Lieber and Press have been writing on nuclear issues for just shy of a decade—doing innovative, if controversial work on American nuclear strategy. However, I believe this is their first venture into the debate over nuclear terrorism. And while others, such as Mueller, have argued that states are unlikely to transfer nuclear weapons to terrorists, this article is the first to tackle the subject with an empirical analysis.¶ The title of their article nicely sums up their argument: states will not turn over nuclear weapons terrorists. To back up this claim, Lieber and Press attack the idea that states will transfer nuclear weapons to terrorists because terrorists operate of absent a “return address.” Based on an examination of attribution following conventional terrorist attacks, the authors conclude:¶ [N]either a terror group nor a state sponsor would remain anonymous after a nuclear attack. We draw this conclusion on the basis of four main findings. First, data on a decade of terrorist incidents reveal a strong positive relationship between the number of fatalities caused in a terror attack and the likelihood of attribution. Roughly three-quarters of the attacks that kill 100 people or more are traced back to the perpetrators. Second, attribution rates are far higher for attacks on the U.S. homeland or the territory of a major U.S. ally—97 percent (thirty-six of thirty-seven) for incidents that killed ten or more people. Third, tracing culpability from a guilty terrorist group back to its state sponsor is not likely to be difficult: few countries sponsor terrorism; few terrorist groups have state sponsors; each sponsor terrorist group has few sponsors (typically one); and only one country that sponsors terrorism, has nuclear weapons or enough fissile material to manufacture a weapon. In sum, attribution of nuclear terror incidents would be easier than is typically suggested, and passing weapons to terrorists would not offer countries escape from the constraints of deterrence.¶ From this analysis, Lieber and Press draw two major implications for U.S. foreign policy: claims that it is impossible to attribute nuclear terrorism to particular groups or potential states sponsors undermines deterrence; and fear of states transferring nuclear weapons to terrorist groups, by itself, does not justify extreme measures to prevent nuclear proliferation.¶ This is a key point. While there are other reasons nuclear proliferation is undesirable, fears of nuclear terrorism have been used to justify a wide-range of policies—up to, and including, military action. Put in its proper perspective however—given the difficulty in constructing and transporting a nuclear device and the improbability of state transfer—nuclear terrorism hardly warrants the type of exertions many alarmist assessments indicate it should.

#### Goldsmith is about domestic, not international targeting – cites Al Aulaqi – the AFF doesn’t reverse due process concerns

#### No Russia miscalc impact

**Bailey and Barish 99** (Kathleen C., Franklin D., Lawrence Livermore National Laboratory, Comparative Strategy Jan-Mar1998, Vol18 Iss1, "De-alerting of U.S. Nuclear Forces: A Critical Appraisal" Academic Search Complete, \*I can email you the article if you don't have this database)

The Adequacy of Early Warning The United States and Russia have satellite- and ground-based systems to detect and track the launch of ballistic missiles toward their territories, as well as some capabilities to warn of approaching aircraft. Additionally, both nations have communications established that enable them to raise questions and seek clarification should there be unexplained activity that appears threatening. Critics who favor de-alerting cite an incident in January 1995 as evidence that early warning in Russia is inadequate and could lead to hasty Russian nuclear use [ 1]. The incident involved a Russian alert response to a research rocket fired from Norway. However, although some people viewed President Yeltsin's order for an alert as excessively dangerous, others noted that it was actually an example of the system working as it should--a missile firing was observed and the leadership stepped up readiness in event that it was actually an attack.

In the 2 years following the 1995 incident, many articles appeared in Western academic and news media alleging deficiencies in Russian Command, Control and Communications (C3) particularly Russian early-warning systems. Russian experts attempted to allay fears. For example, in August 1997, Major General Vladimir Dvorkin, chief of the Fourth Central Research Institute (for the Strategic Rocket Forces) of the Russian Ministry of Defense, made a trip to the United States to address a group of defense specialists at the U.S. Naval Postgraduate School. His speech dealt extensively with Russian C3. Points he made included that: Russia does not rely principally on launch on warning, but rather on the survivability of its mobile forces; that the U.S. view of Russian C3 as seriously vulnerable is erroneous; that C3 is very centralized in Russia and there is no possibility that "underlings" can gain control; that Russian warning systems are multilayered; and that there are positive and negative hardware controls on tactical nuclear systems that prevent their misuse. He closed with the remark that the United States should do a better job of understanding the complexity and competence of the Russian C3 system. Russian military experts have continued to discuss openly their nation's early warning capabilities. In a July 1998 interview, the Russian Strategic Rocket Forces commander, Gen. Vladimir Yakovlev, stated that the missile-attack early-warning system is somewhat disadvantaged by the impending closure of a station in Skrunde, Latvia, but that there were compensations planned. He noted that a new station in Baranovichi, Byelorussia would be built and that the stations in Mukachevo, Gabal, Balkhash, and Sevastopol, as well as those in eastern Russia, remained in service and therefore "the situation is not dangerous" [ 2]. Both Russia and the United States have viewed effective early-warning systems as integral not only to their own defenses but also to assuring stability and preventing hasty, dangerous decisions on nuclear use. Cooperation and communication to maintain effective early warning remains in the security interests of both nations. Controls to Prevent Accidental or Unauthorized Use Neither U.S. nor Russian nuclear weapons can be fired accidentally, nor can an illegitimate order to fire be acted upon. There are numerous checks and balances to assure a very high level of control over weapons: \* Personnel reliability program--assures appropriate background \* Technology and personnel for physical security \* Multiple personnel required for access to weapons codes \* Physical security on weapons (cannot fire without codes) \* Automatic weapon-disabling systems Nuclear weapons require a series of steps not only to issue the order to fire (and for the recipient to authenticate the order once received) but also to execute the order. For example, instruction codes to issue a command to fire U.S. nuclear weapons are kept in a safe. To open the safe requires that an order from the commander-in-chief (or his successor) be received and decoded. Two individuals, each with complementary components of the combination or key to the safe then must participate in opening it. (In Russia, there are three individuals.) A single person cannot do the action, nor can it be done by only the two people with the key; others must be aware and complicit in the action. The weapons themselves also have codes or mechanical devices that must be implemented or activated correctly to enable the weapon to be fired. Preventing unauthorized use is largely a matter of physical security. Highly trained protective personnel guard U.S. and Russian nuclear-weapons systems. There are in both nations extensive operational procedures exercised regularly to assure security. Also, high-technology items such as sensors and deterrent devices are used to prohibit unauthorized entry to facilities and, in event of breach, to prevent the weapons from being usable.

#### Their allies argument is backwards

Kennedy, 13 [“Drones: Legitimacy and Anti-Americanism”, Greg Kennedy is a Professor of Strategic Foreign Policy at the Defence Studies Department, King's College London, based at the Joint Services Command and Staff College, Defence Academy of the United Kingdom, in Shrivenham, Parameters 42(4)/43(1) Winter-Spring 2013]

The exponential rise in the use of drone technology in a variety of military and non-military contexts represents a real challenge to the framework of established international law and it is both right as a matter of principle, and inevitable as a matter of political reality, that the international community should now be focusing attention on the standards applicable to this technological development, particularly its deployment in counterterrorism and counter-insurgency initiatives, and attempt to reach a consensus on the legality of its use, and the standards and safeguards which should apply to it.4 deliver deadly force is taking place in both public and official domains in the United States and many other countries.5 The four key features at the heart of the debate revolve around: who is controlling the weapon system; does the system of control and oversight violate international law governing the use of force; are the drone strikes proportionate acts that provide military effectiveness given the circumstances of the conflict they are being used in; and does their use violate the sovereignty of other nations and allow the United States to disregard formal national boundaries? Unless these four questions are dealt with in the near future the impact of the unresolved legitimacy issues will have a number of repercussions for American foreign and military policies: “Without a new doctrine for the use of drones that is understandable to friends and foes, the United States risks achieving near-term tactical benefits in killing terrorists while incurring potentially significant longer-term costs to its alliances, global public opinion, the war on terrorism and international stability.”6 This article will address only the first three critical questions. The question of who controls the drones during their missions is attracting a great deal of attention. The use of drones by the Central Intelligence Agency (CIA) to conduct “signature strikes” is the most problematic factor in this matter. Between 2004 and 2013, CIA drone attacks in Pakistan killed up to 3,461—up to 891 of them civilians.7 Not only is the use of drones by the CIA the issue, but subcontracting operational control of drones to other civilian agencies is also causing great concern.8 Questions remain as to whether subcontractors were controlling drones during actual strike missions, as opposed to surveillance and reconnaissance activities. Nevertheless, the intense questioning of John O. Brennan, President Obama’s nominee for director of the CIA in February 2013, over drone usage, the secrecy of their controllers and orders, and the legality of their missions confirmed the level of concern America’s elected officials have regarding the legitimacy of drone use. Furthermore, perceptions and suspicions of illegal clandestine intelligence agency operations, already a part of the public and official psyche due to experiences from Vietnam, Iran-Contra, and Iraq II and the weapons of mass destruction debacle, have been reinforced by CIA management of drone capability. Recent revelations about the use of secret Saudi Arabian facilities for staging American drone strikes into Yemen did nothing to dissipate such suspicions of the CIA’s lack of legitimacy in its use of drones.9 The fact that the secret facility was the launching site for drones used to kill American citizens Anwar al-Awlaki and his son in September 2011, both classified by the CIA as al-Qaeda-linked threats to US security, only deepened such suspicions. Despite the fact that Gulf State observers and officials knew about American drones operating from the Arabian peninsula for years, the existence of the CIA base was not openly admitted in case such knowledge should “ . . . damage counter-terrorism collaboration with Saudi Arabia.”10 The fallout from CIA involvement and management of drone strikes prompted Senator Dianne Feinstein, Chairwoman of the Senate Intelligence Committee, to suggest the need for a court to oversee targeted killings. Such a body, she said, would replicate the Foreign Intelligence Surveillance Court, which oversees eavesdropping on American soil.11 Most importantly, such oversight would go a long way towards allaying fears of the drone usage lacking true political accountability and legitimacy. In addition, as with any use of force, drone strikes in overseas contingency operations can lead to increased attacks on already weak governments partnered with the United States. They can lead to retaliatory attacks on local governments and may contribute to local instability. Those actions occur as a result of desires for revenge and frustrations caused by the strikes. Feelings of hostility are often visited on the most immediate structures of authority—local government officials, government buildings, police, and the military.12 It can thus be argued that, at the strategic level, drone strikes are fuelling anti-American resentment among enemies and allies alike. Those reactions are often based on questions regarding the legality, ethicality, and operational legitimacy of those acts to deter opponents. Therefore, specifically related to the reaction of allies, the military legitimacy question arises if the use of drones endangers vital strategic relationships.13 One of the strategic relationships being affected by the drone legitimacy issue is that of the United States and the United Kingdom. Targeted killing, by drone strike or otherwise, is not the sole preserve of the United States. Those actions, however, attract more negative attention to the United States due to its prominence on the world’s stage, its declarations of support for human rights and democratic freedoms, and rule-of-law issues, all which appear violated by such strikes. This complexity and visibility make such targeted killings important for Anglo-American strategic relations because of the closeness of that relationship and the perception that Great Britain, therefore, condones such American activities. Because the intelligence used in such operations is seen by other nations as a shared Anglo-American asset, the use of such intelligence to identify and conduct such killings, in the opinion those operations.14 Finally, the apparent gap between stated core policies and values and the ability to practice targeted killings appears to be a starkly hypocritical and deceitful position internationally, a condition that once again makes British policymakers uncomfortable with being tarred by such a brush.15 The divide between US policy and action is exacerbated by drone technology, which makes the once covert practice of targeted killing commonplace and undeniable. It may also cause deep-rooted distrust due to a spectrum of legitimacy issues. Such questions will, therefore, undermine the US desire to export liberal democratic principles. Indeed, it may be beneficial for Western democracies to achieve adequate rather than decisive victories, thereby setting an example of restraint for the international order.16 The United States must be willing to engage and deal with drone-legitimacy issues across the entire spectrum of tactical, operational, strategic, and political levels to ensure its strategic aims are not derailed by operational and tactical expediency.

#### Allies not key – the US violates overflight rights All the time – Pakistan proves – most strikes are unilateral

#### Their studies for solving terrorism are bad

Boyle, 13 [“The costs and consequences of drone warfare”, MICHAEL J. BOYLE, International Affairs 89: 1 (2013) 1–29, assistant professor of political science at LaSalle University]

Arguments for the effectiveness of drones can be subdivided into four separate claims: (1) that drones are effective at killing terrorists with minimal civilian casualties; (2) that drones have been successful at killing so-called ‘high value targets’ (HVTs); (3) that the use of drones puts such pressure on terrorist organizations that it degrades their organizational capacity and ability to strike; and (4) that a cost–benefit analysis of their use relative to other options—such as the deployment of ground troops—provides a compelling argument in their favour. **None of these claims should be taken at face value**. The evidence behind each is often less compelling than is assumed, in part because reliable data on the drone strikes and their effects are difficult to obtain. Some of these arguments are based on dubious counterfactuals that try to measure the costs of drone strikes against the effects of prevented, and entirely hypothetical, enemy attacks.17 Others **conflate efficiency**—that is, an advantageous ratio of inputs to outputs in executing an activity—**with** the **effectiveness** of a particular action in achieving a wider goal. Still others operate with an attenuated notion of effectiveness which focuses exclusively at the tactical level without considering the wider strategic costs of drone warfare. The position of the American foreign policy establishment on drones— that they are an effective tool which minimizes civilian casualties—is based on a highly selective and partial reading of the evidence.

### More

#### No drone prolif—capabilities and costs

Zenko, Douglas Dillon fellow in the Center for Preventive Action – CFR, ‘13

(Micah, “U.S. Drone Strike Policies”, Council Special Report No. 65, January)

There are also few examples of armed drone sales by other countries. After the United States, Israel has the most developed and varied drone capabilities; according to the Stockholm International Peace Research Institute (SIPRI), Israel was responsible for 41 percent of drones exported between 2001 and 2011.57 While Israel has used armed drones in the Palestinian territories and is not a member of the MTCR, it has pre- dominantly sold surveillance drones that lack hard points and electrical engineering. Israel reportedly sold the Harop, a short-range attack drone, to France, Germany, Turkey, and India. Furthermore, Israel allows the United States to veto transfers of weapons with U.S.-origin technology to select states, including China.58 Other states invested in developing and selling **surveillance drones** have reportedly refrained from selling fully armed versions. For example, the UAE spent five years building the armed United-40 drone with an associated Namrod missile, but there have been no reported deliveries.59 A March 2011 analysis by the mar- keting research firm Lucintel projected that a “fully developed [armed drone] product will take another decade.”60 Based on current trends, it is unlikely that most states will have, within ten years, the complete system architecture required to carry out distant drone strikes that would be harmful to U.S. national interests. However, those candidates able to obtain this technology will most likely be states with the financial resources to purchase or the industrial base to manufacture tactical short-range armed drones with limited firepower that lack the precision of U.S. laser-guided munitions; the intelligence collection and military command-and-control capabilities needed to deploy drones via line-of-sight communications; and cross- border adversaries who currently face attacks or the threat of attacks by manned aircraft, such as Israel into Lebanon, Egypt, or Syria; Russia into Georgia or Azerbaijan; Turkey into Iraq; and Saudi Arabia into Yemen. When compared to distant U.S. drone strikes, these contingen- cies do not require system-wide infrastructure and host-state support. Given the costs to conduct manned-aircraft strikes with minimal threat to pilots, it is questionable whether states will undertake the significant investment required for armed drones in the near term.

#### Zero chance of precedent setting – other countries don’t act based on the United States policy

Wright 12 [Robert Wright, finalist for the Pulitzer Prize, former writer and editor at The Atlantic, “The Incoherence of a Drone-Strike Advocate” NOV 14 2012, <http://www.theatlantic.com/international/archive/2012/11/the-incoherence-of-a-drone-strike-advocate/265256/>]

Naureen Shah of Columbia Law School, a guest on the show, had raised the possibility that America is setting a dangerous precedent with drone strikes. If other people start doing what America does--fire drones into nations that house somebody they want dead--couldn't this come back to haunt us? And haunt the whole world? Shouldn't the U.S. be helping to establish a global norm against this sort of thing? Host Warren Olney asked Boot to respond.¶ Boot started out with this observation:¶ I think the precedent setting argument is overblown, because I don't think other countries act based necessarily on what we do and in fact we've seen lots of Americans be killed by acts of terrorism over the last several decades, none of them by drones but they've certainly been killed with car bombs and other means.¶ That's true--no deaths by terrorist drone strike so far. But I think a fairly undeniable premise of the question was that the arsenal of terrorists and other nations may change as time passes. So answering it by reference to their current arsenal isn't very illuminating. In 1945, if I had raised the possibility that the Soviet Union might one day have nuclear weapons, it wouldn't have made sense for you to dismiss that possibility by noting that none of the Soviet bombs dropped during World War II were nuclear, right?¶ As if he was reading my mind, Boot immediately went on to address the prospect of drone technology spreading. Here's what he said:¶ You know, drones are a pretty high tech instrument to employ and they're going to be outside the reach of most terrorist groups and even most countries. But whether we use them or not, the technology is propagating out there. We're seeing Hezbollah operate Iranian supplied drones over Israel, for example, and our giving up our use of drones is not going to prevent Iran or others from using drones on their own. So I wouldn't worry too much about the so called precedent it sets..."

## 2nc

### 2nc politics = net benefit

#### The CP avoids politics – 2 reasons –

1. The Congressional resolution is never submitted to the President- it’s solely a statement of Congressional will – Obama never has the opportunity to sign or veto it or spend capital on it – that’s **Swaine**
2. The process of legislative mandates is politically more costly than passing a resolution – it involves greater institutional bargaining – we have comparative link differential ev – that’s **Harvard Law Review**

#### Statutory enactment costs consume docket time, energy and capital and tradeoff with the agenda

**Harvard Law Review, 11** (“A CHEVRON FOR THE HOUSE AND SENATE: DEFERRING TO POST-ENACTMENT CONGRESSIONAL RESOLUTIONS THAT INTERPRET AMBIGUOUS STATUTES” 124 Harv. L. Rev. 1507, April, lexis)

One impediment to this outcome is that the costs of legislative enactment are frequently too high to make it worth Congress's limited time and energy to overturn a judicial interpretation. The Senate, for example, might prefer the House and the President's interpretation of a statute if it had the time to consider the question and vote on it, but might simply have other business that consumes all of its time. In that case, any bill on the issue introduced by the House or urged by the President would likely fail (or, more likely, would never be initiated). More fundamentally, even where the costs of legislation are less than the benefits gained by legislating, Congress incurs the opportunity [\*1519] costs of forgoing other legislative work. And although in the abstract it may seem that all three political institutions would only infrequently agree on a different interpretation from the one adopted by the judiciary, such a situation is particularly likely to arise when judges interpret open-ended statutes that require technical determinations or value judgments; because judges lack expertise and are not accountable to the public, their interpretations may frequently diverge from what the political branches would adopt.

#### The signal of the CP means Obama will exercise restraint so he can preserve Dem unity

**Silverstone 4**—Assistant Professor of Political Science at the United States Military Academy

(Scott, *Divided Union: The Politics of War in the Early American Republic* pg 61-62, dml)

\*note: federal asymmetry = conflict between executive and legislative policy preferences

Federal asymmetry will also increase the likelihood of presidential self-restraint (see Table 2.1). First, the president may choose to avoid the use of force **if he anticipates that Congress will withhold its approval** for his preferred policy options. Second, the president may avoid the use of force or the pursuit of certain objectives if he believes that opposition to these policies within certain regions of the federal republic will produce electoral penalties that undermine his ability to attract a winning electoral coalition from across the national political system.1°° The president might exercise self-restraint even if the ex- pected electoral penalties would undermine his political party, and not necessarily his own tenure in office. The president might choose to avoid the kinds of issues or actions that would penalize loyal members of his party in particular regions and thus undermine the party's aggregate national strength. Finally, the president might exercise self-restraint to avoid splitting the party along territorial lines. The president has a strong interest in party unity, which will have a **direct impact on his ability to inﬂuence legislative outcomes**. Yet the latent internal party tension caused by federal asymmetry on particular is- sues may come to the surface if the president initiates policies that party members from particular regions find objectionable. To avoid the repercussions of dividing the party this way, the president might choose to avoid the types of policies that would have this effect.'°°

#### Soft law doesn’t require presidential involvement – it captures the signaling effects at a lower political cost

**Gersen and Posner, 8 -** Kirkland and Ellis Professor of Law, The University of Chicago (Jacob and Eric, “Soft Law: Lessons from Congressional Practice” 61 Stan. L. Rev. 573, lexis)

C. Soft Law Versus Hard Law: Costs and Benefits There are two main advantages of soft law. First, it is cheaper to produce than hard law, as it does not require presidential consent. Second, soft law more accurately conveys information about congressional views than hard law does. That information is particularly useful in domains where Congress acts without the President's cooperation - as it does when it expresses its views about its constitutional role, exercises oversight over regulatory agencies, and expresses legislative views where the President's views are already known, are in tension with Congress's views, or are not relevant. The main disadvantage of soft law is straightforward: it does not produce legally binding rules except in the uncertain case where a prior hard-law enactment vests it with this authority. Another possible disadvantage of soft law is that it may violate rule-of-law values such as clarity that procedural formalities are supposed to protect. n87 1. Advantages of soft law We have argued that soft law conveys congressional views. But Congress also communicates using hard statutes - directly influencing behavior and advancing normative judgments. Why are soft statutes ever a preferable mechanism for conveying information, given that ordinary statutes convey information and have the additional desired effect of binding force? Cheapness. The first advantage of soft laws is that they can sometimes accomplish what hard laws accomplish but at a lower cost. n88 Suppose, for example, that at time 1 Congress is considering whether to pass a law at time 2. This law will tax some behavior X. However, at time 1 Congress is not certain whether X is desirable or undesirable, or whether a law that taxed X would have undesirable consequences. Congress could handle its uncertainty with various hard law methods: (a) it could pass the law at time 1, realizing that it can repeal the law if it has undesirable effects at time 2; (b) it could pass the law at time 1 and subject it to a sunset provision, realizing that it can reenact the law if it has desirable effects at time 2; (c) it could wait until time 2 before enacting the law and possibly make the law retroactive; (d) it could also pass the law with moderate sanctions or loopholes so that the effect of the law reflects Congress's [\*595] uncertainty about the undesirability of X. All of these approaches have various costs and benefits. n89 The soft-law alternative is (for example) to issue a resolution at time 1 that condemns X. Such a law will lead people to believe that enactment of a hard law at time 2 is more likely but still not certain. The law will produce fewer behavioral changes than (a) and (b) (if the sanction is high enough), but more effects than (c). And it could have more or less effect than (d), depending on what the sanctions and loopholes are. With respect to (a) and (b), the soft law approach is cheaper; it need not be cheaper with respect to (c) and (d). Depending on the degree of Congress's uncertainty and the relative costs of enacting soft and hard law, the legislature could prefer soft law to the alternatives. An additional advantage of the soft law is that it may stimulate debate. Seeing that a hard law is possible in the future, people will come forward with arguments for or against, which will in turn improve Congress's ability to evaluate X. n90 Or consider the earlier suggestion that Congress's judgment about states of the world can influence the public's views. Suppose Congress seeks to condemn the Armenian Genocide while the President prefers not to, fearing injury to American relations with Turkey. Nonetheless, the President would be willing to sign into law a bill condemning the Armenian Genocide in return for congressional cooperation on some other issue. A hard-law condemnation of the Armenian Genocide would be more costly for Congress than a soft-law condemnation would be. At the same time, the soft-law condemnation could be just as effective as the hard-law condemnation. If the public trusts Congress but not the President, then presidential participation in the statement adds nothing to its credibility. Thus, in the right conditions, the cheapness of the soft law approach can produce benefits for Congress without offsetting costs.

#### Soft law constraints are bipartisan and avoid the formal legislative process

**Bradley and Morrison, 12** - \* William Van Alstyne Professor of Law, Duke Law School AND \*\* Isidor and Seville Sulzbacher Professor of Law, Columbia Law School (Curtis and Trevor, “ Historical Gloss and the Separation of Powers” 126 Harv. L. Rev. 411, lexis)

In addition, Congress has a variety of "soft law" tools for monitoring and pushing back against the executive branch that are not subject to the collective action problems that beset the formal legislative process. These include oversight hearings, nonbinding resolutions, the threat of contempt proceedings, and public disclosure of information. n157 Although the partisan composition of Congress and the White House is likely to affect the extent to which these tools are used at any given point, n158 over time there has been sufficient bipartisan interest in these tools to maintain them as options. The oversight power may be an especially apt example here. Congress might not exercise this power in any consistently Madisonian fashion (preferring instead to use it for partisan purposes against administrations of the other party, or to advance policy goals of importance to the constituents of a committee chairman or other influential member), but members of Congress have come to understand oversight as a sufficiently valuable form of authority that the basic contours of the power have been asserted and preserved fairly consistently. n159 Moreover, at any given time Congress is likely to contain at least a few members inclined to exercise the oversight power and other soft law tools in the pursuit of institutional or broader public interests, rather than purely partisan ones. n160 Only congressional majorities can check the executive branch through formal legislation, but instruments of soft law do not require bicameral majorities. Those instruments thus hold out broader possibilities for resistance to executive aggrandizement. Nevertheless, there is no particular reason to think that these elements of congressional authority produce consistent, robust interbranch rivalry of the sort envisioned in The Federalist No. 51 -- at least not given the realities of modern government.

### 2nc solvency top level

#### The counterplan is a non-binding resolution that threatens the plan. Gersen and Posner say it solves 100% of the case through 2 mechanisms:

#### 1. Judicial clarity –it provides evidence of clear Congressional intent to the Courts – so they don’t have to rule on political questions, instead, they have guidance by Congress – this has the effect of creating binding restrictions

#### 2. Executive signaling – the signal of intent means the executive is more likely to fear Congressional action and the political ramifications of it – so it will change course

#### The CP induces voluntary compliance to forestall the threat of binding restrictions

**Gersen and Posner, 8 -** Kirkland and Ellis Professor of Law, The University of Chicago (Jacob and Eric, “Soft Law: Lessons from Congressional Practice” 61 Stan. L. Rev. 573, lexis)

II. How Does Soft Law Affect Behavior? We propose two main theories for the use of soft statutes in particular and soft law in general. First, Congress or another lawmaking body uses soft law to convey information about future intentions to enact hard law, allowing people to adjust their behavior in advance of binding statutes and in some cases avoiding constitutional requirements that apply to hard law. As we will show, soft law can be useful in this way even when the anticipated hard-law successor never materializes: if people adjust their behavior in anticipation of hard law, hard-law enactment might not be necessary. n63 [\*587] Second, Congress uses soft law to convey information about its beliefs about the state of the world - both factual and normative. The Armenian Genocide resolution, for example, expressed the factual belief that the Armenian Genocide actually occurred - a historical event that is officially denied in Turkey - and the normative belief that the Armenian Genocide was wrong, rather than (as Turkey sometimes argues in the alternative) a series of massacres that were an excusable incident to war. Congress's beliefs about states of the world may influence the beliefs of other people. In both settings, soft law is a signal that provides information. Like other signals, soft law can convey information more or less accurately and more or less efficiently. Soft law is preferable to hard law when the signal conveys information more reliably or more cheaply than hard law does. This Part surveys the relevant variables that affect the direction and magnitude of these tradeoffs.

#### Err neg – no conceptual difference between legal rules and non-binding rules because the executive ignores and re-interprets statutes. Everything that effects the President is political – and the CP has the same political influence.

**Posner and Vermeule, 10** - \*professor of law at the University of Chicago AND \*\*professor of law at Harvard (Eric and Adrian, The Executive Unbound, p. 61)

CONCLUSION

American government in the period 2001 to 2008 bears little resemblance to the constitutional framework erected, or wished for, by liberal legalism. In the liberal-legalist view, legislatures are said or at least hoped to be the primary actors, with executive and judicial power following suit—through law-execution and law-interpretation respectively. Both legislatures and courts are supposed to check and monitor the executive, keeping its power tightly cabined. In these episodes, however, executive officials take center stage, setting the agenda and determining the main lines of the government’s response, with legislatures and courts offering second-decimal modifications. Legislative and judicial monitoring and checking is largely hopeless, in part because of the necessarily ad hoc character of the

government’s initial reaction (“regulation by deal”).88 in part because legislatures and courts come too late to the scene. The overall impression is that the constitutional framework of liberal legalism has collapsed under the pressure of fact, especially the brute fact that the rate of change in the policy environment is too great for traditional modes of lawmaking and policymaking to keep pace. Although crises demonstrate the problem with particular clarity, it is embedded in the structure of the administrative state.

None of this means that the president is all-powerful; that is not our claim. As political science assessments of executive power show,89 the president does face some checks even from a generally supine Congress and even in the domains of war and foreign affairs where presidential power reaches its zenith.90 However, these checks are not primarily legal. Even Congress’s main weapon for affecting presidential behavior is not the cumbersome and costly legal mechanism of legislation. Rather legislators appeal to the court of public opinion, which in turn constrains the president. Oversight and various forms of “soft law”91—congressional statements and resolutions short of legally binding legislation—affect public support for presidential action in the realm of foreign policy, and in many other domains as well. There are real constraints on executive government, but formal constitutional procedures are not their source.

#### It also creates a political climate that causes the plan down the road

**Harvard Law Review, 11** (“A CHEVRON FOR THE HOUSE AND SENATE: DEFERRING TO POST-ENACTMENT CONGRESSIONAL RESOLUTIONS THAT INTERPRET AMBIGUOUS STATUTES” 124 Harv. L. Rev. 1507, April, lexis)

A. Why a Congressional Resolution Deserves Deference Even for Agency-Administered Statutes As explained in section I.A, a house of Congress brings its significant expertise and political accountability to bear when interpreting a statute. Therefore, when an agency charged with administering a statute has not issued an interpretation of an ambiguous provision, courts should defer to a congressional resolution that resolves the ambiguity. But the issue becomes complicated when both an agency and the House or Senate offer conflicting interpretations. As a normative matter, courts should defer to whichever political branch has greater accountability and expertise. Generally, the House and Senate might be assumed to be more democratically accountable than agencies, while agencies might possess greater expertise than Congress does. Policy decisions, however, nearly always require a combination of both expertise and value judgments, and the relative importance of these two elements varies depending on the particular decision. Moreover, the extent of each branch's comparative advantage on either of these variables differs from case to case. Courts therefore should refrain from [\*1516] adopting a categorical rule that favors one political branch over another. n43 Rather, judges should engage in a careful de novo or Skidmore analysis of the particular statute and the interpretations that have been offered before resolving the statutory ambiguity. Allowing the political branches essentially to veto each other's interpretations of ambiguous statutes by adopting their own conflicting interpretations would increase transparency. Disagreements over the best interpretation would be formalized and public, and each political branch would present its argument for why its interpretation was better - not just as litigants trying to convince the courts, which would have the power to decide between conflicting interpretations, but as elected or accountable officials who are responsible to their constituencies. And by lowering the legislative costs necessary to alter the law, this Note's proposal might promote an investment of resources in developing interpretations that would turn out to be more broadly popular (or where a compromise might be more easily reached) than congressmen initially imagined - thus spurring actual legislation, not just interpretations of existing statutes.

#### Prefer our evidence globally

**McNeal 2013** – Associate Professor of Law, Pepperdine University School of Law (Gregory, Georgetown Law Journal, “Targeted Killing and Accountability”, to appear in forthcoming issue as of 9/10/2013 access date, available via SSRN)

It’s not just the Executive branch that can benefit from a healthier defense of the process. Congress too can bolster the legitimacy of the program by specifying how they have conducted their oversight activities. The best mechanism by which they can do this is through a white paper. That paper could include:

A statement about why the committees believe the U.S. government's use of force is lawful. If the U.S. government is employing armed force it's likely that it is only doing so pursuant to the AUMF, a covert action finding, or relying on the President's inherent powers under the Constitution. Congress could clear up a substantial amount of ambiguity by specifying that in the conduct of its oversight it has reviewed past and ongoing targeted killing operations and is satisfied that in the conduct of its operations the U.S. government is acting consistent with those sources of law. Moreover, Congress could also specify certain legal red lines that if crossed would cause members to cease believing the program was lawful. For example, if members do not believe the President may engage in targeted killings acting only pursuant to his Article II powers, they could say so in this white paper, and also articulate what the consequences of crossing that red line might be. To bolster their credibility, Congress could specifically articulate their powers and how they would exercise them if they believed the program was being conducted in an unlawful manner. Perhaps stating: "The undersigned members affirm that if the President were to conduct operations not authorized by the AUMF or a covert action finding, we would consider that action to be unlawful and would publicly withdraw our support for the program, and terminate funding for it."

A statement detailing the breadth and depth of Congressional oversight activities. When Senator Feinstein released her statement regarding the nature and degree of Senate Intelligence Committee oversight of targeted killing operations it went a long way toward bolstering the argument that the program was being conducted in a responsible and lawful manner. An oversight white paper could add more details about the oversight being conducted by the intelligence and armed services committees, explaining in as much detail as possible the formal and informal activities that have been conducted by the relevant committees. How many briefings have members attended? Have members reviewed targeting criteria? Have members had an opportunity to question the robustness of the internal kill-list creation process and target vetting and validation processes? Have members been briefed on and had an opportunity to question how civilian casualties are counted and how battle damage assessments are conducted? Have members been informed of the internal disciplinary procedures for the DoD and CIA in the event a strike goes awry, and have they been informed of whether any individuals have been disciplined for improper targeting? Are the members satisfied that internal disciplinary procedures are adequate?

#### Statutory restrictions involve institutional bargaining between Congress and the President. The CP avoids this and sends more credible signals in authority disputes

**Gersen and Posner, 8 -** Kirkland and Ellis Professor of Law, The University of Chicago (Jacob and Eric, “Soft Law: Lessons from Congressional Practice” 61 Stan. L. Rev. 573, lexis)

Information about legislative preferences. Soft statutes can be better indicators of legislative intent than hard statutes or legislative history. n91 As an indicator of underlying views of the Senate, the Senate Resolution is a better instrument than a hard statute. As an indicator of congressional views, the concurrent resolution is a better indicator than a hard statute. In the former case, the views of the President and the House will affect what proposals are [\*596] passed by the Senate. In the latter case, the prospect of a presidential veto will affect the legislation that Congress proposes. n92 To illustrate, suppose there are three potential meanings of a statutory provision: A, B, and C. Congress prefers interpretation A to B and prefers B to C. The President prefers meaning C to B and B to A. If the President would veto a statute with meaning A, Congress will pass a statute with meaning B. The statute is a correct indicator of congressional intent in the sense that a majority of both houses preferred meaning B to C and meaning B to the status quo. It is, however, a poor indicator of what Congress thought best (meaning A) precisely because what Congress "says" in hard statutes is a function of what the President prefers. A hard statute is a not a clear instrument with respect to congressional intent because it reflects the views of multiple institutions. n93

Why should one care about the intent of the Senate or House alone, or even the two houses jointly? After all, a common view is that they can create law only by securing the consent of the President. One reason is that this last statement is not accurate. When Congress acts on its own (for example, overriding a veto), or houses operate separately (the Senate handles appointments, consents to treaties, adjudicates impeachments; the House initiates impeachments, originates revenue bills), observers will want more refined information than that contained in a statute. The hard statute provides crude information because it reveals only that Congress preferred the enacted outcome to the status quo, but it does not convey preference orderings for other available alternatives. And when the President's views are already well known, or the President is on his way out of office, Congress's views might be all that people need to learn. Indeed, in several important cases that we discuss below, Congress's views alone are of crucial importance: in Congress's effort to stake out its constitutional role vis-a-vis that of the President, and in oversight of regulatory agencies. In these cases, the soft statute conveys better information about future political outputs than hard statutes do.

#### It’s not cheap talk

**Gersen and Posner, 8 -** Kirkland and Ellis Professor of Law, The University of Chicago (Jacob and Eric, “Soft Law: Lessons from Congressional Practice” 61 Stan. L. Rev. 573, lexis)

Soft statutes can convey information only if people have reason to believe that they actually reflect Congress's views. Skepticism about the credibility of congressional documents, such as legislative history, is widespread, and might extend to soft statutes as well. Legislative actors often make statements that are not reliable indicators of their actual views. When a legislator makes a speech on the floor proclaiming her view on some matter, it is sometimes cheap talk. There is virtually no cost to entering a statement in the Congressional Record. [\*597] Other than sanctions imposed by fellow legislators or the public, there are no concrete costs that the legislator must bear in making the statement.

Be that as it may, it is incorrect to say that the simple resolution is cheap talk and therefore not credible; it entails some positive cost less than the cost of enacting a statute but more than the cost of a legislative speech. n94 In addition, as we discussed in Part II.A.2.b, even cheap talk can be credible.

### funding

#### Plan triggers veto

**Gersen and Posner, 8 –** Kirkland and Ellis Professor of Law, The University of Chicago (Jacob and Eric, “Soft Law: Lessons from Congressional Practice” 61 Stan. L. Rev. 573, lexis)

In addition, if a hard statute is the only legislative vehicle for articulating constitutional views, some statements will not be produced because of an anticipated presidential veto, even when Congress thinks the statute constitutionally unproblematic. Especially when a particular bill has implications for the constitutional roles of Congress and the President, Congress and the President might have good-faith disagreement about the relevant constitutional norms. The President may veto statutes that violate his interpretation of his constitutional powers, in which case Congress's opposing interpretation will not have a formal public airing. In this case, the legislature alone must advance its interpretation of the Constitution; the legislature and the President can only advance a consensus interpretation. n178 Exclusive reliance on hard statutes will produce a body of constitutional law that is biased and incomplete.

### allies

#### Cooperation’s inevitable, even with radical states

**Mueller and Stewart 2012** – \*Research Scientist at the Mershon Center for International Security Studies and Adjunct Professor in the Department of Political Science, Ohio State University, \*\*Australian Research Council Professorial Fellow and Professor and Director at the Centre for Infrastructure Performance and Reliability at the University of Newcastle in Australia (Summer, John and Mark, International Security, 37.1, p. 81-110, “The Terrorism Delusion”)

In addition to its delusional tendencies, al-Qaida has, as Patrick Porter notes,¶ a “talent at self-destruction.”24 With the September 11 attacks and subsequent¶ activity, bin Laden and his followers mainly succeeded in uniting the world, including its huge Muslim population, against their violent global jihad.25¶ These activities also turned many radical Islamists against them, including¶ some of the most prominent and respected.26

**No matter how much states around the world might disagree with the United States** on other issues (most notably on its war in Iraq), there is a compelling¶ incentive for them to cooperate to confront any international terrorist¶ problem emanating from groups and individuals connected to, or sympathetic¶ with, al-Qaida. Although these multilateral efforts, particularly by such¶ Muslim states as Libya, Pakistan, Sudan, Syria, and even Iran, may not have¶ received sufficient publicity, these countries have felt directly threatened by¶ the militant network, and their diligent and aggressive efforts have led to important¶ breakthroughs against the group.27 Thus a terrorist bombing in Bali in¶ 2002 galvanized the Indonesian government into action and into making extensive¶ arrests and obtaining convictions. When terrorists attacked Saudis¶ in Saudi Arabia in 2003, the government became considerably more serious¶ about dealing with internal terrorism, including a clampdown on radical clerics¶ and preachers. The main result of al-Qaida-linked suicide terrorism in¶ Jordan in 2005 was to outrage Jordanians and other Arabs against the perpetrators.

In polls conducted in thirty-five predominantly Muslim countries by¶ 2008, more than 90 percent condemned bin Laden’s terrorism on religious¶ grounds.28

In addition, the mindless brutalities of al-Qaida-affiliated combatants in¶ Iraq—staging beheadings at mosques, bombing playgrounds, taking over hospitals,¶ executing ordinary citizens, performing forced marriages—eventually¶ turned the Iraqis against them, including many of those who had previously¶ been fighting the U.S. occupation either on their own or in connection with the¶ group.29 In fact, they seem to have managed to alienate the entire population:¶ data from polls in Iraq in 2007 indicate that 97 percent of those surveyed opposed¶ efforts to recruit foreigners to fight in Iraq; 98 percent opposed the militants’¶ efforts to gain control of territory; and 100 percent considered attacks¶ against Iraqi civilians “unacceptable.”30

#### Multilateral cooperation on counterterror in the status quo – this evidence lists like a billion organizations that do it

**Boyle & Schmid 9** – assistant professor of political science at La Salle University & Chair in Internaitonal Relations at St. Andrews University and Director of the Center for the Study of Terrorism and Political Violence at St. Andrews (Michael and Alex, “A Global Compact for Counter-Terrorism: Towards a Robust Multilateral Counter-Terrorism Regime” The New Ideas Fund, <http://www.newideasfund.org/proposals/NIF_Global%20Compact.pdf>)

Multilateral arrangements, whether in the form of sub-regional and regional arrangements or functional arrangements that reach across regions have become more frequent in recent years also in the field of counter-terrorism. There are nowadays at least twenty Security Communities or Communities of Interest – regional or issue-specific organizations - which are trying to coordinate their counter-terrorism efforts, although their main business, historically, might have been different or larger, e.g. fighting crime in general (like with Interpol) or oriented towards economic development (like OECD). More often than not one country is a member of several such security communities or communities of interest. In fact many countries which concluded counter-terrorist agreements are part of more than one cooperative arrangement. There are regional bodies like the African Union (AU), the European Union (EU), the Organisation of American States (OAS) and its Inter-American Committee Against Terrorism (CICTE), the League of Arab States (LAS), the Organisation for Security and Cooperation in Europe (OSCE), the Shanghai Co-operation Organisation (SCO), the South Asian Association of Regional Cooperation ( SAARC) ,the Association of Southeast Asian States (ASEAN), the Asia-Pacific Economic Cooperation (APEC), the Organization of the Islamic Conference (OIC), the (British) Commonwealth Secretariat , the Commonwealth of Independent States (formerly USSR) , the North Atlantic Treaty Organization (NATO), the Collective Security Treaty Organization (CSTO) which have all assumed some counterterrorist roles as part of a broader package of services to their member states. In addition, there are functional groups that fulfil one or more anti-terrorist tasks. They include the International Monetary Fund (IMF) , the World Bank (WB), the World Customs Organisation (WCO) the International Atomic Energy Agency (IAEA), The International Police Organizations (Interpol), the European Police Office ( Europol), the European Union‟s Judicial Cooperation Unit (Eurojust), the Council of Europe, the Group of 8 (G8) , the Organization of the Islamic Conference (OIC) , the Organization for Economic Co-operation and Development (OECD) and its Financial Action Task Force (FATF), the Organization of the Prohibition of Chemical Weapons (OPCW), the International Maritime Organization (IMO), the International Civil Aviation Organization (ICAO). Some of these bodies are part of the wider UN family (e.g. IAEA) while others are not. Last but not least there is the United Nations. Together they form the mosaic of current multilateral counter-terrorism cooperation

### drone prolif

**Drone prolif is slow and the impact is small**

**Zenko ’13** [Micah, Douglas Dillon fellow in the Center for Preventive Action (CPA) at the Council on Foreign Relations (CFR). Previously, he worked for five years at the Harvard Kennedy School and in Washington, DC, at the Brookings Institution, Congressional Research Service, and State Department’s Office of Policy Planning, “Reforming U.S. Drone Strike Policies,” January, Council Special Report No. 65, online]

Based on current trends, it is unlikely that most states will have, within ten years, the complete system architecture required to carry out¶ distant drone strikes that would be harmful to U.S. national interests.¶ However, those candidates able to obtain this technology will most¶ likely be states with the financial resources to purchase or the industrial¶ base to manufacture tactical short-range armed drones with limited¶ firepower that lack the precision of U.S. laser-guided munitions; the¶ intelligence collection and military command-and-control capabilities needed to deploy drones via line-of-sight communications; and crossborder¶ adversaries who currently face attacks or the threat of attacks¶ by manned aircraft, such as Israel into Lebanon, Egypt, or Syria; Russia¶ into Georgia or Azerbaijan; Turkey into Iraq; and Saudi Arabia into¶ Yemen. When compared to distant U.S. drone strikes, these contingencies¶ do not require system-wide infrastructure and host-state support.¶ Given the costs to conduct manned-aircraft strikes with minimal threat¶ to pilots, it is questionable whether states will undertake the significant¶ investment required for armed drones in the near term.

**Deterrence STILL checks – diplomatic costs**

Singh 12 (Joseph Singh is a researcher at the Center for a New American Security. “Betting Against a Drone Arms Race,” http://nation.time.com/2012/08/13/betting-against-a-drone-arms-race/)

Bold predictions of a coming drones arms race are all the rage since the uptake in their deployment under the Obama Administration. Noel Sharkey, for example, argues in an August 3 op-ed for the Guardian that rapidly developing drone technology — coupled with minimal military risk — portends an era in which states will become increasingly aggressive in their use of drones. As drones develop the ability to fly completely autonomously, Sharkey predicts a proliferation of their use that will set dangerous precedents, seemingly inviting hostile nations to use drones against one another. Yet, the narrow applications of current drone technology coupled with what we know about state behavior in the international system lend no credence to these ominous warnings. Indeed, critics seem overly-focused on the domestic implications of drone use. In a June piece for the Financial Times, Michael Ignatieff writes that “virtual technologies make it easier for democracies to wage war because they eliminate the risk of blood sacrifice that once forced democratic peoples to be prudent.” Significant public support for the Obama Administration’s increasing deployment of drones would also seem to legitimate this claim. Yet, there remain equally serious diplomatic and political costs that emanate from beyond a fickle electorate, which will prevent the likes of the increased drone aggression predicted by both Ignatieff and Sharkey. Most recently, the serious diplomatic scuffle instigated by Syria’s downing a Turkish reconnaissance plane in June illustrated the very serious risks of operating any aircraft in foreign territory. States launching drones must still weigh the diplomatic and political costs of their actions, which make the calculation surrounding their use no fundamentally different to any other aerial engagement. This recent bout also illustrated a salient point regarding drone technology: most states maintain at least minimal air defenses that can quickly detect and take down drones, as the U.S. discovered when it employed drones at the onset of the Iraq invasion, while Saddam Hussein’s surface-to-air missiles were still active. What the U.S. also learned, however, was that drones constitute an effective military tool in an extremely narrow strategic context. They are well-suited either in direct support of a broader military campaign, or to conduct targeted killing operations against a technologically unsophisticated enemy. In a nutshell, then, the very contexts in which we have seen drones deployed. Northern Pakistan, along with a few other regions in the world, remain conducive to drone usage given a lack of air defenses, poor media coverage, and difficulties in accessing the region. Non-state actors, on the other hand, have even more reasons to steer clear of drones: – First, they are wildly expensive. At $15 million, the average weaponized drone is less costly than an F-16 fighter jet, yet much pricier than the significantly cheaper, yet equally damaging options terrorist groups could pursue. – Those alternatives would also be relatively more difficult to trace back to an organization than an unmanned aerial vehicle, with all the technical and logistical planning its operation would pose. – Weaponized drones are not easily deployable. Most require runways in order to be launched, which means that any non-state actor would likely require state sponsorship to operate a drone. Such sponsorship is unlikely given the political and diplomatic consequences the sponsoring state would certainly face. – Finally, drones require an extensive team of on-the-ground experts to ensure their successful operation. According to the U.S. Air Force, 168 individuals are needed to operate a Predator drone, including a pilot, maintenance personnel and surveillance analysts. In short, the doomsday drone scenario Ignatieff and Sharkey predict results from an excessive focus on rapidly-evolving military technology. Instead, we must return to what we know about state behavior in an anarchistic international order. Nations will confront the same principles of deterrence, for example, when deciding to launch a targeted killing operation regardless of whether they conduct it through a drone or a covert amphibious assault team. Drones may make waging war more domestically palatable, but they don’t change the very serious risks of retaliation for an attacking state. Any state otherwise deterred from using force abroad will not significantly increase its power projection on account of acquiring drones. What’s more, the very states whose use of drones could threaten U.S. security – countries like China – are not democratic, which means that the possible political ramifications of the low risk of casualties resulting from drone use are irrelevant. For all their military benefits, putting drones into play requires an ability to meet the political and security risks associated with their use. Despite these realities, there remain a host of defensible arguments one could employ to discredit the Obama drone strategy. The legal justification for targeted killings in areas not internationally recognized as war zones is uncertain at best. Further, the short-term gains yielded by targeted killing operations in Pakistan, Somalia and Yemen, while debilitating to Al Qaeda leadership in the short-term, may serve to destroy already tenacious bilateral relations in the region and radicalize local populations. Yet, the past decade’s experience with drones bears no evidence of impending instability in the global strategic landscape. Conflict may not be any less likely in the era of drones, but the nature of 21st Century warfare remains fundamentally unaltered despite their arrival in large numbers.

### model fails

**Prolif is inevitable- no one models US restraint**

**Etzioni ‘13** [Amitai, professor of international relations at George Washington University, “The Great Drone Debate,” March-April, <http://usacac.army.mil/CAC2/MilitaryReview/Archives/English/MilitaryReview_20130430_art004.pdf>]

Other critics contend that by the United States using drones, it leads other countries into making and using them. For example, Medea Benjamin, the cofounder of the anti-war activist group CODEPINK and author of a book about drones argues that, “The proliferation of drones should evoke reﬂection on the precedent that the United States is setting by killing anyone it wants, anywhere it wants, on the basis of secret information. Other nations and non-state entities are watching—and are bound to start acting in a similar fashion.”60 Indeed scores of countries are now manufacturing or purchasing drones. There can be little doubt that the fact that drones have served the United States well has helped to popularize them. However, it does not follow that United States should not have employed drones in the hope that such a show of restraint would deter others. First of all, this would have meant that either the United States would have had to allow terrorists in hardto-reach places, say North Waziristan, to either roam and rest freely—or it would have had to use bombs that would have caused much greater collateral damage. Further, the record shows that even when the United States did not develop a particular weapon, others did. Thus, China has taken the lead in the development of anti-ship missiles and seemingly cyber weapons as well. One must keep in mind that the international environment is a hostile one. Countries—and especially non-state actors— most of the time do not play by some set of selfconstraining rules. Rather, they tend to employ whatever weapons they can obtain that will further their interests. The United States correctly does not assume that it can rely on some non-existent implicit gentleman’s agreements that call for the avoidance of new military technology by nation X or terrorist group Y—if the United States refrains from employing that technology.

**Other countries will just cheat…come on now**

Lerner ‘13

[BEN LERNER](http://spectator.org/people/ben-lerner), 3.25.13, American Spectator, “[Judging ‘Drones’ From Afar](http://spectator.org/archives/2013/03/25/judging-drones-from-afar),” http://spectator.org/archives/2013/03/25/judging-drones-from-afar

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](http://thediplomat.com/flashpoints-blog/2012/02/17/why-to-forget-unclos/) of 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.

**The norms don’t work- they’re unenforceable and don’t**

Lerner ‘13

[BEN LERNER](http://spectator.org/people/ben-lerner), 3.25.13, American Spectator, “[Judging ‘Drones’ From Afar](http://spectator.org/archives/2013/03/25/judging-drones-from-afar),” http://spectator.org/archives/2013/03/25/judging-drones-from-afar

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.

America is in the midst of an important conversation about UAVs. President Obama should state unambiguously that we will not invite others to dictate its outcome.

## 1nr

### Overview

#### Depression means more terror recruitment and motivation

Fandl, Adjunct Law Professor @ Washington College of Law, ‘4

(Kevin J, 19 Am. U. Int'l L. Rev. 587)

In his final speech in the United Kingdom as President of the United States, Bill Clinton stressed: "we have seen how abject poverty accelerates conflict, how it creates recruits for terrorists and those who incite ethnic and religious hatred, [and] how it fuels a violent rejection of the economic and social order on which our future depends." 50 His words carried more significance than he could have known at that moment. 51

The terrorist networks that have come about in recent history are a significant threat to world security not only because of the suicidal methods they employ, but also because of the status of the countries [\*598] where these networks recruit new members, engage in training exercises and where the leadership seeks refuge. These countries are not equipped politically or economically to design proactive plans to uproot such organizations in their own countries, despite their expressed efforts to do so. 52 They are developing countries with weak, or no, democratic political structure with which to coordinate such efforts. They do not have the resources that European countries, for instance, have in place to take preventative measures in order to sustain peace. 53

### AT: Terror

#### Terrorism doesn’t affect growth

**Haveman and Shatz 06** (Jon and Howard, Public Policy Institute of California, “Protecting the Nation’s Seaports: Balancing Security and Cost” http://www.ppic.org/content/pubs/report/R\_606JHR.pdf)

September 11 Did Not Cause the 2001 Recession There is a strong tendency to blame too many secondary effects ondisasters.A good example of this phenomenon is found in theSeptember 11 attacks on New York and Washington, D.C.In the daysafter the attacks, the rhetoric regarding the potential effect on thenational economy was both loud and wrong.The theory proposed bymany analysts and journalists was that psychologically fragile consumersin the United States would suffer a crisis and stop spending, driving theeconomy into a deeper recession.Support for this theory came from thefirst Gulf War, which supposedly caused a similar consumer crisis ofconfidence that in turn drove us into a recession in 1990.For example,the Wall Street Journal reported on September 13, 2001: “Past shocks to America’s sense of security, such as the Oklahoma Citybombing or the Gulf War, have prompted consumers to pull back temporarilyon major purchases and other discretionary spending,” said Richard Curtin,director of surveys of consumers at the University of Michigan.He expects asimilar reaction now, which could mean a rough time in the next several weeksfor the economy, which was already struggling with rising jobless rates andhigh consumer debt burdens.“We were teetering on the edge, and this mightwell push us over,” said Mr. Curtin. This hypothesis ignores the facts and completely overstates thepsychological fragility of American consumers.The 1990 recession wasnot caused by the first Gulf War at all.Residential investment andexpenditures on consumer durables typically are leading indicators of theeconomy.When spending on these items begins to fall as a percentageof gross domestic product (GDP), this is a strong indication of anunderlying weakness in the economy that will create a recession.Expenditures in these two sectors had dropped from 14 percent of GDPto below 12 percent of GDP in the three years preceding the 1990downturn—and before the Gulf war.There has never been such a dropthat did not eventually lead to a recession, with one exception—in 1967,when the economy was wobbling, appearing to be on the verge of recession, the sharp increase in spending for the Vietnam War propelledthe economy forward.This was just the reverse of what Mr. Curtinsuggested.

### at: no default (mitchell)

#### Mitchell has nothing on our perception argument—DON’T ALLOW NEW 1ar arguments about market reaction because that's substantively distinct

#### Mitchell is wrong

**Schwarcz, 8/14/13** – professor of law at Duke, founding director of the Duke Global Capital Markets Center (Steven, “Rollover Risk: Ideating a U.S. Debt Default” SSRN)

A U.S. debt default153 would also have both microeconomic and macroeconomic, or systemic,154 consequences. Observers have argued that a default would likely result in stocks, bonds, and the dollar “plummet[ing] in the immediate aftermath.”155 Credit markets would likely freeze,156 harming both companies and consumers.157 The downgrading of credit ratings on U.S. debt would also make it much more difficult and expensive for the country to borrow.158 Even a mere “technical” default, caused by illiquidity, could harm the real economy.159 The 1979 debt defaults, which were temporarily caused by a federal debt ceiling limit on new borrowings,160 resulted in a 60 basis point increase in the interest rate on Treasury bills161—an increase that appears to be permanent.162 Such a rate increase could also increase the cost of private borrowings. Treasury Secretary Timothy Geithner has observed, for example, that a U.S. debt default would “raise all borrowing costs”163 because “US Treasuries set the benchmark borrowing rate” for private loans.164 Investment bank J.P. Morgan recently issued a report updating the potential economic impact of a technical default. The report assumes that the United States temporarily misses an interest or principal payment on its debt.165 Even if this temporary default does not reflect an actual deterioration of U.S. solvency, it still would “almost certainly have large systemic effects with long-term adverse consequences for Treasury finances and the U.S. economy.”166 At a minimum, the United States would likely see a one percent reduction in gross domestic product (GDP) due to higher interest rates and a likely equity selloff.167 Even worse, the report concluded, the default also “could leave lasting damage in its wake due to a permanent decline in foreign demand [for U.S. Treasury securities], which will likely lead to [continuing] higher borrowing costs and larger deficits.”168

#### But don’t take our word for it—here’s the Treasury Secretary

**Reuters, 9/17/13** (“Treasury urges Congress to act now on U.S. debt ceiling”

<http://www.reuters.com/article/2013/09/17/us-usa-debt-idUSBRE98G0KD20130917>)

Treasury Secretary Jack Lew on Tuesday warned Congress against waiting until the last minute to raise the nation's limit on borrowing, saying a misstep could irrevocably damage the economy. "We cannot afford for Congress to gamble with the full faith and credit of the United States," Lew told the Economic Club of Washington, a business forum. The government has been scraping up against its $16.7 trillion debt limit since May but has avoided defaulting on any bills by employing emergency measures to manage its cash, such as suspending investments in pension funds for federal workers. Lew repeated a warning he made last month that Treasury would run out of borrowing options around mid-October, when he said that Treasury would be left with only around $50 billion in cash on hand. Default could come soon after that. As America runs lows on cash there is a risk investors could lose confidence in Washington and stop reinvesting in U.S. government debt. Every Thursday, the Treasury pays investors back about $100 billion that investors immediately lend back to the government, a process known as rolling over the debt. "If U.S. bond holders decided that they wanted to be repaid rather than continuing to roll over their investments, we could unexpectedly dissipate our entire cash balance," Lew said. Any default on the nation's debts could be calamitous for the U.S. economy. A default would rock Wall Street and hurt businesses and families by fueling a sharp increase in interest rates.

**It would be legitimate default—stopgap measures wouldn’t reassure markets**

**Milstead 9-12** [David, Writer for the Globe and Mail, “The under-the-radar threat to U.S. stocks” Factiva]

Conventional wisdom holds that the chief risk to the high-flying U.S. stock market is “tapering,” the potential cutback of the Federal Reserve's bond-buying program. It's an understandable view, given how the Fed's monetary policy has propped up the country's economy for years by helping to keep long-term interest rates at ultra-low levels. But it's also wrong. The greatest immediate hazard to stocks isn't the direction the six governors of the Federal Reserve will take. It's what the 535 members of Congress will do in the coming weeks when faced with two budgetary issues that ought to be routine – but will likely be anything but. The first issue is approving a federal budget for the fiscal year that begins Oct. 1, or at least a resolution that will keep the government open in its absence. The second is authorizing a new, higher number for the U.S. government's borrowing before Washington hits its debt ceiling, once again, possibly by mid-October. In the absence of such a vote, the U.S. must simply stop spending – and, in essence, default on its debt. If this sounds familiar, it's because we went through a similar showdown two years ago, in the summer of 2011. Yet it's easy to forget now how that fiscal gridlock roiled the markets. In the first day of trading after Standard & Poor's downgraded U.S. debt in early August, the S&P 500 fell nearly 7 per cent. The day after, the index was nearly 19 per cent below the level of early July. The rhetoric suggests this fiscal showdown could inflict similar damage. Eighty House Republicans recently signed a letter urging their leadership to use any new government-funding bill to cut all necessary money for President Barack Obama's signature accomplishment, the Affordable Care Act, more popularly known as Obamacare. The Republican House leadership, it is said, does not support such a move. That's apparently because they prefer to make it part of the showdown over the debt ceiling. (The National Review, one of the U.S.'s leading conservative publications, reported Tuesday that Eric Cantor, the House Majority Leader, told Republicans they will be demanding a one-year delay of Obamacare in exchange for an increase in the debt ceiling.) Failing to raise the debt ceiling doesn't mean default, its opponents argue. The Treasury can just do a better job of “prioritizing,” paying the creditors while axing other expenses. In the absence of a higher debt ceiling, the U.S. could pay the interest on Treasury securities, and keep on footing the tab for Medicare and Medicaid, Social Security, national defence and a handful of aid programs, according to the Bipartisan Policy Centre. But, starting Oct. 15, it won't be able to afford the salaries of other federal workers, or perform functions like road construction and air traffic control, or run the federal court system. Ted Yoho, the improbably named Republican representative from Florida, said this about a failure to raise the debt ceiling, according to a recording of one of his summertime town hall meetings leaked to the Huffington Post: “So they say that would rock the market, capital would leave, the stock market would crash … I think our credit rating would do better.” Better, I think, to take the U.S. Treasury's position that the markets will view the U.S. picking and choosing which bills to pay as an admission it simply can't pay them all. Deputy secretary Neil Wolin said during the last debt-ceiling showdown, in 2011, that **it “would merely be default by another name**.” That, however, is the view from the reality-based community, rather than the deeply irrational, anti-intellectual element that has hijacked the Republican Party and turned ordinary budgetary procedure into a partisan brawl. The liberal economic writer Jonathan Chait recently wrote “the chaos and dysfunction have set in so deeply that Washington now lurches from crisis to crisis, and once-dull, keep-the-lights-on rituals of government procedure are transformed into white-knuckle dramas that threaten national or even global catastrophe.” And yet stocks seem to be priced as if Democrats, Republicans and President Obama will come together to work something out. There is great faith that the United States will overcome its challenges and take the right path in the end. Investors could suffer double-digit losses in the coming weeks if that faith is misplaced.

### Link

#### Reducing war powers will end credibility with Congress—it encourages stronger GOP pushback—and that fight will wreck markets

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

Unless President Obama can totally change a reluctant public's perception of another Middle-Eastern conflict, it seems unlikely that he can get 218 votes in the House, though he can probably still squeak out 60 votes in the Senate. This defeat would be totally unprecedented as a President has never lost a military authorization vote in American history. To forbid the Commander-in-Chief of his primary power renders him all but impotent. At this point, a rebuff from the House is a 67%-75% probability. I reach this probability by looking within the whip count. I assume the 164 declared "no" votes will stay in the "no" column. To get to 218, Obama needs to win over 193 of the 244 undecided, a gargantuan task. Within the "no" column, there are 137 Republicans. Under a best case scenario, Boehner could corral 50 "yes" votes, which would require Obama to pick up 168 of the 200 Democrats, 84%. Many of these Democrats rode to power because of their opposition to Iraq, which makes it difficult for them to support military conflict. The only way to generate near unanimity among the undecided Democrats is if they choose to support the President (recognizing the political ramifications of a defeat) despite personal misgivings. The idea that all undecided Democrats can be convinced of this argument is relatively slim, especially as there are few votes to lose. In the best case scenario, the House could reach 223-225 votes, barely enough to get it through. Under the worst case, there are only 150 votes. Given the lopsided nature of the breakdown, the chance of House passage is about one in four. While a failure in the House would put action against Syria in limbo, I have felt that the market has overstated the impact of a strike there, which would be limited in nature. Rather, investors should focus on the profound ripple through the power structure in Washington, which would greatly impact impending battles over spending and the debt ceiling. Currently, the government loses spending authority on September 30 while it hits the debt ceiling by the middle of October. Markets have generally felt that Washington will once again strike a last-minute deal and avert total catastrophe. Failure in the Syrian vote could change this. For the Republicans to beat Obama on a President's strength (foreign military action), they will likely be emboldened that they can beat him on domestic spending issues. Until now, consensus has been that the two sides would compromise to fund the government at sequester levels while passing a $1 trillion stand-alone debt ceiling increase. However, the right wing of Boehner's caucus has been pushing for more, including another $1 trillion in spending cuts, defunding of Obamacare, and a one year delay of the individual mandate. Already, Conservative PACs have begun airing advertisements, urging a debt ceiling fight over Obamacare. With the President rendered hapless on Syria, they will become even more vocal about their hardline resolution, setting us up for a showdown that will rival 2011's debt ceiling fight. I currently believe the two sides will pass a short-term continuing resolution to keep the government open, and then the GOP will wage a massive fight over the debt ceiling. While Obama will be weakened, he will be unwilling to undermine his major achievement, his healthcare law. In all likelihood, both sides will dig in their respective trenches, unwilling to strike a deal, essentially in a game of chicken. If the House blocks Syrian action, it will take America as close to a default as it did in 2011. Based on the market action then, we can expect massive volatility in the final days of the showdown with the Dow falling 500 points in one session in 2011. As markets panicked over the potential for a U.S. default, we saw a massive risk-off trade, moving from equities into Treasuries. I think there is a significant chance we see something similar this late September into October. The Syrian vote has major implications on the power of Obama and the far-right when it comes to their willingness to fight over the debt ceiling. If the Syrian resolution fails, the debt ceiling fight will be even worse, which will send equities lower by upwards of 10%. Investors must be prepared for this "black swan" event. Looking back to August 2011, stocks that performed the best were dividend paying, less-cyclical companies like Verizon (VZ), Wal-Mart (WMT), Coca-Cola (KO) and McDonald's (MCD) while high beta names like Netflix (NFLX) and Boeing (BA) were crushed. Investors also flocked into treasuries despite default risk while dumping lower quality bonds as spreads widened. The flight to safety helped treasuries despite U.S. government issues. I think we are likely to see a similar move this time. Assuming there is a Syrian "no" vote, I would begin to roll back my long exposure in the stock market and reallocate funds into treasuries as I believe yields could drop back towards 2.50%. Within the stock market, I think the less-cyclical names should outperform, making utilities and consumer staples more attractive. For more tactical traders, I would consider buying puts against the S&P 500 and look toward shorting higher-beta and defense stocks like Boeing and Lockheed Martin (LMT). I also think lower quality bonds would suffer as spreads widen, making funds like JNK vulnerable. Conversely, gold (GLD) should benefit from the fear trade. I would also like to address the potential that Congress does not vote down the Syrian resolution. First, news has broken that Russia has proposed Syria turn over its chemical stockpile. If Syria were to agree (Syria said it was willing to consider), the U.S. would not have to strike, canceling the congressional vote. The proposal can be found here. I strongly believe this is a delaying tactic rather than a serious effort. In 2005, Libya began to turn over chemical weapons; it has yet to complete the hand-off. Removing and destroying chemical weapons is an exceptionally challenging and dangerous task that would take years, not weeks, making this deal seem unrealistic, especially because a cease-fire would be required around all chemical facilities. The idea that a cease-fire could be maintained for months, essentially allowing Assad to stay in office, is hard to take seriously. I believe this is a delaying tactic, and Congress will have to vote within the next two weeks. The final possibility is that Democrats back their President and barely ram the Syria resolution through. I think the extreme risk of a full-blown debt stand-off to dissipate. However, Boehner has promised a strong fight over the debt limit that the market has largely ignored. I do believe the fight would still be worse than the market anticipates but not outright disastrous. As such, I would not initiate short positions, but I would trim some longs and move into less cyclical stocks as the risk would still be the debt ceiling fight leading to some drama not no drama. Remember, in politics everything is connected. Syria is not a stand-alone issue. Its resolution will impact the power structure in Washington. A failed vote in Congress is likely to make the debt ceiling fight even worse, spooking markets, and threatening default on U.S. obligations unless another last minute deal can be struck.

### uniqueness (at: collendar)

#### Hack alert: Collendar is writing for ourfuture.org and has no quals or background

#### He supports our argument—we agree the usual checks on 11th our solutions are gone—that's why we can't afford splits in the Democrats—our ev is comparative on Dem unity versus GOP division

#### Dem unity and GOP divisions mean Obama will make them cave

**Davis, 9/23/13** (Susan, USA Today, “Clock ticking on shutdown, with 'Obamacare' center stage;

GOP ties health care law to two budget deadlines” lexis)

House Republicans are assembling a debt limit package for a vote as early as this week that would increase the debt limit through 2014 but with conditions: a one-year delay of the implementation of the health care law and a grab bag of GOP-backed economic growth proposals, health care entitlement spending changes, construction of the Keystone XL oil pipeline and instructions for an overhaul of the U.S. federal tax code. Democrats and the White House have not blinked. "We are going to stand together to protect the president's health care law, and we're going to stand together and not negotiate one iota when it comes to the debt ceiling," said Sen. Charles Schumer, D-N.Y. During an impasse in 2011 over the debt limit, the Treasury Department ruled out many stopgap measures to maintain spending and pay its debts, such as selling off assets. The United States has more than $350 billion in gold reserves on its balance sheet, but Treasury officials said a "fire sale" on gold would hurt the dollar and the economy. The Treasury has no practical way of reducing payments by an across-the-board percentage to stay under the debt limit. Congress has debated several proposals to prioritize payments -- by making sure bond holders, Social Security recipients or active-duty military would get paid first, for example. But without direct congressional authority, the Treasury has no way to prioritize who gets paid and who doesn't. "At that point, meeting our nation's financial obligations -- including Social Security and Medicare benefits, payments to our military and veterans and contracts with private suppliers -- will be put at risk," Treasury Secretary Jacob Lew said last week. GOP divisions The legislative assault on the health care law has exposed divides in the GOP, not on the merit -- because there is strong support for delaying or dismantling the law -- but on the tactics and the political risks they hold. At least a dozen Republican senators have publicly split with colleagues on the effort to tie defunding the law on the stopgap spending measure -- a clear indication that the defunding effort can't pass Congress.

#### Our ev assumes Syria—he's regrouping on debt ceiling—PC is working now

**Allen, 9/19/13** (Jonathan, Politico, “GOP battles boost Obama” <http://www.politico.com/story/2013/09/republicans-budget-obama-97093.html>)

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

### pc key (at: cilizza)

#### PC key to drum up public support to beat the GOP

**Meet the Press, 9/15/13** (NBC News, lexis)

\*Woodward = Bob Woodward, investigative journalist.

GREGORY: Well, we`ll see. But I want to bring up a point with about a minute left. You know, Syria is now going to get mired in whether this agreement is lived up to or not. We`ve got a budget battle that`s brewing again with the debt ceiling. But, you think this is the next crisis that Obama is facing with Congress. Are we going to raise the debt ceiling? Will he negotiate? He says... WOODWARD: And this is really serious. Back in 2011, when the crisis visited them, the Secretary of the Treasury Tim Geithner was running around and saying if we don`t fix this, we could trigger a depression worse than the 1930s. And when I talked to Obama about this, he said, it was the most intense three weeks of his presidency. More than Osama bin Laden and so forth. So -- and the Republicans are out here, a group of them in the House, essentially using extortion and blackmail methods to say, if we don`t defund Obamacare we`re not going to do the routine things of government. PARKER: Well, we`re at a game of chicken at this point. And they are not -- no one thinks they`re going to defund Obama, not even the people pushing for it. And at some point, you know, the Republicans are going to have to blink and they`re going to fund it. If they pass a bill that doesn`t include funding for Obamacare, then the Senate won`t pass the bill and, you know, somebody`s got to blink. We`re not going to shut down government. We can`t. NAVARRO: But let`s be I think fair to the Republicans here. It`s not all Republicans saying let`s shut down the government if we don`t defund Obamacare. So I don`t think it`s fair to paint it as the Republicans, because the Republicans that have been here today, including John McCain, have been very much against this and saying... WOODWARD: Yes, it`s the 40 extremists that`s who`s doing it. PARKER: The insane caucus. WOODWARD: You used it. GREGORY: We`ll leave it there. NAVARRO: You`re going to get a lot of flak from mental health advocates. PARKER: Never had that happen. GREGORY: All right, thank you all very much. We`ll leave it there. Coming up next the future of our economy five years after the biggest financial crisis since the Great Depression. Among our guests, former Treasury Secretary Hank Paulson and CNBC`s Maria Bartiromo along with former Congresswoman Barney Frank on where we are five years later. First our political collector Chuck Todd will be along with his "First Read Sunday." What to look for in the week ahead in politics. Back here in just a moment. GREGORY: We`re back with more politics. Our political director Chuck Todd with his "First Read Sunday." We just talked about the debt ceiling business. You`re looking at it this, this week. That of our poll. CHUCK TODD, NBC NEWS CORRESPONDENT: We did. And we have a poll and we show the initial gauge of the public, the default position is don`t raise it. Look at this, 44 percent say no, 22 percent say yes. The White House pushing back on this poll saying you have to explain it to the people. Well, this is the exact same place the debt ceiling was in April 2011. Now, by the time if hit a crisis point, more of the public moved into in favor of raising the debt ceiling, but what this shows is the president has to use political capital and time to flip these numbers. It`s going to be a lot of work.

#### Business pressure will change minds—but PC is key to mobilize it

**Sink, 9/18/13** (Justin, The Hill, “Amid fiscal fights, Obama courting business leaders”

<http://thehill.com/homenews/administration/322883-amid-fiscal-fights-obama-courting-business-leaders>)

President Obama will address the Business Roundtable (BRT) on Wednesday as he works to get corporate leaders on his side during this fall’s fiscal showdowns with the GOP. The White House is hoping that Obama can rally the influential organization, made up of conservative chief executives from the nation’s largest corporations, to help build pressure on congressional Republicans. According to a White House official, the president will ask business leaders "to help send the message to Congress that a default would be disastrous for our economy and for businesses across the country." "Some Republicans in Congress are playing a reckless political game by threatening to leave the economy hanging in the balance for an ideological agenda that has no chance of becoming law—a game that last time had real consequences, hurting growth and business confidence," the official said. Obama is expected to note that during debt ceiling negotiations in the summer of 2011, the stock market decreased 17 percent, the nation's credit rating was downgraded, and consumer confidence dropped to its lowest level since the financial crisis. He'll argue to the assembled corporate executives that failure to strike a deal would again endanger the economy — and their bottom lines. “The president’s focus, as is always the case when he meets with this group, is what we can do together to keep the American economy growing,” White House press secretary Jay Carney said on Tuesday. But the sell will not be an easy one — the association’s officials have been critical of the president, and members of the group are wary of the administration’s aggressive regulatory push on labor and environmental issues. And congressional Republicans are accusing the president of employing "scare tactics" to gain leverage. "No one is threatening to default," said Brendan Buck, a spokesman for House Speaker John Boehner (R-Ohio). "The president only uses these scare tactics to avoid having to show the courage needed to deal with our debt crisis. Every major deficit deal in the last 30 years has been tied to a debt limit increase, and this time should be no different." Obama has leaned on the organization in the past. Shortly after the president’s last visit in December for a speech and closed-door discussion, the CEOs sent a letter to congressional leaders arguing all options — including tax increases — should be on the table as negotiators sought a “fiscal-cliff” deal. That gesture, a reversal from the group’s stance just five months earlier, ratcheted up pressure on congressional Republicans. The GOP subsequently stumbled, and Obama struck a deal that many Democrats embraced.

### at: syria

#### Obama’s weakened by Syria but still strong enough to win a debt ceiling fight

**Garrett, 9/19/13 –** National Journal Correspondent-at-Large and Chief White House Correspondent for CBS News(Major, National Journal, “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>)

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.

This does not mean Republicans will find a way to exploit these fissures. The GOP’s current agony over delaying or defunding Obamacare and the related shambling incoherence around the sequester/shutdown/debt ceiling suggest not.

#### There won’t be a Syria vote – the crisis was averted

**Pittsburgh Post-Gazette, 9/17**/13 (“SYRIAN SOLUTION?; DIPLOMACY TO END THE WAR STILL HAS A LONG WAY TO GO” lexis)

With the help of adroit diplomacy by the United States and others, the problem of Syria has been moved to a much better state than it was in a week ago.

At the same time, the situation is precarious, with a lot of "ifs" and moving pieces, the equivalent of a close football game in which the home team is ahead by two points but the contest is only in the second quarter.

President Barack Obama is considerably better off. Instead of facing a vote in Congress on attacking Syria -- which he probably would have lost, with unknown but serious consequences -- the issue of what to do about Syrian President Bashar Assad and his regime's possession and possible use of chemical weapons has now been shifted to international diplomacy, first through an agreement reached Saturday between the United States and Russia and then to implementation by the United Nations. That is where it should be, especially according to the U.S. public, who have indicated that they have no taste for another Middle East war, on the heels of the long Iraq war and the longer Afghanistan war now winding down.

Americans' distaste was based on a perception that, in spite of Mr. Obama's claims, no vital U.S. interests were at stake in Syria. They also developed no enthusiasm for U.S. attacks, in spite of advocacy by Sen. John McCain, R-Ariz., the American Israel Public Affairs Committee and some of the Syrian rebel groups.

The list of actions that must occur before anyone, including Mr. Obama, is out of the woods is nonetheless daunting. The Assad government must hand over a list of all its chemical weapons. U.N. inspectors have to see, secure and eventually destroy them, based on a Security Council resolution that has yet to be agreed upon and passed. To seek a transition from a chemical weapons agreement to a satisfactory end to the two-year-old civil war, the Syrian rebels, which include al-Qaida-affiliated groups, must be brought to a negotiating table through a combination of cajolery and military aid.

All this will not be easy, but it is preferable to the human, political and financial cost to the United States of another war. The performance of Secretary of State John F. Kerry so far encourages some optimism that he can, in the end, bring the matter to a successful conclusion for America.

### at: climate

#### At best Congress will hold a hearing. That’s qualitatively different from the plan

**Drajem, 9/21/13** (Mark, “Obama Climate Rules Seen as New Battleground for EPA Enforcement” Bloomberg, <http://www.businessweek.com/news/2013-09-20/obama-s-carbon-rules-seen-as-new-battleground-for-enforcement>)

Coal producers, some utilities and Republicans in Congress all said that the standard announced today would effectively outlaw construction of new coal-fired power plants, raise prices for electricity and cost jobs. On Capitol Hill, House Energy and Commerce Committee Chairman Fred Upton, a Michigan Republican, said his panel will hold a hearing on the proposal.

#### All climate action sidesteps Congress

**Martinson, 9/19/13** (Erica, Politico, “Coal in President Obama’s climate cross hairs” <http://www.politico.com/story/2013/09/coal-barack-obama-epa-greenhouse-gas-emissions-97104.html>)

The Environmental Protection Agency’s proposed rule, set to come out Friday morning, fulfills a key promise to President Barack Obama’s environmental base — while offering a potent line of attack for Republicans in 2014. It kicks off a major effort by Obama’s agencies to tackle climate change without waiting for help from Congress.

### add on

#### Nobody’s willing to escalate it

**Dunn 11** (Michael; PhD, Editor of the Middle East Journal, “Are We Facing a Gathering ‘Perfect Storm’ in the Region?” MEI Editor’s Blog)

A week ago IDF Maj. Gen. Eyal Eisenberg, the Home Front Commander, made headlines for saying that Arab Spring could lead to an increase in the chances of a regional war. Other Israeli officials backpedaled quickly, but in the wake of the deepening crisis between Israel and Turkey and now the attack on the Israeli Embassy in Egypt, there seems to be a growing sense of tightening siege in Israel. (I know, of course, that residents of Gaza would find it ironic that Israel feels besieged when they are far more literally so, but the fact is that when Israel feels threatened — justifiably or not — it has often resorted to military action. Two of Israel's once dependable allies, Turkey and Egypt, are no longer so dependable for quite different reasons. And the United Nations debate on recognizing the Palestinian Authority as an independent state is looming, with many members of the European Union likely to support the Palestinian effort, despite US and Israeli opposition. If Israel feels that it is increasingly isolated, again rightly or wrongly, the dangers of conflict do escalate. That this is a dangerous time is indisputable. I may be grasping at straws, but I do find it encouraging that there really doesn't seem to be **any party** that wants a war, regional or limited. Some Israelis might welcome another round in Gaza or against Hizbullah, but probably not just now. While some in Egypt might welcome a distraction, no one, not even the Islamists, wants a war. The Palestinian Authority wants legitimacy, not war. Whether the UN ploy brings that closer or makes it more remote is certainly debatable, and since it's being discussed so many places I haven't felt eager to get into it here. It is, however, going to be a rough ride, given so many converging uncertainties. One should hope for cool heads and cautious diplomacy, with revolutions still simmering and Israel jittery.

#### If war is likely, then external triggers will cause it

**Morris 11** (Benny; Professor, Leading Scholar on the Arab-Israeli Conflict and Commentator on Israeli Foreign Policy, “The Arab Spring and Israel’s Security,” http://www.henryjacksonsociety.org/stories.asp?pageid=49&id=2327)

The Brotherhood, incidentally, isn’t the only problem in Egypt. There aren’t any real political parties because the Mubarak regime did not allow the existence of real political parties, except for the one which controlled the state. But parties are emerging now and the heads of the parties that are emerging and contending for the presidency. Take, for example, Mohamed ElBaradei, former head of the IAE, the atomic energy agency, and Amr Moussa, the former secretary general of the Arab League – both are secularists, but neither of them are particularly friendly to or tolerant of Israel. They may be more attentive to pragmatic considerations and Western goodwill than the Muslim Brotherhood, but they should be not fiends of Israel, and certainly are much more critical of Israel, than the Mubarak regime was. And there’s also the army, which has always seen Israel as its primary eventual enemy and target in any future war. The Egyptians have no other enemies; the only reason they maintain a large army is vis-à-vis Israel, since Libya and Sudan were never really a threat to the Egyptian state. These three groups, the secularists, the Muslim Brotherhood, and the army, I am not sure can be counted on to maintain the 1979 Peace Treaty. One thing which has always annoyed the Egyptian army, and perhaps Egyptians in general, was the demilitarisation of the Sinai Peninsula, which was one of the clauses in the 1979 Peace Treaty: Sinai must remain essentially without Egyptian forces, accept for a few battalions along the Suez canal. A possible remilitarization of the Sinai Peninsula, that is, the assertion of complete sovereignty over the Peninsula, may be one of the first demands of this new Egyptian regime, even if they don’t call for the formal renunciation of the Peace Treaty. And, as we all know, the remilitarisation of the Sinai Peninsula in 1967 was one of the precipitants of the 1967 War. I don’t expect a formal renunciation of the Peace Treaty immediately after a new government takes over in Egypt, and I think it’s even more unlikely that the Egyptian government will open hostilities against Israel in the short term. The Egyptians also enjoyed Mubarak’s large amounts of foreign aid from America, which is a good reason not to alienate Israel completely, not to alienate Washington completely. But it appears that an unravelling of the Peace Treaty might well follow the election of the new Egyptian government. This new radicalized Egypt will be more attentive to the groundswell in the Arab street and in the Muslim street than the previous regime’s Mubarak and Sadat were. Iranian-Israeli clash will present the Egyptian government, down the road, with a formidable challenge. Iranian-Palestinian clashes, which might well emerge in September as a result of the intended Palestinian declaration of independence, and perhaps a UN endorsement of that unilateral declaration, that, too, could trigger violence between Israel and the Palestinians, a third intifada some people speak of. That, too, will be a challenge to a radicalized Egyptian regime, which I don’t know if it will be able to stand on the sidelines as the Mubarak regime did during the first and the second intifadas. At the very least, perhaps, for example, amassing of Egyptian troops even without entering the Sinai Peninsula but along the Suez Canal, could well tie down Israeli divisions along the Negev-Sinai borderin any future Israeli clash with the Hamas, with Hezbollah, with the Iranians, and possibly with the Palestinians.

### more pc key/uniqueness/divisions

#### And it’s key to avoid having to make concessions

**Garnham, 9/17/13** (Peter, “Summers not over for dollar strength” Euromoney,

Full article: <http://www.euromoney.com/Article/3255829/Category/16/ChannelPage/0/Summers-not-over-for-dollar-strength.html?single=true&copyrightInfo=true>)

That is because seeking his confirmation in the US Senate could have cost Obama valuable political capital. As Geoffrey Yu, strategist at UBS, points out, that could have meant that reaching an agreement on raising the debt ceiling afterwards would have therefore required even greater concessions from Obama and created additional fiscal drag on the US economy. Overall, it would seem the ripple effects from Summers’ withdrawal from the race to become Fed chairman and the negative impact on the dollar could disappear quickly.

#### Even the credible possibility of default will destroy the economy

**Davis, 9/18/13 -** professor of political science at Brigham Young University(Richard, Deseret News, “Raise the debt ceiling, then talk about spending less” <http://www.deseretnews.com/article/865586538/Raise-the-debt-ceiling-then-talk-about-spending-less.html>)

This is a strategy popular with the Republican right wing, but it is bad policy for the nation. Paying the nation’s bills is not about politics. It sends the wrong signal to investors that U.S. political leaders are not serious about the consequences of default. The nation’s bond rating was lowered after the last near-default. That would happen again if the government defaulted. Even the possibility of default makes investors jittery and undermines our reputation as a nation that always lives up to its promise to pay its bills. A lower bond rating costs taxpayers more money because borrowing comes at a heavier price, just as a lower credit score for failure to pay bills hurts an individual.

#### That splits the base—means no deal

**Cook, 9/17**/13 - Economic and Fiscal Policy Correspondent at National Journal (Nancy, “How Dangerous Is the Rift Among Democrats?” National Journal, <http://www.nationaljournal.com/congress/how-dangerous-is-the-rift-among-democrats-20130917>)

Remember that split among congressional Republicans on fiscal strategy? Well, now it seems the Democrats have the makings of a similar problem. In recent weeks, congressional D's have been uncharacteristically independent, breaking with their leadership and the Obama administration. First they opposed military action in Syria, warning the president they would deny his request to strike. And then came Larry Summers, who was brought down by a handful of Senate Democrats who let the White House know they would not confirm him as Fed chief. All this bodes quite poorly for President Obama (and Harry Reid and Nancy Pelosi) as the spending and debt fights approach. If Obama's advisers take anything away from the Syria and Summers episodes, Capitol Hill aides and lawmakers suggest it should be the message that Democrats are not going to get in line with a budget deal that compromises their liberal positions. No longer should the White House feel free, as it has in the past, to consider tweaks to programs like Medicare or Social Security, for instance (unless, of course, Republicans agree to extract more money from taxpayers). Reid and one of his primary deputies, Sen. Patty Murray, continue to oppose the "chained CPI" proposal that would change the way government benefits are calculated and make them less generous—one of the ideas the president offered up in past budget negotiations. House Democrats largely are not in favor of one of the president's other previous budget offers—to cut Medicare by $400 billion. These concessions would be an incredibly hard sell to Democrats during a year where the country's annual deficit continues to fall, says a House Democratic leadership aide. "A lot of our members were concerned about the drift of the negotiations during the fiscal cliff," the aide said. "Our sense is that any deal this fall would not be as large so there is not as much of a necessity to offer up those items." The White House hasn't ruled those items out though; it's not really even engaging in the discussion at all yet. If lawmakers start to draw lines in the sand, the president will have fewer tools to use and fewer levers to pull to score a deal that keeps the government running and the United States current on its debt.

#### Staying the course is key

**Robinson, 9/20**/13 – Washington Post columnist (Eugene, “Obama Needs to Stand His Ground” <http://www.realclearpolitics.com/articles/2013/09/20/obama_needs_to_stand_his_ground_120003.html>)

Obama is by nature a reasonable and flexible man, but this time he must not yield. Even if you leave aside what delaying or defunding Obamacare would mean for his legacy -- erasing his most significant domestic accomplishment -- it would be irresponsible for him to bow to the GOP zealots' demands. The practical impact of acquiescing would be huge. Individuals who have been uninsured are anticipating access to adequate care. State governments, insurance companies and health care providers have spent vast amounts of time and money preparing for the law to take effect. To suddenly say "never mind" would be unbelievably reckless. The political implication of compromising with blackmailers would be an unthinkable surrender of presidential authority. The next time he said "I will do this" or "I will not do that," why should Congress or the American people take him seriously? How could that possibly enhance Obama's image on the world stage? Obama has said he will not accept a budget deal that cripples Obamacare and will never negotiate on the debt ceiling. Even if the Republicans carry through with their threats -- and this may happen -- the president has no option but to stand his ground. You don't deal with bullies by making a deal to keep the peace. That only rewards and encourages them. You have to push back. The thing is, this showdown is a sure political loser for the GOP -- and smart Republicans know it. Boehner doesn't want this fight, and in fact should be grateful if Obama hangs tough and shows the crazies the limits of their power. Republicans in the Senate don't want this fight. It's doubtful that even a majority of House Republicans really, truly want this fight, no matter what they say publicly. But irresponsible demagogues -- I mean you, Sen. Ted Cruz, R-Texas -- have whipped the GOP base into a frenzy of unrealistic expectations. House members who balk at jumping off the cliff risk being labeled "moderate," which is the very worst thing you can call a Republican -- and the most likely thing to shorten his or her political career. The way to end this madness is by firmly saying no. If Boehner won't do it, Obama must.

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### uniqueness/healthcare thumper

#### The House will cave to the Senate deal so they can save strength for the debt fight

**Associated Press, 9/19/13** (“Vote in Congress on Friday aimed at averting US government shutdown” <http://www.nanaimodailynews.com/news/vote-in-congress-on-friday-aimed-at-averting-us-government-shutdown-1.631432>)

Republicans controlling the House of Representatives planned a vote Friday to ship to the Senate a measure that would prevent a government shutdown but cripple the signature legislative accomplishment of President Barack Obama's first term.

The House was set to vote on a temporary spending bill that would fund the government until Dec. 15, but also kill Obama's health care overhaul. The health care provision, however, has almost no chance of passing the Democratic-led Senate. Obama said Thursday he would veto it if it passed anyway.

That could create an impasse that leads to a shutdown. But more likely, Republicans will eventually accept the Senate version of the funding bill — with the health care measure stripped out of it. Republican leaders are wary of being blamed for a shutdown. And avoiding this fight would also allow them to focus on a bigger battle later this year over raising the government's borrowing authority.

#### It’s a non-starter—everyone knows the real debate is debt ceiling

**Epso, 9/18/13** (David, “Dodge default, defund Obamacare, GOP leaders say” <http://www.greenwichtime.com/news/texas/article/Dodge-default-defund-Obamacare-GOP-leaders-say-4825548.php>)

WASHINGTON (AP) — House Republicans vowed Wednesday to pass legislation that would prevent a partial government shutdown and avoid a historic national default while simultaneously canceling out President Barack Obama's health care overhaul, inaugurating a new round of political brinkmanship as critical deadlines approach. Obama swiftly condemned the effort as attempted political extortion, and the Republican-friendly Chamber of Commerce pointedly called on lawmakers to pass urgent spending and borrowing legislation — unencumbered by debate over "Obamacare." The two-step strategy announced by House Speaker John Boehner marked a concession to his confrontational rank and file. At the same time, it represented a challenge to conservatives inside the Senate and out who have spent the summer seeking the votes needed to pull the president's cherished health care law out by its roots. They now will be called on to deliver. "The fight over here has been won. The House has voted 40 times to defund, change Obamacare, to repeal it. It's time for the Senate to have this fight," said Boehner, an Ohio Republican. As outlined by several officials, Boehner and the leadership intend to set a House vote for Friday on legislation to fund the government through Dec. 15 at existing levels while permanently defunding the health care law. The same bill will include a requirement for Treasury to give priority to Social Security and disability payments in the event the government reaches its borrowing limit and cannot pay all of its obligations. A second measure, to be brought to the floor as early as next week, would allow Treasury to borrow freely for one year. That same bill is also expected to be loaded with other requirements, including the construction of the Keystone XL Pipeline from Canada to the United States, a project that environmentalists oppose and that the Obama administration has so far refused to approve. Other elements will reflect different Republican budget priorities, including as-yet-undisclosed savings from health care and government benefit programs and steps to speed work on an overhaul of the tax code. Prospects for passage of the two bills are high in the House, where Republicans have a majority and leaders pronounced the rank and file united behind the strategy. But both measures are certain to be viewed as non-starters by majority Democrats in the Senate. Some Republicans appeared to concede during the day that the legislation that eventually reaches the White House will leave the health care law in effect. "I don't think that any reasonable person thinks there's anything to be gained by a government shutdown," said Sen. John Cornyn, R-Texas. "Rather than a shutdown of government, what we need is a Republican victory in 2014 so we can be in control. I'm not sure those are mutually compatible." But a fellow Texas Republican, Sen. Ted Cruz said it was important to hold fast. He said Democrats appear at present to have the votes to restore funds for the health care law, adding, "At that point, House Republicans must stand firm, hold their ground and continue to listen to the American people." Given the differences, it is unclear how long it will take Congress and the White House to clear the measures, and how close the government will come to a partial shutdown or a market-rattling default over the next three weeks.

#### The Obamacare tactic isn't working and proves our uniqueness

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President Obama effectively ended any Republican hopes of getting a political victory on the debt ceiling when he called their demands extortion. Nobody likes being extorted. The American people don’t like feeling like they are being shaken down. The White House knows this, which is why they are using such strong language to criticize the Republicans. Obama is doing the same thing to House Republicans that he has been doing to the entire party for the last few years. The president is defining them before they can define themselves.

Obama is taking the same tactics that he used to define Mitt Romney in the summer of 2012 and applying them to John Boehner and his House Republicans. While Republicans are fighting among themselves and gearing up for another pointless run at defunding Obamacare, the president is already winning the political battle over the debt ceiling. His comments today were a masterstroke of strategy that will pay political dividends now and in the future. If the president is successful anytime a Republican talks about defunding Obamacare, the American people will think extortion. Republicans keep insisting on unconstitutional plots to kill Obamacare, and the president is calling them out on it.