## 1

#### LINK—THE AFF FETISHIZES THE LAW THEIR CALL RESULTS IN A RETURN TO LAW THAT DESTROYS THE POSSIBILITY FOR RADICAL POLITICS

NEOCLEOUS 2006

(Mark Neocleous, Politics & History @ Brunel University, “the Problem with Normality”, Alternatives, no. 31 //wyo-tjc)

To criticize the use of emergency powers in terms of a suspension of the law, then, is to make the mistake of counterpoising normality and emergency, law and violence. In separating “normal” from “emergency,” with the latter deemed “exceptional,” this approach parrots the conventional wisdom that posits normalcy and emergency as two discrete and separable phenomena. This essentially liberal paradigm assumes that there is such a thing as “normal” order governed by rules, and that the emergency constitutes an “exception” to this normality. “Normal” here equates with the separation of powers, entrenched civil liberties, an ongoing debate about public policy and law, and the rule of law, while “emergencies” are thought to require strong executive rule, little time for discussion, and are premised on the supposedly necessary suspension of the law and thus the discretion to suspend key liberties and rights. But this rests on two deeply ideological assumptions: first, the assumption that emergency rule is aberrational; and, second, an equation of the emergency/nonemergency dichotomy with a distinction between constitutional and nonconstitutional action. Thus liberalism seeks to separate emergency rule from the normal constitutional order, thereby preserving the Constitution in its pristine form while providing the executive with the power to act in an emergency.47 But the historical evidence suggests that emergency powers are far from exceptional; rather, they are an ongoing aspect of normal political rule. Emergency, in this sense, is what emerges from the rule of law when violence needs to be exercised and the limits of the rule of law overcome. The genealogy of “emergency” is instructive here. “Emergency” has its roots in the idea of “emerge.” The Oxford English Dictionary suggests that “emerge” connotes “the rising of a submerged body out of the water” and “the process of coming forth, issuing from concealment, obscurity, or confinement.” Both these meanings of “emerge” were once part of the meaning of “emergency,” but the first is now rare and the second obsolete. Instead, the modern meaning of “emergency” has come to the fore, namely a sudden or unexpected occurrence demanding urgent action and, politically speaking, the term used to describe a condition close to war in which the normal constitution might be suspended. But what this tells us is that in “emergency” lies the idea of something coming out of concealment or issuing from confinement by certain events. This is why “emergency” is a better category than exception: Where “emergency” has this sense of “emergent,” exception instead implies a sense of ex capere, that is, of being taken outside. Far from being outside the rule of law, emergency powers emerge from within it. They are thus as important as the rule of law to the political management of the modern state. There is, however, an even wider argument to be made. The idea that the permanent emergency involves a suspension of the law encourages the idea that resistance must involve a return to legality, a return to the normal mode of governing through the rule of law. But this involves a serious misjudgment in which it is simply assumed that legal procedures, both international and domestic, are designed to protect human rights from state violence. Law itself comes to appear largely unproblematic. What this amounts to is what I have elsewhere called a form of legal fetishism, in which law becomes a universal answer to the problems posed by power. Law is treated as an independent or autonomous reality, explained according to its own dynamics. This produces the illusion that law has a life of its own, abstracting the rule of law from its origins in class domination and oppression and obscuring the ideological mystification of these processes in the liberal trumpeting of the rule of law.48 To demand the return to the “rule of law” is to seriously misread the history of the relation between the rule of law and emergency powers and, consequently, to get sucked into a less-than-radical politics in dealing with state violence. Part of what I am suggesting is that emergency measures, as state violence, are part of the everyday exercise of powers, working alongside and from within rather than against the rule of law, as part of a unified political strategy in the fabrication of social order.

#### SOCIETY CONFOUNDED AT THE FAILURE OF LAW TO CONTAIN VIOLENCE—WE SEE LAW AS NECESSARY TO HUMANIZE WAR.

BERMAN (Prof of Law at Brooklyn Law School) 2004

[Nathaniel, “Privleging Combat?”, Columbia Journal of Transnational Law, p. ln //wyo-tjc]

**Through examining the legal doctrines crucial to defining the combatants' privilege**, in my view the key concept of jus in bello, **this Article seeks to undo the circumlocutions that often block frank discussion of the relationship of law to war. Contrary to conventional wisdom**, I argue that **it is misleading to see law's relationship to war as primarily one of the limitation of organized violence, and even more misleading to see the laws of war as historically progressing toward an ever-greater** **limitation of violence. n6 Instead**, I put forward three central propositions. First, **rather than standing in opposition to war, law has long been directly involved in the construction of war - the construction of war as a separate sphere of human activity in [\*5] which the "normal" rules of social life, codified, for example, in the domestic criminal law regulating violence, do not operate. n7 Rather than opposing violence, the legal construction of war n8 serves to channel violence into certain forms of activity engaged in by certain kinds of people, while excluding other forms** engaged in by other people. n9

#### The Alternative is to write against the state.

#### Exposing the law as violence is necessary to create space for rethinking that makes social relations outside of statist violence possible

Neocleous 2003

[Mark, Teaches politics @ Brunel, Imagining the state, Philadelphia: Open University Press, 6-7/uwyo-ajl]

The last point should indicate to the reader that this is a polemical book about a polemical topic. As such, I should be clear about my intentions. If a hidden agenda seems nasty, then an exposed one looks downright impudent.13 Writers these days increasingly like to stand aside from the affray. This is nowhere more obvious than in books in which affray is a central issue-namely books on issues such as the state, power and capital. On the one hand, this is no doubt due to the fate of the academy in contemporary capitalism-academic research assessment exercises which seem to have knocked the political stuffing out of seemingly political writers (best not write anything too political about this political topic, in case it damages one's promotion prospects). On the other hand, it is also clearly connected to the demise of any coherence the Left once had. Writers on the Left appear to be happier to retreat into ever more exegetical work on text after text, with little sense as to the purpose of reading political writers in the first place. Or, worse, they have bought into the stunningly naive socio-political claim that we have moved into a world in which there is politics without enemies.4 (And if there are no enemies, then there is no ground for any fundamental disagreement and thus no real need to say anything interesting at all.) Too many intellectuals on the Left have thus developed an instrumental inability to think beyond the instructions and parameters provided for them by the state and one of its key ideological apparatuses - the university. So let me say that this book is written from outside the statist political imaginary (or at least as much as one can be outside it), and also against it. To write against the statist imaginary is thus intended as an act of resistance - though admittedly not the bravest act of resistance one might imagine, since the state aims to dominate the thought of even those who oppose it (indeed, one might say especially those who oppose it). Pierre Bourdieu has argued that `to endeavour to think the state is to risk either taking over, or being taken over by, the thought of the state','~ and as I argue in Chapter 2, as part of its administration of civil society the state aims to structure the way we view the world by generating the categories through which citizens come to imagine collective identity and thus their own political subjectivity. One of the implications of this is that the statist political imaginary has assisted the state in setting limits on the theoretical imagination, acting as a block on the possibility of conceiving of a society beyond the state.This is a book that tries to think the state without either taking over or being taken over by the thought of the state. It therefore rests on a different political imaginary, one which I mention here and return to only briefly at the very end of the book, which arises out of the tradition of the oppressed which teaches us that the `state of exception' in which we live is not the exception but the rule. As Walter Benjamin recognized, to write against the state of exception in this way is to aim to bring about a real state of emergency which imagines the end of the state, and thus an end to the possibility of fascism.

## 2

#### And The Executive branch of the United States of America should issue an executive order to ban signature strikes

#### Executive Orders alter policy quickly to employ flexibility and avoid the legislative process

Barilleaux and Kelley 2010 [Ryan J. , Professor of Political Science at Miami, OH; and Christopher S. , Lecturer (Political Science) at Miami, OH, The Unitary Executive and the Modern Presidency, Texas A&M Press, p. 80, 2010// wyo-sc]

An executive order is one of several unilateral tools presidents may use to carry out their policy objectives. Executive orders direct executive branch officers to "take an action, stop a certain type of activity, alter policy, change management practices, or accept a delegation of authority under which they will henceforth be responsible for the implementation of law."19 Presidents have come to favor the use of executive orders because they provide speed and flexibility and bypass the complicated legislative process, particularly when it appears Congress may be hostile to a president's goals. In *Wilcox v. Jackson* the Supreme Court affirmed that presidents may issue orders through department heads.20 These orders will have the same legal effect as if the president had issued them personally.21 The preamble of a typical modern executive order explains the constitutional and statutory authority of the president to issue the order, and the body of the order explains the actions to be taken or policy changes to be made. Most of the significant developments in presidential regulator review have been initiated by executive orders. (Unless otherwise spec fied, none of the regulatory review orders discussed in this chapter was based on anything besides the authority vested by the Constitution in the president and a general reference to statutes of the United States.2 )

**3**

**Obama won’t negotiate now strengthens his hand – plan is a loss the saps capital and emboldens republicans**

Christopher **Flavelle**, member of Bloomberg View's editorial board, “Flavelle: Barack Obama may have to cave on debt ceiling,” **9/25**, 2013

President **Obama says he won't negotiate** with Republicans over the debt ceiling. That may be a good bargaining tactic, but if push comes to shove, is it good policy? There's no question that **Obama strengthens his hand by saying**, as he has over and over again, that **he won't let Republicans use the debt ceiling to extract concessions** from Democrats, **whether it's Obamacare, the Keystone XL pipeline, spending cuts or anything else. In theory, that should make Republicans think twice about failing to raise the debt ceiling, by reducing their expectations of winning the fight.** But what if the tactic doesn't work? What if House Republicans make good on their promise not to raise the debt ceiling without getting something in return, and on Oct. 17 Obama has to choose between caving in or letting the country renege on its obligations? To be sure, **caving has** all sorts of **unpleasant consequences. Politically, it hurts the president's remaining credibility, emboldens Republicans and leads to policy outcomes** that **Democrats don't want** (though what level of concessions would be required is unclear).

**Plan’s a perceived as a loss**

**Loomis 7** Dr. Andrew J. Loomis is a Visiting Fellow at the Center for a New American Security, and Department of Government at Georgetown University, “Leveraging legitimacy in the crafting of U.S. foreign policy”, March 2, 2007, pg 36-37, http://citation.allacademic.com//meta/p\_mla\_apa\_research\_citation/1/7/9/4/8/pages179487/p179487-36.php

Declining political authority encourages defection. American political analyst Norman Ornstein writes of the domestic context**, In a system where a President has limited formal power, perception matters**. The reputation for **success**—the belief by other political actors that even when he looks down, a president will find a way to pull out a victory—**is the most valuable resource a chief executive can have**. Conversely, the widespread **belief that the Oval Office occupant is on the defensive, on the wane** **or without the ability to win under adversity can lead to disaster**, **as individual lawmakers calculate who will be on the winning side and negotiate accordingly.** In simple terms, winners win and **losers lose more often than not**. **Failure begets failure**. In short**, a president experiencing declining amounts of political capital has diminished capacity to advance his goals**. As a result**, political allies perceive a decreasing benefit in publicly tying themselves to the president, and an increasing benefit in allying with rising centers of authority**. **A president’s incapacity and his record of success are interlocked and reinforce each other. Incapacity leads to political failure, which reinforces perceptions of incapacity. This feedback loop accelerates decay both in leadership capacity and defection by key allies**. The central point of this review of the presidential literature is that the sources of **presidential influence**—and thus their prospects for enjoying success in pursuing preferred foreign policies—**go beyond the structural factors imbued by the Constitution. Presidential authority is affected by ideational resources in the form of public perceptions of legitimacy. The public offers and rescinds its support in accordance with normative trends and historical patterns, non-material sources of power that affects the character of U.S. policy, foreign and domestic**.

**Obama’s leadership in refusing negotiation is key to prevent economic catastrophe**

Jason **Linkins**, “The Only Way To Show Leadership In A Debt Ceiling Crisis Is To Refuse To Negotiate On The Debt Ceiling,” Huffington Post, **9/26**/13

The thing about the debt ceiling is that it's not in any way, shape, or form a "partisan" issue. There's no "position" to take on it. It is not a liberal or a conservative "idea." And raising the debt ceiling confers no privileges or advantages on anyone -- it doesn't advance any policy or philosophy, and it doesn't even permit new debt. Congress has passed laws and appropriated monies. Having done so, certain obligations must be met. Raising the debt ceiling says only, "We plan on honoring our obligations." **Not raising the debt ceiling means** you are saying, "We would like to cause the **collapse of what is colloquially known as 'the economy.'"** You signed a lease. You promised to pay rent. Maybe you don't like your rent increase. Maybe it wrecks your carefully calculated budget. Know what? You have options. Move if you want. Zero out another budget item to secure the money. Do whatever you like. Regardless, on the first of the month, you pay what you owe, or you may be forcibly evicted. The debt ceiling works the same way. If you're concerned by how high it's getting, there is nothing but ample opportunity to have debates, make cuts, raise revenue, and right the budget. If the vote doesn't go your way, you go out on the campaign trail and you make your case to the electorate. Next time, the vote maybe goes your way. But on the appointed date, you raise the debt ceiling. A lot of people these days are suggesting that it's natural to make big budget deals when the debt ceiling needs to be raised. This is what we call "erroneous." Here's Jonathan Chait, enumerating the two central errors: Error No. 1: As Richard Kogan points out, **since** the **Reagan** administration began, **Congress has raised the debt ceiling 45 times. Only seven** of those times **were attached to significant budget legislation**. Basically, when Congress does a budget deal, it usually attaches a debt-ceiling hike onto it. But it doesn’t make the debt-ceiling hike contingent on the deal. Error No. 2: Boehner is not proposing a “deal,” as in a deal involving the swapping of concessions. Indeed, all the **previous agreements** he cites **involved** the two sides making **mutually agreeable policy bargains. None** of them, **save the 2011 debt-ceiling ransom, involved Congress threatening debt default** in order to extract concessions. **Boehner isn’t looking for a deal**, except in the sense that Richie Aprile was looking for a deal with Beansie to share the profits from his restaurant. On Thursday, Chait sized up **the House GOP's "offer" on the debt ceiling**. It boils down to: Implement the economic policies that Mitt Romney and Paul Ryan ran on, or else you get default. You may remember Mitt Romney and Paul Ryan from their past masterworks, which include "Losing The 2012 Election." **It's impossible to take** this **seriously**. And not just in the sense that it's unreasonable to expect the winners of a presidential election to implement the policies they opposed on the way to that win. There's a second level of pure, mountain-grown unseriousness that Josh Barro points out, having examined this same offer: **the GOP's demands** -- which include blocking net neutrality regs and building the Keystone pipeline -- "**have little or no connection to the federal debt**." This is just a list of things Republicans would like to do if they ran the government. But they don't run the government. Instead, they are contending that it is a valid legislative strategy to use the leverage of the debt ceiling—which will cause an economic crisis if it is not increased—to demand their way on any unrelated issue. **The pretense that debt limit fights are about the public debt is over.** Well, I wish that this was the case, but unfortunately, the odd notion that the occasion of raising the debt ceiling is an appropriate time to extract unreasonable demands has been normalized. It's now baked into the Beltway Conventional Wisdom. **And** along with that comes the odd notion that **navigating nihilist demands** -- not simply rejecting them -- **is the new way that a president shows leadership.** Right now, if the House GOP demanded that John Boehner be allowed to amputate Barack Obama's legs with a rusty band saw in exchange for a debt ceiling hike, the Beltway commentariat would light up with talk about how irresponsible it would be for Obama to not, at the very least, consider it. Maybe just one and a half legs. It would be a big "win" for the White House to be left with half a gangrenous stump. So instead of this moment of clarity that Barro rightly suggests should happen, here's what's going to take place. **The Beltway Conventional Wisdom mavens are going to go on the offensive, and castigate the administration for its current**, correct, **position on the debt ceiling**, which is: "There will be no negotiations on the debt ceiling." **Obama's failure to properly offer some ransom to economic terrorists will be met with scorn.** And here's a simple truth about all of this: **Obama does**, definitely, **share in the blame**. As Matt Yglesias points out: The absolute worst mistake Obama has made as president came back in 2011 when Republicans first pulled this stunt. At that time, Obama desperately wanted a bargain over long-term fiscal policy. So he tried a bit of too-clever-by-half political jujitsu in which GOP debt ceiling hostage taking became a pretext to start negotiations over long-term budgeting. All manner of evils have fallen forth from that fateful decisions, including an economic weak patch in 2011 the ongoing mess of sequestration, and worst of all the setting of a precedent for future crises. **"A terrible monster was let out of the box in 2011,"** says Yglesias, "**and the best thing Obama can possibly do** for the country at this point **is to stuff it back in and hopefully kill it." I've long wondered why, exactly, Obama decided to allow this monster to escape from the box.** Part of it may have to do with his own history on debt ceiling votes. See, in the past, presidents have always gotten a clean debt ceiling hike from Congress, but it was traditional for the opposition party to allow a few of its members to rail at the president for his policies and cast votes against it. Not so many votes that it threatened the eventual outcome, just enough to make a point. And during George W. Bush's presidency, then-Sen. Obama was one of the people to vote against raising the debt ceiling. So some small part of **his desire to engage in deal-making may stem from his need to be internally consistent. But** it's pretty clear that **he's** been **largely motivated by a desire to satisfy the Beltway Conventional Wisdom mavens, show "leadership" on the issue, and achieve** a big, shiny **Grand Bargain** on the long-term budget trajectory. But **Obama made two miscalculations**. **First**, he made the mistake of **presuming** that **the GOP would** be willing to **bargain**, to literally exchange concessions. **Second**, he made the mistake of **assuming** that once it became clear that a bargain wasn't possible, **the party refusing to bargain would be held accountable**. Fortunately, this is one mistake that **the White House** has not seemed willing to repeat, and its current **"no negotiations" stance is correct**. And as Greg Sargent points out, **refusing to negotiate doesn't diminish Obama's opposition at all: Democrats** are not asking Republicans to give up anything in requesting that they support a debt limit hike. They are not asking Republicans to agree to more spending. They are not asking for new taxes. **They are simply asking Republicans to join them in making it possible for Congress to pay obligations it has already incurred, and in so doing, avert economic catastrophe for the whole country. There is no rationale for giving Republicans anything in return for this.** Indeed, this is true. **If Republicans do the responsible thing, and offer a clean debt ceiling hike, they will have conceded nothing**. They will still be free to block spending, deny revenue increases, stage debates on their preferred policies, enter into bargains, and use the traditional campaign cycle to make the case for whatever the legislative process denies them. There is simply no reason to use the occasion of the debt ceiling to force anyone's hand with the threat of a default apocalypse. (In fact, the willingness to act responsibly when the occasion demands and put the country first only strengthens one's bargaining position.) The truth is that by taking this "no negotiations" stance, Obama is doing the GOP a great service. See, it is an inevitability that one day, there will be a Republican president. It is similarly inevitable that this future Republican president will have to seek a debt ceiling rise from a legislature in which the Democrats have sufficient potency to stage a hostage crisis. I truly want to believe that "making government work" is so central to the Democratic Party's "brand" that it would never consider these same apocalyptic posturings. But in my experience, **these parliamentary battles, when left unchecked, tend only to escalate**. And the roots of vengeance run deep. **It is up to Obama to break this cycle of violence** (and this is perhaps fitting, since he played such a major role in unleashing it in the first place). Remember, **the debt ceiling is not a partisan issue**. Anyone who tells you there is a "liberal" or "conservative" position on the debt ceiling is a grand fool. It is not "liberal" to raise the debt ceiling, nor is it "conservative" to not raise the debt ceiling. Raising it is simply a necessity -- a necessity that does not negate either side's ability to debate budget levels or priorities. **The refusal to raise it is simple nihilism. By holding this line, Obama is truly engaging in an act of bipartisanship. He puts the monster back in the box. He preserves** basic institutional **governance for both parties**. He **protects future presidents**, Democrats and Republicans alike, **from having to face** the **constant threat of economic apocalypse**. The media will pillory him for holding firm on this. All of the old arguments, that Obama is "failing to lead," will gain new currency. But it was according those arguments some validity that got us into the mess in the first place. **So hold firm he must, because it is the one and only way a president can "lead" on this issue.**

**Nuclear war**

**Friedberg and Schoenfeld 8**

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

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

**4**

**Obama’s credible threat is key to Iran negotiations and preventing Israeli strikes**

Christopher **Dickey**, Paris bureau chief and Middle East editor for Newsweek and The Daily Beast, “How to Stop Iran: Obama's War By Other Means,” Daily Beast, **9/28**/13

**The** historic **phone call with Iran’s president and** the breakthrough deal on **Syria show the threat of military action accomplishes a lot** – as long as you don’t go through with it.¶ “Twitter diplomacy” has never been conducted at such high levels. Iranian President @HassanRouhani, or someone very close to him, tweeted the news on Friday that he’d talked on the phone with President @BarackObama. Rouhani’s snippets of dialogue were at once awesome and anodyne. This was the first time the presidents of Iran and the United States have talked directly in the 34 years since the Islamic Revolution, and Rouhani emphasized the cordiality of the conversation. The two even joked about the traffic in New York. “Have a good day,” said the Iranian as he signed off. “Khodafez,” said the American, which is Persian for good-bye or, more accurately, “God be with you.”¶ **Obama** confirmed the conversation at a White House briefing. He’d **talked with Rouhani abou**t reining in **Iran’s nuclear program**, he said. **And** it appears they also discussed Syria, which was the subject of what Obama **called** another “**major diplomatic breakthrough**.” The hitherto dithering United Nations Security Council was preparing to vote unanimously for a resolution requiring the Assad regime “to put its chemical weapons under international control so they can ultimately be destroyed.” Rouhani quoted Obama telling him that if progress could be made on the nuclear file, “other issues such as #Syria will certainly be positively affected.”¶ But then the Rouhani tweets suddenly disappeared, deleted, and when the smiling Iranian president landed back in Tehran, protesters pelted him with eggs. Speculation is rife that they had the blessing of Iran’s Supreme Leader, Ali Khamenei, and the scene immediately raised questions about just how far Rouhani could go in any negotiations.¶ **Such is the fog of diplomacy**, especially when dealing **with Iran**. But **from the seeming confusion and surprising successes** of the last few weeks**, a paradoxical axiom is emerging**, and it’s an important one: **America is rarely so powerful as when it threatens to use force, and rarely so weak as when it has actually used it.**¶ When George W. Bush took over the presidency in 2001, the United States was without question the greatest power on earth, and with the greatest power to do good. But for Bush and his close advisors, especially the coterie around then-Vice President Dick Cheney, that wasn’t enough. They wanted to ram that fact down the throat of would-be rivals, like the Russians, and even longtime friends, like the French. It wasn’t sufficient, after the September 11 attacks, for the Bush administration to punish the Taliban and pursue Bin Laden in Afghanistan. It felt it had to launch a vast war to eliminate an imaginary threat in Iraq and establish an oil-pumping pro-American democracy there.¶ A decade later, after thousands of American soldiers and hundreds of thousands of Afghan and Iraqi civilians have died -- and trillions of dollars have been squandered -- the people of the United States feel deceived, disappointed and, indeed, bled dry by those seemingly endless, pointless military adventures. **The depth of** that **public resentment was apparent** over the last few weeks **when Obama asked Congress to approve** his plans for **military action against the Syrian regime**. The reaction was so negative that even hawks like Sen. John McCain looked like wet pigeons when their constituents got through with them. No more Middle East wars!¶ Yet, looking back at 2002, it’s apparent that the Bush administration could have achieved its most important stated objective -- making sure that Iraqi dictator Saddam Hussein did not have weapons of mass destruction – without firing a shot. And that depended on the threat of war. In 2002, much as Obama has done in 2013, Bush went before the United Nations General Assembly to demand action. “We will work with the U.N. Security Council for the necessary resolutions,” said Bush. “But the purposes of the United States should not be doubted. The Security Council resolutions will be enforced -- the just demands of peace and security will be met -- or action will be unavoidable. And a regime that has lost its legitimacy will also lose its power.”¶ Bush’s truculence galvanized what had been moribund diplomacy. Within weeks, United Nations inspectors were back on the ground in Iraq pursuing the most pervasive and invasive inspection regime in history. They discovered no weapons of mass destruction for the simple reason that there were none. But the Bush administration didn’t believe in those results, and ultimately didn’t care. It launched its war of “shock and awe” that began with an enormous bang and ended, eight years later, with whimpers.¶ **Despite** the handicap of this **history, and the** consequent **resistance of the public**, the **Obama** administration **has managed to use the threat of force with impressive effect.**¶ **In the case of Iran, the administration has played the role of good cop to Israel’s bad cop**. You may recall Israeli Prime Minister Benjamin Netanyahu’s speech before the United Nations a year ago, when he held up a cartoon image of a bomb and talked about where a red line should be drawn against Iran’s nuclear enrichment program. The **Israelis** have **made** it **clear** many times that **they would regard a nuclear-armed Iran as a** direct **threat to their existence, and** they **are prepared to go to war to stop it.**¶ The **Obama** administration, for its part, **appears to be holding Israel back even as the president states bluntly that the U**nited **S**tates **will not allow Iran to have nuclear weapons and that “all options are on the table.” He is threatening**, in effect, **to join or even to lead a military operation if it’s the only option left.**¶ Against that backdrop, the **U**nited **N**ations **has imposed on Iran** a collection of **devastating sanctions** that have crippled its economy and **forced it to get** a whole lot more **serious about negotiations**. **Rouhani**, who **professes** himself **to be a great moderate** compared to his predecessor, the gratuitously provocative Mahmoud Ahmadinejad, **was elected** in June **by Iranians hoping** desperately that **he can get** the **sanctions lifted.**¶ Since then **Rouhani’s speeches, interviews and tweets** certainly **have created a better atmosphere. And Obama has reciprocated** by acknowledging many emotional issues that Iranians have seen in the past as an affront to their dignity. In Obama’s address to the United Nations he all but apologized for American interference in Iran dating back to Washington’s role overthrowing Iran’s elected government in 1953, which was admitted by the CIA officially only this August.¶ It’s apparent that the Bush administration could have achieved its most important stated objective -- making sure that Iraqi dictator Saddam Hussein did not have weapons of mass destruction – without firing a shot.¶ In **Obama’s** remarks at the White House yesterday, he **noted, “Iran’s Supreme Leader has issued a fatwa against the development of nuclear weapons. President Rouhani has indicated that Iran will never develop nuclear weapons.”** But acknowledgment does not imply credulity. “I have made clear that we respect the right of the Iranian people to access peaceful nuclear energy in the context of Iran meeting its obligations,” said Obama. “So the test will be meaningful, transparent, and verifiable actions, which can also bring relief from the comprehensive international sanctions that are currently in place.”¶ “Trust but verify,” as Ronald Reagan once said while negotiating disarmament with the Russians. And **with regard to Iran**, yes, **all options still remain on the table. Obama doesn’t need to keep repeating** the **threat** for it **to be effective. It’s there. Indeed, if negotiations fail, the fact** that the **Obama** administration **has been** so polite and **conciliatory should make it easier** for it **to win international approval for whatever steps it decides to take then**.¶ **On the Syrian front**, the Obama administration has been quite explicit. When the Russians put forth their plan to freeze and remove or destroy the Assad regime’s chemical arsenal, White House press secretary Jay Carney said as flatly as he ever says anything that **Moscow’s proposal came because of “the threat of military action."** The binding United Nations resolution now agreed to by the Russians, who had vetoed even the blandest criticisms of the Syrian regime in the past, leaves the door open for multilateral military action under U.N. auspices if President Bashar Assad tries to back out of the deal.¶ Let’s hope that doesn’t happen. **Obama almost certainly means it when he says he will use military force unilaterally**, if necessary, **to defend the “core” security interests of the United States**. And at the U.N. this week he even seemed to embrace the notion, dear to U.N. Ambassador Samantha Power, that the United States has a duty to intervene in other countries to stop atrocities that do not affect, directly, American interests. In fact, Obama sounded a little like George W. Bush.¶ But there’s this difference: Bush used threats merely as the prelude to a war his administration was determined to fight no matter what. **Obama is using the threat of war to achieve goals** that actual military action rarely achieves, **and** so far he **seems to be succeeding**. To paraphrase the famous line from Clausewitz, **Obama’s diplomacy is war by other means.**

**The plan undermines Obama’s war power credibility—that kills negotiations**

Matthew **Waxman**, professor of law at Columbia Law School and an adjunct senior fellow at the Council on Foreign Relations. He previously served as principal deputy director of policy planning (2005–7) and acting director of policy planning (2007) at the US Department of State, 1/28/**13**, Executive-Congressional Relations and National Security, www.advancingafreesociety.org/the-briefing/executive-congressional-relations-and-national-security/

**The last four years should have been a good period for executive-congressional relations in** the areas of **national security** and foreign affairs. The president, vice president, and secretary of state were former Senators. They all viewed President George W. Bush as too inclined to bypass or ignore Congress and they promised to do better. And the Obama administration started with Democratic majorities in the House and Senate.¶ **It is thus surprising that the past four years have been notable for inter-branch clashes and paralysis on** some **major national security agenda items, with the administration failing to engage Congress or operating in a slowly reactive mode**, **while** many **congressional Republicans remain in an obstructionist mode**. In the second term, the **Obama** administration **will need to pick its legislative priorities more deliberately, engage with allies and opponents in Congress more actively**, **and be willing to negotiate compromises or wage aggressive campaigns on key issues**.¶ Congress has repeatedly stifled the president’s signature counterterrorism promise to close the Guantanamo Bay detention facility. Congress’s opposition has been more than political. Beginning with legislation in 2010 when Democrats controlled both houses of Congress, Congress has consistently placed legal barriers on the president’s ability to transfer Guantanamo detainees or to try them in civilian courts in the United States. After hinting in his speech at the National Archives in 2009 that he would work with Congress on these issues, Obama has put forward no proposal of his own, nor has his administration been willing to explore possible compromises on long-term Guantanamo policies, instead playing defense against moves by congressional blocs with their own Guantanamo agendas. That defensive strategy has included a series of veto threats, which were always abandoned in the end and now carry little credibility.¶ **With regard to war powers, the administration** barely **escaped a significant congressional rebuke after it failed to obtain congressional authorization for** the operations in **Libya** in 2011 or at least to advance a convincing account for why such authorization was not needed. The administration conducted international diplomacy effectively, and obtained UN Security Council and Arab League endorsement of military operations to protect Libyan civilians from slaughter. However, on the domestic front it alienated even congressional supporters of its policy with poor early consultation on the Hill. In the end, Senate Majority Leader Harry **Reid prevented the Senate from taking up a resolution** passed by the Foreign Relations Committee **that would have** authorized the operation but **rejected the administration’s** strained **interpretation of the War Powers Resolution**. **Throughout the Libya crisis, the administration’s approach toward Congress was passive and tentative**. **It was fortunate for the administration that Congress was splintered and few members were willing to defend its institutional prerogatives**, at least within the limited timeframe of the intervention. **But Obama might not be so lucky the next time**.¶ As to treaties, the administration garnered super-majority Senate advice and consent on a record-low number of agreements in its first term. Despite a strong effort by Secretary of State Hillary Clinton and the Navy leadership, the administration failed to get the UN Convention on the Law of the Sea out of the Senate Foreign Relations Committee. Once again, part of the explanation for failure was the administration’s poorly timed and coordinated engagement of the Senate on the issue. In the face of Senate Republican portrayals of other global treaties as threats to US sovereignty, the White House failed to throw its full weight behind its valid arguments that the Law of the Sea Convention would strengthen the US position with respect, for example, to crisis hotspots in Asia and in commercial spheres.¶ To be clear, the Obama administration has scored successes, too. For example, putting aside the policy merits, it worked reasonably well with Congress on the completed wind-down of the Iraq war. It will need to do the same with respect to the planned wind-down of the Afghanistan war and in developing a long-term strategy for Afghanistan and Pakistan. Much of the blame for policy incoherence on many national security issues such as cybersecurity lies with Congress, which is infected by political polarization and dysfunction as much in international affairs as it is in domestic affairs.¶ Going forward, the **Obama** administration **will need to bring the same kind of sustained attention and hard-nosed strategic thinking to its legislative agenda on national security issues as it has on some major domestic policy issues.** First, **it will need to be selective in its legislative agenda** **and then wage aggressive campaigns on matters it labels** national security **priorities**. It did so early in the first term with respect to the New START Treaty, which was in danger of collapse until the administration went all out for it. **Obama’s team enlisted influential allies** from previous Republican administrations, engaged in a serious communications campaign at the highest levels, and negotiated as necessary **to get the key votes** in favor of the treaty.¶ On some issues, the administration will need to decide on a coherent policy internally and then more actively engage both its allies and opponents on Capitol Hill. One area where this will be important is the legal architecture of counterterrorism policy. It is widely understood that continuing to rely on the September 2001 congressional Authorization for Use of Military Force as the basis for detention and targeting operations is increasingly problematic as al Qaeda splinters apart and as the United States winds down combat operations in Afghanistan. The Obama administration also maintains publicly a commitment to closing Guantanamo. Yet it has not come forward with proposed legislative frameworks for dealing with these issues. Even though the president has said repeatedly that he wants to work with Congress on a more durable legal architecture for counterterrorism operations, the administration has been reactive and appears to be undecided about what, if anything, it wants from Congress.¶ **A**nother **area in which executive-congressional relations will feature heavily is Iran’s nuclear build-up**, surely one of the most delicate and complex international crises the administration will face this year. After engaging seriously only at the last minute, it has had to swallow several times congressionally-mandated sanctions that it regards as counterproductive. As **the administration** tries to ramp up pressure, it **will need to convince** skeptical members of **Congress that it is applying tough diplomatic pressure** on other UN Security Council members and on Iran’s trading partners. **If**—under the most optimistic scenarios—**it reaches** a satisfactory **negotiated solution** (or establishes a process toward one) **with Iran, it will need Congress onboard; otherwise it will find its freedom to maneuver and deliver on assurances severely constrained**.

**Iran proliferation causes nuclear war**

**Edelman**, distinguished fellow – Center for Strategic and Budgetary Assessments**, ‘11**

(Eric S, “The Dangers of a Nuclear Iran,” *Foreign Affairs*, January/February)

The reports of the Congressional Commission on the Strategic Posture of the United States and the Commission on the Prevention Of Weapons of Mass Destruction Proliferation and Terrorism, as well as other **analyses**, **have highlighted the risk that a nuclear-armed Iran could trigger** additional nuclear **proliferation in the Middle East**, even if Israel does not declare its own nuclear arsenal. Notably, **Algeria, Bahrain, Egypt, Jordan, Saudi Arabia,Turkey, and the U**nited **A**rab **E**mirates— all signatories to the Nuclear Nonproliferation Treaty (npt)—**have** recently **announced or initiated nuclear** energy **programs.** Although some of these states have legitimate economic rationales for pursuing nuclear power and although the low-enriched fuel used for power reactors cannot be used in nuclear weapons, **these moves have been widely interpreted as hedges against a nuclear-armed Iran.** The npt does not bar states from developing the sensitive technology required to produce nuclear fuel on their own, that is, the capability to enrich natural uranium and separate plutonium from spent nuclear fuel. Yet enrichment and reprocessing can also be used to accumulate weapons-grade enriched uranium and plutonium—the very loophole that Iran has apparently exploited in pursuing a nuclear weapons capability. Developing nuclear weapons remains a slow, expensive, and di⁄cult process, even for states with considerable economic resources, and especially if other nations try to constrain aspiring nuclear states’ access to critical materials and technology. Without external support, it is unlikely that any of these aspirants could develop a nuclear weapons capability within a decade.

There is, however, **at least one state** that **could receive significant outside support: Saudi Arabia.** And **if it did, proliferation could accelerate throughout the region.** Iran and Saudi Arabia have long been geopolitical and ideological rivals. **Riyadh would face tremendous pressure to respond** in some form **to a nuclear**-armed **Iran, not only to deter Iranian coercion** and subversion **but also to preserve its sense that Saudi Arabia is the leading nation** in the Muslim world. **The Saudi government is already pursuing a nuclear** power **capability**, which could be the first step along a slow road to nuclear weapons development. And concerns persist that **it might be able to accelerate its progress by exploiting** its **close ties to Pakistan**. During the 1980s, in response to the use of missiles during the Iran-Iraq War and their growing proliferation throughout the region, **Saudi Arabia acquired several dozen css-2 intermediate-range ballistic missiles from China. The Pakistani government** reportedly **brokered the deal**, and it may have also oªered to sell Saudi Arabia nuclear warheads for the css-2s, which are not accurate enough to deliver conventional warheads eªectively. There are still rumors that **Riyadh and Islamabad have had discussions involving nuclear weapons, nuclear technology, or security guarantees.** This “Islamabad option” could develop in one of several diªerent ways. Pakistan could sell operational nuclear weapons and delivery systems to Saudi Arabia, or it could provide the Saudis with the infrastructure, material, and technical support they need to produce nuclear weapons themselves within a matter of years, as opposed to a decade or longer. **Not only has Pakistan provided** such **support in the past, but it is currently building two more heavy-water reactors** for plutonium production and a second chemical reprocessing facility **to extract plutonium** from spent nuclear fuel. In other words, **it might accumulate more fissile material than it needs** to maintain even a substantially expanded arsenal of its own. Alternatively, Pakistan might oªer an extended deterrent guarantee to Saudi Arabia and deploy nuclear weapons, delivery systems, and troops on Saudi territory, a practice that the United States has employed for decades with its allies. This arrangement could be particularly appealing to both Saudi Arabia and Pakistan. It would allow the Saudis to argue that they are not violating the npt since they would not be acquiring their own nuclear weapons. And an extended deterrent from Pakistan might be preferable to one from the United States because stationing foreign Muslim forces on Saudi territory would not trigger the kind of popular opposition that would accompany the deployment of U.S. troops. Pakistan, for its part, would gain financial benefits and international clout by deploying nuclear weapons in Saudi Arabia, as well as strategic depth against its chief rival, India. **The Islamabad option raises a host of difficult issues, perhaps the most worrisome being how India would respond. Would it target Pakistan’s weapons in Saudi Arabia with** its own conventional or **nuclear weapons**? **How would** this **expanded nuclear competition** **influence stability during a crisis in** either the Middle East or **South Asia?** Regardless of India’s reaction, **any decision by the Saudi government to seek** out **nuclear weapons,** by whatever means, **would be highly destabilizing.** **It would increase the incentives of other nation**s in the Middle East **to pursue nuclear weapons** of their own. **And it could increase their ability** to do so **by eroding** the remaining **barriers to nuclear proliferation**: each additional state that acquires nuclear weapons weakens the nonproliferation regime, even if its particular method of acquisition only circumvents, rather than violates, the NPT.

n-player competition

Were Saudi Arabia to acquire nuclear weapons, **the Middle East would count three nuclear-armed states, and perhaps more** before long. It is unclear how such an n-player competition would unfold because **most analyses of nuclear deterrence are based on the** U.S.- Soviet rivalry during **the Cold War. It seems likely**, however, **that the interaction among three or more nuclear**-armed **powers would be more prone to miscalculation and escalation** than a bipolar competition. During the Cold War, the United States and the Soviet Union only needed to concern themselves with an attack from the other. **Multipolar systems are generally considered to be less stable** than bipolar systems **because coalitions can shift quickly**, upsetting the balance of power and creating incentives for an attack. More important, **emerging nuclear powers in the Middle East might not take** the costly **steps** necessary **to preserve regional stability** **and avoid** a **nuclear exchange.** For nuclear-armed states, the bedrock of deterrence is the knowledge that each side has a secure second-strike capability, so that no state can launch an attack with the expectation that it can wipe out its opponents’ forces and avoid a devastating retaliation. However, **emerging nuclear powers might not invest in** expensive but **survivable capabilities** such as hardened missile silos or submarinebased nuclear forces. **Given** this likely **vulnerability, the close proximity of states** in the Middle East, **and the very short flight times of ballistic** **missiles** in the region, **any new nuclear powers might be compelled to “launch on warning**” of an attack **or** even, during a crisis, to **use** their nuclear forces **preemptively.** Their **governments might** also **delegate launch authority to lower-level commanders, heightening** the possibility of **miscalculation and escalation.** Moreover, if early warning systems were not integrated into robust command-and-control systems, the risk of an unauthorized or accidental launch would increase further still. And **without sophisticated early warning systems, a nuclear attack might be unattributable** or attributed incorrectly. That is, assuming that **the leadership** of a targeted state survived a first strike, it might not be able to accurately determine which nation was responsible. And this uncertainty, when combined with the pressure to respond quickly,would create a significant risk that it **would retaliate against the wrong party**, potentially **triggering a regional nuclear war.**

## AQAP

#### US intelligence investment in Yemen is paying off now – regularly take out AQAP through drones now

Clinton Watts, senior fellow with George Washington University’s Homeland Security Policy institute,” PBS Frontline Interview with Azmat Khan, May 29, 2012. <http://www.pbs.org/wgbh/pages/frontline/foreign-affairs-defense/al-qaeda-in-yemen/understanding-yemens-al-qaeda-threat/>

Several factors have led to the increase in AQAP’s manpower necessitating an increase in drone operations. First, the flow of Yemeni and Saudi foreign fighters to Iraq decreased substantially starting about 2008. Potential Yemeni Al Qaeda recruits as well as foreign fighters returning from Iraq bolstered AQAP’s ranks.¶ Second, Saudi Arabia effectively destroyed the first iteration of AQAP by the end of 2006, sending remnants of this first wave into Yemen.¶ Third, Al Qaeda — prior to bin Laden’s death — identified Yemen as an alternative safe haven to Pakistan and likely began redirecting operatives to Yemen. Finally, after bin Laden’s death in 2011, I would assume many operatives located in Afghanistan and Pakistan saw Yemen as the next opportunity for pursuing jihad. In total, the migration of Al Qaeda operatives to Yemen has brought with it increased targeting from drone strikes in recent months.¶ On the counterterrorism side, drone resources and intelligence support previously dedicated to the fight against Al Qaeda in Pakistan have likely been shifted to Yemen after the death of bin Laden, the successful dismantling of Al Qaeda’s networks in Pakistan and the Pakistani government’s restrictions on the use of drones beginning in 2011. …¶ Finally, I believe recent increases in drone engagements suggest the U.S. has finally dedicated enough intelligence resources in Yemen to generate sufficient targeting information to engage AQAP on a more regular basis.

#### Al Qaeda is not a threat. It is a very small, weak organization. Its ranks have dwindled. AQAP has no more than between 50 and 300 core operatives with little experience.

Seale 2011(Patrick, commentator and author of several books on Middle East affairs, “America’s Al Qaida Obsession”, November 11, 2011, http://gulfnews.com/opinions/columnists/america-s-al-qaida-obsession-1.928024)

His basic argument is that Al Qaida is by no means the strategic, existential threat it is made out to be by the pundits of terrorism. It is a small, weak organisation, with limited tactical aims — ‘more of a security irritant,’ Gerges maintains, ‘than a strategic threat.’ The figures are striking. At the height of its powers in the late 1990s, Al Qaida comprised some 3,000 to 4,000 armed fighters. Today, its ranks have dwindled to 300, if not fewer. In Afghanistan, there is now, for all practical purposes, no Al Qaida. The mistake the US continues to make in Afghanistan is to link the Taliban to Al Qaida, rejecting any separation between them. But they are very different. The Taliban are a local, essentially Pashtun force, dedicated to protecting the country’s tribal and Islamic traditions and ridding it of foreigners. Al Qaida — at least in its heyday — aspired to be a transnational movement.¶ Yemen is another country where Al Qaida is usually said to pose a major strategic threat. But, as Gerges argues, Al Qaida in the Arabian Peninsula (AQAP) — formed by the 2009 merger of the Saudi and Yemeni branches — has no more than between 50 and 300 core operatives, mostly semi-literate rookies with little combat experience.¶ Yet, a decade after September 11, overreaction is still the hallmark of the US war on terror. Americans and Westerners are fed a constant diet of catastrophic scenarios and scare tactics. The result, Gerges says, is that Americans have internalised an exaggerated fear of terrorism. Obama himself has bought ‘the doomsday scenario offered by his national security team.’ This American overreaction provides the oxygen that sustains Al Qaida.¶ The fear of terrorism has not only taken hold of the imagination of Americans, it also drives government policy. But all the war on terror really does, Gerges maintains, is legitimise Al Qaida’s failed ideology and expand the worldwide circle of the West’s enemies.

**No impact to Chemical Weapons**

**Smithson, 2005**

(Amy E., PhD, is a the project director for biological weapons at the Henry L. Stimson Center. “Likelihood of Terrorists Acquiring and Using Chemical or Biological Weapons”. http://www.stimson.org/cbw/?SN=CB2001121259]

**Chemical weapons formulas have been** published and **publicly available for decades**. Mustard agents came of age during World War I, and nerve agents were discovered in the mid-1930s. The **production processes used over seventy years ago are still viable**. The **ingredients and equipment** a group would need to produce these **agents are readily available** because they are also the same items that are used to make various commercial items that we use everyday---from ballpoint pens to plastics to ceramics to fireworks. Scientists with a solid chemical background could likely make certain agents in small quantities. However**, two factors stand in the way of manufacturing chemical agents for the purpose of mass casualty**. First, **the chemical reactions involved with the production of agents are dangerous: precursor chemicals can be volatile and corrosive, and** minor misjudgments or **mistakes** in processing **could easily result in the deaths of would-be weaponeers.** Second, **this danger grows when the amount of agent that would be needed to successfully mount a mass casualty attack is considered. Attempting to make sufficient quantities would require either a large, well-financed operation that would increase the likelihood of discovery or**, alternatively, **a long, drawn-out process of making small amoun**ts incrementally. These small quantities would then need to be stored safely in a manner that would not weaken the agent's toxicity before being released. **It would take 18 years for a basement-sized operation to produce the more than two tons of sarin gas that the Pentagon estimates would be necessary to kill 10,000 people, assuming the sarin was manufactured correctly at its top lethality.**

**Terrorists aren’t pursuing nukes**

**Wolfe 12 –** Alan Wolfe is Professor of Political Science at Boston College. He is also a Senior Fellow with the World Policy Institute at the New School University in New York. A contributing editor of The New Republic, The Wilson Quarterly, Commonwealth Magazine, and In Character, Professor Wolfe writes often for those publications as well as for Commonweal, The New York Times, Harper's, The Atlantic Monthly, The Washington Post, and other magazines and newspapers. March 27, 2012, "Fixated by “Nuclear Terror” or Just Paranoia?" [http://www.hlswatch.com/2012/03/27/fixated-by-“nuclear-terror”-or-just-paranoia-2/](http://www.hlswatch.com/2012/03/27/fixated-by-)

If one were to read the most recent unclassified report to Congress on the acquisition of technology relating to weapons of mass destruction and advanced conventional munitions, it does have a section on CBRN terrorism (note, not WMD terrorism). The intelligence community has a very toned down statement that says “several terrorist groups … probably remain interested in [CBRN] capabilities, but not necessarily in all four of those capabilities. … mostly focusing on low-level chemicals and toxins.” They’re talking about terrorists getting industrial chemicals and making ricin toxin, not nuclear weapons. And yes, Ms. Squassoni, it is primarily al Qaeda that the U.S. government worries about, no one else. The trend of worldwide terrorism continues to remain in the realm of conventional attacks. In 2010, there were more than 11,500 terrorist attacks, affecting about 50,000 victims including almost 13,200 deaths. None of them were caused by CBRN hazards. Of the 11,000 terrorist attacks in 2009, none were caused by CBRN hazards. Of the 11,800 terrorist attacks in 2008, none were caused by CBRN hazards.

**No successful detonation**

**Schneidmiller 9**(Chris, Experts Debate Threat of Nuclear, Biological Terrorism, 13 January 2009, http://www.globalsecuritynewswire.org/gsn/nw\_20090113\_7105.php)

There is an "almost vanishinglysmall" likelihood that terrorists would ever be able to acquire and detonate a nuclear weapon, one expert said here yesterday (see GSN, Dec. 2, 2008). In even the most likely scenario of nuclear terrorism, there are 20 barriers between extremists and a successful nuclear strike on a major city, said John Mueller, a political science professor at Ohio State University. The process itself is seemingly straightforward but exceedingly difficult -- buy or steal highly enriched uranium, manufacture a weapon, take the bomb to the target site and blow itup. Meanwhile, variables strewn across the path to an attack would increase the complexity of the effort, Mueller argued. Terrorists would have to bribe officials in a state nuclear program to acquire the material, while avoiding a sting by authorities or a scam by the sellers. The material itself could also turn out to be bad. "Once the purloined material is purloined, [police are] going to be chasing after you. They are also going to put on a high reward, extremely high reward, on getting the weapon back or getting the fissile material back," Mueller said during a panel discussion at a two-day Cato Institute conference on counterterrorism issues facing the incoming Obama administration. Smuggling the material out of a country would mean relying on criminals who "are very good at extortion" and might have to be killed to avoid a double-cross, Mueller said. The terrorists would then have to find scientists and engineers willing to giveup their normal lives to manufacture a bomb, which would require an expensive and sophisticated machine shop. Finally, further technological expertise would be needed to sneak the weapon across national borders to its destination point and conduct a successful detonation, Mueller said. Every obstacle is "difficult but not impossible" to overcome, Mueller said, putting the chance of success at no less than one in three for each. The likelihood of successfully passing through each obstacle, in sequence, would be roughly one in 3 1/2 billion, he said, but for argument's sake dropped it to 3 1/2 million. "It's a total gamble. This is a very expensive and difficult thing to do," said Mueller, who addresses the issue at greater length in an upcoming book, *Atomic Obsession*. "So unlike buying a ticket to the lottery ... you're basically putting everything, including your life, at stake for a gamble that's maybe one in 3 1/2 million or 3 1/2 billion." Other scenarios are even less probable, Mueller said. A nuclear-armed state is "exceedingly unlikely" to hand a weapon to a terrorist group, he argued: "States just simply won't give it to somebody they can't control." Terrorists are also not likely tobe able to steala whole weapon, Mueller asserted, dismissingthe idea of "loose nukes." Even Pakistan, which today is perhaps the nation of greatest concern regarding nuclear security, keeps its bombs in two segments that are stored at different locations, he said (see *GSN*, Jan. 12). Fear of an "extremely improbable event" such as nuclear terrorism produces support for a wide range of homeland security activities, Mueller said. He argued that there has been a major and costly overreaction to the terrorism threat -- noting that the Sept. 11 attacks helped to precipitate the invasion of Iraq, which has led to far more deaths than the original event. Panel moderator Benjamin Friedman, a research fellow at the Cato Institute, said academic and governmental discussions of acts of nuclear or biological terrorism have tended to focus on "worst-case assumptions about terrorists' ability to use these weapons to kill us." There is need for consideration for what is probable rather than simply what is possible, he said. Friedman took issue withthe finding late last year of an experts' report that an act of WMD terrorism would "more likely than not" occurin the next half decade unless the international community takes greater action. "I would say that the report, if you read it, actually offers no analysis to justify that claim**,** which seems to have been made to change policy by generating alarm in headlines." One panel speaker offered a partial rebuttal to Mueller's presentation. Jim Walsh, principal research scientist for the Security Studies Program at the Massachusetts Institute of Technology, said he agreed that nations would almost certainly not give anuclear weapon to a nonstate group, that most terrorist organizations have no interest in seeking out the bomb, and that it would be difficult to build a weaponor use one that has been stolen.

#### 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.

## Pakistan

#### Limiting targeted killings in Pakistan causes a shift to ground assaults---turns the case and collapses the Pakistani government

Richard Weitz 11, Senior Fellow and Director of the Center for Political-Military Analysis at the Hudson Institute, 1/2/11, “WHY UAVS HAVE BECOME THE ANTI-TERROR WEAPON OF CHOICE IN THE AFGHAN-PAK BORDER,” http://www.sldinfo.com/why-uavs-have-become-the-anti-terror-weapon-of-choice-in-the-afghan-pak-border/

Perhaps the most important argument in favor of using UAV strikes in northwest Pakistan and other terrorist havens is that alternative options are typically worse.

The Pakistani military has made clear that it is neither willing nor capable of repressing the terrorists in the tribal regions. Although the controversial ceasefire accords Islamabad earlier negotiated with tribal leaders have formally collapsed, the Pakistani Army has repeatedly postponed announced plans to occupy North Waziristan, which is where the Afghan insurgents and the foreign fighters supporting them and al-Qaeda are concentrated.

Such a move that would meet fierce resistance from the region’s population, which has traditionally enjoyed extensive autonomy. The recent massive floods have also forced the military to divert its assets to humanitarian purposes, especially helping the more than ten million displaced people driven from their homes.

But the main reason for their not attacking the Afghan Taliban or its foreign allies based in Pakistan’s tribal areas is that doing so would result in their joining the Pakistani Taliban in its vicious fight with the Islamabad government.

Yet, sending in U.S. combat troops on recurring raids or a protracted occupation of Pakistani territory would provoke widespread outrage in Pakistan and perhaps in other countries as well since the UN Security Council mandate for the NATO-led International Security Assistance Force (ISAF) in Afghanistan only authorizes military operations in Pakistan.

On the one known occasion when U.S. Special Forces actually conducted a ground assault in the tribal areas in 2008, the Pakistanis reacted furiously. On September 3, 2008, a U.S. Special Forces team attacked a suspected terrorist base in Pakistan’s South Waziristan region, killing over a dozen people. These actions evoked strong Pakistani protests. Army Chief of Staff Gen. Ashfaq Kayani, who before November 2007 had led Pakistan’s Inter-Services Intelligence (ISI), issued a written statement denying that “any agreement or understanding [existed] with the coalition forces” [in Afghanistan] allowing them to strike inside Pakistan.” The general pledged to defend Pakistan’s sovereignty and territorial integrity “at all cost.” Prime Minister Yousaf Raza Gilani and President Asif Ali Zardari also criticized the U.S. ground operation on Pakistani territory. On September 16, 2008, the Pakistani army announced it would shoot any U.S. forces attempting to cross the Afghan-Pakistan border.

On several occasions since then, Pakistani troops and militia have fired at what they believed to be American helicopters flying from Afghanistan to deploy Special Forces on their territory, though there is no conclusive evidence that the U.S. military has ever attempted another large-scale commando raid in Pakistan after the September 2008 incident.

Further large-scale U.S. military operations into Pakistan could easily rally popular support behind the Taliban and al-Qaeda. It might even precipitate the collapse of the Islambad government and its replacement by a regime in nuclear-armed Pakistan that is less friendly to Washington.

Given these alternatives, continuing the drone strikes appears to be the best of the limited options available to deal with a core problem, giving sanctuary to terrorists striking US and coalition forces in Afghanistan and beyond.

#### Drones crush terrorists and solve militant takeover in Pakistan – no anti-americanism in tribal areas now

**Nadim 2012** (Hussain Nadim, visiting scholar at the Woodrow Wilson Center, August 8, 2012, "How Drones Changed the Game in Pakistan," National Interest, nationalinterest.org/how-drones-changed-the-game-pakistan-7290)

Regardless of what the news agencies in Pakistan claim about the negative effects of drone strikes, the weapon is proving to be a game changer for the U.S. war on terrorism. And surprisingly, the Pakistani Army quietly admits to this fact. Just the way Stinger missiles shifted the balance of power in favor of the United States in the 1980s, drones are producing the same results.¶ The critics of unmanned strikes, who claim that drones are contributing to growing radicalization in Pakistan, haven’t looked around enough—or they would realize that much of the radicalization already was established by the Taliban in the 1990s. The real tragedy is that it is acceptable for the Taliban to radicalize and kill, but it is considered a breach of sovereignty for the United States, in pursuit of those radicalizing Pakistan’s people, to do the same.¶ There is so much protest over the drones because the media reports about them are biased. Although people on ground in war zones contend that the drone strikes have very few civilian casualties and, with time, have become extremely precise, the media presents quite a different story to boost its ratings.¶ Many in Pakistan, especially in the army, understand the positive impact of this weapon. Drones are coming in handy for two reasons: their precision and psychological effect. Many analysts of this subject have been concerned only with the military aspect, such as whether or not drones are precise enough and the casualties they incur. But part of what works in favor of the United States is the psychological impact—the fear that drones have instilled in the militants. The fact that the United States might strike day or night, inside the militant compound or outside while traveling in the convoys, works to deter militants and restrict their operations. This tilts the balance of power in favor of the United States.¶ Most of the people in the Pakistani Army whom I interviewed on the subject were positive about the drone strikes and their direct correlation with a decrease in terrorist attacks in Pakistan. The majority focused on the psychological impact of the drones and how they have put militants on the run, forcing them to sleep under trees at night, though it must be said that army officials showed some concern about cases in which the same psychological impact is experienced by civilians.¶ Locals I talked to are frustrated over the fear that they might get hit by a drone if the militants are hiding in their neighborhood. But this frustration may have a positive impact as it motivates civilians to flush out and close doors to militants who seek refuge in their areas.¶ Surprisingly, there isn’t as much anti-Americanism as one would suspect in areas where the United States is conducting drone strikes, largely because the locals are fed up with the influx of militants in their areas and have suffered because of terrorism. However, urban centers, which have suffered the least from terrorism, are far more radicalized and anti-American. Hence, we see large anti-drone rallies in the cities of Punjab, where people have little first-hand experience with drones. The anti-American lot in these places will start a rally for any reason at all as long as they get to burn a few American flags.

#### No Indo-Pak war

Mutti 9— Master’s degree in International Studies with a focus on South Asia, U Washington. BA in History, Knox College. over a decade of expertise covering on South Asia geopolitics, Contributing Editor to Demockracy journal (James, 1/5, Mumbai Misperceptions: War is Not Imminent, http://demockracy.com/four-reasons-why-the-mumbai-attacks-wont-result-in-a-nuclear-war/)

Fearful of imminent war, the media has indulged in frantic hand wringing about Indian and Pakistani nuclear arsenals and renewed fears about the Indian subcontinent being “the most dangerous place on earth.” As an observer of the subcontinent for over a decade, I am optimistic that war will not be the end result of this event. As horrifying as the Mumbai attacks were, they are not likely to drive India and Pakistan into an armed international conflict. The media frenzy over an imminent nuclear war seems the result of the media being superficially knowledgeable about the history of Indian-Pakistani relations, of feeling compelled to follow the most sensationalistic story, and being recently brainwashed into thinking that the only way to respond to a major terrorist attack was the American way – a war. Here are four reasons why the Mumbai attacks will not result in a war: 1. For both countries, a war would be a disaster. India has been successfully building stronger relations with the rest of the world over the last decade. It has occasionally engaged in military muscle-flexing (abetted by a Bush administration eager to promote India as a counterweight to China and Pakistan), but it has much more aggressively promoted itself as an emerging economic powerhouse and a moral, democratic alternative to less savory authoritarian regimes. Attacking a fledgling democratic Pakistan would not improve India’s reputation in anybody’s eyes. The restraint Manmohan Singh’s government has exercised following the attacks indicates a desire to avoid rash and potentially regrettable actions. It is also perhaps a recognition that military attacks will never end terrorism. Pakistan, on the other hand, couldn’t possibly win a war against India, and Pakistan’s military defeat would surely lead to the downfall of the new democratic government. The military would regain control, and Islamic militants would surely make a grab for power – an outcome neither India nor Pakistan want. Pakistani president Asif Ali Zardari has shown that this is not the path he wants his country to go down. He has forcefully spoken out against terrorist groups operating in Pakistan and has ordered military attacks against LeT camps. Key members of LeT and other terrorist groups have been arrested. One can hope that this is only the beginning, despite the unenviable military and political difficulties in doing so. 2. Since the last major India-Pakistan clash in 1999, both countries have made concrete efforts to create people-to-people connections and to improve economic relations. Bus and train services between the countries have resumed for the first time in decades along with an easing of the issuing of visas to cross the border. India-Pakistan cricket matches have resumed, and India has granted Pakistan “most favored nation” trading status. The Mumbai attacks will undoubtedly strain relations, yet it is hard to believe that both sides would throw away this recent progress. With the removal of Pervez Musharraf and the election of a democratic government (though a shaky, relatively weak one), both the Indian government and the Pakistani government have political motivations to ease tensions and to proceed with efforts to improve relations. There are also growing efforts to recognize and build upon the many cultural ties between the populations of India and Pakistan and a decreasing sense of animosity between the countries. 3. Both countries also face difficult internal problems that present more of a threat to their stability and security than does the opposite country. If they are wise, the governments of both countries will work more towards addressing these internal threats than the less dangerous external ones. The most significant problems facing Pakistan today do not revolve around the unresolved situation in Kashmir or a military threat posed by India. The more significant threat to Pakistan comes from within. While LeT has focused its firepower on India instead of the Pakistani state, other militant Islamic outfits have not. Groups based in the tribal regions bordering Afghanistan have orchestrated frequent deadly suicide bombings and clashes with the Pakistani military, including the attack that killed ex-Prime Minister Benazir Bhutto in 2007. The battle that the Pakistani government faces now is not against its traditional enemy India, but against militants bent on destroying the Pakistani state and creating a Taliban-style regime in Pakistan. In order to deal with this threat, it must strengthen the structures of a democratic, inclusive political system that can also address domestic problems and inequalities. On the other hand, the threat of Pakistani based terrorists to India is significant. However, suicide bombings and attacks are also carried out by Indian Islamic militants, and vast swaths of rural India are under the de facto control of the Maoist guerrillas known as the Naxalites. Hindu fundamentalists pose a serious threat to the safety of many Muslim and Christian Indians and to the idea of India as a diverse, secular, democratic society. Separatist insurgencies in Kashmir and in parts of the northeast have dragged on for years. And like Pakistan, India faces significant challenges in addressing sharp social and economic inequalities. Additionally, Indian political parties, especially the ruling Congress Party and others that rely on the support of India’s massive Muslim population to win elections, are certainly wary about inflaming public opinion against Pakistan (and Muslims). This fear could lead the investigation into the Mumbai attacks to fizzle out with no resolution, as many other such inquiries have. 4. The international attention to this attack – somewhat difficult to explain in my opinion given the general complacency and utter apathy in much of the western world about previous terrorist attacks in places like India, Pakistan, and Indonesia – is a final obstacle to an armed conflict. Not only does it put both countries under a microscope in terms of how they respond to the terrible events, it also means that they will feel international pressure to resolve the situation without resorting to war. India and Pakistan have been warned by the US, Russia, and others not to let the situation end in war. India has been actively recruiting Pakistan’s closest allies – China and Saudi Arabia – to pressure Pakistan to act against militants, and the US has been in the forefront of pressing Pakistan for action. Iran too has expressed solidarity with India in the face of the attacks and is using its regional influence to bring more diplomatic pressure on Pakistan.

**War won’t go nuclear**

**Enders 2** (Jan 30, David, Michigan Daily, “Experts say nuclear war still unlikely,” http://www.michigandaily.com/content/experts-say-nuclear-war-still-unlikely)

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**\* Paul Huth – Professor of International Conflict and Security Affairs at the University of Maryland**

**\* Kenneth Lieberthal – Professor of Political Science at the University of Michigan. Former special assistant to President Clinton at the National Security Council**

University political science Prof. Ashutosh **Varshney** becomes animated **when asked about the likelihood of nuclear war between India and Pakistan.¶ "Odds are close to zero," Varshney said forcefully**, standing up to pace a little bit in his office. "**The assumption that India and Pakistan cannot manage their nuclear arsenals as well as the U.S.S.R. and U.S. or Russia and China concedes less to the intellect of leaders in both India and Pakistan than would be warranted."¶** The worlds two youngest nuclear powers first tested weapons in 1998, sparking fear of subcontinental nuclear war a fear Varshney finds ridiculous.¶ "**The decision makers are aware of what nuclear weapons are, even if the masses are not," he said.**¶ "Watching **the evening news**, CNN, I think they **have vastly overstated the threat of nuclear war,"** political science Prof. Paul **Huth said.¶ Varshney added that there are numerous factors working against the possibility of nuclear war.¶ "India is committed to** a **n**o-**f**irst-**s**trikepolicy**," Varshney said. "It is virtually impossible for Pakistan to** go for a **first strike, because the retaliation would be gravely dangerous."¶** Political science Prof. Kenneth **Lieberthal,** a former special assistant to President Clinton at the National Security Council, **agreed**. "Usually a country that is in the position that **Pakistan** is in **would not shift to a level that would ensure their total destruction,**" Lieberthal said, making note of India"s considerably larger nuclear arsenal.¶ "**American intervention is another reason not to expect nuclear war," Varshney said. "If anything has happened since September 11, it is that the command control system has strengthened. The trigger is in very safe hands."**

#### Pakistan instability inevitable – economy, education, poor governance

Javaid ’11 (Umbreen, Director Center of Asian Studies & Chairperson Department of political science University of Punjab, “Thriving Fundamentalism and Militancy in Pakistan An Analytical Overview of their Impact on the Society,” South Asian Studies, Vol. 26 No. 1. Pg. 16-17)  
 ‘The recent increase of violence by jihadi groups, including suicide bombing of ¶ innocent bystanders as well attacks on the police and military, has perhaps brought ¶ more Pakistanis to consider how to strike a new balance between Islam and ¶ politics’ (Oldenburg, 2010: 158). ‘The Pakistani people also need to change their ¶ attitude, especially their outlook on religion. Suffered with anti-Americanism and ¶ religious fervor, Pakistanis are filtering their worldview through the prism of ¶ religion and the tensions between Islam and the West, making them to the radical ¶ propaganda and paralyzing their will to act against forces of extremism’ (Hussain, ¶ 2009: 11). mbreen Javaid Thriving Fundamentalism and ¶ 17¶ It is not only the task of the government to control this growing ¶ fundamentalism but the whole society needs to completely shun off these ¶ extremists. The political parties, intellectuals, sectarian and religious parties and ¶ the masses all have to openly condemn the extremists, so that they do not find any ¶ space to flourish. ‘Much still needs to be done on the home front curb religious ¶ zealotry and sectarianism, policies towards minorities, revision of school curricula, ¶ reconstructing ‘official’ history, promotion of universal education, and ¶ overhauling of the madrassah system’ (Niaz, 2011: 181). The best way to curtail the thriving fundamentalism in Pakistan is to look ¶ deeply into its causes. The whole society and especially the government needs to ¶ put in serious efforts in controlling on checking the causes if not diminishing ¶ them. It should also be understand that the issue of fundamentalism is very ¶ complex which entails number of factors which are playing their part. These ¶ include economic disparity, lack of education, religious ignorance, unemployment, ¶ extremism, judicial system, poor governance, ethnicity and sectarianism, ¶ corruption and alignment with United States, each of these have played their role ¶ separately and also a combined mix of all in flourishing militant fundamentalism ¶ in Pakistan. To control fundamentalism is not an easy task especially when it is ¶ now combined with militancy. Another major challenge for the government is that ¶ earlier the various militant extremist groups were operating separately and had ¶ divergent aims and objectives from each other but lately various local groups, AlQaeda and Taliban have all joined hands and helping each other irrespective of ¶ their particular objectives. These alignments have made these militant groups more ¶ lethal, thus making things more difficult for the government. ¶ Militant fundamentalism not only has the ability to destabilize Pakistan but it ¶ can, if not controlled, bring about serious security concerns for the region and also ¶ towards the global security and peace.

#### Pakistan instability inevitable – Afghan wars

Bruce Riedel, Senior Fellow, Foreign Policy, Saban Center for Middle East Policy, Center for 21st Century Security and Intelligence, Panel “THE BROOKINGS INSTITUTION¶ THE UNITED STATES, INDIA, AND PAKISTAN:¶ TO THE BRINK AND BACK,” Brookings, February 26, 2013.

MS. BROWN: How much has the war in Afghanistan been a bad thing ¶ for Pakistan? If you talk to certain people who are friendly towards Pakistan they say, ¶ well, so much of their turbulence and instability and terrorism has been caused by ¶ refugees coming from Afghanistan, radical elements coming from Afghanistan. Is there ¶ any truth in that?¶ MR. RIEDEL: There is, there's a lot of truth.¶ We see this as a war that's now 10 years old. Afghans and Pakistanis ¶ see this as a war that's 30 years old. If you look at it in those terms, Pakistan has ¶ suffered tremendously. The coalition across culture that dominates Pakistani cities today ¶ that makes places like Quetta or Karachi murder capitals of the world is a product of the ¶ spillover from all of these Afghan wars. Not just the current one, but all of these Afghan ¶ wars.

## 2NC Executive Restraint

### Solves Better

#### CP solves better- statutory is bound to fail and makes the impacts worse- executive exploits increasing Congressional limits

Moe and Howell 99

(Terry, prof of political science @ Stanford, and William, Associate Prof @ Harvard, "The Presidental Power of Unilateral Action") KH

While Congress will sometimes have incentives to make broad delegations, legislators are more often likely to see the value in putting statutory restrictions on what presidents can do. Presidents, after all, have broad national constituencies, are less susceptible to pressures from special interest groups, are concerned about their historical legacies as strong national leaders, and in general have different political stakes in policy than parochially oriented legislators do-and the coalitions behind particular pieces of legislation, especially on domestic issues, will often have good reason to fear that presidents might use any discretion delegated them in unwanted ways. If so, they will want to constrain the president's powers of unilateral action through narrow and strategically crafted delegations (Moe, 1990; Epstein and O'Halloran, 1999).

How well can this be expected to work? To begin with, legislators can only go so far with a strategy of truly narrow delegations. They are fundamentally concerned with making constituents happy, and thus with ensuring the flow of benefits. For policies of even moderate complexity in an ever-changing world, this unavoidably calls for placing most decisions in the hands of executives and allowing them to use their own expert judgment in fleshing out the details. Like the founders, then, the best legislators can do is to write statutory analogues to incomplete contracts, and thus to set up governing structures that, while perhaps restrictive in certain ways, still contain substantial discretion. And once these statutory governing structures are set up, it is the president and the agencies who do the governing, not the Congress.

To the extent that legislators find themselves proposing highly restrictive delegations, moreover, they have to reckon with the fact that presidents are pivotal players in the legislative process. They can veto any piece of legislation they want, and if they do, it is exceedingly difficult for Congress to override them. (Empirically, only about 7% of presidential vetoes have been overridden; see Cronin and Genovese, 1998). Since everyone is aware ex ante of how consequential the veto can be, presidents will have a major say in shaping the content of legislation, and as they do they will be highly sensitive to how legislation stands to affect their own formal power. Among other things, they will push hard for provisions that give them as much discretion as possible, and they will seriously discourage provisions that limit their prerogatives.

Even when restrictions are included in final bills, Congress faces the problem of making them stick in practice-for a president will not be easy to control once governing shifts to his bailiwick. In part, this is due to the same problem that owners face in trying to control the management of a private firm, for managers-like presidents and their agencies-have expertise, experience, and operational leverage that allow them to engineer outcomes to their own advantage. Although expected to faithfully execute the laws, managers have a very substantial capacity to shirk. The problem that Congress faces, however, is even more severe than this classic economic analogy can suggest. The president possesses all the resources for shirking that the corporate manager does, but his position is far stronger, precisely because he is not really Congress's agent. He is not a subordinate, but a coequal authority. As a result, Congress cannot hire him, cannot fire him, and cannot structure his powers and incentives in any way it might like, yet it is forced to entrust the execution of the laws to his hands. From a control standpoint, this is a nightmare come true.

Finally, whatever the discretion contained in specific pieces of legislation, and whatever opportunities for shirking they open up, it is crucial to recognize that the president is greatly empowered by the sheer proliferation of statutes over time. In part, the reasons are pretty obvious. When new statutes are passed, almost whatever they are, they increase the president's total responsibilities and give him a formal basis for extending his authoritative reach into new realms. At the same time, they add to the total discretion available for presidential control, as well as to the resources contained within the executive.

Less obviously, though, the proliferation of statutes creates substantial ambiguity about what the "take care" clause ought to mean in operation, ambiguity that presidents can use to their great advantage (Corwin, 1973, 1984). While it may seem that the burgeoning corpus of legislative requirements would tie the president up in knots, the aggregate impact is liberating. For the president, as chief executive, is responsible for all the laws, and inevitably the laws turn out to be interdependent and conflicting in ways that the individual statutes themselves do not recognize. In the aggregate, what they require of him is ambiguous. The president's proper role, as would be true for any executive, is to rise above a myopic focus on each statute in isolation, to coordinate policies by taking account of their interdependence, and to resolve statutory conflicts by balancing their competing requirements. All of this affords him enormous discretion to impose his own priorities on government unilaterally and to push out the boundaries of his own power-claiming all the while that he is faithfully executing the laws.

Even though presidents are mere executives, then, charged with "taking care that the laws be faithfully executed," Congress cannot be expected to use statutory constraints with great effectiveness in restricting the expansion of presidential power.

### AT Rollback

**CP constrains future Presidents – it creates a legal framework**

**Brecher**, JD University of Michigan, December **2012**

(Aaron, Cyberattacks and the Covert Action Statute, 111 Mich. L. Rev. 423, Lexis)

The executive might also issue the proposed order, even though it would limit her freedom in some ways, because of the possible benefits of **constraining future administrations** or preempting legislative intervention. n149 For example, in this context, an administration may choose to follow the finding and reporting requirements in order to convince Congress that legislative intervention is unnecessary for proper oversight. This is acceptable if the covert action regime is in fact adequate on its own. Moreover, if greater statutory control over cyberattacks is needed, the information shared with Congress may give Congress the tools and knowledge of the issue necessary to craft related legislation. n150 Additionally, while executive orders are hardly binding, **the inertia following adoption of an order may help constrain future administrations**, which may be more or less trustworthy than the current one. **Creating a presumption through an executive order** also **establishes a stable legal framework** for cyberattacks that allows law to follow policy in this new field, and permits decisionmakers to learn more about the nature of cyberoperations before passing detailed statutes that may result in unintended consequences.

**Epirics prove**

**Jensen**, JD Drake University, Summer **2012**

(Jase, FIRST AMERICANS AND THE FEDERAL GOVERNMENT, 17 Drake J. Agric. L. 473, Lexis)

At the historic 1994 meeting with the tribes, President Clinton signed a Presidential memorandum which provided executive departments and agencies with principles to guide interaction with and policy concerning Indian tribes. n83 President Clinton sought to ensure that the government recognizes that it operates on a government-to-government relationship with the federally recognized tribes. n84 Agencies were to consult with tribes prior to taking action which would affect them, consider tribal impact regarding current programs and policies, and remove barriers to communication. n85

Toward the end of Clinton's second term he issued an executive order which provided the executive branch with more detailed directions on how to implement the broader policy of government-to-government tribal consultation set forth in the 1994 memorandum. n86 **The order had a stronger binding effect on future administrations**. President Clinton signed Executive Order 13175 on November 6, 2000, and the order went into effect on January 5, 2001. n87 The order was binding upon all executive departments and executive agencies and all independent agencies were encouraged to comply with the order on a voluntary basis. n88 Each agency was required to designate an official which is to head the crea [\*486] tion of a tribal consultation plan, prepare progress reports, and ensure compliance with Executive Order 13175. n89

### AT Signal

#### Executive action, not congressional *inaction,* is what is setting the international precedent on executive war powers-drones prove

Roberts 2013

[Kristin Roberts, News editor, March 22nd, 2013, When the Whole World Has Drones, <http://www.nationaljournal.com/magazine/when-the-whole-world-has-drones-20130321>, uwyo//amp]

America, the world’s leading democracy and a country built on a legal and moral framework unlike any other, has adopted a war-making process that too often bypasses its traditional, regimented, and rigorously overseen military in favor of a secret program never publicly discussed, based on legal advice never properly vetted. The Obama administration has used its executive power to refuse or outright ignore requests by congressional overseers, and it has resisted monitoring by federal courts. To implement this covert program, the administration has adopted a tool that lowers the threshold for lethal force by reducing the cost and risk of combat. This still-expanding counterterrorism use of drones to kill people, including its own citizens, outside of traditionally defined battlefields and established protocols for warfare, has given friends and foes a green light to employ these aircraft in extraterritorial operations that could not only affect relations between the nation-states involved but also destabilize entire regions and potentially upset geopolitical order. “I don’t think there is enough transparency and justification so that we remove not the secrecy, but the mystery of these things.”—Dennis Blair, former director of national intelligence Hyperbole? Consider this: Iran, with the approval of Damascus, carries out a lethal strike on anti-Syrian forces inside Syria; Russia picks off militants tampering with oil and gas lines in Ukraine or Georgia; Turkey arms a U.S.-provided Predator to kill Kurdish militants in northern Iraq who it believes are planning attacks along the border. Label the targets as terrorists, and in each case, Tehran, Moscow, and Ankara may point toward Washington and say, we learned it by watching you. In Pakistan, Yemen, and Afghanistan. This is the unintended consequence of American drone warfare. For all of the attention paid to the drone program in recent weeks—about Americans on the target list (there are none at this writing) and the executive branch’s legal authority to kill by drone outside war zones (thin, by officials’ own private admission)—what goes undiscussed is Washington’s deliberate failure to establish clear and demonstrable rules for itself that would at minimum create a globally relevant standard for delineating between legitimate and rogue uses of one of the most awesome military robotics capabilities of this generation.

#### Fourth, Exec action helps later overcome legislative obstacles- means CP solves all of the aff

Bernstein 2013

[Jonathan Bernstein is a political scientist who writes about American politics, especially the presidency, Congress, parties and elections., January 17th, 2013, In the Three Branches, Sharing is Caring, http://prospect.org/article/three-branches-sharing-caring, uwyo//amp]

Given all that, both sides really can have incentives to cut a deal in many cases. It takes a president who is willing to use all the tools of his office…but also one who is good at negotiating. It also, and this might be the biggest problem for Obama, requires an opposition which is willing to cut a deal for incremental gains, even if it allows the president to walk away a winner (albeit less of an immediate policy winner than he might have been acting alone). It’s not clear that House Republicans are willing to do that. Congressional Republicans might not look right now as if they could be real bargaining partners, but we don’t really know how it will play out. Presidents can never force Congress to act – they can’t even always force the bureaucracy to act. And there’s little that they can do to affect public opinion; in this case, it’s especially unlikely that Barack Obama can affect the views of those constituents House Republicans are most responsive to. What presidents can do is to act where they have the authority to do so, and there’s plenty that entails in gun safety, for climate, for immigration, and on many other issues. And by threatening to act, they can at least try to change the incentives for opposition Members of Congress, pushing them to see that legislative gridlock might not be their best option. Obama hasn’t done nearly as much as he could do so far, but perhaps his efforts on gun violence are a sign of things to come in his second term. If so, it might be a lot more productive than a lot of people expect. All in all, however, whether it’s gun violence, immigration, or even health care, the combination of executive orders and negotiation with Congress can be a potent tool for any president. Barack Obama hasn’t used it much, yet; he didn’t need it too often in his first two years, and he didn’t turn to it much once Republicans took the House. But I suspect it’s going to be a major weapon for him during his second term. At least, it certainly should be.

#### Solves blowback and transparency

Daskal 13

[Jennifer Daskal, Fellow and Adjunct Professor, Georgetown Center on National Security and the Law, Georgetown University Law Center, April 2013, ARTICLE: THE GEOGRAPHY OF THE BATTLEFIELD: A FRAMEWORK FOR DETENTION AND TARGETING OUTSIDE THE "HOT" CONFLICT ZONE, 161 U. Pa. L. Rev. 1165]

4. Procedural Requirements

Currently, officials in the executive branch carry out all such ex ante review of out-of-battlefield targeting and detention decisions, reportedly with the involvement of the President, but **without any binding** and **publicly articulated standards governing the exercise of these authorities**. n163 All ex post review of targeting is also done internally within the executive branch. There is no public accounting, or even acknowledgment, of most strikes, their success and error rates, or the extent of any collateral damage. Whereas the Department of Defense provides solatia or condolence payments to Afghan civilians who are killed or injured as a result of military actions in Afghanistan (and formerly did so in Iraq), there is no equivalent effort in areas outside the active conflict zone. n164

Meanwhile, the degree of ex post review of detention decisions depends on the location of detention as opposed to the location of capture. Thus, [\*1219] Guantanamo detainees are entitled to habeas review, but detainees held in Afghanistan are not, even if they were captured far away and brought to Afghanistan to be detained. n165

Enhanced ex ante and ex post procedural protections for both detention and targeting, coupled with transparency as to the standards and processes employed, serve several important functions: they can minimize error and abuse by creating time for advance reflection, correct erroneous deprivations of liberty, create endogenous incentives to avoid mistake or abuse, **and increase the legitimacy of** state **action**.

a. Ex Ante Procedures

Three key considerations should guide the development of ex ante procedures. First, any procedural requirements must reasonably respond to the need for secrecy in certain operations. Secrecy concerns cannot, for example, justify the lack of transparency as to the substantive targeting standards being employed. There is, however, a legitimate need for the state to protect its sources and methods and to maintain an element of surprise in an attack or capture operation. Second, contrary to oft-repeated rhetoric about the ticking time bomb, few, if any, capture or kill operations outside a zone of active conflict occur in situations of true exigency. n166 Rather, there is often the time and need for advance planning. In fact, advance planning is often necessary to minimize damage to one's own troops and nearby civilians. n167 Third, the procedures and standards employed must be transparent and sufficiently credible to achieve the desired legitimacy gains.

These considerations suggest the value of an independent, formalized, ex ante review system. Possible models include the Foreign Intelligence [\*1220] Surveillance Court (FISC), n168 or a FISC-like entity composed of military and intelligence officials and military lawyers, in the mode of an executive branch review board. n169

Created by the Foreign Intelligence Surveillance Act (FISA) in 1978, n170 the FISC grants ex parte orders for electronic surveillance and physical searches, among other actions, based on a finding that a "significant purpose" of the surveillance is to collect "foreign intelligence information." n171 The Attorney General can grant emergency authorizations without court approval, subject to a requirement that he notify the court of the emergency authorization and seek subsequent judicial authorization within seven days. n172 The FISC also approves procedures related to the use and dissemination of collected information. By statute, heightened restrictions apply to the use and dissemination of information concerning U.S. persons. n173 Notably, the process has been extraordinarily successful in protecting extremely sensitive sources and methods. To date, there has never been an unauthorized disclosure of an application to or order from the FISC court.

An ex parte review system for targeting and detention outside zones of active hostility could operate in a similar way. Judges or the review board would approve selected targets and general procedures and standards, while still giving operators wide rein to implement the orders according to the approved standards. Specifically, the court or review board would determine whether the targets meet the substantive requirements and would [\*1221] evaluate the overarching procedures for making least harmful means-determinations, but would leave target identification and time-sensitive decisionmaking to the operators. n174

Moreover, there should be a mechanism for emergency authorizations at the behest of the Secretary of Defense or the Director of National Intelligence. Such a mechanism already exists for electronic surveillance conducted pursuant to FISA. n175 These authorizations would respond to situations in which there is reason to believe that the targeted individual poses an imminent, specific threat, and in which there is insufficient time to seek and obtain approval by a court or review panel as will likely be the case in instances of true imminence justifying the targeting of persons who do not meet the standards applicable to operational leaders. As required under FISA, the reviewing court or executive branch review board should be notified that such an emergency authorization has been issued; it should be time-limited; and the operational decisionmakers should have to seek court or review board approval (or review, if the strike has already taken place) as soon as practicable but at most within seven days. n176

Finally, and critically, given the stakes in any application namely, the deprivation of life someone should be appointed to represent the potential target's interests and put together the most compelling case that the individual is not who he is assumed to be or does not meet the targeting criteria.

The objections to such a proposal are many. In the context of proposed courts to review the targeting of U.S. citizens, for example, some have argued that such review would serve merely to institutionalize, legitimize, and expand the use of targeted drone strikes. n177 But this ignores the reality of their continued use and expansion and imagines a world in which targeted [\*1222] killings of operational leaders of an enemy organization outside a zone of active conflict is categorically prohibited (an approach I reject n178). If states are going to use this extraordinary power (and they will), there ought to be a clear and transparent set of applicable standards and mechanisms in place to ensure thorough and careful review of targeted-killing decisions. The formalization of review procedures along with clear, binding standards will help to avoid ad hoc decisionmaking and will ensure consistency across administrations and time.

Some also condemn the ex parte nature of such reviews. n179 But again, this critique fails to consider the likely alternative: an equally secret process in which targeting decisions are made without any formalized or institutionalized review process and no clarity as to the standards being employed. Institutionalizing a court or review board will not solve the secrecy issue, but it will lead to enhanced scrutiny of decisionmaking, particularly if a quasi-adversarial model is adopted, in which an official is obligated to act as advocate for the potential target.

That said, there is a reasonable fear that any such court or review board will simply defer. In this vein, FISC's high approval rate is cited as evidence that reviewing courts or review boards will do little more than rubber-stamp the Executive's targeting decisions. n180 But the high approval rates only tell part of the story. In many cases, the mere requirement of justifying an application before a court or other independent review board can serve as an internal check, creating endogenous incentives to comply with the statutory requirements and limit the breadth of executive action. n181 Even if this system does little more than increase the attention paid to the stated requirements and expand the circle of persons reviewing the factual basis for the application, those features in and of themselves can lead to increased reflection and restraint.

Additional accountability mechanisms, such as civil or criminal sanctions in the event of material misrepresentations or omissions, the granting of far-reaching authority to the relevant Inspectors General, and meaningful ex post review by Article III courts, n182 are also needed to help further minimize abuse.

Conversely, some object to the use of courts or court-like review as stymying executive power in wartime, and interfering with the President's Article II powers. n183 According to this view, it is dangerous and potentially unconstitutional to require the President's wartime targeting decisions to be subject to additional reviews. These concerns, however, can be dealt with through emergency authorization mechanisms, the possibility of a presidential override, and design details that protect against ex ante review of operational decisionmaking. The adoption of an Article II review board, rather than an Article III-FISC model, further addresses some of the constitutional concerns.

Some also have warned that there may be no "case or controversy" for an Article III, FISC-like court to review, further suggesting a preference for an Article II review board. n184 That said, similar concerns have been raised with respect to FISA and rejected. n185 Drawing heavily on an analogy to courts' roles in issuing ordinary warrants, the Justice Department's Office of Legal Counsel concluded at the time of enactment that a case and controversy existed, even though the FISA applications are made ex parte. n186 [\*1224] Here, the judges would be issuing a warrant to kill rather than surveil. While this is significant, it should not fundamentally alter the legal analysis. n187 As the Supreme Court has ruled, killing is a type of seizure. n188 The judges would be issuing a warrant for the most extreme type of seizure. n189

It is also important to emphasize that a reviewing court or review board would not be "selecting" targets, but determining whether the targets chosen by executive branch officials met substantive requirements much as courts do all the time when applying the law to the facts. Press accounts indicate that the United States maintains lists of persons subject to capture or kill operations lists created in advance of specific targeting operations and reportedly subject to significant internal deliberation, including by the President himself. n190 A court or review board could be incorporated into the existing ex ante decisionmaking process in a manner that would avoid interference with the conduct of specific operations reviewing the target lists but leaving the operational details to the operators. As suggested above, emergency approval mechanisms could and should be available to deal with exceptional cases where ex ante approval is not possible.

Additional details will need to be addressed, including the temporal limits of the court's or review board's authorizations. For some high-level operatives, inclusion on a target list would presumably be valid for some set period of [\*1225] time, subject to specific renewal requirements. Authorizations based on a specific, imminent threat, by comparison, would need to be strictly time-limited, and tailored to the specifics of the threat, consistent with what courts regularly do when they issue warrants.

In the absence of such a system, the President ought to, at a minimum, issue an executive order establishing a transparent set of standards and procedures for identifying targets of lethal killing and detention operations outside a zone of active hostilities. n192 To enhance legitimacy, the procedures should include target list reviews and disposition plans by the top official in each of the agencies with a stake in the outcome the Secretary of Defense, the Director of the CIA, the Secretary of State, the Director of Homeland Security, and the Director of National Intelligence, with either the Secretary of Defense, Director of National Intelligence, or President himself, responsible for final sign-off. n193 In all cases, decisions should be unanimous, or, in the absence of consensus, elevated to the President of the United States. n194 Additional details will need to be worked out, including critical questions about the standard of proof that applies. Given the stakes, a clear and convincing evidentiary standard is warranted. n195

While this proposal is obviously geared toward the United States, the same principles should apply for all states engaged in targeting operations. n196 States would ideally subject such determinations to independent review or, alternatively, clearly articulate the standards and procedures for their decisionmaking, thus enhancing accountability.

b. Ex Post Review

For targeted-killing operations, ex post reviews serve only limited purposes. They obviously cannot restore the target's life. But retrospective review either by a FISC-like court or review board can serve to identify errors or overreaching and thereby help avoid future mistakes. This can, and ideally would, be supplemented by the adoption of an additional Article III damages mechanism. n197 At a minimum, the relevant Inspectors General should engage in regular and extensive reviews of targeted-killing operations. Such post hoc analysis helps to set standards and controls that then get incorporated into ex ante decisionmaking. In fact, post hoc review can often serve as a more meaningful and often more searching inquiry into the legitimacy of targeting decisions. Even the mere knowledge that an ex post review will occur can help to protect against rash ex ante decisionmaking, thereby providing a self-correcting mechanism.

Ex post review should also be accompanied by the establishment of a solatia and condolence payment system for activities that occur outside the active zone of hostilities. Extension of such a system beyond Afghanistan and Iraq would help mitigate resentment caused by civilian deaths or injuries and would promote better accounting of the civilian costs of targeting operations. n198

**2NC- Terrorism**

**Signature strikes key – only way to deal with safe havens.**

**Mudd ‘13**

[Philip Mudd, former senior official at the CIA and the FBI and director of global risk at SouthernSun Asset Management, “Fear Factor: In defense of Obama's deadly signature strikes,” Foreign Policy, 24 May 2013, [http://www.foreignpolicy.com/articles/2013/05/24/fear\_factor\_signature\_strikes //](http://www.foreignpolicy.com/articles/2013/05/24/fear_factor_signature_strikes%20//) wyo-ch]

There are other rationales for these attacks, though. Part of **the reason signature strikes have become so prominent in this global counterterror war is**, simply put, **geography. Local terrorist groups only become international threats if they have leadership** that can execute a broad, globalist vision, **and if that leadership has the time and space to plot without daily distractions from armies and security services** -- **as in safe havens like Yemen, Somalia, the Sahel, and** the tribal areas of **Pakistan.** **These are** exactly the **places where the United States cannot apply conventional force and where local governments lack the capability or will to counter the threat.** Exactly the places **where drones offer an option to eviscerate a growing terror threat that has a dispersed, diffuse hierarchy. The places where signature strikes have proven effective. With more capable security partners**, the brutal **destruction from drones above might come from more conventional operations on the ground. But**, by definition, **safe havens aren't penetrable by capable security services.**

**Signature strikes tear terrorist organizations apart from the inside**

**Mudd ‘13**

[Philip Mudd, former senior official at the CIA and the FBI and director of global risk at SouthernSun Asset Management, “Fear Factor: In defense of Obama's deadly signature strikes,” Foreign Policy, 24 May 2013, [http://www.foreignpolicy.com/articles/2013/05/24/fear\_factor\_signature\_strikes //](http://www.foreignpolicy.com/articles/2013/05/24/fear_factor_signature_strikes%20//) wyo-ch]

**There is an intangible factor that reinforces the effectiveness of signature strikes: the fear factor, coupled with the suspicions and paranoia that result from organizations searching desperately among their ranks to find out who is providing the Americans information so detailed that we can wreak such havoc over such a long period of time.** Time and again, **intelligence has clearly told us that the adversary dreads these operations -- lethal strikes that come anytime, anywhere, and that eliminate entire swaths of organizations. And these same organizations then turn around and further degrade their operational capability by engaging in savage hunts for leaks.**

**No alternative to strikes**

Clinton **Watts**, senior fellow with George Washington University’s Homeland Security Policy institute,” “Understanding Yemen’s Al Qaeda Threat,” PBS Frontline Interview with Azmat Khan, May 29, **2012**. <http://www.pbs.org/wgbh/pages/frontline/foreign-affairs-defense/al-qaeda-in-yemen/understanding-yemens-al-qaeda-threat/>

Are There Alternatives to the Strikes?¶ Clinton Watts¶ Excellent question and one that remains absent from the discussion put forth by those opposing the use of drones in Yemen. I’ve argued with anti-drone advocates over the past year asking, “If the U.S. should not use drones, then what should the U.S. do to stop an AQAP that is planning to attack the U.S.?” I’ve not heard of one viable solution put forth by a critic of drone warfare.¶ The spectrum of **alternatives for countering AQAP encompasses diplomacy**, public affairs/**strategic communications, information operations, foreign aid, economic development, training and equipping foreign militaries, training and equipping local Yemeni militias, U.S. military advisers and intelligence operations, as well as full-scale U.S. military intervention** similar to what has been used in Iraq and Afghanistan.¶ **The** current **state of Yemen’s government makes** options such as **economic development and diplomacy inappropriate**. In contrast, **the past decade** of large-scale counterinsurgency in Iraq and Afghanistan **demonstrates the massive costs and questionable results of** broad **military intervention** for deterring Al Qaeda.¶ Today, it appears **the U.S. is pursuing strategic communications campaigns against AQAP and working with the Yemeni military and local militias. However, none of these** efforts effectively **disrupts AQAP’s** current **operations as well as drones**. Additionally, anti-drone advocates continue to cite civilian casualties and blowback as justification for abandoning the use of drones in Yemen. However, these same advocates fail to address the incredible loss of life and harm to civilian populations that occurs during the conduct of large-scale counterinsurgency operations, Yemeni military advances or tribal militia battles.¶ In comparison to these military options, I would argue that **drone operations are the least invasive and civilian casualty producing counterterrorism option able to deny AQAP safe haven and disrupt their plotting against the U.S.**

#### Drone strikes are the best option against Al Qaeda

Lewis 13 (Michael, teaches international law and the law of war at Ohio Northern University's College of Law. He is the coauthor of "The War on Terror and the Laws of War: A Military Perspective,” February 5, “The case for drone strikes” http://articles.latimes.com/2013/feb/05/opinion/la-oe-lewis-defending-drones-20130205/2)

Like many such studies, the NYU/Stanford one did not attempt to interview a single member of the U.S. military. Had it done so, it might have learned that (at least in Afghanistan) there have been instances of Taliban or Al Qaeda forces killing civilians and placing their bodies at the site of drone attacks to increase civilian casualty counts. Yet the study's only attempt to gain the government's perspective was a letter requesting a meeting with the National Security Council. Because the council did not reply within a month, the U.S. government's perspective was excluded from the report.¶ The report's discussion of civilian casualties adopts the highest estimate offered by any of the three sources that compile such information — the Bureau of Investigative Journalism. And it consistently describes civilian casualties in the aggregate since the beginning of the drone program rather than examining recent trends. Even the bureau estimates that only seven civilians have been killed in about 60 strikes conducted over the last 13 months. These same strikes are estimated to have killed 250 to 400 militants.¶ Any alternative use of force against Taliban or Al Qaeda forces would be likely to cause many more civilian casualties.¶ Even if drones continue to cause some civilian casualties and have other negative effects, the question of whether continuing the drone campaign is a good policy decision cannot be answered without carefully considering the alternatives available.¶ There are four obvious options for dealing with the Taliban-Al Qaeda presence in the federally administered tribal areas of Pakistan.¶ One is to accept their presence and control of that area and cease operations against them. But this course of action wouldn't address most of the concerns about drones.¶ Taliban control would be far more disruptive to the daily lives of those living in the tribal region than drones are. Public meetings, unless authorized by the Taliban, would be rare and extremely dangerous. The Taliban's shooting of a 14-year-old girl for attending school speaks volumes about access to education under Taliban rule. And the detention and execution of undesirable individuals would continue, albeit under the guise of heresy rather than spying. Also, ceding the territory to Taliban control would provide the Afghan Taliban with a safe haven from which to continue its operations against American and Afghan forces across the border.¶ The second option would be for Pakistan's military to assert control over the region. However, its last serious attempt to do so — the Swat Valley campaign of 2009 — utilized armored vehicles, artillery and airstrikes to try to dislodge about 5,000 Taliban fighters. This resulted in the displacement of more than 1 million civilians who fled the army's indiscriminate firepower.¶ Last year, mere rumors that the Pakistani military was planning a campaign in Waziristan caused thousands to flee. Pakistan lacks both the desire and the capacity to pursue another campaign to gain control of the tribal areas, and any attempt to conduct such a campaign would be a humanitarian nightmare for the civilians who live there.¶ The third option would be for the United States to use ground troops and special forces to conduct counterinsurgency operations in the tribal areas. Even if Pakistan were willing to publicly consent to American ground forces on its territory, an issue that it has carefully finessed in the context of drone operations, it is unlikely that this option would alleviate any of the frequently voiced concerns about the use of drones.¶ If operations in Afghanistan are any guide, using ground troops would result in as many or more civilian casualties than the current drone campaign and would be more deeply unpopular in Pakistan — not to mention that it would result in higher U.S. casualties. Ground operations in territory controlled by the Taliban would still rely heavily on drone surveillance, and most raids would occur at night.¶ Such operations in Afghanistan were so unpopular and disruptive of daily life that President Hamid Karzai insisted that continued Afghan cooperation with the United States was contingent on Afghan control over night raids. 2The final option is the continued use of drones. Even according to the least favorable numbers presented by the Bureau of Investigative Journalism, drones have effectively disrupted the leadership structure of the Taliban and Al Qaeda in Pakistan by killing scores of senior leaders and operational commanders. And the drones' constant presence continues to deny the Taliban a safe haven in which it can train and organize its forces for operations in Afghanistan. Most important, drones have done this while consistently improving their accuracy and reducing civilian casualties.¶ After examining the alternatives, it is clear that drones remain the best option available to minimize the negative effects of the conflict on civilians while continuing to disrupt the Taliban and deny it control of territory in the tribal areas.

**Numbers are deceiving – hard-core members relatively few**

Sudarsan **Raghayan**, “In Yemen, U.S. airstrikes breed anger, and sympathy for al-Qaeda,” Washington Post, May 29, **2012.**

An escalated campaign

Obama’s top counterterrorism adviser, John O. Brennan, has publicly defended the use of drone strikes, arguing that their precision allows the United States to limit civilian casualties and lessen risks for U.S. military personnel. **The decision to fire a missile from a drone**, he said, **is taken with “extraordinary care and thoughtfulness.”¶** National Security Council spokesman **Tommy Vietor** said the administration’s **counter­terrorism** strategy **in Yemen is “guided by the view that we must** do what is necessary to **disrupt AQAP plots** against U.S. interests” **and** to **help the Yemeni government build** up **its capabilities to fight AQAP.¶** **“While AQAP has grown in strength** over the last year, **many of its supporters are tribal militants or part-time supporters who collaborate with AQAP for self-serving, personal interests rather than affinity with al-Qaeda’s global ideology**,” Vietor said. “**The portion of hard-core, committed AQAP members is relatively small.”¶** The dramatic escalation in drone strikes in Yemen followed foiled plots by AQAP to bomb a U.S. airliner headed to Detroit in 2009 and to send parcel bombs via cargo planes to Chicago the following year. In April, Saudi intelligence agents helped foil an AQAP plot to plant a suicide bomber on a U.S.-bound plane.

#### Second, No risk of terror attack—organizations weak

Zenko and Cohen 2013(Micah, Fellow in the Center for Preventive Action at the Council on Foreign Relations, and Michael, Fellow at the Century Foundation, March 14, "Clear and Present Safety", Foreign Affairs, Accessed from http://yaleglobal.yale.edu/content/clear-and-present-safety)

None of this is meant to suggest that the United States faces no major challenges today. Rather, the point is that the problems confronting the country are manageable and pose minimal risks to the lives of the overwhelming majority of Americans. None of them -- separately or in combination -- justifies the alarmist rhetoric of policymakers and politicians or should lead to the conclusion that Americans live in a dangerous world.¶ Take terrorism. Since 9/11, no security threat has been hyped more. Considering the horrors of that day, that is not surprising. But the result has been a level of fear that is completely out of proportion to both the capabilities of terrorist organizations and the United States’ vulnerability. On 9/11, al Qaeda got tragically lucky. Since then, the United States has been preparing for the one percent chance (and likely even less) that it might get lucky again. But al Qaeda lost its safe haven after the U.S.-led invasion of Afghanistan in 2001, and further military, diplomatic, intelligence, and law enforcement efforts have decimated the organization, which has essentially lost whatever ability it once had to seriously threaten the United States. ¶ According to U.S. officials, al Qaeda’s leadership has been reduced to two top lieutenants: Ayman al-Zawahiri and his second-in-command, Abu Yahya al-Libi. Panetta has even said that the defeat of al Qaeda is “within reach.” The near collapse of the original al Qaeda organization is one reason why, in the decade since 9/11, the U.S. homeland has not suffered any large-scale terrorist assaults. All subsequent attempts have failed or been thwarted, owing in part to the incompetence of their perpetrators. Although there are undoubtedly still some terrorists who wish to kill Americans, their dreams will likely continue to be frustrated by their own limitations and by the intelligence and law enforcement agencies of the United States and its allies.

# 1NR

## Iran

### Overview

#### Iran prolif outweighs--

#### Quick regional prolif ensures accidents and miscalc – that’s Edelman.

#### Extinction

Toon, chair – Department of Atmospheric and Oceanic Sciences – Colorado University, 4/19/’7

(Owen B, climate.envsci.rutgers.edu/pdf/acp-7-1973-2007.pdf)

To an increasing extent, people are congregating in the world’s great urban centers, creating megacities with populations exceeding 10 million individuals. At the same time, advanced technology has designed nuclear explosives of such small size they can be easily transported in a car, small plane or boat to the heart of a city. We demonstrate here that a single detonation in the 15 kiloton range can produce urban fatalities approaching one million in some cases, and casualties exceeding one million. Thousands of small weapons still exist in the arsenals of the U.S. and Russia, and there are at least six other countries with substantial nuclear weapons inventories. In all, thirty-three countries control sufficient amounts of highly enriched uranium or plutonium to assemble nuclear explosives. A conflict between any of these countries involving 50-100 weapons with yields of 15 kt has the potential to create fatalities rivaling those of the Second World War. Moreover, even a single surface nuclear explosion, or an air burst in rainy conditions, in a city center is likely to cause the entire metropolitan area to be abandoned at least for decades owing to infrastructure damage and radioactive contamination. As the aftermath of hurricane Katrina in Louisiana suggests, the economic consequences of even a localized nuclear catastrophe would most likely have severe national and international economic consequences. Striking effects result even from relatively small nuclear attacks because low yield detonations are most effective against city centers where business and social activity as well as population are concentrated. Rogue nations and terrorists would be most likely to strike there. Accordingly, an organized attack on the U.S. by a small nuclear state, or terrorists supported by such a state, could generate casualties comparable to those once predicted for a full-scale nuclear “counterforce” exchange in a superpower conflict. Remarkably, the estimated quantities of smoke generated by attacks totaling about one megaton of nuclear explosives could lead to significant global climate perturbations (Robock et al., 2007). While we did not extend our casualty and damage predictions to include potential medical, social or economic impacts following the initial explosions, such analyses have been performed in the past for large-scale nuclear war scenarios (Harwell and Hutchinson, 1985). Such a study should be carried out as well for the present scenarios and physical outcomes.

#### Most probable

James A. **Russell,** Senior Lecturer, National Security Affairs, Naval Postgraduate School, **‘9** (Spring) “Strategic Stability Reconsidered: Prospects for Escalation and Nuclear War in the Middle East” IFRI, Proliferation Papers, #26, http://www.ifri.org/downloads/PP26\_Russell\_2009.pdf

Strategic stability in the region is thus undermined by various factors: (1) asymmetric interests in the bargaining framework that can introduce unpredictable behavior from actors; (2) the presence of non-state actors that introduce unpredictability into relationships between the antagonists; (3) incompatible assumptions about the structure of the deterrent relationship that makes the bargaining framework strategically unstable; (4) perceptions by Israel and the United States that its window of opportunity for military action is closing, which could prompt a preventive attack; (5) the prospect that Iran’s response to pre-emptive attacks could involve unconventional weapons, which could prompt escalation by Israel and/or the United States; (6) the lack of a communications framework to build trust and cooperation among framework participants. These systemic weaknesses in the coercive bargaining framework all suggest that escalation by any the parties could happen either on purpose or as a result of miscalculation or the pressures of wartime circumstance. Given these factors, it is disturbingly easy to imagine scenarios under which a conflict could quickly escalate in which the regional antagonists would consider the use of chemical, biological, or nuclear weapons. It would be a mistake to believe the nuclear taboo can somehow magically keep nuclear weapons from being used in the context of an unstable strategic framework. Systemic asymmetries between actors in fact suggest a certain increase in the probability of war – a war in which escalation could happen quickly and from a variety of participants. Once such a war starts, events would likely develop a momentum all their own and decision-making would consequently be shaped in unpredictable ways. The international community must take this possibility seriously, and muster every tool at its disposal to prevent such an outcome, which would be an unprecedented disaster for the peoples of the region, with substantial risk for the entire world.

#### Iran prolif is a crisis magnifier – draws in great powers to small conflicts

Edelman, Fellow – Center of Strategic and Budgetary Assessments, ‘11

(Eric, “Edelman, Krepinevich, and Montgomery Reply,” *Foreign Affairs* Vol. 9 Iss. 2, March/April)

Ultimately, if Tehran does cross the nuclear threshold and Israel chooses to live with a nuclear-armed Iran, one of the principal objectives of U.S. policy should be convincing Israel to maintain its policy of nuclear opacity for as long as possible. The benefit of a slightly more credible Israeli deterrent would not outweigh the added difficulties the United States would confront in seeking to limit a nuclear Iran's influence, preserve regional stability, and prevent additional proliferation. A second important issue Adamsky raises is that Iran's acquisition of nuclear weapons would increase the threat that Israel faced from Iranian proxies such as Hamas and Hezbollah, either because Tehran would provide increased assistance and encouragement to these groups or because they would become more reckless once they had a nuclear-armed patron. A premeditated attack by Iran against Israel is not the only scenario that could lead to a nuclear exchange, or even the most plausible one. Instead, a limited conflict in southern Lebanon or the Gaza Strip might spiral out of control. Iranian proxies could escalate their attacks against Israel, assuming that it would be deterred by its fear of a nuclear Iran. Israel could then defy their expectations and conduct major reprisals to demonstrate its resolve, prompting Iran to make nuclear threats in defense of its clients. The results would be unpredictable and potentially disastrous. Although debates over Iran's nuclear program often turn on the issue of Iranian "rationality," it is important to remember that there are many different paths to conflict, and the dynamics of Iranian-Israeli relations could be prone to miscalculation and escalation.

#### Iranian proliferation escalates into global nuclear war

Kroenig 12

[Matthew, assistant professor in the Department of Government at Georgetown University and a research affiliate with The Project on Managing the Atom at Harvard University, he served as a strategist on the policy planning staff in the Office of the Secretary of Defense where he received the Office of the Secretary of Defense’s Award for Outstanding Achievement. He is a term member of the Council on Foreign Relations and has held academic fellowships from the National Science Foundation, the Belfer Center for Science and International Affairs at Harvard University, the Center for International Security and Cooperation at Stanford University, and the Institute on Global Conflict and Cooperation at the University of California, “The History of Proliferation Optimism: Does It Have A Future?” <http://www.npolicy.org/article.php?aid=1182&rtid=2>], accessed 6/5/13,WYO/JF

Regional instability: The spread of nuclear weapons also emboldens nuclear powers contributing to regional instability. States that lack nuclear weapons need to fear direct military attack from other states, but states with nuclear weapons can be confident that they can deter an intentional military attack, giving them an incentive to be more aggressive in the conduct of their foreign policy. In this way, nuclear weapons provide a shield under which states can feel free to engage in lower-level aggression. Indeed, international relations theories about the “stability-instability paradox” maintain that stability at the nuclear level contributes to conventional instability.[[64]](http://www.npolicy.org/article.php?aid=1182&rtid=2" \l "_ftn64" \o ")¶ Historically, we have seen that the spread of nuclear weapons has emboldened their possessors and contributed to regional instability. Recent scholarly analyses have demonstrated that, after controlling for other relevant factors, nuclear-weapon states are more likely to engage in conflict than nonnuclear-weapon states and that this aggressiveness is more pronounced in new nuclear states that have less experience with nuclear diplomacy.[[65]](http://www.npolicy.org/article.php?aid=1182&rtid=2" \l "_ftn65" \o ") Similarly, research on internal decision-making in Pakistan reveals that Pakistani foreign policymakers may have been emboldened by the acquisition of nuclear weapons, which encouraged them to initiate militarized disputes against India.[[66]](http://www.npolicy.org/article.php?aid=1182&rtid=2" \l "_ftn66" \o ") ¶ Currently, Iran restrains its foreign policy because it fears a major military retaliation from the United States or Israel, but with nuclear weapons it could feel free to push harder. A nuclear-armed Iran would likely step up support to terrorist and proxy groups and engage in more aggressive coercive diplomacy. With a nuclear-armed Iran increasingly throwing its weight around in the region, we could witness an even more crisis prone Middle East. And in a poly-nuclear Middle East with Israel, Iran, and, in the future, possibly other states, armed with nuclear weapons, any one of those crises could result in a catastrophic nuclear exchange.¶ Nuclear proliferation can also lead to regional instability due to preventive strikes against nuclear programs. States often conduct preventive military strikes to prevent adversaries from acquiring nuclear weapons. Historically, the United States attacked German nuclear facilities during World War II, Israel bombed a nuclear reactor in Iraq in 1981, Iraq bombed Iran’s Bushehr reactors in the Iran-Iraq War in the 1980s and Iran returned the favor against an Iraqi nuclear plant, a U.S.-led international coalition destroyed Iraq’s nuclear infrastructure in the first Gulf War in 1991, and Israel bombed a Syrian nuclear reactor in 2007. These strikes have not led to extensive conflagrations in the past, but we might not be so lucky in the future. At the time of writing in 2012, the United States and Israel were polishing military plans to attack Iran’s nuclear program and some experts maintain that such a strike could very well lead to a wider war in the Middle East.

#### Turns Case--

#### Obama weakness independently causes global conflict

Coes 11 (a former speechwriter in the George H.W. Bush administration) September 30 “The disease of a weak president”, The Daily Caller, http://dailycaller.com/2011/09/30/the-disease-of-a-weak-president/)

Off case The disease of a weak president usually begins with the Achilles’ heel all politicians are born with — the desire to be popular. It leads to pandering to different audiences, people and countries and creates a sloppy, incoherent set of policies. Ironically, it ultimately results in that very politician losing the trust and respect of friends and foes alike.¶ In the case of Israel, those of us who are strong supporters can at least take comfort in the knowledge that Tel Aviv will do whatever is necessary to protect itself from potential threats from its unfriendly neighbors. While it would be preferable for the Israelis to be able to count on the United States, in both word and deed, the fact is right now they stand alone. Obama and his foreign policy team have undercut the Israelis in a multitude of ways. Despite this, I wouldn’t bet against the soldiers of Shin Bet, Shayetet 13 and the Israeli Defense Forces.¶ But Obama’s weakness could — in other places — have implications far, far worse than anything that might ultimately occur in Israel. The triangular plot of land that connects Pakistan, India and China is held together with much more fragility and is built upon a truly foreboding foundation of religious hatreds, radicalism, resource envy and nuclear weapons.¶ If you can only worry about preventing one foreign policy disaster, worry about this one. Here are a few unsettling facts to think about:¶ First, Pakistan and India have fought three wars since the British de-colonized and left the region in 1947. All three wars occurred before the two countries had nuclear weapons. Both countries now possess hundreds of nuclear weapons, enough to wipe each other off the map many times over.¶ Second, Pakistan is 97% Muslim. It is a question of when — not if — Pakistan elects a radical Islamist in the mold of Ayatollah Khomeini as its president. Make no mistake, it will happen, and when it does the world will have a far greater concern than Ali Khamenei or Mahmoud Ahmadinejad and a single nuclear device.¶ Third, China sits at the northern border of both India and Pakistan. China is strategically aligned with Pakistan. Most concerning, China covets India’s natural resources. Over the years, it has slowly inched its way into the northern tier of India-controlled Kashmir Territory, appropriating land and resources and drawing little notice from the outside world.¶ In my book, Coup D’Etat, I consider this tinderbox of colliding forces in Pakistan, India and China as a thriller writer. But thriller writers have the luxury of solving problems by imagining solutions on the page. In my book, when Pakistan elects a radical Islamist who then starts a war with India and introduces nuclear weapons to the theater, America steps in and removes the Pakistani leader through a coup d’état.¶ I wish it was that simple. The more complicated and difficult truth is that we, as Americans, must take sides. We must be willing to be unpopular in certain places. Most important, we must be ready and willing to threaten our military might on behalf of our allies. And our allies are Israel and India.¶ There are many threats out there — Islamic radicalism, Chinese technology espionage, global debt and half a dozen other things that smarter people than me are no doubt worrying about. But the single greatest threat to America is none of these. The single greatest threat facing America and our allies is a weak U.S. president. It doesn’t have to be this way. President Obama could — if he chose — develop a backbone and lead. Alternatively, America could elect a new president. It has to be one or the other. The status quo is simply not an option.

#### Also causes rollback/circumvention

Laura Young, Ph.D., Purdue University Associate Fellow, June 2013, Unilateral Presidential Policy Making and the Impact of Crises, Presidential Studies Quarterly, Volume 43, Issue 2

A president looks for chances to increase his power (Moe and Howell 1999). Windows of opportunity provide those occasions. These openings create an environment where the president faces little backlash from Congress, the judicial branch, or even the public. Though institutional and behavioral conditions matter, domestic and international crises play a pivotal role in aiding a president who wishes to increase his power (Howell and Kriner 2008, 475). These events overcome the obstacles faced by the institutional make-up of government. They also allow a president lacking in skill and will or popular support the opportunity to shape the policy formation process. In short, focusing events increase presidential unilateral power.

#### Turns the entire aff

Howell ‘7

William, professor of political science at U-Chicago, and Jon C. Pevehouse, professor of Political Science UW-Madison, “While Dangers Gather : Congressional Checks on Presidential War Powers,” 2007 ed.

SIGNALING RESOLVE To the extent that congressional discontent signals domestic irresolution to other nations, the job of resolving a foreign crisis is made all the more difficult. As Kenneth Schultz shows, an ''opposition party can undermine the credibility of some challenges by publicly opposing them. Since this strategy threatens to increase the probability of resistance from the rival state, it forces the government to be more selective about making threats "—and, concomitantly, more cautious about actually using military force.'4 When members of Congress openly object to a planned military operation, would-be **adversaries** of the United States may feel emboldened, believing that the president lacks the domestic support required to see a military venture through. Such nations, it stands to reason, will be more willing to enter conflict, and if convinced that the United States will back down once the costs of conflict are revealed, they may fight longer and make fewer concessions. Domestic political strife, as it were, weakens the ability of presidents to bargain effectively with foreign states, while increasing the chances that military entanglements abroad will become **protracted and unwieldy.** A large body of work within the field of international relations supports the contention that a nation's ability to achieve strategic military objectives in short order depends, in part**,** on the head of state's **credibility in conveying political resolve.** Indeed, a substantial game theoretic literature underscores the importance of domestic political institutions and public opinion as state leaders attempt to credibly commit to war,75 Confronting widespread and vocal domestic opposition, the president may have a difficult time signaling his willingness to see a military campaign to its end, While congressional opposition may embolden foreign enemies, the perception on the part of allies that the president lacks support may make them wary of **committing any troops at all.**

#### Outweighs their mechanism

Laura Young, Ph.D., Purdue University Associate Fellow, June 2013, Unilateral Presidential Policy Making and the Impact of Crises, Presidential Studies Quarterly, Volume 43, Issue 2

During periods of crisis, the time available to make decisions is limited. Because the decision-making process is often arduous and slow in the legislative branch, it is not uncommon for the executive branch to receive deference during a crisis because of its ability to make swift decisions. The White House centralizes policies during this time, and presidents seize these opportunities to expand their power to meet policy objectives. Importantly, presidents do so with limited opposition from the public or other branches of government (Howell and Kriner 2008). In fact, despite the opposition presidents often face when centralizing policies, research shows policies formulated via centralized processes during times of crisis receive more support from Congress and the American people (Rudalevige 2002, 148-49). For several reasons, a crisis allows a president to promote his agenda through unilateral action. First, a critical exogenous shock shifts attention and public opinion (Birkland 2004, 179). This shift is a phenomenon known as the “rally round the flag” effect (Mueller 1970). The rally effect occurs because of the public's increase in “its support of the president in times of crisis or during major international events” (Edwards and Swenson 1997, 201). Public support for the president rises because he is the leader and, therefore, the focal point of the country to whom the public can turn for solutions. Additionally, individuals are more willing to support the president unconditionally during such times, hoping a “united front” will increase the chance of success for the country (Edwards and Swenson 1997, 201). As a result, a crisis or focusing event induces an environment that shifts congressional focus, dispels gridlock and partisanship, and increases positive public opinion—each of which is an important determinant for successful expansion of presidential power (Canes-Wrone and Shotts 2004; Howell 2003). In other words, a crisis embodies key elements that the institutional literature deems important for presidential unilateral policy making. The president's ability to focus attention on a particular issue is also of extreme importance if he wishes to secure support for his agenda (Canes-Wrone and Shotts 2004; Edwards and Wood 1999; Howell 2003; Neustadt 1990). The role the media play is pivotal in assisting a president in achieving such a result because of its ability to increase the importance of issues influencing the attention of policy makers and the priorities of viewers. Although it is possible a president can focus media attention on the policies he wishes to pursue through his State of the Union addresses or by calling press conferences, his abilities in this regard are limited, and the media attention he receives is typically short lived (Edwards and Wood 1999, 328-29). High-profile events, on the other hand, are beneficial because they allow the president to gain focus on his agenda. This occurs because the event itself generates attention from the media without presidential intervention. Thus, the ability of crises to set the agenda and shift media and public attention provides another means for overcoming the constraints placed upon the president's ability to act unilaterally. Finally, Rudalevige finds support that a crisis increases the success of presidential unilateral power even if the policy process is centralized. A crisis allows little time to make decisions. As a result, “the president and other elected officials are under pressure to ‘do something’ about the problem at hand” (2002, 89, 148). Because swift action is necessary, presidents rely on in-house advice. As a result, the policy formation process is centralized, and the president receives deference to unilaterally establish policies to resolve the crisis. During a crisis, the president has greater opportunity to guide policy because the event helps him overcome the congressional and judicial obstacles that typically stand in his way.2 This affords the president greater discretion in acting unilaterally (Wildavsky 1966). It is possible the institutional make-up of the government will align so that the president will serve in an environment supportive of his policy decisions. It is also likely a president will have persuasive powers that enable him to gain a great deal of support for his policy agenda. An event with the right characteristics, however, enhances the president's ability to act unilaterally, regardless of the institutional make-up of government or his persuasive abilities.

Turns Terror- **IRANIAN PROLIF CAUSES NUCLEAR TERRORISM: FACILITY DISPERSION RISKS TERRORIST THEFT, AND NO CENTRALIZED CONTROL RISKS DELIBERATE TRANSFERS TO TERRORISTS**

**Sagan in ‘7**

[Scott, Professor, Wishes he was Kenneth Waltz, "A Nuclear Iran: Promoting Stability or Courting Disaster", Journal of International Affairs, Summer, p. asp ]

First, the stability-instability paradox--that is, the possibility that individual countries would be more aggressive with nuclear capability If Iran acquires nuclear weapons, will it behave more aggressively in the Middle East? On the one hand, we have a good insight from Professor Waltz: The United States would be more reluctant to attack Iran if it had nuclear weapons, and indeed I do believe that's why Iran is so interested. On the other hand, however, we have the possibility that various Iranians--especially those in the Islamic Revolutionary Guard Corps--may feel that it is safer for them to probe--to attack Americans in Iraq, to attack military bases in the region, to support terrorist attacks elsewhere. Therefore it is not at all clear what might be the final outcome. More probing attacks? More provocation? Indeed, this is the worry with regard to the Iran crisis today. I don't believe the Bush administration wants to attack. But I do think there are some factions in Iran who wouldn't mind a potential attack from the United States because it would increase support for the regime. It's possible that these factions in Iran will actually increase rather than decrease attacks by Iranian agents in Iraq against American forces to force our hand. The second problem--terrorist theft. The Iranians, in trying to reduce the likelihood of an attack against their nuclear development sites, are dispersing **those** sites **in the countryside.** But such measures will increase the likelihood that there won't be central control **over their nuclear program**, and increase the likelihood that, if they do develop nuclear weapons, insiders and terrorist groups could potentially seize them. Finally, the question of ambiguous control. Here we must ask: Who controls the weapons and materials? They don't yet have weapons in Iran, but they are working to get them. And it is not the professional Iranian military but the Revolutionary Guard **Corps** guarding the development sites **whose own financial units have often been those used to purchase different parts of the program. These are the same individuals running the arms supply operations to terrorist organizations that Iran supports.** To have your nuclear guardians and your terrorist supporter organizations be one and the same is a recipe for disaster.

#### Turns Heg- Nuclear Iran kills U.S. hegemony – emboldens enemies and weakens alliances

Takeyh and Lindsay, 10

[James M. Lindsay, Senior Vice President, Director of Studies, and Maurice R. Greenberg Chair, Ray Takeyh, Senior Fellow for Middle Eastern Studies “After Iran Gets the Bomb Containment and Its Complications,” March/April 2010, <http://www.cfr.org/publication/22182/after_iran_gets_the_bomb.html>]

The dangers of Iran's entry into the nuclear club are well known: emboldened by this development, Tehran might multiply its attempts at subverting its neighbors and encouraging terrorism against the United States and Israel; the risk of both conventional and nuclear war in the Middle East would escalate; more states in the region might also want to become nuclear powers; the geopolitical balance in the Middle East would be reordered; and broader efforts to stop the spread of nuclear weapons would be undermined. The advent of a nuclear Iran—even one that is satisfied with having only the materials and infrastructure necessary to assemble a bomb on short notice rather than a nuclear arsenal—would be seen as a major diplomatic defeat for the United States. Friends and foes would openly question the U.S. government's power and resolve to shape events in the Middle East. Friends would respond by distancing themselves from Washington; foes would challenge U.S. policies more aggressively.

Such a scenario can be avoided, however. Even if Washington fails to prevent Iran from going nuclear, it can contain and mitigate the consequences of Iran's nuclear defiance. It should make clear to Tehran that acquiring the bomb will not produce the benefits it anticipates but isolate and weaken the regime. Washington will need to lay down clear "redlines" defining what it considers to be unacceptable behavior—and be willing to use military force if Tehran crosses them. It will also need to reassure its friends and allies in the Middle East that it remains firmly committed to preserving the balance of power in the region.

Containing a nuclear Iran would not be easy. It would require considerable diplomatic skill and political will on the part of the United States. And it could fail. A nuclear Iran may choose to flex its muscles and test U.S. resolve. Even under the best circumstances, the opaque nature of decision-making in Tehran could complicate Washington's efforts to deter it. Thus, it would be far preferable if Iran stopped—or were stopped—before it became a nuclear power. Current efforts to limit Iran's nuclear program must be pursued with vigor. Economic pressure on Tehran must be maintained. Military options to prevent Iran from going nuclear must not be taken off the table.

#### Add-on--

#### Israel strikes this year without diplomatic gains and strong US reassurances

BEN BIRNBAUM, “An Israeli Strike on Iran Just Got More Likely” TNR, 9/12/13

The argument will come up sooner than most think. Based on my reporting, I’ve become increasingly convinced in recent months that—barring an unforeseen diplomatic breakthrough—Israel will strike Iran before the end of next year, and conceivably well before then. The officials who order that strike may never know whether Congress would have voted down the Syria resolution and whether Obama would have acted anyways. But it doesn’t take negative answers to these questions for Israel to be concerned. The questions themselves are worrisome enough.

#### Global nuclear conflict – draws in Russia and China AND leads to the detonation of CBW’s

Morgan 09

[Dennis Ray Morgan, Hankuk University of Foreign Studies- South Korea, 10 July 2009, World on fire: two scenarios of the destruction of human civilization and possible extinction of the human race, Futures 41 (2009) 683–693, uwyo//amp]

**Given the present day predicament regarding Iran’s attempt to become a nuclear power, particular attention should be given to one of Moore’s scenarios depicting nuclear war that begins through an attack on Iran’s supposed nuclear facilities**. According to Seymour Hersh [12] **the nuclear option against Iran has, in fact, been discussed** by sources in the Pentagon as a viable option. As Hersh reports, **according to a former intelligence officer, the lack of ‘‘reliable intelligence leaves military planners, given the goal of totally destroying the sites, little choice but to consider the use of tactical nuclear weapons. ‘Every other option, in the view of the nuclear weaponeers, would leave a gap,’** the former senior intelligence official said. ‘Decisive is the key word of the Air Force’s planning. **It’s a tough decision. But we made it in Japan**.’’ [12].10 The official continues to explain **how White House and Pentagon officials are considering the nuclear option for Iran, ‘‘Nuclear planners go through extensive training** and learn the technical details of damage and fallout - we’re talking about mushroom clouds, radiation, mass casualties, and contamination over years. This is not an underground nuclear test, where all you see is the earth raised a little bit. **These politicians don’t have a clue, and whenever anybody tries to get it out – remove the nuclear option – they’re shouted down’’** [12]. Understandably, some members of the Joint Chiefs of Staff were not comfortable about consideration of the nuclear option in a first strike, and some officers have even discussed resigning. Hersh quotes the former intelligence officer as saying, ‘‘Late this winter, the Joint Chiefs of Staff sought to remove the nuclear option from the evolving war plans for Iran - without success. The White House said, ‘Why are you challenging this? The option came from you’’’ [12]. **This scenario has gained even more plausibility since a January 2007 Sunday Times report [13] of an Israeli intelligence leak that Israel was considering a strike against Iran, using low-yield bunker busting nukes to destroy Iran’s supposedly secret underground nuclear facilities. In Moore’s scenario, non-nuclear neighboring countries would then respond with conventional rockets and chemical, biological and radiological weapons. Israel then would retaliate with nuclear strikes on several countries, including a pre-emptive strike against Pakistan, who then retaliates with an attack not only on Israel but pre-emptively striking India as well. Israel then initiates the ‘‘Samson option’’ with attacks on other Muslim countries, Russia, and possibly the ‘‘anti-Semitic’’ cities of Europe. At that point, all-out nuclear war ensues as the U.S. retaliates with nuclear attacks on Russia and possibly on China** as well.11 Out of the four interrelated factors that could precipitate a nuclear strike and subsequent escalation into nuclear war, probably the accidental factor is one that deserves particular attention since its likelihood is much greater than commonly perceived. In an article, ‘‘20 Mishaps that Might Have Started a Nuclear War,’’ Phillips [14] cites the historical record to illustrate how an accident, misinterpretation,or false alarm could ignite a nuclear war. Most of these incidents occurred during a time of intense tension between the U.S. and the Soviet Union in the Cuban Missile Crisis, but other mishaps occurred during other times, with the most recent one in 1995. Close inspection of each of these incidents reveals how likely it is that an ‘‘accident’’ or misinterpretation of phenomena or data (‘‘glitch’’) can lead to nuclear confrontation and war. In his overall analysis, Phillips writes: The probability of actual progression to nuclear war on any one of the occasions listed may have been small, due to planned ‘‘failsafe’’ features in the warning and launch systems, and to responsible action by those in the chain of command when the failsafe features had failed. However, the accumulation of small probabilities of disaster from a long sequence of risks adds up to serious danger. There is no way of telling what the actual level of risk was in these mishaps but if the chance of disaster in every one of the 20 incidents had been only 1 in 100, it is a mathematical fact that the chance of surviving all 20 would have been 82%, i.e. about the same as the chance of surviving a single pull of the trigger at Russian roulette played with a 6- shooter. With a similar series of mishaps on the Soviet side: another pull of the trigger. If the risk in some of the events had been as high as 1 in 10, then the chance of surviving just seven such events would have been less than 50:50. [14]12 **Aggression in the Middle East along with the willingness to use low-yield ‘‘bunker busting’’ nukes by the U.S. only increases the likelihood of nuclear war and catastrophe in the future. White House and Pentagon policy-makers are seriously considering the use of strategic nuclear weapons against Iran**. As Ryan McMaken explains, **someone at the Pentagon who had . . .not yet completed the transformation into a complete sociopath leaked the ‘Nuclear Posture Review’ which outlined plans for a nuclear ‘end game’ with Iraq, Iran, Libya, North Korea, and Syria, none of which possess nuclear weapons. The report also outlined plans to let the missiles fly on Russia and China** as well, even though virtually everyone on the face of the Earth thought we had actually normalized relations with them. **It turns out, much to the surprise of the Chinese and the Russians, that they are still potential enemies in a nuclear holocaust.**

### UQ

#### Obama focused on Iranian nuclear program – optimistic tone for diplomatic outcome

Mark Landler, “Obama Defends U.S. Engagement in the Middle East,” NYT, 9/24/2013

¶ Much of Mr. Obama’s focus was on the sudden, even disorienting flurry of diplomatic developments that began after he pulled back from the brink of ordering a strike on Syria last month. He said Iran’s overtures could provide a foundation for an agreement on its nuclear program, but he warned that “conciliatory words will have to be matched by actions that are transparent and verifiable.” ¶ Referring to the moderate statements of Mr. Rouhani, and an exchange of letters with him, Mr. Obama sounded a cautiously optimistic tone about diplomacy. “The roadblocks may prove to be too great,” he added, “but I firmly believe the diplomatic path must be tested.”

#### Successful Iran nuclear negotiations are coming now – Congress is key

Terri Lodge, CNN, 9/19/13, Is Iran ready to deal on nukes?, www.cnn.com/2013/09/19/opinion/lodge-wallin-iran/

As the toll of international sanctions on Iran continues to mount, Iran's new President Hassan Rouhani has signaled his government's interest in addressing the world's concerns over his nation's nuclear program, and easing the pain on the Iranian economy. Rouhani's recent statements, tweets and appointments have underscored a possible willingness to resolve the nuclear problem. He told NBC News Wednesday that Iran will never develop nuclear weapons.¶ At the United Nations General Assembly meeting in New York next week, Rouhani is expected to affirm his interest in resolving the issue.¶ In another positive step, President Barack Obama and Rouhani have exchanged letters—the first direct communication at this level between the two countries in many, many years. Explaining that this does not yet mean there is a breakthrough, President Obama indicated that he expects negotiations to be difficult and take time.¶ "Negotiations with the Iranians is always difficult," Obama said to George Stephanopoulos on Sunday. "I think this new president is not going to suddenly make it easy." Indeed, there is little reason to necessarily believe that everything has suddenly changed for the better. After years of intransigence, many wonder whether Iranian Supreme Leader Ali Khamenei, who holds overwhelming authority, is ready to make honest concessions. Furthermore, it's not yet clear whether Iran understands that a mere change in rhetoric won't mean automatic sanctions relief. In fact, only its concrete actions to resolve the nuclear questions will lead to a meaningful relief of sanctions. And when they come, those actions may initially be incremental, negotiated to test the willingness of both sides to take confidence-building actions that will lead to more comprehensive progress. The United States should not dismiss Iran's rhetoric and its apparent litmus testing as insignificant. Though a deal will be difficult, as many negotiations are, it's not impossible to reach an agreement if Iran is willing to take the steps necessary. That, of course, is still a big "if." It's no secret among diplomats and experts what a final deal will probably look like: Iran will retain a small level of enrichment capability under a very strict regimen of inspections by the International Atomic Energy Agency, which will also have ready access. So far, such a deal has never been in reach; the United States and its diplomatic partners still have a long way to go. Because of this, some would rather continue to fight for complete Iranian capitulation and zero ability to conduct nuclear activities of any sort, a result that does not allow the Iranian regime a chance to "save face." This "all-or-nothing" outcome is simply not realistically attainable by means short of a major military intervention. As a result, the United States should be exhausting all diplomatic opportunities to reach an agreement that best preserves its security and the security of the region, while allowing the Iranians a chance to reach a settlement they can live with.¶ Congress has an important role in this delicate moment. Though the United States should remain skeptical of Iranian intentions, it should not turn down an opportunity that may be presenting itself. One of its biggest bargaining chips is the congressional sanctions, the presence of which, at this point, could be misinterpreted as an unwillingness to support a diplomatic solution.

#### Now is key – negotiation work now

Roger Cohen, “Between Martyrdom and Diplomacy,” NYT, 9/26/13

ISTANBUL — The Middle East is a place of fast-changing fortunes these days. Just ask the Turkish prime minister, Recep Tayyip Erdogan. Not so long ago neo-Ottomanism was the vogue phrase to describe Turkey’s expanding regional influence, pursued under a catchy dogma of “zero problems with neighbors.”¶ Now there are zero neighbors without problems. Syria is first among them. Erdogan’s fulminations over the suppression of the Muslim Brotherhood in Egypt and the treatment of the Sunni opposition in Syria have the air of the unbalanced outbursts of a lonely man whose moderate Islamism has morphed into an immoderate fury.¶ Perhaps Erdogan, whose indignation is not groundless, would benefit from the counsel of a neighbor, Iran. Its fast change has involved the sudden embrace of “heroic flexibility.”¶ The phrase, used by the supreme leader, Ayatollah Ali Khamenei, in a recent speech to the Islamic Revolutionary Guards Corps, was buttressed at the United Nations by Iranian advocacy of “prudent moderation.” These unlikely words were uttered by President Hassan Rouhani, whose education in that stronghold of Enlightenment values, Scotland, appears to have had an impact.¶ Or so it would seem. Sanity is in the Iranian air after the loony lurches of the aberrant Mahmoud Ahmadinejad. Rouhani and President Obama almost met in New York, a near miss that by the standards of Iranian-American estrangement over the past 34 years counts as a radical rapprochement. Hope stirs, once again, for a U.S. breakthrough with Iran of Nixon-to-China proportions.¶ But such is the volatility of the Middle East today, and such the hall of mirrors in Tehran, that extreme caution is warranted. As the Iranians say, “Not everything round is a walnut” — and not every form of “heroic flexibility” is an olive branch. Iran always operates on at least two tracks; to do otherwise would be simplistic. Its Shiite religion permits, in some circumstances, the embroidering of the truth for the protection of the faith, a divinely sanctioned dissimulation. This is a land where straight talk and virtue are not widely seen to overlap.¶ The two core Iranian tracks today are evident. The first is Rouhani’s outreach, his rejection of extremism, his conciliatory (and contested) comments toward Jews, and his categorical statement that, “Nuclear weapons and other weapons of mass destruction have no place in Iran’s security and defense doctrine.”¶ The second is the heavy involvement of the elite Revolutionary Guard Corps in defense of the Syrian despot, Bashar al-Assad, and the multifaceted ongoing campaign of its Quds Force commander, Qassim Suleimani, who summoned Hezbollah into Syria and fights under the broad, often murderous banner of resistance to America, Israel and the West.¶ How Khamenei manages these two disparate currents will have a decisive bearing on whether the current U.S.-Iranian blandishments lead anywhere.¶ The supreme leader has two models from Shiite lore at his disposal — the conciliation of the second Shiite imam, Hassan ibn Ali, who chose peace over war after his father’s assassination in 661, or the heroic sacrifice of his younger brother, Hussein, who fought to the death against impossible odds. Khamenei has called Hassan’s compromise “history’s most glorious exercise of flexibility.” But it is Hussein’s defiant martyrdom that has held greater sway in the 34-year history of the Islamic Republic.¶ For now, Khamenei’s use of the phrase “heroic flexibility” suggests he will give Rouhani’s conciliation quest a chance — so long, of course, as Suleimani’s Plan B is there as a fallback. As one religious scholar told the Tehran Bureau news organization, it’s “Hello diplomacy, so long martyrdom.”¶ After more than three decades of non-communication, U.S.-Iranian diplomacy is fraught with potential misunderstanding. The terms of a potential nuclear deal are no great mystery. Broadly, it would involve capping Iran’s uranium enrichment at 5 percent, permitting that enrichment only under intense international supervision, closing the underground facility at Fordow and abandoning any plutonium separation plans — in exchange for the progressive lifting of international sanctions.¶ But the zigzagging nuclear program, pursued over many years without producing a weapon, has always been political above all. It is the foremost expression of the Iranian Revolution’s essence: The rejection of foreign ideology and tutelage after decades of perceived humiliation by the West. Bomb production was secondary because it was always fraught with danger for the survival of the Islamic Republic; and Khamenei, as the “Guardian of the Revolution,” is in a conservative business.¶ So the core of the coming U.S.-Iran negotiation lies in whether Obama can reassure Iran that a nuclear deal does not equal renewed subjugation or cooption. At the same time Khamenei must reassure America that Suleimani’s restless pursuit of violent “resistance” against the West and Israel will cease. A nuclear agreement will make little sense if it not broad enough to allow eventual U.S.-Iranian cooperation on a range of strategic issues.¶ Obama and Rouhani agree that this is no longer a “zero-sum” world. Both used the phrase. But as the fate of Erdogan’s “zero problems” foreign policy suggests, good intentions are not enough. Hussein’s martyrdom is still likely to win out over Hassan’s compromise. But this is the last best chance for a game-changing accord. The United States and Iran must seize it.

### Link

#### A negotiation is coming – but the plan ruins obama’s civil military relations because congress loses doubt when the president starts citing agregious amounts of supposed priorities – that’s waxman

#### The plan’s restriction on Obama destroys potential Iran negotiations and causes widespread backlash

Jon Alterman, CSIS Global Security Chair and Middle East Program Director, 9/4/13, US-Iran Nuclear Deal Hinges On Syria Vote, www.al-monitor.com/pulse/originals/2013/09/us-iran-nuclear-deal-hinges-on-syria-vote.html

Focusing solely on events in Syria, however, misses a large part of the Iranian calculus, if not the largest. What really matters to Iran is how successful Obama is in winning congressional support for his Syria policy. If he fails, it will deal a double blow to the president. Not only will the Iranian government dismiss the possibility of negotiations with his administration, it will also conclude that Obama can be defied with impunity. The international cost of domestic political failure would be profound.¶ To start, it is worth noting the extent to which foreign governments are sophisticated consumers of American political information. ß Marked 18:13 ß Decades of international cable news broadcasts and newspaper websites have brought intimate details of US politics into global capitals. Foreign ministers in the Middle East and beyond are US news junkies, and they seem increasingly distrustful of their embassies. For key US allies, the foreign minister often seems to have made him- or herself the US desk officer. Most can have a quite sophisticated discussion on congressional politics and their impact on US foreign relations.¶ The Iranian government is no exception. While former president Mahmoud Ahmedinejad was emotional and shrill in his opposition to the United States, there remains in Iran a cadre of Western-trained technocrats, fluent in English and nuanced in their understanding of the world. President Hassan Rouhani has surrounded himself with such people, and Supreme Leader Ayatollah Ali Khamenei has charged them with investigating a different relationship between Iran and the United States.¶ As they do so, they cannot help but be aware that on the eve of Rouhani’s inauguration, the US House of Representatives voted 400–20 to impose stiff additional sanctions on Iran. The House saw Rouhani’s electoral victory as a call for toughness, not potential compromise.¶ If Iran were to make concessions in a negotiation with the United States, they would surely seek sanctions relief and other actions requiring congressional approval. To make such concessions to Obama, they would need some confidence that he can deliver. A president who cannot bring around a hostile Congress is not a president with whom it is worth negotiating.

#### \*Obama leadership over congress is key to Iranian negotiations – without change Middle East war is inevitable

Peter Goodman, “Iran's Rouhani Wants Nuclear Deal Without Conflict In 'New Era',” Huffington Post, 9/27/13

You need not possess a doctorate in diplomacy to summon skepticism for Iranian President Hassan Rouhani's rhetorical peace campaign.¶ Whatever his arrival on the world stage represents, whatever his genuine personal inclinations, he operates within an autocratic system ruled by an insular clique that justifies mass human rights abuses in the name of religious dogma. His words have been constructive, but his power to turn those words into action depends upon the assent of leaders who have for decades disdained much of the world community, maintaining Iran as a pariah state while depriving its people of freedom and prosperity.¶ And yet to sit in a room with Rouhani, as I got to do on Thursday night in New York, is to contemplate the prospect that a real opportunity is at hand to defuse one of the globe's most menacing threats.¶ Skepticism remains required, but only a cynic could listen to this freshly elected Iranian president describe the historical conditions that have produced such a moment and fail to recognize the potential for more peaceful dealings between Iran and its adversaries. Only someone inured to entrenched geopolitical dangers could dismiss this opportunity for a possible way out of the stalemate over Iran's nuclear preparations.¶ "I ran on a platform of moderation and won the election by a large margin," Rouhani said, reprising a theme that he has emphasized throughout his appearances this week at the United Nations. "By virtue of the large mandate I received from the electorate, I am committed to operating in the framework of moderation."¶ Less than an hour later, Rouhani's foreign minister, Javad Zarif, arrived to report on the meeting he had just concluded with his American counterpart, John Kerry -- the first step in talks aimed at defusing tensions over Iran's nuclear intentions.¶ "We had a very good and substantive meeting," Zarif declared. "I'm optimistic."¶ Those closely tracking Rouhani's voluble pursuit of better relations with the United States and Europe heard little new in the Thursday night event convened by the Council on Foreign Relations and the Asia Society at a midtown Manhattan hotel. He repeated promises that Iran has no designs on building nuclear weapons, calling its nuclear program "peaceful." He endorsed continued talks with the Obama administration and European leaders toward striking a nuclear deal that avoids conflict.¶ Yet the mere existence of the gathering was extraordinary, the spectacle of a president and religious cleric from Iran drawing spirited applause from a grey-suited assemblage of some 300 members of the American elite. It felt a little like consolation for the handshake that never materialized with President Barack Obama.¶ Rouhani catered to this sense of historic import, casting his mandate as part of a global trend.¶ "A new era has been created around the world, as it has inside Iran," he said. "The exciting elections that took place and the vote of the people in Iran for moderation and wisdom and hope and prudence has led to the creation of a new atmosphere for engagement and interaction with the entire world."¶ Rouhani's predecessor, Mahmoud Ahmedinejad, famously relished combative exchanges with Western audiences, most notably in denying the existence of the Holocaust. Rouhani this week forged fresh controversy on this sensitive ground as he told CNN's Christiane Amanpour that it was up to historians to measure the "dimensions of the Holocaust." Some construed this formulation as a more subtle form of Holocaust denial, noting that it left open the possibility that Holocaust accounts have been exaggerated. Others focused on Rouhani's condemnation of "the crime that the Nazis committed toward the Jews" as a refreshing break from Iran's recent past.¶ However one parses his words, Rouhani clearly represents a new Iranian motive: He aims to win international favor. As he sat on stage Thursday, calmly resting his hands on his lap in stark contrast to his predecessor's agitated mien, his occasional bemused grin seemed to convey that he was enjoying himself.¶ He portrayed the pursuit of a nuclear deal as an enterprise favored by all thoughtful people, while casting those opposed as a crass lot intent on monkey-wrenching the global interest in the advance of their own.¶ "As leaders we need to rise above petty politics and lead rather than follow the various interests and pressure groups in our respective countries," Rouhani said. "We need to counter those interest groups here in the U.S. and there in the region whose objective is to keep Iran as an issue that is a boiling one. They seek to further their goal of distracting international attention from issues directly involving themselves."¶ He did not name these special interests, but he did not have to.¶ He was talking about Israel and its prime minister Bibi Netanyahu, who has dismissed Rouhani as a wolf in sheep's clothing, intoning that any negotiation with Iran invites peril.¶ He was referring to Israel's inveterate friends in Washington -- congressional Republicans who see Obama's launching of talks with Iran as another opportunity to portray him as weak and naïve.¶ He was talking about another key American ally, Saudi Arabia, whose Sunni Muslim monarchy reliably opposed anything that may boost the stature of the Shiites who preside in Iran.¶ Each of these special interests has a credible story to tell in warning that Rouhani's charm offensive may not be sincere. Absent demonstrable action that rolls back the threat that Iran could become armed with nuclear weapons, Rouhani's words must be scrutinized as a ruse designed to loosen economic sanctions while driving a wedge between Israel and the United States.¶ While the headlines generated by Rouhani's speeches this week have properly focused on his call for dialogue with the U.S. and Europe, he has invariably emphasized that Iran claims a right to pursue nuclear capability, harnessing the technology for energy while stopping short of making weapons. But many experts doubt this claim in light of Iran's actions.¶ Yet even as grounds for caution are abundant, so are reasons for cautious optimism. It seems entirely plausible that the people running Iran have concluded that international pariah status is not a jumping-off point for better days.¶ Isolation and the bite of economic sanctions have left Iran struggling to provide for basic needs. The country is full of educated young people who cannot get jobs, and who are increasingly engaged with the rest of the planet via television and the Web, meaning they know what they do not have. This is a prescription for the sort of ferment that can bring down unrepresentative leaders.¶ When the present is uncomfortable and the future shows no sign of relief, change becomes not only rational, but imperative. Rouhani's goals may simply be an outgrowth of this collective realization, with Iran's Revolutionary Guard coming around to this view.¶ Or maybe not. We just don't know. We cannot know until we see how the process plays out. But not knowing is no justification for a failure to engage.¶ This is an extraordinary opportunity that must be seized if for no other reason than this: the status quo is unacceptable. The continued risk of military confrontation in a part of the world that is oft-described as a powder keg demands a serious go of the process underway.