## 1

#### The logic of the affirmative asks how war should be waged rather than if war should be waged at all—their methods only spark temporary interest in the military-industrial complex—it leads to free reign of the mentality of constant war

Lichterman 3

[Andrew, Program Director of the Western States Legal Foundation, Missiles of Empire: America’s 21st Century Global Legions, WSLF Information Bulletin, Fall 2003, http://www.wslfweb.org/nukes.htm]

Criticizing the Hubcaps while the Juggernaut Rolls On The U.S. military-industrial complex today is so immense as to defy comprehension. Even those few paying attention tend to focus on one small piece at a time. One month it may be proposals for nuclear weapons with certain new capabilities. Then the attention may shift to missile defense– but there too, only a small part of the program attracts public debate, with immense programs like the airborne laser proceeding almost invisibly. Proposals for the intensive militarization of space like the Space Plane come to light for a day or two, attracting a brief flurry of interest; the continuing, broad development of military space technologies, from GPS-aided guidance to radiation hardened microchips to space power generation, draw even less scrutiny. There is so broad a consensus among political elites supporting the constant refinement of conventional armaments that new generations of strike aircraft, Navy ships, and armored vehicles attract little notice outside industry and professional circles, with only spectacular cost overruns or technical failures likely to draw the occasional headline. A few Congresspeople will challenge one or another particularly extreme new weapon (e.g. the “Robust Nuclear Earth Penetrator”), but usually on narrow pragmatic grounds: we can accomplish the same “mission” with less risky or cheaper weapons. But the question of “why,” seldom is asked, only “how,” or “how much does it cost?” Most of the programs that constitute the military machine glide silently onward undisturbed, like the body of a missile submarine invisible below the deceptively small surfaces that rise above the sea. The United States emerged after both World War II and the Cold War as the most powerful state on earth-- the one with the most choices. The first time, all of this was still new. We could perhaps understand our ever deeper engagement with the machinery of death as a series of tragic events, of the inevitable outcome of fallible humans grappling with the titanic forces they had only recently unleashed, in the context of a global confrontation layered in secrecy, ideology, and fear. But this time around, since the end of the Cold War, we must see the United States as truly choosing, with every new weapon and every new war, to lead the world into a renewed spiral towards catastrophe. The past is written, but our understanding of it changes from moment to moment. The United States began the nuclear age as the most powerful nation on earth, and proclaimed the character of the “American Century” with the bombings of Hiroshima and Nagasaki, a cryptic message written in the blood of innocents. Its meaning has come clear over fifty years of technocratic militarism, punctuated by the deaths of millions in neo-colonial warfare and underscored always by the willingness to end the world rather than share power with anyone. The path ahead still can be changed, but we must begin with an understanding of where we are, and how we got here. In the United States, there is a very long way to go before we have a debate about the uses of military force that addresses honestly the weapons we have and seek to develop, much less about the complex social forces which impel the United States to maintain its extraordinary levels of forces and armaments. Most Americans don’t know what their government is doing in their name, or why. Their government, regardless of the party in power, lies about both its means and its ends on a routine basis. And there is nothing the government lies about more than nuclear weapons, proclaiming to the world for the last decade that the United States was disassembling its nuclear facilities and leading the way to disarmament, while rebuilding its nuclear weapons plants and planning for another half century and more of nuclear dominance.74 It is clear by now that fighting violence with yet more violence, claiming to stop the spread of nuclear weapons by threatening the use of nuclear weapons, is a dead end. The very notion of “enforcement,” that some countries have the right to judge and punish others for seeking “weapons of mass destruction,” has become an excuse for war making, a cover and justification for the power and profit agenda of secretive and undemocratic elites. The only solution that will increase the security of ordinary people anywhere is for all of us, in our respective societies, to do everything we can to get the most violent elements in our cultures– whether in or out of uniform– under control. In the United States, this will require far more than changing a few faces in Washington. We will need a genuine peace movement, ready to make connections to movements for ecological balance, and for social and economic justice, and by doing so to address the causes of war. Before we can expect others to join us, it must be clear that we are leaving the path of violence.

#### Awareness of militarism key – our internalized acceptance of war guarantees endless violence that ensures planetary destruction and structural violence

Lawrence 9

[Grant, “Military Industrial "War" Consciousness Responsible for Economic and Social Collapse,” OEN—OpEdNews, March 27]

As a presidential candidate, [Barack Obama](http://obama.senate.gov/) called [Afghanistan](http://en.wikipedia.org/wiki/War_in_Afghanistan_%282001%E2%80%93present%29) ''the war we must win.'' He was absolutely right. Now it is time to win it... Senators [John McCain](http://www.imdb.com/name/nm0564587/) and Joseph Lieberman [calling](http://www.miamiherald.com/opinion/inbox/story/960269.html) for an expanded war in Afghanistan "How true it is that war can destroy everything of value." Pope Benedict XVI [decrying](http://www.google.com/hostednews/afp/article/ALeqM5iuue8kE-e0lYZVFpt4RlbX4M_IEw) the suffering of Africa Where troops have been quartered, brambles and thorns spring up. In the track of great armies there must follow lean years. Lao Tzu on [War](http://www.sacred-texts.com/tao/salt/salt09.htm) As Americans we are raised on the utility of war to conquer every problem. We have a drug problem so we wage war on it. We have a cancer problem so we wage war on it. We have a crime problem so we wage war on it. Poverty cannot be dealt with but it has to be warred against. Terror is another problem that must be warred against. In the [United States](http://maps.google.com/maps?ll=38.8833333333,-77.0166666667&spn=10.0,10.0&q=38.8833333333,-77.0166666667%20%28United%20States%29&t=h), solutions can only be found in terms of wars. In a society that functions to support a massive military industrial war machine and empire, it is important that the terms promoted support the conditioning of its citizens. We are conditioned to see war as the solution to major social ills and major political disagreements. That way when we see so much of our resources devoted to war then we don't question the utility of it. The term "war" excites mind and body and creates a fear mentality that looks at life in terms of attack. In war, there has to be an attack and a must win attitude to carry us to victory. But is this war mentality working for us? In an age when nearly half of our tax money goes to support the war machine and a good deal of the rest is going to support the elite that control the war machine, we can see that our present war mentality is not working. Our values have been so perverted by our war mentality that we see sex as sinful but killing as entertainment. Our society is dripping violence. The violence is fed by poverty, social injustice, the break down of family and community that also arises from economic injustice, and by the managed media. The cycle of violence that exists in our society exists because it is useful to those that control society. It is easier to sell the war machine when your population is conditioned to violence. Our military industrial consciousness may not be working for nearly all of the life of the planet but it does work for the very few that are the master manipulators of our values and our consciousness. Rupert Murdoch, the media monopoly man that runs the "Fair and Balanced" [Fox Network](http://www.fox.com/), Sky Television, and [News Corp](http://www.newscorp.com/) just to name a few, [had](http://en.wikipedia.org/wiki/Rupert_Murdoch) all of his 175 newspapers editorialize in favor of the [Iraq war](http://en.wikipedia.org/wiki/Iraq_War). Murdoch snickers when [he says](http://www.newscorpse.com/ncWP/?p=341) "we tried" to manipulate public opinion." The Iraq war was a good war to Murdoch [because,](http://www.americanprogress.org/issues/2004/07/b122948.html) "The death toll, certainly of Americans there, by the terms of any previous war are quite minute." But, to the media manipulators, the phony politicos, the military industrial elite, a million dead Iraqis are not to be considered. War is big business and it is supported by a war consciousness that allows it to prosper. That is why more war in Afghanistan, the war on Palestinians, and the other wars around the planet in which the [military industrial complex](http://en.wikipedia.org/wiki/Military-industrial_complex) builds massive wealth and power will continue. The military industrial war mentality is not only killing, maiming, and destroying but it is also contributing to the present social and economic collapse. As mentioned previously, the massive wealth transfer that occurs when the American people give half of their money to support death and destruction is money that could have gone to support a just society. It is no accident that after years of war and preparing for war, our society is crumbling. Science and technological resources along with economic and natural resources have been squandered in the never-ending pursuit of enemies. All of that energy could have been utilized for the good of humanity, ¶ instead of maintaining the power positions of the very few super wealthy. So the suffering that we give is ultimately the suffering we get. Humans want to believe that they can escape the consciousness that they live in. But that consciousness determines what we experience and how we live. As long as we choose to live in "War" in our minds then we will continue to get "War" in our lives. When humanity chooses to wage peace on the world then there will be a flowering of life. But until then we will be forced to live the life our present war consciousness is creating.

#### The alternative is to reject the 1AC in favor of a pacifistic solution to problems.

#### The only way to solve is by adopting a pacifistic mindset—the shift away from militarism is key

Demenchonok 9

[Worked as a senior researcher at the Institute of Philosophy of the Russian Academy of Sciences, Moscow, and is currently a Professor of Foreign Languages and Philosophy at Fort Valley State University in Georgia, listed in 2000 Outstanding Scholars of the 21st Century and is a recipient of the Twenty-First Century Award for Achievement in Philosophy from the International Biographical Centre --Edward, Philosophy After Hiroshima: From Power Politics to the Ethics of Nonviolence and Co-Responsibility, February, American Journal of Economics and Sociology, Volume 68, Issue 1, Pages 9-49]

Where, then, does the future lie? Unilateralism, hegemonic political anarchy, mass immiseration, ecocide, and global violence—a Hobbesian bellum omnium contra omnes? Or international cooperation, social justice, and genuine collective—political and human—security? Down which path lies cowering, fragile hope?¶ Humanistic thinkers approach these problems from the perspective of their concern about the situation of individuals and the long-range interests of humanity. They examine in depth the root causes of these problems, warning about the consequences of escalation and, at the same time, indicating the prospect of their possible solutions through nonviolent means and a growing global consciousness. Today's world is in desperate need of realistic alternatives to violent conflict. Nonviolent action—properly planned and executed—is a powerful and effective force for political and social change. The ideas of peace and nonviolence, as expressed by Immanuel Kant, Leo Tolstoy, Mahatma Gandhi, Martin Luther King, and many contemporary philosophers—supported by peace and civil rights movements—counter the ~~paralyzing~~ fear with hope and offer a realistic alternative: a rational approach to the solutions to the problems, encouraging people to be the masters of their own destiny.¶ Fortunately, the memory of the tragedies of war and the growing realization of this new existential situation of humanity has awakened the global conscience and generated protest movements demanding necessary changes. During the four decades of the Cold War, which polarized the world, power politics was challenged by the common perspective of humanity, of the supreme value of human life, and the ethics of peace. Thus, in Europe, which suffered from both world wars and totalitarianism, spiritual-intellectual efforts to find solutions to these problems generated ideas of "new thinking," aiming for peace, freedom, and democracy. Today, philosophers, intellectuals, progressive political leaders, and peace-movement activists continue to promote a peaceful alternative. In the asymmetry of power, despite being frustrated by war-prone politics, peaceful projects emerge each time, like a phoenix arising from the ashes, as the only viable alternative for the survival of humanity. The new thinking in philosophy affirms the supreme value of human and nonhuman life, freedom, justice, and the future of human civilization. It asserts that the transcendental task of the survival of humankind and the rest of the biotic community must have an unquestionable primacy in comparison to particular interests of nations, social classes, and so forth. In applying these principles to the nuclear age, it considers a just and lasting peace as a categorical imperative for the survival of humankind, and thus proposes a world free from nuclear weapons and from war and organized violence.44 In tune with the Charter of the United Nations, it calls for the democratization of international relations and for dialogue and cooperation in order to secure peace, human rights, and solutions to global problems. It further calls for the transition toward a cosmopolitan order.¶ The escalating global problems are symptoms of what might be termed a contemporary civilizational disease, developed over the course of centuries, in which techno-economic progress is achieved at the cost of depersonalization and dehumanization. Therefore, the possibility of an effective "treatment" today depends on whether or not humankind will be able to regain its humanity, thus establishing new relations of the individual with himself or herself, with others, and with nature. Hence the need for a new philosophy of humanity and an ethics of nonviolence and planetary co-responsibility to help us make sense not only of our past historical events, but also of the extent, quality, and urgency of our present choices.

## 2

#### Obama has successfully fended off sanctions, FOR NOW, any lags create an aggressive push that will be veto proof

Rubin 2-7

(Jennifer, Washington Post. “Menendez’s blasts Obama’s Iran policy” 2-7-14 http://www.washingtonpost.com/blogs/right-turn/wp/2014/02/07/menendezs-blasts-obamas-iran-policy///wyoccd)

The administration has a big problem on Iran. It has for now successfully fended off sanctions, but in doing so it helped forge consensus about the flaws in its approach and set the scene for a major showdown with Congress when, as everyone but Secretary of State John Kerry expects, Iran refuses to agree to even minimal steps to dismantle its nuclear weapons program. In other words, it has set itself up for failure with no back-up plan.Thursday, Sen. Robert Menendez (D-N.J.), denied by his majority leader a vote on a sanctions bill that would pass with more than 70 votes, explained in detail the administration’s gross mishandling of negotiations. It is worth reading in full, but some portions deserve emphasis. After describing in detail the requirements the administration, the United Nations and former administration official Dennis Ross have confirmed are needed to prevent a nuclear-capable Iran, the New Jersey Democrat summed up the flaws in the interim deal:¶ Iran is insisting on keeping core elements of its programs – enrichment, the Arak heavy-water reactor, the underground Fordow facility, and the Parchin military complex. And, while they may be subject to safeguards — so they can satisfy the international community in the short-run – if they are allowed to retain their core infrastructure, they could quickly revive their program sometime in the future. At the same time, Iran is seeking to reverse the harsh international sanctions regimes against them. Bottom line: They dismantle nothing. We gut the sanctions.¶ Directly contradicting Kerry’s assurances, Menendez states:¶ Since the interim deal was signed there was an immediate effort by many nations – including many European nations — to revive trade and resume business with Iran. There have been recent headlines that the Russians may be seeking a barter deal that could increase Iran’s oil exports by 50 percent. That Iran and Russia are negotiating an oil-for-goods deal worth $1.5 billion a month — $18 billion a year – which would significantly boost Iran’s oil exports by 500,000 barrels a day in exchange for Russian goods . . . Iran’s economy is recovering. . . . Sanctions relief — combined with the “open for business sign” that Iran is posting — is paying returns.¶ And as for the potential for sanctions at the end of the six months, Menendez states definitively that this would be too late. It is quite an extraordinary assertion — in essence, that barring a miraculous negotiated solution, we’re now in the mode of “containment,” precisely what the president swore up and down he’d never allow:¶ My legislation – cosponsored by 59 Senators – would simply require that Iran act in good faith, adhering to the implementing agreement, not engage in new acts of terror against American citizens or U.S, property — and not conduct new ballistic missile tests with a range beyond 500 kilometers.¶ The legislation is not the problem. Congress is not the problem. Iran is the problem. We need to worry about Iran, not the Congress. We need to focus on Iran’s long history of deception surrounding its nuclear program and how this should inform our approach to reaching a comprehensive deal. . . .New sanctions are not a spigot that can be turned off-and-on as has been suggested.¶ Even if Congress were to take-up and pass new sanctions at the moment of Iran’s first breach of the Joint Plan of Action, there is a lag time of at least 6 months to bring those sanctions on line — and at least a year for the real impact to be felt.¶ This would bring us beyond the very short-time Iran would need to build a nuclear bomb, especially since the interim agreement does not require them neither to dismantle anything, and freezes their capability as it stands today.¶ So let everyone understand — if there is no deal we won’t have time to impose new sanctions before Iran could produce a nuclear weapon. . . .¶ The simple and deeply troubling fact is — Iran is literally weeks to months away from breakout, and the parameters of the final agreement — laid out in the Joint Plan of Action — do not appear to set Iran’s development-capacity back by more than a few weeks. [Emphasis added.]¶ He concludes, “The concerns I have raised here are legitimate. They are not — as the President’s press secretary has said – ‘war-mongering.’ . . . Iran says it won’t negotiate with a gun to its head. Well, I would suggest it is Iran that has put a nuclear gun to the world’s head. So, at the end of the day, name-calling is not an argument, nor is it sound policy. It is a false choice to say a vote for sanctions is equivalent to war-mongering. . . . The ball is in the Administration’s court, not in Congress’.”¶ So then, in the estimation of the Senate’s Democratic foreign affairs chairman the interim deal is fatally flawed, a final deal must achieve things Iran has no intention of giving us and it will be too late to pass sanctions in six months. He has in essence accused the president of setting us on a road to containment since the president and Senate Majority Leader Harry Reid will not permit a sanctions vote that is the last hope to bring Iran to heel.¶ I wonder what the point of the speech really was. Does he think Reid will bend? Does he have more Democrats on board to force a vote? Does he think sanctions proponents will say, ‘What a nice speech. He’ll be on the ball when the talks fail“? (But Menendez’s entire point was when the talks fail, it will be too late.)¶ In six-months, when the talks fail and/or another six-months are declared necessary for a deal, Congress then can try to restart sanctions, I suppose. But Menendez says that won’t be effective. The alternative is accepting a nuclear-capable Iran or an Israeli military strike. The latter is becoming the most likely scenario if Menendez’s assessment of the timeline is correct. Obama will therefore have brought about the one thing he was desperate to avoid — a Middle East war.

#### Fighting to defend his war power will sap Obama’s capital- trades off with agenda

**Kriner, 10** --- assistant professor of political science at Boston University

(Douglas L. Kriner, “After the Rubicon: Congress, Presidents, and the Politics of Waging War”, University of Chicago Press, Dec 1, 2010, page 68-69)

**While congressional support leaves the president’s reserve of political capital intact, congressional criticism saps energy from other initiatives on the home front by forcing the president to expend energy and effort defending his international agenda. Political capital spent shoring up support for a president’s foreign policies is capital that is unavailable for his future policy initiatives**. Moreover, any weakening in the president’s political clout may have immediate ramifications for his reelection prospects, as well as indirect consequences for congressional races.59 Indeed, Democratic efforts to tie congressional Republican incumbents to President George W. Bush and his war policies paid immediate political dividends in the 2006 midterms, particularly in states, districts, and counties that had suffered the highest casualty rates in the Iraq War. 60 **In addition to boding ill for the president’s perceived political capital and reputation, such partisan losses in Congress only further imperil his programmatic agenda, both international and domestic.** Scholars have long noted that President Lyndon **Johnson’s dream of a Great Society also perished in the rice paddies of Vietnam. Lacking** the requisite funds in a war-depleted treasury and **the political capital needed to sustain his legislative vision, Johnson gradually let his domestic goals slip away** as he hunkered down in an effort first to win and then to end the Vietnam War. In the same way, **many of** President **Bush’s highest second-term domestic proprieties, such as Social Security and immigration reform, failed perhaps in large part because the administration had to expend so much energy and effort waging a rear-guard action against congressional critics of the war in Iraq.**61 **When making their cost-benefit calculations, presidents surely consider these wider political costs of congressional opposition to their military policies.** If congressional opposition in the military arena stands to derail other elements of his agenda, all else being equal, the president will be more likely to judge the benefits of military action insufficient to its costs than if Congress stood behind him in the international arena.

#### Loss of political capital causes Democrats flop and support sanctions

Kraushaar 1-22

(Josh Kraushaar, staff writer at the National Journal. “The Iran Deal Puts Pro-Israel Democrats in a Bind” 1-22-14 http://www.nationaljournal.com/magazine/the-iran-deal-puts-pro-israel-democrats-in-a-bind-20131122//wyoccd)

All of this puts Democrats, who routinely win overwhelming support from Jewish Americans on Election Day, in an awkward position. Do they stand with the president on politically sensitive foreign policy issues, or stake their own course? That difficult dynamic is currently playing out in Congress, where the Obama administration is resisting a Senate push to maintain tough sanctions against Iran. This week, Obama met with leading senators on the Banking and Foreign Relations committees to dissuade them from their efforts while diplomacy is underway. "There's a fundamental disagreement between the vast majority of Congress and the president when it comes to increasing Iran sanctions right now," said one Democratic operative involved in the advocacy efforts. "Pro-Israel groups, like AIPAC, try to do things in a bipartisan way; they don't like open confrontation. But in this instance, it's hard." That awkwardness has been evident in the lukewarm reaction from many of Obama's Senate Democratic allies to the administration's outreach to Iran. Senate Foreign Relations Committee Chairman Robert Menendez of New Jersey said last week he was concerned that the administration seems "to want the deal almost more than the Iranians." Normally outspoken Sen. Chuck Schumer of New York, a reliable ally of Israel, has been conspicuously quiet about his views on the negotiations. In a CNN interview this month, Democratic Rep. Debbie Wasserman Schultz of Florida, whose job as chairwoman of the Democratic National Committee is to defend the president, notably declined to endorse the administration's approach, focusing instead on Obama's past support of sanctions. This, despite the full-court press from Secretary of State John Kerry, a former congressional colleague. On Tuesday, after meeting with Obama, Menendez and Schumer signed a bipartisan letter to Kerry warning the administration about accepting a deal that would allow Iran to continue its nuclear program. The letter was also signed by Sens. John McCain, R-Ariz., Lindsey Graham, R-S.C., Susan Collins, R-Maine, and Robert Casey, D-Pa. Democrats, of course, realize that the president plays an outsized role in the policy direction of his party. Just as George W. Bush moved the Republican Party in a more hawkish direction during his war-riven presidency, Obama is nudging Democrats away from their traditionally instinctive support for the Jewish state. "I can't remember the last time the differences [between the U.S. and Israel] were this stark," said one former Democratic White House official with ties to the Jewish community. "There's now a little more freedom [for progressive Democrats] to say what they want to say, without fear of getting their tuchus kicked by the organized Jewish community." A Gallup survey conducted this year showed 55 percent of Democrats sympathizing with the Israelis over the Palestinians, compared with 78 percent of Republicans and 63 percent of independents who do so. A landmark Pew poll of American Jews, released in October, showed that 35 percent of Jewish Democrats said they had little or no attachment to Israel, more than double the 15 percent of Jewish Republicans who answered similarly. At the 2012 Democratic National Convention, many delegates booed a platform proposal supporting the move of the U.S. Embassy in Israel from Tel Aviv to Jerusalem. In 2011, Democrats lost Anthony Weiner's heavily Jewish, solidly Democratic Brooklyn House seat because enough Jewish voters wanted to rebuke the president's perceived hostility toward Israel. Pro-Israel advocacy groups rely on the mantra that support for Israel carries overwhelming bipartisan support, a maxim that has held true for decades in Congress. But most also reluctantly acknowledge the growing influence of a faction within the Democratic Party that is more critical of the two countries' close relationship. Within the Jewish community, that faction is represented by J Street, which positions itself as the home for "pro-Israel, pro-peace Americans" and supports the Iran negotiations. "Organizations that claim to represent the American Jewish community are undermining [Obama's] approach by pushing for new and harsher penalties against Iran," the group wrote in an action alert to its members. Some supporters of Israel view J Street with concern. "There's a small cadre of people that comes from the progressive side of the party that are in the business of blaming Israel first. There's a chorus of these guys," said a former Clinton administration foreign policy official. "But that doesn't make them the dominant folks in the policy space of the party, or the Hill." Pro-Israel activists worry that one of the ironies of Obama's situation is that as his poll numbers sink, his interest in striking a deal with Iran will grow because he'll be looking for any bit of positive news that can draw attention away from the health care law's problems. Thus far, Obama's diminished political fortunes aren't deterring Democrats from protecting the administration's prerogatives. Congressional sources expect the Senate Banking Committee, chaired by South Dakota Democrat Tim Johnson, to hold off on any sanctions legislation until there's a resolution to the Iranian negotiations. But if Obama's standing continues to drop, and if Israel doesn't like the deal, don't be surprised to see Democrats become less hesitant about going their own way.

#### Tanks Geneva and causes Israel strikes

**Leubsdorf, 1/22/14 –** former Washington Bureau chief of The Dallas Morning News (Carl, Dallas Morning News, “Hard-liners’ mischief-making threatens Iran nuke talks” <http://www.dallasnews.com/opinion/columnists/carl-p-leubsdorf/20140122-carl-leubsdorf-hard-liners-mischief-making-threatens-iran-nuke-talks.ece>)

The measure’s most dangerous provision, according to various published reports, reads as follows:¶ “If the government of Israel is compelled to take military action in legitimate self-defense against Iran’s nuclear weapon program, the United States should stand with Israel and provide in accordance with the law of the United States and the constitutional responsibility of Congress to authorize the use of military force, diplomatic and economic support to the Government of Israel in the defense of its territory, people and existence.”¶ While not requiring U.S. action, critics note the language suggests the mere existence of an Iranian “nuclear weapon program” would be sufficient to compel Israel to attack “in legitimate self-defense.” And it says the U.S. “should” provide such an Israeli attack with “military, diplomatic and economic support” according to U.S. laws and congressional constitutional responsibility.¶ In effect, that could enable the hard-liners who control the Israeli government to kill the talks or try to drag the United States into a war against Iran if they decide that Iranian compliance with the current agreement is insufficient to protect Israel.¶ The measure would also enable Congress to kill any agreement the West reaches with Iran by overriding Obama’s decision to waive existing sanctions.

#### Global war

-Strikes fail: intel gap and buried

-Iran second strike = nuclear

-Economy: stops oil

-Hegemony: Balancers

-Miscalc/Escalation: Forces on nuclear alter

**Reuveny, 10** – professor in the School of Public and Environmental Affairs at Indiana University (Rafael, “Unilateral strike could trigger World War III, global depression” Gazette Xtra, 8/7, - See more at: <http://gazettextra.com/news/2010/aug/07/con-unilateral-strike-could-trigger-world-war-iii-/#sthash.ec4zqu8o.dpuf>)

A unilateral Israeli strike on Iran’s nuclear facilities would likely have dire consequences, including a regional war, global economic collapse and a major power clash.¶ For an Israeli campaign to succeed, it must be quick and decisive. This requires an attack that would be so overwhelming that Iran would not dare to respond in full force.¶ Such an outcome is extremely unlikely since the locations of some of Iran’s nuclear facilities are not fully known and known facilities are buried deep underground.¶ All of these widely spread facilities are shielded by elaborate air defense systems constructed not only by the Iranians but also the Chinese and, likely, the Russians as well.¶ By now, Iran has also built redundant command and control systems and nuclear facilities, devloped early warning systems, acquired ballistic and cruise missiles and upgraded and enlarged its armed forces.¶ Because Iran is well-prepared, a single, conventional Israeli strike—or even numerous strikes—could not destroy all of its capabilities, giving Iran time to respond.¶ Unlike Iraq, whose nuclear program Israel destroyed in 1981, Iran has a second-strike capability comprised of a coalition of Iranian, Syrian, Lebanese, Hezbollah, Hamas, and, perhaps, Turkish forces. Internal pressure might compel Jordan, Egypt and the Palestinian Authority to join the assault, turning a bad situation into a regional war.¶ During the 1973 Arab-Israeli War, at the apex of its power, Israel was saved from defeat by President Nixon’s shipment of weapons and planes. Today, Israel’s numerical inferiority is greater, and it faces more determined and better-equipped opponents. After years of futilely fighting Palestinian irregular armies, Israel has lost some of its perceived superiority—bolstering its enemies’ resolve.¶ Despite Israel’s touted defense systems, Iranian coalition missiles, armed forces, and terrorist attacks would likely wreak havoc on its enemy, leading to a prolonged tit-for-tat.¶ In the absence of massive U.S. assistance, Israel’s military resources may quickly dwindle, forcing it to use its alleged nuclear weapons, as it had reportedly almost done in 1973.¶ An Israeli nuclear attack would likely destroy most of Iran’s capabilities, but a crippled Iran and its coalition could still attack neighboring oil facilities, unleash global terrorism, plant mines in the Persian Gulf and impair maritime trade in the Mediterranean, Red Sea and Indian Ocean.¶ Middle Eastern oil shipments would likely slow to a trickle as production declines due to the war and insurance companies decide to drop their risky Middle Eastern clients. Iran and Venezuela would likely stop selling oil to the United States and Europe.¶ From there, things could deteriorate as they did in the 1930s. The world economy would head into a tailspin; international acrimony would rise; and Iraqi and Afghani citizens might fully turn on the United States, immediately requiring the deployment of more American troops.¶ Russia, China, Venezuela, and maybe Brazil and Turkey—all of which essentially support Iran—could be tempted to form an alliance and openly challenge the U.S. hegemony.¶ Russia and China might rearm their injured Iranian protege overnight, just as Nixon rearmed Israel, and threaten to intervene, just as the U.S.S.R. threatened to join Egypt and Syria in 1973. President Obama’s response would likely put U.S. forces on nuclear alert, replaying Nixon’s nightmarish scenario.¶ Iran may well feel duty-bound to respond to a unilateral attack by its Israeli archenemy, but it knows that it could not take on the United States head-to-head. In contrast, if the United States leads the attack, Iran’s response would likely be muted.¶ If Iran chooses to absorb an American-led strike, its allies would likely protest and send weapons but would probably not risk using force.¶ While no one has a crystal ball, leaders should be risk-averse when choosing war as a foreign policy tool. If attacking Iran is deemed necessary, Israel must wait for an American green light. A unilateral Israeli strike could ultimately spark World War III.

## 3

#### The Executive Branch should request Congressional authorization prior to initiating military use of force, unless to repel attacks on the United States. The executive branch should comply with Congress’s determination.

#### Presidential practice is the only effective check

**Weiner**, JD from Vanderbilt University, **2007**

(Michael, “A Paper Tiger with Bite: A Defense of the War Powers Resolution,” <http://www.vanderbilt.edu/jotl/manage/wp-content/uploads/Weiner.pdf>)

In practice the WPR limits presidents’ outrageous unilateral uses of force. While critics of the WPR seem likely to oppose any legislation that stops short of emasculating the Executive into becoming the “messenger-boy”64 of Congress, they must remember that the foundation for the law of war **lies in practice**.65 Again, recall this Note’s suggestion that the WPR, and the law of war in general, should be viewed from a functionalist perspective. **Any law** that purports to control the actions of those involved in warfare **will only be followed if it allows the actor the chance to preserve his own interests**. Thus, while a soldier is interested in staying alive, and a commander is interested in preserving the lives of those under his command, the Executive is interested in both of these things as well as ensuring the national security of the entire nation. A law that does not afford the Executive sufficient flexibility to satisfy these interests is **bound to be a dead-letter**. ¶ The WPR allows such flexibility, because while its requirements are clear black-letter law, its enforcement structure owes its strength to **behavioral norms rather than law**. The Executive has an incentive to abide by the WPR to avoid showing disrespect for Congress or the will of the U.S. public. However, he retains the legal freedom to function outside the WPR when he judges it to be manifestly clear (1) that the Nation’s interests require it, or (2) when he perceives that the will of the people is behind him.66 The WPR’s effectiveness can only be evaluated by its effect in practice. For this reason, this Note now surveys post-1973 presidential unilateral uses of force.

## Intervention

#### Congress can't solve groupthink

**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. 46-47)

The idea that Congress will, on net, weed out bad policies rests on an institutional comparison. The president is elected by a national constituency on a winner-take-all basis (barring the remote chance that the Electoral College will matter), whereas Congress is a summation of local constituencies and thus affords more voice to political and racial minorities. At the level of political psychology, decisionmaking within the executive is prone to group polarization and other forms of groupthink or irrational panic,51 whereas the internal diversity of legislative deliberation checks these forces. At the level of political structure, Congress contains internal veto gates and chokepoints—consider the committee system and the fi libuster rule—that provide minorities an opportunity to block harmful policies, whereas executive decisionmaking is relatively centralized and unitary.

The contrast is drawn too sharply, because in practice the executive is a they, not an it. Presidential oversight is incapable of fully unifying executive branch policies, which means that disagreement flourishes within the executive as well, dampening panic and groupthink and providing minorities with political redoubts.52 Where a national majority is internally divided, the structure of presidential politics creates chokepoints that can give racial or ideological minorities disproportionate influence, just as the legislative process does. Consider the influence of Arab Americans in Michigan, often a swing state in presidential elections.

It is not obvious, then, that statutory authorization makes any difference at all. One possibility is that a large national majority dominates both Congress and the presidency and enacts panicky policies, oppresses minorities, or increases security in ways that have ratchet effects that are costly to reverse. If this is the case, a requirement of statutory authorization does not help. Another possibility is that there are internal institutional checks, within both the executive branch and Congress, on the adoption of panicky or oppressive policies and that democratic minorities have real infl uence in both arenas. If this is the case, then a requirement of authorization is not necessary and does no good. Authorization only makes a difference in the unlikely case where the executive is thoroughly panicky, or oppressively majoritarian, while Congress resists the stampede toward bad policies and safeguards the interests of oppressed minorities.

Even if that condition obtains, however, the argument for authorization goes wrong by failing to consider both sides of the normative ledger. As for majoritarian oppression, the multiplicity of veto gates within Congress may allow minorities to block harmful discrimination, but it also allows minorities to block policies and laws which, although targeted, are nonetheless good. As for panic and irrationality, if Congress is more deliberative, one result will be to prevent groupthink and slow down stampedes toward bad policies, but another result will be to delay necessary emergency measures and slow down stampedes toward good policies. Proponents of the authorization requirement sometimes assume that quick action, even panicky action, always produces bad policies. But there is no necessary connection between these two things; expedited action is sometimes good, and panicky crowds can stampede either in the wrong direction or in the right direction. Slowing down the adoption of new policies through congressional oversight retards the adoption not only of bad policies, but also of good policies that need to be adopted quickly if they are to be effective.

#### No realistic scenario

Pillar, 13 -- Brookings Foreign Policy Senior Fellow

[Paul, "The Danger of Groupthink," The National Interest, 2-26-13, webcache.googleusercontent.com/search?q=cache:6rnyjYlVKY0J:www.brookings.edu/research/opinions/2013/02/26-danger-groupthink-pillar+&cd=3&hl=en&ct=clnk&gl=us, accessed9-21-13, mss]

David Ignatius has an interesting take on national security decision-making in the Obama administration in the wake of the reshuffle of senior positions taking place during these early weeks of the president's second term. Ignatius perceives certain patterns that he believes reinforce each other in what could be a worrying way. One is that the new team does not have as much “independent power” as such first-term figures as Clinton, Gates, Panetta and Petraeus. Another is that the administration has “centralized national security policy to an unusual extent” in the White House. With a corps of Obama loyalists, the substantive thinking may, Ignatius fears, run too uniformly in the same direction. He concludes his column by stating that “by assembling a team where all the top players are going in the same direction, he [Obama] is perilously close to groupthink.” We are dealing here with tendencies to which the executive branch of the U.S. government is more vulnerable than many other advanced democracies, where leading political figures with a standing independent of the head of government are more likely to wind up in a cabinet. This is especially true of, but not limited to, coalition governments. Single-party governments in Britain have varied in the degree to which the prime minister exercises control, but generally room is made in the cabinet for those the British call “big beasts”: leading figures in different wings or tendencies in the governing party who are not beholden to the prime minister for the power and standing they have attained. Ignatius overstates his case in a couple of respects. Although he acknowledges that Obama is “better than most” in handling open debate, he could have gone farther and noted that there have been egregious examples in the past of administrations enforcing a national security orthodoxy, and that the Obama administration does not even come close to these examples. There was Lyndon Johnson in the time of the Vietnam War, when policy was made around the president's Tuesday lunch table and even someone with the stature of the indefatigable Robert McNamara was ejected when he strayed from orthodoxy. Then there was, as the most extreme case, the George W. Bush administration, in which there was no policy process and no internal debate at all in deciding to launch a war in Iraq and in which those who strayed from orthodoxy, ranging from Lawrence Lindsey to Eric Shinseki, were treated mercilessly. Obama's prolonged—to the point of inviting charges of dithering—internal debates on the Afghanistan War were the **polar opposite** of this. Ignatius also probably underestimates the contributions that will be made to internal debate by the two most important cabinet members in national security: the secretaries of state and defense. He says John Kerry “has the heft of a former presidential candidate, but he has been a loyal and discreet emissary for Obama and is likely to remain so.” The heft matters, and Kerry certainly qualifies as a big beast. Moreover, the discreet way in which a member of Congress would carry any of the administration's water, as Kerry sometimes did when still a senator, is not necessarily a good indication of the role he will assume in internal debates as secretary of state. As for Chuck Hagel, Ignatius states “he has been damaged by the confirmation process and will need White House cover.” But now that Hagel's nomination finally has been confirmed, what other “cover” will he need? It's not as if he ever will face another confirmation vote in the Senate. It was Hagel's very inclination to flout orthodoxy, to arrive at independent opinions and to voice those opinions freely that led to the fevered opposition to his nomination.

#### No accidents—safeguards and ocean targeting

**Slocombe 9** (Walter, senior advisor for the Coalition Provisional Authority in Baghdad and a former Under Secretary of Defense for Policy, he is a four-time recipient of an award for Distinguished Public Service and a member of the Council on Foreign Relations, “De-Alerting: Diagnoses, Prescriptions, and Side-Effects,” Presented at the seminar on Re-framing De-Alert: Decreasing the Operational Readiness of Nuclear Weapons Systems in the US-Russia Context in Yverdon, Switzerland, June 21-23)

Let’s start with Technical Failure – the focus of a great deal of the advocacy, or at least of stress on past incidents of failures of safety and control mechanisms.4 Much of the “de-alerting” literature points to a succession of failures to follow proper procedures and draw from that history the inference that a relatively simple procedural failure could produce a nuclear detonation. The argument is essentially that nuclear weapons systems are sufficiently susceptible of pure accident (including human error or failure at operational/field level) that it is essential to take measures that have the effect of making it necessary to undertake a prolonged reconfiguration of the elements of the nuclear weapons force for a launch or detonation to be physically possible. Specific measures said to serve this objective include separating the weapons from their launchers, burying silo doors, removal of fuzing or launching mechanisms, deliberate avoidance of maintenance measures need to permit rapid firing, and the like. . My view is that this line of action is unnecessary in its own terms and highly problematic from the point of view of other aspects of the problem and that there is a far better option that is largely already in place, at least in the US force – the requirement of external information – a code not held by the operators -- to arm the weapons Advocates of other, more “physical,” measures often describe the current arrangement as nuclear weapons being on a “hair trigger.” That is – at least with respect to US weapons – a highly misleading characterization. The “hair trigger” figure of speech confuses “alert” status – readiness to act quickly on orders -- with susceptibility to inadvertent action. The “hair trigger” image implies that a minor mistake – akin to jostling a gun – will fire the weapon. The US StratCom commander had a more accurate metaphor when he recently said that US nuclear weapons are less a pistol with a hair trigger than like a pistol in a holster with the safety turned on – and he might have added that in the case of nuclear weapons the “safety” is locked in place by a combination lock that can only be opened and firing made possible if the soldier carrying the pistol receives a message from his chain of command giving him the combination. Whatever other problems the current nuclear posture of the US nuclear force may present, it cannot reasonably be said to be on a “hair trigger.” Since the 1960s the US has taken a series of measures to insure that US nuclear weapons cannot be detonated without the receipt of both external information and properly authenticated authorization to use that information. These devices – generically Permissive Action Links or “PALs” – are in effect combination locks that keep the weapons locked and incapable of detonation unless and until the weapons’ firing mechanisms have been unlocked following receipt of a series of numbers communicated to the operators from higher authority. Equally important in the context of a military organization, launch of nuclear weapons (including insertion of the combinations) is permitted only where properly authorized by an authenticated order. This combination of reliance on discipline and procedure and on receipt of an unlocking code not held by the military personnel in charge of the launch operation is designed to insure that the system is “fail safe,” i.e., that whatever mistakes occur, the result will not be a nuclear explosion. Moreover, in recent years, both the US and Russia, as well as Britain and China, have modified their procedures so that **even if** a nuclear-armed missile were **launched**, it would go not to a “real” target in another country but – at least in the US case - to empty ocean. In addition to the basic advantage of insuring against a nuclear detonation in a populated area, the fact that a missile launched in error would be on flight path that diverged from a plausible attacking trajectory should be detectable by either the US or the Russian warning systems, reducing the possibility of the accident being perceived as a deliberate attack. De-targeting, therefore, provides a significant protection against technical error. These arrangements – PALs and their equivalents coupled with continued observance of the agreement made in the mid-90s on “de-targeting” – do not eliminate the possibility of technical or operator-level failures, but they come very close to providing absolute assurance that such errors cannot lead to a nuclear explosion or be interpreted as the start of a deliberate nuclear attack.6 The advantage of such requirements for external information to activate weapons is of course that the weapons remain available for authorized use but not susceptible of appropriation or mistaken use.

#### No miscalc—accidents don’t cause all-out war

**Mueller** **10** – Woody Hayes chair of national security studies at Ohio State University (John, Atomic Obsession, p. 100-101)

It is a plausible argument that, all other things equal, if the number of nuclear weapons in existence increases, the likelihood one will go off by accident will also increase. In fact, all things haven't been equal. As nuclear weapons have increased in numbers and sophistication, so have safety devices and procedures. Precisely because the weapons are so dangerous, extraordinary efforts to keep them from going off by accident or by an unauthorized deliberate act have been instituted, and these measures have, so far, been effective: no one has been killed in a nuclear explosion since Nagasaki. Extrapolating further from disasters that have not occurred, many have been led to a concern that, triggered by a nuclear weapons accident, a war could somehow be started through an act of desperation or of consummate sloppiness. Before the invention of nuclear weapons, such possibilities were not perhaps of great concern, because no weapon or small set of weapons could do enough damage to be truly significant. Each nuclear weapon, however, is capable of destroying in an instant more people than have been killed in an average war, and the weapons continue to exist in the tens of thousands. However, **even if a bomb, or a few bombs, were to go off**, it does not necessarily follow that war would result. For that to happen, it is assumed, the accident would have to take place at a time of war-readiness, as during a crisis, when both sides are poised for action and when one side could perhaps be triggered – or panicked –into major action by an explosion mistakenly taken to be part of, or the prelude to, a full attack. This means that the unlikely happening –a nuclear accident – would have to coincide precisely with an event, a militarized international crisis, something that is rare to begin with, became more so as the cold war progressed, and has become even less likely since its demise. Furthermore, even if the accident takes place during a crisis, it does not follow that escalation or hasty response is inevitable, or even very likely. As Bernard Brodie points out, escalation scenarios essentially impute to both sides "a well-nigh limitless concern with saving face" and/or "a deal of ground-in automaticity of response and counterresponse." None of this was in evidence during the Cuban missile crisis when there were accidents galore. An American spy plane was shot down over Cuba, probably without authorization, and another accidentally went off course and flew threateningly over the Soviet Union. As if that weren’t enough, a Soviet military officer spying for the West sent a message, apparently on a whim, warning that the Soviets were about to attack.31 **None of these remarkable events triggered anything** in the way of precipitous response. They were duly evaluated and then ignored. Robert Jervis points out that "when critics talk of the impact of irrationality, they imply that all such deviations will be in the direction of emotional impulsiveness, of launching an attack, or of taking actions that are terribly risky. But irrationality could also lead a state to passive acquiescence." In moments of high stress and threat, people can be said to have three psychological alternatives: (1) to remain calm and rational, (2) to refuse to believe that the threat is imminent or significant, or to panic, lashing out frantically and incoherently at the threat. Generally, people react in one of the first two ways. In her classic study of disaster behavior, Martha Wolfenstein concludes, “The usual reaction is one of being unworried.” In addition, the historical record suggests that **wars simply do not begin by accident**. In his extensive survey of wars that have occurred since 1400, diplomat-historian Evan Luard concludes, "It is impossible to identify a single case in which it can be said that a war started accidentally; in which it was not, at the time the war broke out, the deliberate intention of at least one party that war should take place." Geoffrey Blainey, after similar study, very much agrees: although many have discussed "accidental" or "unintentional" wars, "it is difficult," he concludes, "to find a war which on investigation fits this description." Or, as Henry Kissinger has put it dryly, "Despite popular myths, large military units do not fight by accident."

#### No escalation—executives will be responsible

**Weiner 2007**

Michael Anthony, J.D. Candidate, Vanderbilt School of Law, 2007, “A Paper Tiger with Bite: A Defense of the War Powers Resolution,” http://www.vanderbilt.edu/jotl/manage/wp-content/uploads/Weiner.pdf

IV. CONCLUSION: THE EXONERATED WPR AND THE WOLF IN SHEEP'S CLOTHING The WPR is an effective piece of war powers legislation. As Part III made clear, no presidential unilateral use of force since 1973 has developed into a conflict that in any way resembles the WPR's impetus, Vietnam. Rather, the great majority of these conflicts have been characterized by their brevity, safety, and downright success. Yes, there have been tragic outcomes in Lebanon and Somalia; but what happened in response to those tragedies? In Lebanon, President Reagan actually submitted to being Congress's "messengerboy," 203 asking for its permission, per the WPR, to continue the operation. And in Somalia, at the first sight of a looming disaster, it was President Clinton who cut short the operation. Thus, from 1973 on, it is easy to argue that sitting Executives have made responsible use of their power to act unilaterally in the foreign affairs realm. The WPR has even contributed to a congressional resurgence in the foreign affairs arena. In many of these conflicts, we have seen Congress conducting numerous votes on whether and how it should respond to a unilaterally warring Executive. In some of the conflicts, Congress has come close to invoking the WPR against rather impetuous Executives. 20 4 In Lebanon, Congress actually succeeded in the task.20 5 It is this Note's contention, though, that even when Congress failed to legally invoke the WPR, these votes had normative effects on the Executives in power. Such votes demonstrate that Congress desires to be, and will try to be, a player in foreign affairs decisions. So, perhaps the enactment of the WPR, the rise of Congress (at least in the normative sense) and the successful string of unilateral presidential uses of force are just a series of coincidences. This Note, however, with common sense as its companion, contends that they are not. Rather, it is self-evident that the WPR has played a significant role in improving the implementation of presidential unilateral uses of force.

## Warfighting

#### The plan wrecks power projection

**Nzelibe & Yoo 6** [Jide Nzelibe (Asst. Profesor of Law @ Northwestern) and John Yoo (Emanuel S. Heller Professor of Law @ UC-Berkeley Law); “Rational War and Constitutional Design”; Yale Law Journal, Vol. 115; 2006]

Much of the war powers literature focuses on the concern that the United States might erroneously enter a war in which the expected costs outweigh the expected benefits. Statisticians usually label such errors of commission Type I errors. However, the other side of the coin is just as important. Errors of [\*2518] omission, when the United States does not enter a conflict whose expected benefits outweigh the costs, are called Type II errors and may be just as undesirable as Type I errors. n15 But scholars rarely, if ever, ask whether requiring congressional ex ante approval for foreign wars could increase the likelihood of Type II errors. Legislative control could prevent the United States from entering into wars that would advance its foreign policy or national security objectives. The clearest example is World War II. During the inter-war period, Congress enacted several statutes designed to prevent the United States from entering into the wars in Europe and Asia. In 1940 and 1941, President Franklin D. Roosevelt recognized that America's security would be threatened by German control of Europe, and he and his advisers gradually attempted to bring the United States to the assistance of Great Britain and the Soviet Union. n16 Nonetheless, congressional resistance delayed entry into the war and prevented Roosevelt from doing anything more than supplying arms and loans to the Allies and providing partial protection for convoys to Great Britain. In hindsight, most would agree that America's earlier entry into World War II would have benefited both the United States and the world.

We must compare the impact of Type I and Type II errors under a Congress-first system with the results of a President-first approach. Presidents may cause the United States to begin wars that appear unnecessary or unwise initially; however, some of these conflicts may look better in hindsight. The Cold War experience, which provides the best examples of major military hostilities conducted without ex ante congressional authorization, does not stand as an unambiguous example of how legislative control promotes institutional deliberation and results in better conflict selection. Many of the conflicts, such as Panama and Grenada, ended successfully for the United States. To be sure, the Korean War, which many would consider a draw, did not, but the Korean War may have succeeded in its broader objectives of containing the expansion of communism in East Asia.

#### Nuclear and biological war

**Li ‘9**

Zheyao, J.D. candidate, Georgetown University Law Center, 2009; B.A., political science and history, Yale University, 2006. This paper is the culmination of work begun in the "Constitutional Interpretation in the Legislative and Executive Branches" seminar, led by Judge Brett Kavanaugh, “War Powers for the Fourth Generation: Constitutional Interpretation in the Age of Asymmetric Warfare,” 7 Geo. J.L. & Pub. Pol'y 373 2009 WAR POWERS IN THE FOURTH GENERATION OF WARFARE

A. The Emergence of Non-State Actors

Even as the quantity of nation-states in the world has increased dramatically since the end of World War II, the **institution** of the nation-state has been in decline over the past few decades. Much of this decline is the direct result of the waning of major interstate war, which primarily resulted from the introduction of nuclear weapons.122 The proliferation of nuclear weapons, and their immense capacity for absolute destruction, has ensured that **conventional wars** remain limited in scope and duration. Hence, "both the size of the armed forces and the quantity of weapons at their disposal has declined quite sharply" since 1945.123 At the same time, concurrent with the decline of the nation-state in the second half of the twentieth century, non-state actors have increasingly been willing and able to use force to advance their causes. In contrast to nation-states, who adhere to the Clausewitzian distinction between the ends of policy and the means of war to achieve those ends, non-state actors do not necessarily fight as a mere means of advancing any coherent policy. Rather, they see their fight **as a life-and-death struggle**, wherein the ordinary terminology of war as an instrument of policy breaks down because of this blending of means and ends.124 It is the existential nature of this struggle and the disappearance of the Clausewitzian distinction between war and policy that has given rise to a new generation of warfare. The concept of fourth-generational warfare was first articulated in an influential article in the Marine Corps Gazette in 1989, which has proven highly prescient. In describing what they saw as the modem trend toward a new phase of warfighting, the authors argued that: In broad terms, fourth generation warfare seems likely to be widely dispersed and largely undefined; the distinction between war and peace will be blurred to the vanishing point. It will be nonlinear, possibly to the point of having no definable battlefields or fronts. The distinction between "civilian" and "military" may disappear. Actions will occur concurrently throughout all participants' depth, including their society as a cultural, not just a physical, entity. Major military facilities, such as airfields, fixed communications sites, and large headquarters will become rarities because of their vulnerability; the same may be true of civilian equivalents, such as seats of government, power plants, and industrial sites (including knowledge as well as manufacturing industries). 125 It is precisely this blurring of peace and war and the demise of traditionally definable battlefields that provides the impetus for the formulation of a new theory of war powers. As evidenced by Part M, supra, the constitutional allocation of war powers, and the Framers' commitment of the war power to two co-equal branches, **was not designed** to cope with the current international system, one that is characterized by the persistent machinations of international terrorist organizations, the rise of multilateral alliances, the emergence of **rogue states**, and the potentially wide proliferation of easily deployable **w**eapons of **m**ass **d**estruction, **nuclear and otherwise.** B. The Framers' World vs. Today's World The Framers crafted the Constitution, and the people ratified it, in a time when everyone understood that the state controlled both the raising of armies and their use. Today, however, the threat of terrorism is bringing an end to the era of the nation-state's legal monopoly on violence, and the kind of war that existed before-based on a clear division between government, armed forces, and the people-is on the decline. 126 As states are caught between their decreasing ability to fight each other due to the existence of nuclear weapons and the increasing threat from non-state actors, it is clear that the Westphalian system of nation-states that informed the Framers' allocation of war powers is no longer the order of the day. 127 As seen in Part III, supra, the rise of the modem nation-state occurred as a result of its military effectiveness and ability to defend its citizens. If nation-states such as the United States are unable to adapt to the changing circumstances of fourth-generational warfare-that is, if they are unable to adequately defend against low-intensity conflict conducted by non-state actors-"**then clearly [the modem state] does not have a future in front of it**.' 128 The challenge in formulating a new theory of war powers for fourthgenerational warfare that remains legally justifiable lies in the difficulty of adapting to changed circumstances while remaining faithful to the constitutional text and the original meaning. 29 To that end, it is crucial to remember that the Framers crafted the Constitution in the context of the Westphalian system of nation-states. The three centuries following the Peace of Westphalia of 1648 witnessed an international system characterized by wars, which, "through the efforts of governments, assumed a more regular, interconnected character."' 130 That period saw the rise of an independent military class and the stabilization of military institutions. Consequently, "warfare became more regular, better organized, and more attuned to the purpose of war-that is, to its political objective."' 1 3' **That era is now over**. Today, the stability of the long-existing Westphalian international order has been greatly eroded in recent years with the advent of international terrorist organizations, which care nothing for the traditional norms of the laws of war. This new global environment exposes the limitations inherent in the interpretational methods of originalism and textualism and necessitates the adoption of a new method of constitutional interpretation. While one must always be aware of the text of the Constitution and the original understanding of that text, that very awareness identifies the extent to which fourth-generational warfare epitomizes a phenomenon unforeseen by the Framers, a problem the constitutional resolution of which must rely on the good judgment of the present generation. 13 Now, to adapt the constitutional warmarking scheme to the new international order characterized by fourth-generational warfare, one must understand the threat it is being adapted to confront. C. The Jihadist Threat The erosion of the Westphalian and Clausewitzian model of warfare and the blurring of the distinction between the means of warfare and the ends of policy, which is one characteristic of fourth-generational warfare, apply to al-Qaeda and other adherents of jihadist ideology who view the United States as an enemy. An excellent analysis of jihadist ideology and its implications for the rest of the world are presented by Professor Mary Habeck. 133 Professor Habeck identifies the centrality of the Qur'an, specifically a particular reading of the Qur'an and hadith (traditions about the life of Muhammad), to the jihadist terrorists. 134 The jihadis believe that the scope of the Qur'an is universal, and "that their interpretation of Islam is also intended for the entire world, which must be brought to recognize this fact peacefully if possible and through violence if not."' 135 Along these lines, the jihadis view the United States and her allies as among the greatest enemies of Islam: they believe "that every element of modern Western liberalism is flawed, wrong, and evil" because the basis of liberalism is secularism. 136 The jihadis emphasize the superiority of Islam to all other religions, and they believe that "God does not want differing belief systems to coexist."' 37 For this reason, jihadist groups such as al-Qaeda "recognize that the West will not submit without a fight and believe in fact that the Christians, Jews, and liberals have united against Islam in a war that will end in the complete destruction of the unbelievers.' 138 Thus, the adherents of this jihadist ideology, be it al-Qaeda or other groups, will continue to target the United States until she is destroyed. Their ideology demands it. 139 To effectively combat terrorist groups such as al-Qaeda, it is necessary to understand not only how they think, but also how they operate. Al-Qaeda is a transnational organization capable of simultaneously managing multiple operations all over the world."14 It is both centralized and decentralized: al-Qaeda is centralized in the sense that Osama bin Laden is the unquestioned leader, but it is decentralized in that its operations are carried out locally, by distinct cells."4 AI-Qaeda benefits immensely from this arrangement because it can exercise direct control over high-probability operations, while maintaining a distance from low-probability attacks, only taking the credit for those that succeed. The local terrorist cells benefit by gaining access to al-Qaeda's "worldwide network of assets, people, and expertise."' 42 Post-September 11 events have highlighted al-Qaeda's resilience. Even as the United States and her allies fought back, inflicting heavy casualties on al-Qaeda in Afghanistan and destroying dozens of cells worldwide, "al-Qaeda's networked nature allowed it to absorb the damage and remain a threat." 14 3 This is a far cry from earlier generations of warfare, where the decimation of the enemy's military forces would generally bring an end to the conflict. D. The Need for Rapid Reaction and Expanded Presidential War Power By now it should be clear just how different this conflict against the extremist terrorists is from the type of warfare that occupied the minds of the Framers at the time of the Founding. Rather than maintaining the geographical and political isolation desired by the Framers for the new country, today's United States is an international power targeted by individuals and groups that will not rest until seeing her demise. The Global War on Terrorism is not truly a war within the Framers' eighteenth-century conception of the term, and the normal constitutional provisions regulating the division of war powers between Congress and the President do not apply. Instead, this "war" **is a struggle for survival** and dominance against forces that threaten to destroy the United States and her allies, and the fourth-generational nature of the conflict, highlighted by an indiscernible distinction between wartime and peacetime, necessitates an evolution of America's traditional constitutional warmaking scheme. As first illustrated by the military strategist Colonel John Boyd, constitutional decision-making in the realm of war powers in the fourth generation should consider the implications of the OODA Loop: Observe, Orient, Decide, and Act. 44 In the era of fourth-generational warfare, **quick reactions**, proceeding through the OODA Loop rapidly, and disrupting the enemy's OODA loop are the keys to victory. "In order to win," Colonel Boyd suggested, "we should operate at a **faster tempo** or rhythm than our adversaries." 145 In the words of Professor Creveld, "[b]oth organizationally and in terms of the equipment at their disposal, the armed forces of the world will have to adjust themselves to this situation by changing their doctrine, doing away with much of their heavy equipment and becoming more like police."1 46 Unfortunately, the existing constitutional understanding, which diffuses war power between two branches of government, necessarily (by the Framers' design) slows down decision- making. In circumstances where war is undesirable (which is, admittedly, most of the time, especially against other nation-states), the deliberativeness of the existing decision-making process is a positive attribute. In America's current situation, however, in the midst of the conflict with al-Qaeda and other international terrorist organizations, the existing process of constitutional decision-making in warfare may prove a **fatal hindrance** to achieving the initiative **necessary** for victory. As a **slow-acting**, deliberative **body**, Congress does not have the ability to adequately deal with **fast-emerging situations** in fourth-generational warfare. Thus, in order to combat transnational threats such as al-Qaeda, the executive branch **must** have the ability to operate by taking offensive military action even without congressional authorization, because **only the executive branch** is capable of the swift decision-making and action necessary to prevail in fourth-generational conflicts against fourthgenerational opponents.

#### Soft power weakening due to domestic woes, and the financial crises and it can’t solve crises anyway

Hadas 12

(Edward is Economics Editor at Reuters Breakingviews, and columnist at Reuters.com. “Has the United States Lost Its Power to Peacefully Coerce Other Nations?” 11-9-12 http://www.slate.com/blogs/breakingviews/2012/11/19/the\_disappearance\_of\_soft\_power\_has\_the\_united\_states\_lost\_its\_power\_to.html//wyoccd)

Soft power is proving to be priceless - and scarce. The United States may not have lost much power to coerce but its power to co-opt has weakened. Despite the claims of a new study, no country has taken its place. The soft power vacuum makes the world a little more risky.¶ The ancient Romans, the early Muslims, Napoleon’s France and the Britain of industry and empire were all long gone by 1990 when political scientist Joseph Nye introduced the term soft power to describe America’s ability to influence foreign countries without military or commercial pressure. All these powers had a certain something - a persuasive worldview, a sense of accomplishment, a feeling of destiny - that made the available brute force more palatable and powerful.¶ Nye thought the appeal of the U.S. way of life would help set the global and regional political-economic agendas. For a while, he was at least partly right. The Washington consensus guided economic policy in many developing countries, U.S.-style secular democracy was considered the global standard and many admired the American vision of big finance and small government.¶ The United States is still emulated, but is also now increasingly distrusted. Whether the reason is some nebulous domestic loss of spirit, foolish foreign policy, the financial crisis or something else, the country is probably held in lower esteem internationally than at any time since the isolationist and Depression-struck 1930s.¶ The Olympics and pop-music exports make the UK the world leader in soft power, or so claims Monocle magazine. That’s pretty silly. While Britain may have shed its image as a charming has-been suffering from class conflict and empire loss, it is hardly a global model. Japan is a more plausible candidate; it seemed to be doing something profoundly right in the 1980s. But few now would use that stolid economy, isolationist culture and shrinking population as a model.¶ The soft power leadership spot is open. China, with its strong economy and great hopes, is the natural candidate to fill it. For now, though, Beijing is no shining example. Pollution, corruption, cultural confusion and unresponsive government mean China suffers from what is better described as soft weakness.¶ Well, soft power and smart power were fascinating intellectual exercises that led nowhere. Iran is still building nuclear weapons, North Korea is threatening to nuke U.S. cities, and China is becoming militarily more aggressive. It turns out that power is what it has always been — the ability to influence and control others — and deploying it requires, as it always has, hard instruments. Without superior military power and the economic strength that underpins it, the U.S. would have no more ability to influence global events than Costa Rica.

#### Food shortages inevitable

Damian **Carrington 11**, head environment reporter at the Guardian, “Food prices driven up by global warming, study shows”, May 5, <http://www.guardian.co.uk/environment/2011/may/05/food-prices-global-warming>

Global warming has already harmed the world's food production and has driven up food prices by as much as 20% over recent decades, new research has revealed. The drop in the productivity of crop plants around the world was not caused by changes in rainfall but was because higher temperatures can cause dehydration, prevent pollination and lead to slowed photosynthesis. Lester Brown, president of the Earth Policy Institute, Washington DC, said the findings indicate a turning point: "Agriculture as it exists today evolved over 11,000 years of reasonably stable climate, but that climate system is no more." Adaptation is difficult because our knowledge of the future is not strong enough to drive new investments, he said, "so we just keep going, hoping for the best." The scientists say their work shows how crucial it is to find ways to adapt farming to a warmer world, to ensure that rises in global population are matched by rising food production. "It is vital," said Wolfram Schlenker, at Columbia University in New York and one of the research team. "If we continue to have the same seed varieties and temperatures continue to rise, then food prices will rise further. [Addressing] that is the big question." The new research joins a small number of studies in which the fingerprint of climate change has been separated from natural variations in weather and other factors, demonstrating that the effects of warming have already been felt in the world. Scientists have shown that the chance of the severe heatwave that killed thousands in Europe in 2003 was made twice as likely by global warming, while other work showed that the floods that caused £3.5bn of damage in England in 2000 were made two to three times more likely.

#### Data disproves hegemony impacts

Fettweis, 11

Christopher J. Fettweis, Department of Political Science, Tulane University, 9/26/11, Free Riding or Restraint? Examining European Grand Strategy, Comparative Strategy, 30:316–332, EBSCO

It is perhaps worth noting that there is no evidence to support a direct relationship between the relative level of U.S. activism and international stability. In fact, the limited data we do have suggest the opposite may be true. During the 1990s, the United States cut back on its defense spending fairly substantially. By 1998, the United States was spending $100 billion less on defense in real terms than it had in 1990.51 To internationalists, defense hawks and believers in hegemonic stability, this irresponsible “peace dividend” endangered both national and global security. “No serious analyst of American military capabilities,” argued Kristol and Kagan, “doubts that the defense budget has been cut much too far to meet America’s responsibilities to itself and to world peace.”52 On the other hand, if the pacific trends were not based upon U.S. hegemony but a strengthening norm against interstate war, one would not have expected an increase in global instability and violence. The verdict from the past two decades is fairly plain: The world grew more peaceful while the United States cut its forces. No state seemed to believe that its security was endangered by a less-capable United States military, or at least none took any action that would suggest such a belief. No militaries were enhanced to address power vacuums, no security dilemmas drove insecurity or arms races, and no regional balancing occurred once the stabilizing presence of the U.S. military was diminished. The rest of the world acted as if the threat of international war was not a pressing concern, despite the reduction in U.S. capabilities. Most of all, the United States and its allies were no less safe. The incidence and magnitude of global conflict declined while the United States cut its military spending under President Clinton, and kept declining as the Bush Administration ramped the spending back up. No complex statistical analysis should be necessary to reach the conclusion that the two are unrelated. Military spending figures by themselves are insufficient to disprove a connection between overall U.S. actions and international stability. Once again, one could presumably argue that spending is not the only or even the best indication of hegemony, and that it is instead U.S. foreign political and security commitments that maintain stability. Since neither was significantly altered during this period, instability should not have been expected. Alternately, advocates of hegemonic stability could believe that relative rather than absolute spending is decisive in bringing peace. Although the United States cut back on its spending during the 1990s, its relative advantage never wavered. However, even if it is true that either U.S. commitments or relative spending account for global pacific trends, then at the very least stability can evidently be maintained at drastically lower levels of both. In other words, even if one can be allowed to argue in the alternative for a moment and suppose that there is in fact a level of engagement below which the United States cannot drop without increasing international disorder, a rational grand strategist would still recommend cutting back on engagement and spending until that level is determined. Grand strategic decisions are never final; continual adjustments can and must be made as time goes on. Basic logic suggests that the United States ought to spend the minimum amount of its blood and treasure while seeking the maximum return on its investment. And if the current era of stability is as stable as many believe it to be, no increase in conflict would ever occur irrespective of U.S. spending, which would save untold trillions for an increasingly debt-ridden nation. It is also perhaps worth noting that if opposite trends had unfolded, if other states had reacted to news of cuts in U.S. defense spending with more aggressive or insecure behavior, then internationalists would surely argue that their expectations had been fulfilled. If increases in conflict would have been interpreted as proof of the wisdom of internationalist strategies, then logical consistency demands that the lack thereof should at least pose a problem. As it stands, the only evidence we have regarding the likely systemic reaction to a more restrained United States suggests that the current peaceful trends are unrelated to U.S. military spending. Evidently the rest of the world can operate quite effectively without the presence of a global policeman. Those who think otherwise base their view on faith alone.

## SOP

#### Congressional Supremacy is inevitable in SOP framework—closest to the people, power of the purse, and lawmaking power

Zuckert 12 [Michael Zuckert , Chair of Political Science department at Notre Dame, “ON THE SEPARATION OF POWERS: LIBERAL AND PROGRESSIVE CONSTITUTIONALISM,” Social Philosophy & Policy, suppl. Natural Rights Individualism and Progressivism in American, Vol: 29 Issue 2, P. 335-364, Jul 2012, Proquest, wyo-sc]

Americans believed that they had a decentralized, dispersed system of power, but in reality "there is always a centre of power." 20 "The balances of the Constitution are for the most part only ideal. For all practical purposes the national government is supreme over the state governments, and Congress predominant over its so-called co-ordinate branches." The separation of powers along with federalism is the target of Wilson's attack, in the first instance, not because it disperses power, as many of the other Progressives, like Herbert Croly or Theodore Roosevelt argued, but because it fails to disperse power as it was intended to do. The "checks and balances which once obtained are no longer effective.... The actual form of our present government is simply a scheme of congressional supremacy." 21¶ Wilson devotes a fair amount of his text to probing the reasons for this concentration of power in Congress, so contrary to the original intentions of the Founders. The chief causes seem to be three in number. First, the "natural, the inevitable tendency of every system of self-government like our own and the British is to exalt the representative body, the people's parliament, to a position of absolute supremacy." 22 Although he does not do it, he could have quoted James Madison on the "legislative vortex." This "political law ... written in our hearts," overrides the merely written parchment law of the Constitution. The power to make laws and the power to control taxing and spending overwhelms all other powers; it "practically sets [the popular legislative] assembly to rule the nation as supreme overlord." 23 Although Wilson does not explicitly draw the conclusion, his point is that experience has shown that the Constitution's Framers did not adequately understand the dynamics of democratic politics. They established a representative popular democracy with huge powers centered in the branch closest to the people. The result--congressional supremacy--was inevitable, or nearly so.

#### Party polarization makes effective SOP impossible

Marshall ‘8

[William P. Marshall, Kenan Professor of Law, University of North Carolina. Boston Law Review 88:505, “The Inceasingly Polarized Two-Party System,”

http://www.bu.edu/law/central/jd/organizations/journals/bulr/documents/MARSHALL.pdf ETB]

The final reason why presidential power has increased relates to the rise of a ¶ highly polarized two-party system in which party loyalty trumps institutional ¶ concerns. The beginnings of this polarization can be traced to the enactment of ¶ the Civil Rights Act of 1964.82 The passage of that Act ended an era that had ¶ effectively been a three-party system in the United States: the northern ¶ Democrats, the southern Democrats, and the Republicans. During this “threeparty” era, members of Congress needed to work across party lines to develop ¶ working majorities on particular issues.83 Their political fortunes and ¶ reputations, therefore, were closely tied to the success of Congress as an ¶ institution.¶ In contrast, in the highly polarized two-party system currently dominating¶ national politics, a member’s political success depends more on the fortunes of ¶ her particular party than on the stature of Congress. This means members of ¶ Congress have a greater personal interest in the President’s success as leader of their party than they have in Congress as an institution. Correspondingly, ¶ because the President is the leader of his or her political party, the President ¶ can expect greater loyalty and discipline from party members than occurred in ¶ previous eras. The result of this is that when the President’s party controls the ¶ Congress, he or she can proceed virtually uncontested.84 Consequently, in an ¶ era of highly polarized parties, there no longer exists the constitutional balance ¶ purportedly fostered by separation of powers. Rather, the constitutional ¶ balance becomes what Daryl Levinson and Richard Pildes term a “separation ¶ of parties.”85 The problem, of course, is that separation of parties serves as no ¶ balance at all when both the Presidency and the Congress are controlled by the ¶ same party. In those circumstances, the power of the Presidency is effectively ¶ unchecked.

#### No Impact to North Korean nuclear attack- Threat is only rhetoric, and U.N. sanctions will prevent nuclear build-up

Levs and Mullen 13

[Josh and Mullen, CNN “U.S. says U.N. sanctions 'will bite' after North Korea threatens nuclear attack” 3.7.2013. <http://www.cnn.com/2013/03/07/world/asia/un-north-korea-sanctions/index.html>//wyo-hdm]

The U.N. Security Council unanimously passed tougher sanctions against North Korea Thursday targeting the secretive nation's nuclear program hours after Pyongyang threatened a possible "preemptive nuclear attack." "These sanctions will bite, and bite hard," U.S. Ambassador to the United Nations Susan Rice said after the vote. China, North Korea's key ally, could have used its veto power to block the sanctions. Instead, after weeks of negotiating, it signed on to the final draft. "China is a country of principle," China's U.N. Ambassador Li Baodong said. "We are firmly committed to safeguarding peace and stability on the Korean peninsula." U.N. toughens sanctions on North Korea China's role in North Korean sanctions North Korea threatens nuclear strike Leading up to the vote, Pyongyang ratcheted up its bellicose rhetoric. A spokesman for the North Korean foreign ministry suggested the United States "is set to light a fuse for a nuclear war." As a result, North Korea "will exercise the right to a preemptive nuclear attack to destroy the strongholds of the aggressors and to defend the supreme interests of the country," the country said in a statement carried by the state-run Korean Central News Agency. Despite the strong language, analysts say North Korea is years away from having the technology necessary to mount a nuclear warhead on a missile and aim it accurately at a target. And, analysts say, North Korea is unlikely to seek a direct military conflict with the United States, preferring instead to try to gain traction through threats and the buildup of its military deterrent. But the threat came amid increased concern over Pyongyang's dogged efforts to advance its nuclear and missile technology after a recent long-range rocket launch and underground atomic blast. On Tuesday, North Korea said it planned to scrap the armistice that stopped the Korean War in 1953 and warned it could carry out strikes against the United States and South Korea. Analysts: 'Boxed in' North Korea's bluster 'particularly dangerous' The rhetoric came not only in advance of the U.N. vote, but also as military drills take place on either side of the heavily armed border that divides the two Koreas. This week, the United States and South Korean began two months of joint exercises, known as Foal Eagle. North Korea has called the annual training exercises "an open declaration of a war," but South Korea says it notified Pyongyang that the drills "are defensive in nature." Anger from North Korea over sanctions North Korea at it again with threats North Korea's nuclear ambitions North Korea's nuclear threat Thursday "may suggest that Pyongyang feels even more boxed in than usual," said Michael Mazza of the American Enterprise Institute. And while a nuclear attack itself is not an immediate palpable threat, "This surge in provocative rhetoric is particularly dangerous," added Michael Auslin, also with the institute. "South Korea's new president (Park Geun Hye) can't be seen to back down in the face of the North's threats, while (new North Korean leader) Kim Jong Un may feel that his successful missile and nuclear tests give him the ability to keep pressuring Seoul. The two may wind up talking themselves into conflict." South Korea's U.N. Ambassador Kim Sook said Thursday the new resolution "reflects the will of the international community," which "will never tolerate North Korea's repeated violations and North Korea's nuclear and ballistic missile program." "Each violation will be met by stronger responses and measures," he added. Will the new sanctions work? The goal of the new sanctions is to stymie the activities of North Korean banks and cash couriers who might be funneling money to the secretive regime's nuclear and missile programs. It will be tougher for the regime to move large sums of cash stuffed into suitcases, Rice said. The U.N. resolution also outlines measures to step up scrutiny of suspicious sea shipments and air cargo. And it expands restrictions to encompass several institutions and senior officials in the North's weapons industry, as well as a range of materials and technology known to be used in uranium enrichment. It also blocks the sale of luxury goods -- such as yachts and certain high-end jewelry -- to North Korea. "As a result, North Korea's ruling elite, who have been living large while impoverishing their people, will pay a price" for the ongoing nuclear activities, Rice said. Some doubt whether the new measures will make much difference

#### No Korean war---laundry list---(rational regime, empirics, military inferiority, and it’s all just domestic propaganda)

Fisher 13 Max, Foreign Policy Writer @ Washington Post & Former Editor at the Atlantic, “Why North Korea loves to threaten World War III (but probably won’t follow through)” http://www.washingtonpost.com/blogs/worldviews/wp/2013/03/12/why-north-korea-loves-to-threaten-world-war-iii-but-probably-wont-follow-through/

North Korea is indeed a dangerous rogue state that has, in the recent past, staged small-scale but deadly attacks on South Korea without provocation. In March 2010, a South Korean navy ship was attacked by a ship of unknown origin, killing 46 on board; though North Korea denied responsibility, an investigation concluded it was likely responsible. A few months later, North Korea fired over 100 artillery shells at Yeonpyeong Island, killing two civilians and wounding 19.

But is North Korea really an irrational nation on the brink of launching “all-out war,” a mad dog of East Asia? Is Pyongyang ready to sacrifice it all? Probably not. The North Korean regime, for all its cruelty, has also shown itself to be **shrewd, calculating, and single-mindedly obsessed with its own self-preservation**. The regime’s past behavior **suggests pretty strongly** that these **threats are empty**. But they still matter.

**For years**, North Korea has threatened the worst and, despite all of its apparent readiness, never gone through with it. So why does it keep going through these macabre performances? We can’t read Kim Jong Eun’s mind, but the most plausible explanation has to do with internal North Korean politics, with trying to set the tone for regional politics, and with forcing other countries (including the United States) to bear the costs of preventing its outbursts from sparking an unwanted war.

Starting World War III or a second Korean War would not serve any of Pyongyang’s interests. Whether or not it deploys its small but legitimately scary nuclear arsenal, North Korea could indeed cause substantial mayhem in the South, whose capital is mere miles from the border. But the North Korean military is antiquated and inferior; it wouldn’t last long against a U.S.-led counterattack. No matter how badly such a war would go for South Korea or the United States, it would almost **certainly end with the regime’s total destruction**.

Still, provocations and threats do serve Pyongyang’s interests, even if no one takes those threats very seriously. It helps to rally North Koreans, particularly the all-important military, behind the leader who has done so much to impoverish them. It also helps Pyongyang to control the regional politics that should otherwise be so hostile to its interests. Howard French, a former New York Times bureau chief for Northeast Asia whom I had the pleasure of editing at The Atlantic, explained on Kim Jong Il’s death that Kim had made up for North Korea’s weakness with canny belligerence:

The shtick of apparent madness flowed from his country’s fundamental weakness as he, like a master poker player, resolved to bluff and bluff big. Kim adopted a game of brinkmanship with the South, threatening repeatedly to turn Seoul into a “sea of flames.” And while this may have sharply raised the threat of war, for the North, it steadily won concessions: fuel oil deliveries, food aid, nuclear reactor construction, hard cash-earning tourist enclaves and investment zones.

At the risk of insulting Kim Jong Eun, it helps to think of North Korea’s provocations as somewhat akin to a child throwing a temper tantrum. He might do lots of shouting, make some over-the-top declarations (“I hate my sister,” “I’m never going back to school again”) and even throw a punch or two. Still, you give the child the attention he craves and maybe even a toy, **not because you think the threats are real** or because he deserves it, but because you want the tantrum to stop.

#### North Korean threats against the U.S. aren’t real – only used as a political ploy to rally citizens

Fisher 13

[Max, the Post's foreign affairs blogger. Before joining the Post, he edited international coverage for TheAtlantic.com, “Why North Korea loves to threaten World War III (but probably won’t follow through)” 3.12.2013. <http://www.washingtonpost.com/blogs/worldviews/wp/2013/03/12/why-north-korea-loves-to-threaten-world-war-iii-but-probably-wont-follow-through/>//wyo-hdm]

Starting World War III or a second Korean War would not serve any of Pyongyang’s interests. Whether or not it deploys its small but legitimately scary nuclear arsenal, North Korea could indeed cause substantial mayhem in the South, whose capital is mere miles from the border. But the North Korean military is [antiquated and inferior](http://www.npr.org/2013/03/09/173839660/how-credible-are-north-koreas-threats); it wouldn’t last long against a U.S.-led counterattack. No matter how badly such a war would go for South Korea or the United States, it would almost certainly end with the regime’s total destruction. Still, provocations and threats do serve Pyongyang’s interests, even if no one takes those threats very seriously. It helps to rally North Koreans, particularly the all-important military, behind the leader who has done so much to impoverish them. It also helps Pyongyang to control the regional politics that should otherwise be so hostile to its interests. Howard French, a former New York Times bureau chief for Northeast Asia whom I had the pleasure of editing at The Atlantic, explained on Kim Jong Il’s death that [Kim had made up for North Korea’s weakness with canny belligerence](http://www.theatlantic.com/international/archive/2011/12/against-all-odds-how-crazy-kim-jong-il-outfoxed-the-world/250209/): The shtick of apparent madness flowed from his country’s fundamental weakness as he, like a master poker player, resolved to bluff and bluff big. Kim adopted a game of brinkmanship with the South, threatening repeatedly to turn Seoul into a “sea of flames.” And while this may have sharply raised the threat of war, for the North, it steadily won concessions: fuel oil deliveries, food aid, nuclear reactor construction, hard cash-earning tourist enclaves and investment zones. At the risk of insulting Kim Jong Eun, it helps to think of North Korea’s provocations as somewhat akin to a child throwing a temper tantrum. He might do lots of shouting, make some over-the-top declarations (“I hate my sister,” “I’m never going back to school again”) and even throw a punch or two. Still, you give the child the attention he craves and maybe even a toy, not because you think the threats are real or because he deserves it, but because you want the tantrum to stop. The big problem here is not that North Korea will intentionally start World War III or a second Korean War, because it probably won’t. So you can rest easy about that.

# 2NC

**[3.] New wave of Republican pressure will force a vote and sway people on the fence, consistent PC is key**

**Rogin 2-5**

(Josh, Daily Beast. “GOP Will Force Reid to Save Obama’s Iran Policy—Over and Over Again” 2-5-14 http://www.thedailybeast.com/articles/2014/02/05/gop-will-force-reid-to-save-obama-s-iran-policy-over-and-over-again.html//wyoccd)

**The Republican Senate caucus is planning to use every parliamentary trick in the book to push Senate Majority Leader Harry Reid to allow a floor vote on a new Iran sanctions bill that the Obama administration strenuously opposes**.¶ **The Obama White House has succeeded in keeping most Democrats in line against supporting quick passage** of the “Nuclear Weapon Free Iran Act,” **which currently has 59 co-sponsors, including 13 Democrats. Reid has faithfully shelved the bill**, pending the outcome of negotiations between Iran and the world’s major powers—the so-called “P5+1.”¶ “**But tomorrow, Republicans plan to respond by using an array of floor tactics—including bringing up the bill and forcing Reid to publicly oppose it—as a means of putting public pressure on Reid and Democrats who may be on the fence.**¶ **Now we have come to a crossroads**. Will the Senate allow Iran to keep its illicit nuclear infrastructure in place, rebuild its teetering economy and ultimately develop nuclear weapons at some point in the future?” 42 GOP senators wrote in a letter sent to Reid late Wednesday and obtained by The Daily Beast. “The answer to this question will be determined by whether you allow a vote on S. 1881, the bipartisan Nuclear Weapon Free Iran Act, which is cosponsored by more than half of the Senate.”¶ **The GOP letter calls on Reid to allow a vote on the bill during the current Senate work period**—in other words, before the chamber’s next recess. Senate GOP aides said that until they get a vote, **GOP senators are planning to use a number of procedural tools at their disposal to keep this issue front and center for Democrats. Since the legislation is already on the Senate’s legislative calendar, any senator can bring up the bill for a vote at any time and force Democrats to publicly object.** ¶ **Senators can also try attaching the bill as an amendment to future bills under consideration.** Senate Minority Leader Mitch McConnell has been a harsh critic of Reid’s shelving of the bill, so he could demand a vote on it as a condition of moving any other legislation.¶ If those amendments are blocked by Reid, Senators can then go to the floor and make speech after speech calling out Reid for ignoring a bill supported by 59 senators—and calling on fence-sitting Democrats to declare their position on the bill.¶ “This letter is a final warning to Harry Reid that if Democrats want to block this bipartisan legislation, they will own the results of this foreign policy disaster,” one senior GOP senate aide said.¶ The Republican senators believe, based on recent polls, that the majority of Americans support moving forward with the Iran sanctions bill now. They also believe that if Reid did allow a vote, the bill would garner more than the 59 votes of its co-sponsors and that Democrats vulnerable in 2014 races would support it, pushing the vote total past a veto-proof two-thirds supermajority.¶ “I stand with the majority of Americans who want Iran’s illicit nuclear infrastructure dismantled before economic sanctions are lifted,” Sen. Mark Kirk, one of the bill’s sponsors, told The Daily Beast. “The American people deserve a vote on the bipartisan Nuclear Weapon Free Iran Act.”¶ Besides McConnell and Kirk, other senators prepared to lead the effort to demand a vote on the bill include Marco Rubio and Lindsey Graham.¶ The bill would do three things: reimpose existing sanctions suspended under the interim agreement if Iran cheats on its commitments; ensure that a final agreement must require Iran to dismantle its illicit nuclear infrastructure; and threaten to impose additional economic sanctions in the future should Iran cheat on its commitments or fail to agree to a final deal that dismantles its nuclear infrastructure.¶ Last week, Iranian President Hassan Rouhani told CNN’s Fareed Zakaria (Iranian President Hassan Rouhani told CNN’s Fareed Zakaria) that Iran would never dismantle centrifuges under any circumstances. Iran’s top nuclear negotiator said last month that interim steps Iran has taken to curtail its nuclear activities could be reversed within one day.¶ During his State of the Union address last month, President Obama pledged to veto the bill if it reached his desk. Speaking with CNN’s Jake Tapper Wednesday, Secretary of State John Kerry urged the senate not to pass the measure.¶ “I believe it’s a mistake now to break faith with a negotiating process when you’re in the middle of the process. The United States of America agreed, together with our P5+1 allies, with Russia, China, France, Great Britain, Germany, all of them agreed that during the time we’re negotiating, we would not increase sanctions,” said Kerry. “**Now, our word has to mean something, too. If we’re going to negotiate, we don’t want to be responsible for now creating a dynamic where we destroy the negotiations… so they can blame us for not getting there.”**

**[4.] Sanctions bill is by no means dead—Republican pressure is driving a wedge between dems and Obama—Needs PC to keep the bill from a vote AND even if it does he needs to keep undecided dems on his side**

**Stoil 2-6**

(REBECCA SHIMONI STOIL, Times of Israel. “Republicans said set to push Iran bill to a vote” 2-6-14 http://www.timesofisrael.com/republicans-said-set-to-push-iran-bill-to-a-vote//wyoccd)

WASHINGTON — **After days in which political insiders here tried to write the obituary for the Senate bill that would impose additional sanctions on a recalcitrant Iran, Republican senators were poised Thursday to renew their push on the legislation.** In a letter, **Senate Republicans called on** Senate Majority Leader Harry **Reid** (D-NV**) to allow the bill, which has driven a wedge between some Democrats and the administration, to come to a vote**.¶ The Daily Beast reported that Republican senators were planning on utilizing procedural tools on Thursday to pressure Reid into allowing the bipartisan Nuclear Weapon Free Iran Act to be voted upon. The Obama administration has been adamant in its opposition to the legislation, which was initiated in December by Senators Mark Kirk (R-IL) and Robert Menendez (D-NJ).¶ **The bill currently has 59 co-sponsors, hovering just below a veto-proof majority in the upper house. While 13 Democrats support the bill, a number have chosen to sit on the fence in a struggle that pits the administration against powerful lobbying groups such as AIPAC**.¶ **Although the bill is on the Senate calendar, Reid has refused thus far to schedule a vote on the legislation, which has driven a wedge among Democrats who hold a thin majority in the upper house.** In their letter, Senate Republicans called on Reid to bring the bill to a vote – not just because of the significance of the legislation itself, but as a matter of democratic principle.¶ “**You have already taken unprecedented steps to take away the rights of the minority in the Senate,”** the senators wrote to Reid. “**Please do not take further steps to take away the rights of a bipartisan majority as well.”**¶ In the letter, the senators also noted that “**the American people – Democrats and Republicans alike – overwhelmingly support this legislation.”**¶ **Senators can use the floor to publicly call out Reid and the Democratic leadership for refusing to allow a vote**, or can tack the bill on as an amendment to other pieces of legislation deemed important by the Senate leadership. They can also refuse to support legislation if the bill is not brought to a vote.¶ In last week’s State of the Union address, President Barack Obama warned that “if this Congress sends me a new sanctions bill now that threatens to derail these talks, I will veto it.”¶ Supporters say the bill reinforces rather than undermines presidential authority by allowing the president to waive future sanctions either by certifying Iranian compliance with the interim agreement with Iran reached in Geneva late last year, or in the event that a final agreement is reached. At the same time, it sets basic terms for a deal, mandating that a final arrangement must dismantle Iran’s nuclear infrastructure.¶ The bill’s reported demise came following repeated lobbying efforts both by the administration as well as by a coalition of lobbying groups including J Street, Americans for Peace Now, the National Iranian American Council, the American Security Project and the Atlantic Council, coordinated under the leadership of the Ploughshares Fund.¶ Under pressure from the administration, at least four Democratic co-sponsors of the bill, including Chris Coons (D-DE), Kirsten Gillibrand (D-NY), Joe Manchin (D-WV), and Richard Blumenthal (D-CT) all have indicated that they are willing to put the bill on ice – at least for the time being.¶ In an interview with MSNBC last month, Manchin said that he “did not sign it with the intention that it would ever be voted upon or used upon while we were negotiating.”¶ Saying that it would be good to “give peace a chance,” Manchin said he co-sponsored the bill “because I wanted to make sure the president had a hammer if he needed it and showed them how determined we were to do it and use it if we had to.”¶ **Republicans will attempt to force Democrats to stake a position on record, creating a catch-22 situation for the Democratic legislators who will have to vote against a bill they co-sponsored or go against a Democratic administration**.¶ Iran on January 20 stopped enriching uranium to 20 percent and started neutralizing its existing stockpile of that grade — just steps away from weapons material — in order to fulfill commitments reached under an interim deal in Geneva. The US and the European Union also lifted some sanctions in response to the Iranian moves.¶ The interim Geneva accord will last for six months as Iran and the six-nation group — the five permanent members of the UN Security Council plus Germany — negotiate a final deal. Those talks are to start February 18 in Vienna.

#### [3.] The fight is nowhere close to finished—pressure is still there and it is only a matter of time—Obama needs to maintain PC

Starks 1-28

(Tim, Roll Call staff. “Fate of Iran Sanctions Bill Rests Largely With Reid” 1-28-14 http://www.rollcall.com/news/fate\_of\_iran\_sanctions\_bill\_rests\_largely\_with\_reid-230448-1.html?pg=3//wyoccd)

Though momentum has stalled for a Senate vote on the Iran sanctions bill, Bloomfield notes that AIPAC has positioned itself well as Obama pursues a final Iran nuclear accord.¶ “They’ve already got 59 co-sponsors,” he said. “The administration and Reid are on notice. That’s not chopped liver.”¶ While some observers see the momentum for the bill as having stalled, others contend that it will continue to build over time, owing to some national opinion polls that point to Obama’s position weakening and damaging remarks from Iranian officials.¶ Reid “is responsible for keeping the chamber Democratic in the fall and I think he knows that the longer he puts off a vote, the more politically untenable his position becomes,” said a senior Senate aide.¶ The stance by Rouhani “bolsters the case for this legislation as possibly the last best hope to pressure the Iranians to dismantle their nuclear program before military action becomes the only available option,” the aide said. “Clearly, without the threat of future sanctions, Iran will not dismantle its infrastructure, which means either Iran one day gets the bomb or targeted military strikes destroy Iran’s nuclear infrastructure first.” Dubowitz also warned of the potential for Reid’s and the president’s position to backfire.¶ “The consequences for the White House of blocking the bill, and attacking senators as warmongers, are that the White House will own the failure if Iran refuses to reach an acceptable deal and ends up with the capacity for a nuclear weapons breakout,” Dubowitz said. “Reid, too, will be complicit in this failure if he is perceived as standing against the majority of his colleagues.”¶ Reid’s office did not answer a request for comment.

**2NC- Obama PC Key**

**[2.] PC key—forces dems to back off and strong arm repubs**

**Raju and Everett 2-6**

(Manu and Burgess, Politico. “Bill Clinton urges delay on Iran sanctions” 2-6-14 http://www.politico.com/story/2014/02/bill-clinton-iran-sanctions-103219.html//wyoccd)

But **Senate Republicans, and a number of hawkish Senate Democrats, have long been skeptical of the talks and are deeply distrustful of Iran**, arguing that failing to impose stricter sanctions on the country will only aid its pursuit of nuclear weapons.¶ Led by Sens. Mark Kirk (R-Ill.) and Robert Menendez (D-N.J.), **a large bipartisan group of senators is pushing legislation to drastically limit Iran’s ability to export petroleum if the Islamic Republic breaks the conditions of an interim agreement or abandons a permanent nuclear deal with global powers**. It also would require a dramatic rollback of Iran’s nuclear program as a condition for further lifting existing sanctions.¶ **But the White House is increasing pressure by urging Senate Democrats who back the bill to avoid acting until after the six-months of negotiations play out. After Obama made a similar case during his State of the Union address, several Democrats who back the sanctions** bill — like Sen. Chris Coons of Delaware — **privately urged party leaders to postpone a vote for now.**¶ **“I think most of us feel these negotiations should have a chance,”** Senate Majority Whip Dick Durbin (D-Ill.) said Thursday. “**The alternative to Iran negotiations are to a nuclear-armed Iran, which is unacceptable, or a war, equally unacceptable**. We have to give these negotiations a chance.”¶ As Democrats toned down their rhetoric, **Republicans have increasingly pushed Senate Majority Leader Harry Reid** (D-Nev.) **to schedule a vote on the issue,** including in a Thursday letter to the Nevada Democrat, which was signed by 42 GOP senators.¶ “**Now we have come to a crossroads,”** the Republicans wrote in the letter spearheaded by Kirk. “Will the Senate allow Iran to keep its illicit nuclear infrastructure in place, rebuild its teetering economy and ultimately develop nuclear weapons at some point in the future — or will the Senate stand firm on behalf of the American people and insist that any final agreement with Iran must dismantle the regime’s illicit nuclear infrastructure and preclude the world’s foremost state sponsor of terrorism from ever producing nuclear weapons?”¶ **Reid lashed out at the Republicans when asked about the issue** on Thursday.¶ “It’s not a partisan issue,” Reid said. “**It’s a serious, serious situation. For me to receive a totally partisan letter, we should not make this a partisan issue**, and that’s what 42 Republicans have done. And I think it’s wrong.”¶ Reid wouldn’t respond when asked if he would schedule the measure for a vote before the negotiations conclude.

**[3.] Obama PC key to quash sanctions momentum**

**Dellamore 2-5**

(Erin, MSNBC. “Democrats split over Syria, Iran” 2-5-14 http://www.msnbc.com/all/democrats-split-over-syria-iran//wyoccd)

**Over strong objections from the president, 16 Senate Democrats support a bill that would impose new sanctions on Iran** should the country fail to reach a permanent agreement with international negotiators to roll back its nuclear program. **Those senators, along with 43 Republicans, argue that tough sanctions brought Iran to the negotiating table in the first place and further pressure** would flex American muscle in the 6-month talks toward crafting a permanent solution. The bill drew support from Sens. Chuck Schumer, D-N.Y, and Harry Reid, D-Nev., both close allies of Obama’s but also leading supporters of policies favoring Israel. **The American Israel Public Affairs Committee**, America’s most powerful pro-Israel advocacy group, **has lobbied members of Congress from both parties to support the sanctions.**¶ **Other Democrats are siding with the Obama administration, which argues that imposing new sanctions damaged “good-faith” negotiations while empowering Iran’s hard-liners rooting for the talks to fail.** (A National Security Council spokeswoman charged last month that the sanctions bill could end negotiations and bring the U.S. closer to war.) ¶ **The Senate bill has been losing steam ever since the White House ratcheted up pressure on Senate Democrats to abandon the it.** Introduced in December by Democrat Robert Menendez, D-N.J. and Sen. Mark Kirk. R-Ill., the legislation was backed by 59 members – but now Senate leaders say they will hold off bringing the legislation to a vote until the six-month negotiation process ends.¶ Adam Sharon, a spokesman for the Senate Foreign Relations Committee, which Menendez chairs, said the New Jersey Senator stands behind the bill that bears his name. ¶ Menendez and 58 other senators support the bill, Sharon said. “**It’s his bill, three or four senators say they wouldn’t call for a vote now. His position has been, having a bill, having this in place is an extremely effective and necessary tool when negotiating with the Iranians that we need to have to avoid Iran crossing the nuclear threshold**. He stands behind this bill and the whole essence of the bill is to have sanctions in waiting, but you have to move on them now to make it happen.”¶ **The movement is still alive** in the House with enough votes to pass, despite a letter signed by at least 70 Democrats opposing the measure, and a letter of criticism by former Secretary of State Hillary Clinton. Obama reiterated in last week’s State of the Union address a promise to veto any attempt to impose new sanctions on Iran.¶ Wendy Sherman, the lead U.S. negotiator, acknowledged this week that the temporary agreement with Iran “is not perfect,” calling it a first step on the way to a final agreement.¶ “This is not perfect but this does freeze and roll back their program in significant ways and give us time on the clock to in fact negotiate that comprehensive agreement,” Sherman said Tuesday before the Senate Foreign Relations Committee.¶ The deal reached in November promised the easing of up to $8 billion in sanctions in exchange for Iran’s agreement to slow its nuclear program and allow verification by international inspectors. Iran insists its nuclear facilities are for civilian energy use but other nations fear they could be used to build nuclear weapons. The deal struck by the U.S., Britain, France, China, Russia and Germany extends for a six-month period while all parties try to reach a more permanent solution.

**[4.] Obama has won some temporary battles overs, but he has not won the war—pressure will stay consistent, PC still key**

**Tobin 2-4**

(Johnathan, writer for Politico. “Sanctions Stall Doesn’t Signal AIPAC’s Fall” 2-4-14 http://www.commentarymagazine.com/2014/02/04/iran-sanctions-stall-doesnt-signal-aipacs-decline-nuclear//wyoccd)

**After amassing an impressive 58 senators from both parties to co-sponsor a bill calling for new sanctions on Iran in case the current negotiations end in failure, the legislation has stalled in the Senate**. Alarmed by what it felt was a threat to its diplomacy with Iran, the administration and its backers launched an all-out attack on the measure, claiming its passage would so offend Tehran that it would end nuclear talks with the West and leave the United States no alternative but to go to war. **Even worse, some of the president’s supporters claimed that the only reason so many legislators, including 16 Democrats, would back the bill was that they were acting,** in the words of influential television comedian Jon Stewart, as senators “from the great state of Israel.” This not-so-subtle invocation of the Walt-Mearsheimer canard in which a vast pro-Israel conspiracy manipulates a helpless Congress paid off by wealthy Jews to the detriment of American interests has become a chestnut of Washington policy debates, but one the administration’s cheerleaders haven’t hesitated to invoke.¶ **All this has chilled a debate about passing more Iran sanctions that might be considered moot in any case since as long as Majority Leader Harry Reid is determined to keep the bill from coming to a vote,** it has little chance of passage. But rather than discuss the administration’s scorched-earth campaign on the issue, the New York Times prefers to join with the administration in taking another shot at the arch-villain of the supporters of the conspiratorial view of U.S. foreign policy put forward in the infamous “Israel Lobby” thesis: the American Israel Public Affairs Committee (AIPAC). According to the Times, the lull in the battle over sanctions is a sign that AIPAC is losing its touch on Capitol Hill. This is considered good news for the administration and critics of the pro-Israel lobby and the bipartisan community for which it speaks. But while AIPAC can’t be happy with the way it and other advocates of sanctions have been brushed back in this debate, reports of its decline are highly exaggerated. **While the administration has won its point for the moment in stalling the bill, the idea that it has won the political war over Iran is, at best, premature**.¶ The chief problem with the article is that its premise is based on the myth that AIPAC is a monolithic and unstoppable group that can pass any bill it likes. The article’s assertion that AIPAC has gotten its way on every public policy issue since its futile effort to stop the Reagan administration from selling AWACS planes to Saudi Arabia in 1981 is foolish. AIPAC rarely, if ever, directly challenges presidents and when it does it inevitably comes out on the short end, as in its confrontation with the George H.W. Bush administration over loan guarantees to Israel in 1991 when the elder President Bush depicted himself as “one, lonely, little guy” standing up to AIPAC. Written by White House correspondent Mark Landler, one of whose previous recent forays into foreign policy was a sycophantic paean to the virtues of Secretary of State John Kerry, **today’s equally slanted piece simplifies the congressional debate on Iran—which has been driven as much, if not more, by longstanding Senate sanctions activists such as** Senate Foreign Policy Committee chair Robert **Menendez and** his Republican counterpart Mark **Kirk than outside lobbyists—into a one-on-one duel between Obama and AIPAC**.¶ That suits the administration since it wishes to show itself as having bested AIPAC. But it dramatically distorts the truth about the way AIPAC operates and its aversion to involvement in partisan debates. **The charge that the group is biased toward Republicans is bunk. The group and its large cadre of supporters throughout the nation are only interested in whether a member of Congress is a supporter of Israel and enthusiastically backs Democrats who fit that description and does the same for those in the GOP.** Nor is it the American branch of the Likud, as some falsely assert and Landler implies in his misleading article. The group’s guiding principle is respect for Israeli democracy and when that means, as it did for much of the 1990s, backing a left-wing government that embraced Oslo, that stand was a source of frustration to AIPAC supporters sympathetic to the Israeli right. Its primary purpose is to encourage support for the alliance between the two countries and that goal is bound to disappoint partisans on both ends of the political spectrum.¶ It is precisely because AIPAC is not equipped for partisan battles that it’s invariably reluctant to directly challenge any president. That was true last year when it passed on the opportunity to oppose Chuck Hagel’s nomination as secretary of defense despite his vocal support for Walt-Mearsheimer slurs, and it is true today when it has decided to tread lightly on the Iran sanctions issue rather than express open opposition to the president.¶ By smearing all those who want a measure that would actually strengthen his hand in negotiations with Iran as warmongers, the president has faced down AIPAC and the pro-sanctions bipartisan Senate majority. But if, as is likely, the administration’s Iran diplomacy yields no dismantling of Iran’s nuclear program and its stockpile of enriched uranium, the president will find himself facing the same bipartisan majority demanding more sanctions and action on Iran led by Menendez, his own party’s foreign-policy point man.¶ In the meantime, when AIPAC supporters gather by the thousands next month in Washington, the message to the group from Congress will give the lie to the conceit of Landler’s piece. Liberals hoped that alternatives to the mainstream pro-Israel group, such as J Street, would equal or supersede the organization. But after more than five years the leftist alternative remains without influence in Congress or in an administration that has proved time and again that it knows it must reckon with AIPAC as the principal voice of pro-Israel opinion in this country. AIPAC’s power does not reside in a mythical ability to override the will of presidents but in the simple fact that support for the Jewish state transcends party politics as well as ethnic or religious lines.¶ It says something disturbing about this administration that it has been more solicitous of the sensibilities of the Islamist dictators of Iran in the past few months than those of Americans who care about Israel’s security. But anyone, including the White House correspondent of the Times, who expects an all-out war between the Obama administration and AIPAC in the coming months is misinterpreting both AIPAC’s purpose and the ability of the White House to sustain its dangerous push for détente with Tehran in the absence of any tangible progress toward ending the Iranian nuclear threat.

**[5.] Obama pressure is key to making Reids pressure on the senate effective- it is so close that any negative pressure on Obama forces a vote**

**Kaper 1-16**

(Stacy, writer for National Journal. “Iran Hawks Flounder Against Reid-Obama Coalition” 1-16-14 http://www.nationaljournal.com/daily/iran-hawks-flounder-against-reid-obama-coalition-20140116//wyoccd)

**Senate Iran hawks have lots of votes to back their sanctions legislation. What they lack is a plan to get the bill to the floor.**¶ **Fifty-nine senators—including 16 Democrats—have signed onto sanctions legislation** from Democratic Sen. Robert Menendez and Republican Sen. Mark **Kirk. The measure would punish Iran with sanctions if it reneges on an interim nuclear agreement or if that agreement does not ultimately abolish any nuclear-weapons capabilities for Iran**.¶ That **count has climbed rapidly since the bipartisan pair introduced their legislation in late December**. **But now it's unclear whether that support will be enough to clear the bill's next major hurdle: Senate Majority Leader Harry Reid.**¶ **Reid is siding with the White House, which has put intense pressure on lawmakers not to act on sanctions**, arguing it could result in both a nuclear-armed and hostile Iranian state. **And without Reid's backing**, supporters of the Menendez-Kirk bill are unsure how to move the measure to the floor.¶ **"I assume that if the Democrat senators put enough pressure on Senator Reid he might bring it to the floor**," said Missouri Republican Sen. Roy Blunt. "But, you know, we are at a moment in the Senate where nothing happens that Senator Reid doesn't want to happen; and this is something at this moment that Senator Reid doesn't want to happen."¶ **And for now, sanctions supporters are still mulling their strategy.**¶ **"We are talking amongst ourselves. There is a very active debate and discussion ongoing about how best to move forward,"** said Democratic Sen. Richard Blumenthal of Connecticut, a cosponsor of the bill. "There are a number of alternative strategies, but we're deliberating them."¶ While Reid has, at least for now, foiled their policy plans, sanctions supporters are still scoring the desired political points on the issue. They can report their efforts to their constituents while blaming Reid for the inaction**.**¶ **But whatever pressure Reid is getting from his colleagues, he's also getting support from the commander in chief**.¶ In a White House meeting Wednesday night, President Obama made a hard sell to Democrats on the issue, pleading with them to back off sanctions while his team worked on a nuclear pact.¶ "The president did speak passionately about how [we] must seize this opportunity, that we need to seize this six months … and that if Iran isn't willing to in the end make the decisions necessary to make it work, he'll be ready to sign a bill to tighten those sanctions—but we gotta give this six months," said Sen. Jeff Merkley of Oregon, after returning from the White House.¶ **In the meantime, many bill supporters reason that Reid will eventually feel the heat.**¶ **"We'll just have to ratchet up the pressure**, that's all," said Republican Sen. John McCain. "**The president is pushing back, obviously, and he's appealing to the loyalty of Democrats, but there are a lot of other forces out there that are pushing in the other direction, so we'll see how they react.**"¶ Earlier this week Sen. Lindsey Graham, R-S.C., said he was hoping to find more Democratic cosponsors over the recess and was talking to House Majority Leader Eric Cantor about whether the Republican-controlled House might take up the Senate sanctions bill as a way to spur the Senate to act. But neither of Graham's approaches represents a broad, coordinated campaign.¶ **Democrats, who have more power to drive the train in the Senate, seem to be in little hurry.**¶ **"I don't think there is any time schedule related to it at this point**," said Democratic cosponsor Ben Cardin of Maryland. "We are all trying to figure out how we can be most helpful and make sure Iran does not become a nuclear-weapon state."¶

## Case

**Congressional encroachment on the president’s ability to introduce armed forces into hostilities violates the separation of powers and undermines national security**

**Turner 2012**

[Professor Turner holds both professional and academic doctorates from the University of Virginia School of Law, where in 1981 he co-founded the Center for National Security Law with Professor John Norton Moore—who taught the nation’s first course on national security law in 1969. Turner served as chairman of the ABA Standing Committee on Law and National Security from 1989–1992., The War Powers Resolution at 40: Still an Unconstitutional, Unnecessary, and Unwise Fraud That Contributed CASE WESTERN RESERVE JOURNAL OF INTERNATIONAL LAW·VOL. 45·2012, Directly to the 9/11 Attacks, <http://law.case.edu/journals/JIL/Documents/45CaseWResJIntlL1&2.pdf>, uwyo//amp]

[**T]he War Powers resolution** does not work, because it **oversteps the constitutional bounds on Congress’ power to control the Armed Forces** in situations short of war **and** because **it** potentially **undermines our ability to effectively defend our national interests. By enabling Congress to require**—by its own inaction—**the withdrawal of troops from a situation of hostilities, the resolution unduly restricts the authority granted by the Constitution to the President** as Commander in Chief. . . . Although portrayed as an effort “to fulfill—not to alter, amend or adjust—the intent of the framers of the U.S. Constitution,” **the War Powers Resolution** actually **expands Congress’ authority beyond the power to declare war to the power to limit troop deployment** in situations short of war. . . . **The War Powers Resolution therefore threatens not only the delicate balance of power established by the Constitution. potentially undermines America’s ability to effectively defend our national security**.46 On February 29, 1996, it was my honor to take part in a debate on Capitol Hill under the sponsorship of the Center for National Security Law on the proposition that the War Powers Resolution should be repealed. I was paired in the affirmative with the late House Judiciary Committee Chairman Henry Hyde, and our opponents were former House Foreign Affairs and Intelligence committees chairman Lee Hamilton and Dr. Louis Fisher of the Library of Congress. As the debate unfolded, I was pleasantly shocked to hear that neither Representative Hamilton nor my old friend Lou Fisher was willing to actually defend the War Powers Resolution. Shortly thereafter, Lou co-authored an article calling for the statute’s repeal,47 and in 2008 Representative Hamilton served on the bipartisan National War Powers Commission, which unanimously concluded that the War Powers Resolution was unconstitutional and should be repealed.48It

#### Key to winning all future conflicts

**Johson ‘6**

Karlton, Army War College, “Temporal and Scalar Mechanics of Conflict Strategic Implications of Speed and Time on the American Way of War,” http://www.dtic.mil/dtic/tr/fulltext/u2/a449394.pdf

The U.S. Army War College uses the acronym “VUCA” to describe the volatile, uncertain, chaotic and ambiguous environment in which strategy is made.4 If the present is any indication of the future, then it is reasonable to assume that the world will become **increasingly dangerous** as long as that strategic environment exists. Many long-range assessments predict that global tensions will continue to rise as resources become even more constrained and as transnational threats endanger international security. 5 Future leaders and planners can expect to see weak and failed states persisting to dominate U.S. foreign policy agendas. Terrorism will remain a vital interest, and the use of American military strength will remain focused on the dissuasion, deterrence, and, where necessary, the preemption **of strategic conflict**. Enemies will work aggressively to offset U.S. military superiority by seeking out technologies that will offer some level of asymmetric advantage, and the challenging asymmetric nature of future conflicts will add deeper complexity to both war planning and the development of national security strategy. 6 The “National Defense Strategy of the United States,” published in March 2005, addressed the unconventional nature of the future. It argued that enemies are increasingly likely to pose asymmetric threats resulting in irregular, catastrophic and disruptive challenges.7 This means that, in some cases, non-state actors will choose to attack the **U**nited **S**tates using forms of irregular warfare that may include the use of weapons of mass destruction. These actors may also seek new and innovative ways to negate traditional U.S. strengths to their advantage.8 In fact, one author theorizes that “speed of light engagements” will be the norm by the year 2025, and America may lose its monopoly on technological advances as hostile nations close the gap between technological “haves” and “have nots.”9 This type of warfare lends itself to engagements of varying **speed** and temporal geometry. 10 Therefore, in conflicts of the future, **time and speed will matter**. Consequently, it is necessary to analyze these elements with rigor and discipline in order to understand their far-reaching implications.

**War powers must be solely invested in the executive- any departure undermines the strength and unanimity of the executive’s actions**

**Fisher 09**

[Louis Fisher, specialist in Constitutional Law, Law Library, Library of Congress. Ph.D., , 2009, 12 U. Pa. J. Const. L. 569 (2009-2010), The Unitary Executive and Inherent Executive Power, Hein Online, uwyo//amp]

**The Framers had plenty of strong executive models from which to choose**. They could look to John **Locke**, who **emphasized the need for independent executive action**. He understood that **the legislature could not always be in sitting, nor could it provide laws to cover every contingency**: **"It is not necessary-**no, nor so much as convenient **that the legislative should be always in being; but absolutely necessary that the executive power should, because there is not always need of new laws to be made, but always need of execution of the laws** that are made."' Although Locke divided government into legislative andexecutive institutions to provide for checks and balances, **he placed** what he called the **federative power** (foreign policy) **solely with the executive**. His federative power included **"the power of war and peace**, leagues and alliances, and all the transactions with all persons and communities without the commonwealth."2 **The federative pow er was "always almost united" with the executive. Separating the ex ecutive and federative powers,** he warned, **would invite "disorder and ruin."** William Blackstone, in his Commentaries, agreed that **in external af fairs the King was the sole authority.** The British Constitution placed those powers in the hand of the executive "**for the sake of unanimity, strength, and dispatch**."5 In the "exertion of lawful prerogative**, the king** is and o**ught to be absolute;** that is, so far absolute, that there is no legal authority that can either delay or resist him."6 In the exer cise of those prerogatives the King "is irresistible and absolute."' With regard to foreign policy, the King "is the delegate or representative of his people."" I**ndividuals of a state, even in a collective capacity, could not** possibly "**transact the affairs of that state with another community equally numerous as themselves. Unanimity must be wanting to their measures, and strengths to the execution of their counsels."9**

#### Soft power has been ineffective under Obama-Syria, Iran, and North Korea all prove

Glassman 13

(James, former under secretary of state for public diplomacy and public affairs, is executive director of the George W. Bush Institute. May 9, 2013 http://thehill.com/opinion/op-ed/298077-president-obama-surprisingly-ineffective-at-using-soft-power-#ixzz2ZRG3utja//wyoccd)  
In an article in The New Yorker two years ago, reporter Ryan Lizza famously quoted an anonymous adviser to President Obama characterizing the president’s strategy in Libya as “leading from behind.” That’s not a bad way to describe the president’s foreign policy in general. Obama takes great pains not to lead too conspicuously, not to step on toes, not to offend allies or enemies. Libya, in fact, was the ideal: Let the Europeans and the Arabs take the lead, and we’ll quietly help out. Or not. ¶ Lizza wrote, “It’s a different definition of leadership than America is known for, and it comes from two unspoken beliefs: that the relative power of the U.S. is declining, as rivals like China rise, and that the U.S. is reviled in many parts of the world. Pursuing our interests and spreading our ideals thus requires stealth and modesty as well as military strength.”¶ He quoted Benjamin Rhodes, one of the president’s deputy national security advisers. “If you were to boil it all down to a bumper sticker, it’s ‘Wind down these two wars, reestablish American standing and leadership in the world, and focus on a broader set of priorities, from Asia and the global economy to a nuclear-nonproliferation regime.’ ”¶ So how’s it working for you? In my view, not particularly well. Look at the last 100 days. The revolt against the Syrian regime has become one of the most brutal repressions in decades. The situation has grown worse, with the almost certain use of chemical weapons crossing what the president drew as a “red line.” North Korea, developing nuclear weapons and the capacity to deliver them over long distances, has denigrated America and threatened to attack us. And, speaking of nukes — and the goal of nuclear nonproliferation — Iran remains undeterred as well, with its own “red line” in doubt. Meanwhile, the United States suffered its first terrorist bombing since 9/11, with three killed and more than 200 wounded — an event that occurred eight months after the attack on our consulate in Benghazi, Libya, where a U.S. ambassador was killed for the first time in 33 years.¶ The problem of America being “reviled in many parts of the world” is vastly overblown, but it has surely not been remedied. Europeans and the Japanese like us more, but they were pretty fond of us to start with. Muslims, according to the Pew Research Center, like us less. In Pakistan, Egypt, Jordan, Turkey and Lebanon, the average favorability rating for the United States in 2012 was 21 percent; in 2008, it was 26 percent.¶ Foreign policy is not easy. The challenges are unpredictable, which is why the best policy rests on a solid foundation of principle and a clear strategy. The George W. Bush administration’s national security strategy was simple: keep America safe and promote freedom. These goals are linked; free nations rarely threaten the United States or their own neighbors. Achieving both these goals requires leadership — a consistency that reassures our allies and deters our enemies. ¶

**No spillover — lack of credibility in one commitment doesn’t affect others at all**

Paul K. **MacDonald 11**, Assistant Professor of Political Science at Williams College, and Joseph M. Parent, Assistant Professor of Political Science at the University of Miami, Spring 2011, “Graceful Decline?: The Surprising Success of Great Power Retrenchment,” International Security, Vol. 35, No. 4, p. 7-44

Second, **pessimists** **overstate** **the extent to which a policy of retrenchment can** **damage a great power's capabilities or prestige**. Gilpin, in particular, assumes that a great power's commitments are on equal footing and interdependent. **In practice**, however, **great powers make commitments of varying degrees that are** **functionally independent** of one another. **Concession in one area need not be seen as** **influencing a commitment in another area**.25 **Far from being perceived as interdependent**, **great power commitments are often** **seen as** being **rivalrous**, **so that** **abandoning commitments in one area may actually** **bolster the strength of a commitment in another area**. During the Korean War, for instance, President Harry Truman's administration explicitly backed away from total victory on the peninsula to strengthen deterrence in Europe.26 **Retreat in an area of lesser importance** **freed up resources** **and** **signaled a strong commitment to an area of greater significance**.

#### Drones outweigh

Linked to Obama, and sufficiency

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

Obama rightly boasts that he has extracted the country from land wars. But he is simultaneously sleepwalking it into new conflict zones around the world. He would presumably not be doing this had drone warfare not been an available option. In his 23 May speech, speaking about the war America launched in the wake of 9/11, he said: ‘this war, like all wars, must end. That’s what history advises. That’s what our democracy demands.’ What he apparently meant to say was that he has found a way for this war to continue without penetrating the consciousness of US citizens. That is apparently what American democracy demands. The instrument that has allowed him to narrow the fight guarantees that the fight will go on. Obama came into office promising to restrict and reconfigure the country’s counterterrorism efforts, to bring them back within the rule of law. Instead, he too is fighting fire with fire. He continues to play according to bin Laden’s archaic playbook, perpetuating an endless post-9/11 revenge cycle, tit for tat. The Khost tragedy, where revenge against drone strikes justified further revenge strikes by drone, is a case in point. On the basis of undisclosed evidence, evaluated in unspecified procedures by rotating personnel with heterogeneous backgrounds, the US is continuing to kill those it classifies as suspected terrorists in Somalia, Yemen and Pakistan. It has certainly been eliminating militants who had nothing to do with 9/11, including local insurgents fighting local battles who, while posing no realistic threat to America, had allied themselves opportunistically with international anti-American jihadists. By following the latter wherever they go, the US is allowing ragtag militants to impose ever new fronts in its secret aerial war. Mistakes are made and can’t be hidden, at least not from local populations. Nor can the resentment of surrounding communities be easily assuaged. This is because, even when it finds its target, the US is killing not those who are demonstrably guilty of widely acknowledged crimes but rather those who, it is predicted, will commit crimes in the future. Of course, the civilian populations in the countries where these strikes take place will never accept the hunches of CIA or Pentagon futurologists. And so they will never accept American claims about the justice of Obama’s slimmed-down war on terror, but instead claim the right of self-defence, and this would be true even if drone operators could become as error-free as Brennan once claimed they already are. But of course collateral damage and mistaken-identity strikes will continue. They are inevitable accompaniments of all warfare. And they, too, along with intentional killings that are never publicly justified, will communicate resoundingly to the world that the arbitrary and unpredictable killing of innocent Muslims falls within America’s commodious concept of a just war. The rage such strikes incite will be all the greater if onlookers believe, as seems likely, that the killing they observe makes relatively little contribution to the safety of Americans. Indeed, this is already happening, which is the reason that the drone, whatever its moral superiority to land armies and heavy weaponry, has replaced Guantánamo as the incendiary symbol of America’s indecent callousness towards the world’s Muslims. As Bush was the Guantánamo president, so Obama is the drone president. This switch, whatever Obama hoped, represents a worsening not an improvement of America’s image in the world.

# 1NR

### A2 Perm

#### No perm solvency-

**Voluntary executive consultation improves decision-making and captures all of the benefits of the aff without constraining authority to act**

**Baker, 7 -** Chief Judge to the United States Court of Appeals for the Armed Forces, former Special Assistant to the President and Legal Advisor to the National Security Council (James, IN THE COMMON DEFENSE: NATIONAL SECURITY LAW FOR PERILOUS TIMES, p. 25-27)

Understanding process also entails an appreciation as to how to effectively engage the constitutional process between branches. Unilateral executive action has advantages in surprise, speed, and secrecy. In context, it is also **functionally imperative**. As discussed in Chapter 8, for example, military command could hardly function if it were subject to interagency, let alone, interbranch application. Unilateral decision and action have other advantages. Advantage comes in part from the absence of objection or dissent and in the avoidance of partisan political obstruction. In the view of some experts, during the past fifteen years, “party and ideology routinely trump institutional interests and responsibilities” in the Congress.6 These years coincide with the emergence of the jihadist threat.

However, there are also security benefits that derive from the operation of external constitutional appraisal. These include the foreknowledge of objection and the improvements in policy or execution that dissent might influence. Chances are, if the executive cannot sell a policy to members of Congress, or persuade the courts that executive actions are lawful, the executive will not be able to convince the American public or the international community.

A sustained and indefinite conflict will involve difficult public policy trade-offs that will require sustained public support; that means support from a majority of the population, not just a president’s political base or party. Such support is found in the effective operation of all the constitutional branches operating with transparency. Where members of Congress of both parties review and validate a policy, it is more likely to win public support. Likewise, where the government’s legal arguments and facts are validated through independent judicial review, they are more likely to garner sustained public support. Thus, where there is more than one legal and effective way to accomplish the mission, as a matter of legal policy, the president and his national security lawyers should espouse the inclusive argument that is more likely to persuade more people for a longer period of time. The extreme and divisive argument should be reserved for the extraordinary circumstance. In short, congressional and judicial review, **not necessarily decision**, offers a source of independent policy and legal validation that is not found in the executive branch alone.

Further, while the president alone has the **authority** to wield the tools of national security and the bureaucratic efficiencies to do so effectively, that is not to say the president does not benefit from maximizing his authority through the involvement and validation of the other branches of government. Whatever can be said of the president’s independent authority to act, as the Jacksonian paradigm recognizes, when the president acts with the express or implied authorization of the Congress in addition to his own inherent authority, he acts at the zenith of his powers. Therefore, those who believe in the necessity of executive action to preempt and respond to the terrorist threat, as I do, should favor legal arguments that maximize presidential authority. In context, this means the meaningful and transparent participation of the Congress and the courts.

**Only Congressional moves to reclaim war power authority triggers the war power and politics disad**

William **Howell**, Sydney Stein professor in American politics at the University of Chicago, **9/3/13**, All Syria Policy Is Local, www.foreignpolicy.com/articles/2013/09/03/all\_syria\_policy\_is\_local\_obama\_congress?page=full

From a political standpoint, **seeking congressional approval** for a limited military strike against the Syrian regime, as President Barack Obama on Saturday announced he would do**, made lots of sense**. And let's be clear, this call has everything to do with political considerations, and close to nothing to do with a newfound commitment to constitutional fidelity. The first reason is eminently local. Obama has proved perfectly willing to exercise military force without an express authorization, as he did in Libya -just as he has expanded and drawn down military forces in Afghanistan, withdrawn from Iraq, significantly expanded the use of drone strikes, and waged a largely clandestine war on terrorism with little congressional involvement. **The totality of Obama's record**, which future presidents may selectively cite as precedent, hardly **aligns with a plain reading of the war powers** described in the first two articles of the constitution. Obama isn't new in this regard. Not since World War II has Congress declared a formal war. And since at least the Korean War, which President Harry Truman conveniently called a "police action," commanders-in-chief have waged all sorts of wars -small and large -without Congress's prior approval. **Contemporary debates about** Congress's **constitutional obligations on** matters involving **war have lost a good deal of their luster**. Constitutional law professors continue to rail against the gross imbalances of power that characterize our politics, and **members of whichever party happens to be in opposition can be counted on to decry the abuses of war powers** propagated by the president. But these criticisms -no matter their interpretative validity -rarely gain serious political traction. Too often they appear as arguments of convenience, duly cited in the lead-up to war, but **serving primarily as footnotes rather than banner headlines** in the larger case against military action. Obama's recent decision to seek congressional approval is not going to upend a half-century of practice that has shifted the grounds of military decision-making decisively in the president's favor**,** any more than it is going to imbue the ample war powers outlined in Article I with newfound relevance and meaning. **For that to happen, Congress itself must claim for itself its constitutional powers regarding war.** Obama did not seek Congress's approval because on that Friday stroll on the White House lawn he suddenly remembered his Con Law teaching notes from his University of Chicago days**. He did so for political reasons**. Or more exactly, **he did so to force members of Congress to go on the record today in order to mute** their **criticisms** tomorrow. And let's be clear, Congress -for all its dysfunction and gridlock -still has the capacity to kick up a good dust storm over the human and financial costs of military operations. Constitutional musings from Capitol Hill -of the sort a handful of Democrats and Republicans engaged in this past week -rarely back the president into a political corner. The mere prospect of members of Congress casting a bright light on the human tolls of war, however, will catch any president's attention. Through hearings, public speeches, investigations, and floor debates, members of Congress can fix the media's attention -and with it, the public's -on the costs of war, which can have political repercussions both at home and abroad. Think, then, about the stated reasons for some kind of military action in Syria. No one is under the illusion that a short, targeted strike is going to overturn the Assad regime and promptly restore some semblance of peace in the region. In the short term, the strike might actually exacerbate and prolong the conflict, making the eventual outcome even more uncertain. And even the best-planned, most-considered military action won't go exactly according to plan. Mishaps can occur, innocent lives may be lost, terrorists may be emboldened, and anti-American protests in the region will likely flare even hotter than they currently are. The core argument for a military strike, however, centers on the importance of strengthening international norms and laws on chemical and biological weapons, with the hope of deterring their future deployment. The Assad regime must be punished for having used chemical weapons, the argument goes, lest the next autocrat in power considering a similar course of action think he can do so with impunity. But herein lies the quandary. The most significant reasons for military action are abstract, largely hidden, and temporally distant. The potential downsides, though, are tangible, visible, and immediate. And in a domestic political world driven by visual imagery and the shortest of time horizons, it is reckless to pursue this sort of military action without some kind of political cover. **Were Obama to proceed without congressional authorization, he would invite House Republicans to make all sorts of hay about his misguided, reckless foreign policy**. **But by putting the issue before Congress, these same Republicans** either **must explain why the use of chemical weapons** against one's people **does not warrant** some kind of military **intervention; or they must concede** that some form of exacting punishment is needed. Both options present many of the same risks for members of Congress as they do for the president. But crucially, if they come around to supporting some form of military action -and they just might -members of Congress will have an awfully difficult time criticizing the president for the fallout. **Will the decision** on Saturday **hamstring the president** in the final few years of his term? **I doubt it**. **Having gone to Congress on this crisis, must he do so on every future one? No.** Consistency is hardly the hallmark of modern presidents in any policy domain, and certainly not military affairs. Sometimes presidents seek Congress's approval for military action, other times they request support for a military action that is already up and running, and occasionally they reject the need for any congressional consent at all. And for good or ill, it is virtually impossible to discern any clear principle that justifies their choices. **The particulars of every specific crisis** -its urgency, perceived threat to national interests, connection to related foreign policy developments, and what not -**can be expected to furnish the president with ample justification for pursuing whichever route he would like**. Like jurists who find in the facts of a particular dispute all the reasons they need for ignoring inconvenient prior case law, presidents can characterize contemporary military challenges in ways that render past ones largely irrelevant. Partisans and political commentators will point out the inconsistencies, but their objections are likely to be drowned out in rush to war. Obama's decision does not usher in a new era of presidential power, nor does it permanently remake the way we as a nation go to war. It reflects a temporary political calculation -and in my view, the right one -of a president in a particularly tough spot. Faced with a larger war he doesn't want, an immediate crisis with few good options, and yet a moral responsibility to act, he is justifiably expanding the circle of decision-makers. But don't count on it to remain open for especially long.