# Neg Card Doc---Darty---Round 3

## PRoA CP

### 1NC---CP

#### The 50 states and all relevant territories should:

---enact a cause of action for constitutional violations committed by state, local and federal government officials and persons of the United States

---impose vicarious liability on governments, government officials, and persons of the United States for wrongs committed

---impose injunctive and compensatory remedies for constitutional violations by state, local, and federal government officials and persons of the United States

---clarify that qualified immunity is not a defense to liability.

#### The counterplan creates a right of action for violation of constitutional rights. That solves and avoids preemption.

Reinert et al. 21 [Benjamin N., Max Freund Professor of Litigation & Advocacy at Cardozo School of Law, Joanna C. **Schwartz**, Professor of Law at UCLA Law School, James E. **Pfander**, Owen L. Coon Professor of Law at Northwestern Pritzker School of Law, “NEW FEDERALISM AND CIVIL RIGHTS ENFORCEMENT”, 2021, <https://escholarship.org/content/qt0pn7b2s9/qt0pn7b2s9.pdf>]

[PLANKS IN GREY, DON’T REREAD]

Whatever steps are taken at the federal level to reform or eliminate the doctrines of qualified immunity and the limitations on municipal liability, any state can enact a state law analogue to Section 1983 that allows people to bring an action under state law for the violation of their state or federal constitutional rights, forgoes the limitations on relief created by the Supreme Court, and additionally ensures that people whose rights were violated in fact recover for their losses.142 Such a statute would have several components. In addition to a state law cause of action, the statute should make clear that qualified immunity is not a defense to liability.143 The statute should also impose vicarious liability on local governments for wrongs committed by their officers, instead of requiring plaintiffs to meet the challenging Monell standard. In our view, a model state statute would additionally include an analogue to Section 1988, allowing fee-shifting for prevailing plaintiffs, to encourage attorneys to bring these cases.

Finally, a model statute would mandate that officers are indemnified, so that plaintiffs can be assured compensation for their losses. California’s statute—along with statutes in several other states—has this type of broad indemnification provision and could be emulated by states with farther reaching limitations on indemnification. 144 By adopting the California model, states would foreclose the argument that individual officers have acted so egregiously as to fall within an exception in indemnification coverage.145 Mandating indemnification would also prevent government attorneys from using the threat that they will deny indemnification strategically, to reduce plaintiffs’ awards. State statutes should also prohibit indemnification caps if they wish to ensure plaintiffs are fully compensated.

In the months after George Floyd’s killing, several state legislatures considered draft statutes that included some or all of these components.146 While most have not adopted legislation, Colorado enacted a law in 2020 that achieves almost all of these goals. It provides a private right of action for violations of state constitutional law by Colorado law enforcement officers and specifically prohibits the use of qualified immunity and state statutory immunities as defenses to claims brought under the section.147 The statute provides attorneys’ fees for prevailing plaintiffs. 148 The statute requires that local governments indemnify their officers unless they are convicted of a crime and also requires that local governments require their officers to contribute the lesser of 5% of the settlement or judgment or $25,000 if they are found by their employer to have acted in bad faith.149 No other state legislatures seem to have considered this type of indemnification clause with a contribution requirement for bad faith actors. But other states— including California, Kansas, Massachusetts, New Mexico, New York, Rhode Island, Texas, Virginia, and Washington—have considered creating a state law cause of action for constitutional violations that require the employer to indemnify.150

Overall, we endorse Colorado’s approach but offer a few design choices for state legislatures to consider. The first choice is a question of which officials any such law would cover. Colorado’s statute is limited to unconstitutional conduct by law enforcement officials. But Section 1983 has no such limitation, and states could decide to expand liability to other types of government officials as well. Most states that have created a statutory cause of action have provided broader coverage, encompassing all persons acting under color of state law.151 Limiting the reach of such a statute to law enforcement might be considered responsive to the social movements that have focused attention on policing.152 But in our view, broader coverage is more consistent with the overall goals of civil rights enforcement and eliminates difficult interpretive questions regarding who is a law enforcement officer.153

A second choice relates to which rights to enforce. The Colorado statute is limited to violations of state constitutional law. Some other statutes are limited to vindicating constitutional rights in specific contexts.154 But we see no reason why state lawmakers cannot create a cause of action for the violation of state and federal constitutional rights. As a matter of federalism, states and state courts have long been responsible for enforcing federal norms.155 State legislative power is presumptively broad, so long as they do not transgress constitutional boundaries, and states already adopt laws that facilitate the effectuation of federal law.156 And while only a few states have enacted statutes akin to the one we propose here, most provide for enforcement of both federal and state constitutional rights.157 There is no sound federalism-based reason that would bar states from enforcing federal constitutional guarantees more stringently than Congress has.

We also believe there are several overlapping reasons for supporting a state-created affirmative right to sue for violations of both the state and federal constitutions. First, doing so would likely give litigants the option of litigating such claims in state or federal court because such claims could “arise under” federal law within the meaning of 28 U.S.C. § 1331.158 Second, a state law cause of action for violations of the federal Constitution—and no qualified immunity defense—would increase the opportunities for federal and state courts to announce clear interpretations of federal constitutional rights.159 This would help solve the constitutional stagnation problem caused by the Supreme Court’s current Section 1983 jurisprudence. And finally, because as a historical matter there has been very little elaboration of state constitutional law in the context of affirmative civil rights claims,160 state courts interpreting the new statute could benefit from having a body of familiar federal law to apply in tandem with less developed state constitutional law.

A third design choice relates to how to allocate financial liability for constitutional violations—should the statute institute both vicarious liability and certain indemnification, or just one of the two? Colorado’s statute takes a novel approach, described above. It requires indemnification in all cases unless the defendants are convicted of a crime.161 Certain indemnification ensures that injured parties are fully compensated and that the threat of indemnification denials cannot be used strategically. Another way to ensure compensation, either as an alternative or in tandem with certain indemnification, is to provide for vicarious entity liability for states and municipalities whose employees violate the state or federal constitution. To do this, state legislatures would do well to make respondeat superior liability explicit in any statute, thereby precluding courts from importing Section 1983’s Monell construct into state law. In so doing, state legislatures also would have to make clear any intent to waive sovereign immunity of state entities for this liability.162 As a functional matter this will have the same effect as certain indemnification. But making clear the entity’s responsibility for the tortious conduct of its employees might simplify litigation and also help shift discourse away from a “bad apples” narrative toward an appreciation of the systemic nature of unconstitutional conduct.

#### It creates deterrence against misconduct, provides leverage for plaintiffs, and independently revitalizes government accountability.

Leong 23 [Nancy, Associate Dean for Faculty Scholarship & William M. Beaney Memorial Research Chair, University of Denver Sturm College of Law, “CONSTITUTIONAL ACCOUNTABILITY THROUGH STATE TORT LAW”, 2023, <https://repository.law.wisc.edu/s/uwlaw/ark:/86871/w11656633>]

In a world where the Supreme Court has severely curtailed remedial avenues for constitutional violations, state tort presents an appealing avenue for constitutional enforcement. Certain behavior by government officials—unreasonable use of force by police, abusive practices by corrections officers—violates the Constitution. Yet such behavior is difficult, perhaps nearly impossible, to remedy under Section 1983 for reasons unrelated to the merits of the claims: daunting justiciability hurdles, the plausibility pleading requirement, qualified immunity, the municipal policy or custom requirement, and strict limitations on attorneys’ fees that make securing counsel difficult.58

In the face of these obstacles, state tort law offers an alternative avenue for furthering the twin aims of Section 1983 with respect to behavior that violates the Constitution. It can compensate injured plaintiffs for the harms they have suffered and can deter such behavior in the future.59 From the plaintiff’s perspective, it may not matter very much whether they prevail on a Section 1983 claim or a tort claim. A jury verdict or a settlement on either one is money in the plaintiff’s pocket—indeed, the state tort claim may offer more money in some circumstances.60 Further, for a plaintiff who hopes to motivate structural reform, victory on either a Section 1983 claim or a tort claim can do so. A plaintiff who wants to create incentives for a police department to discontinue use of tasers or chokeholds can do so regardless of whether the mechanism is a Fourth Amendment claim or a state tort claim for battery.61 A plaintiff’s victory can thus further either or both of the rationales of compensation and deterrence. And for public interest lawyers trying to motivate change on the ground, for some purposes it may not matter whether they win on a Section 1983 claim or a state tort claim.62

At a time when success is rare for civil rights plaintiffs,63 state tort law also offers some strategic benefits. Given that few Section 1983 claims actually reach a jury trial, settlement position is a concern of great importance to plaintiffs.64 The addition of a plausible state tort claim to a complaint can provide additional leverage to settle and to increase the settlement amount.65 Further, procedural differences between federal constitutional claims and state tort claims can also place the plaintiff in a better position. For example, a state court may offer notice pleading rather than Iqbal’s plausibility standard.

Parallel pleading of constitutional claims under Section 1983 and tort claims under state law also has potential jurisprudential benefits. A court’s simultaneous consideration of such claims can help the court to differentiate such claims, clarifying the elements that are congruous and those that diverge. Case law includes many examples of federal and state courts carefully considering both federal constitutional and state court claims arising out of the same facts.66 The distinct articulation of the elements of each claim in a complaint furthers this endeavor by highlighting the distinctions between the two claims.67 Likewise, other commentators and I have previously argued that litigating constitutional rights in multiple remedial contexts can enrich our understanding of the rights.68 Litigating both tort and constitutional claims in response to a single instance of problematic official conduct provides an opportunity to examine the implications of the behavior through two distinct lenses.

### 1NC---Public Litigation Fails

#### The counterplan solves agency function and CBRs better than the aff. Finding a constitutional right of action is quicker and more functional than the appeals agencies. Only private litigation can solve.

Handler 26 [Nicholas Handler, Texas A&M University School of Law, “The Administrative Law of McCarthyism” 78 Stan. L. Rev. Forthcoming 2026]

On the other hand, as the administration’s campaign against the civil service has made clear, when pushed to their limits, personnel actions implicate more fundamental questions of administrative and constitutional law. Yes, the President has broad discretion to decide when to conduct reductions in force in the name of making agencies more efficient. 309 But when does the elimination of a large number of civil service positions so limit an agency’s capacity that it becomes unable to carry out its statutory mission? Asked another way, when does a personnel action (where the executive branch operates with considerable deference) so impact agency operations that it implicates broader questions under the Administrative Procedure Act, the Impoundment Control Act, or the Supreme Court’s precedent on the separation of powers? 310

[Footnote 310] See, e.g., N.Y. v. McMahon, supra note 307, Dkt. No. 1 at 41-49 (Complaint) (challenging RIFs as violating the APA, Article I of the U.S. Constitution, and the Take Care Clause, and as ultra vires); AFGE v. Trump, supra note 307, Dkt. No. 1 at 96-105 (Complaint) (challenging RIFs as violating the APA and separation-of-powers principles).

When does personnel management exit the world of “internal administrative law”—lawlike and important, but not subject to the same standards of judicial review311—and enter the world of administrative law proper?

Likewise, hiring and firing civil servants based on political loyalty is prohibited under the CSRA and the Hatch Act,312 but claims are difficult to prove and channeled through the Merit Systems Protection Board and Office of Special Counsel, which pose additional hurdles.313

[Footnote 313] See, e.g., Nick Bednar, “Trump’s Dismantling of the Government Hurts Due Process,” Lawfare (Mar. 4, 2025) (describing how vacancies at the MSPB and FLRA have made it difficult for civil servants to vindicate hearing rights), https://www.lawfaremedia.org/article/trump-s-dismantling-of-the-government-hurtsdue-process

Yet, when the President makes clear that employment in a particular federal office requires civil servants to prioritize the President’s own political agenda over statutory criteria or professional norms when making important decisions,314 those personnel management techniques again implicate more fundamental questions about whether a program is operating in the manner required by Congress. Can the President staff an agency in such a biased manner, with the aim of achieving specific policy outcomes, that the personnel policy becomes inextricable from questions of statutory implementation? Now, as then, it becomes difficult to cleanly separate the world of personnel administration from the world of administrative law.

Increasingly, in the cases challenging the administration’s personnel initiatives, courts have begun to analyze the President’s orders for their legality not only under the CSRA, but under the APA, the Constitution, and other laws.315 This doctrinal move has a number of implications—if personnel actions are reviewable under the APA or the Constitution, they will not only be subject to closer to judicial scrutiny, but may also have a quicker pathway into court, as they will not need to take the lengthy and sometimes dysfunctional route through the MSPB, FLRA, or OSC. 316

### 2NC---S---General

#### Trump’s firing violates his constitutional duty to faithfully execute laws – the counterplan would allow enforcement to reverse firings and directly require agency effectiveness

Weintraub et al 25 [Ellen L. Weintraub is an American attorney who served as a member of the Federal Election Commission from 2002 to 2025, Kate Shaw, professor of law at the University of Pennsylvania Law School, and Melissa Murray, Frederick I. and Grace Stokes Professor of Law and the faculty director of the Birnbaum Women's Leadership Center at New York University School of Law, 12-23-2025 transcription here: https://app.podscribe.com/episode/146104286?transcriptVersionReqId=0ec81758-28e9-4047-989c-db3600b7066a]

And I think that is very dangerous. It's, it's going to mean a loss of independence. It's gonna mean a loss of independent voices. I mean, let's remember that the, the FEC is a little bit unusual in that it has an even number from, from each of the two parties. Most agencies are actually under the control of the president and his party. Yes. Because most of the independent agents, most of these multi-member boards, which is, you know, what we were talking about in the Slaughter case, have an odd number and the chair is appointed by the president. So he's got control over these agencies. It's not a question of the president being these agencies acting without any input from the president, but what you're going to lose are any independent voices.

And, and you're also going to lose, if this goes down below the very top echelons of these agencies, you're gonna lose expertise. And that's already starting to happen, obviously across government because A, the president fires people that he doesn't like their opinions, but b it's gonna be much more difficult to recruit good people to come back into government. Why would somebody wanna build a career on providing service to the American people, good public spirited people that are already throughout, working throughout the government or have been working throughout the government. How do you get those people to have the incentive to come back to government if they know that they're gonna have no job security?

And anytime they voice an opinion that's contrary to the president, it'll just, they, they could just get fired. And the firing of people like me who did speak out, I think was intended and received as a message of intimidation to other heads of agencies and to other government employees. So I think all of that is gonna be to the detriment of the American people.

Ellen, you mentioned these people that the president is firing in violation of these terms that Congress has set that now maybe the Supreme Court will make permissible going forward. How did you experience the process of being fired by the president from your post at the FEC? Some people have said that they got an email from someone, others have said that they were supposed to get an email, but the person sending the email type their name wrong. So they never got the email. And they found out from a coworker who was CC'd, like, I mean, it just sounds like, you know, they're really doing this government thing at a really high level, like a plus work here.

Can you tell us your Trump firing story?

Yeah, I got an email. I actually was not in the office. It was late on a Thursday afternoon and I was out of the office, so I was not staring at my email. It was a two sentence letter, you're removed, effective immediately. Thank you for your service. They did say thank you. You

Did get a thank you, thank, not everyone did.

I did get a thank. Yeah, I was called. But, but a, the, the letter was dated a week earlier, so I don't know where it was during that week, but it was dated January 31st. I didn't get it until February 6th. And then it was copied to both the staff director and the general counsel of the agency. And I think, as I've said before, I think that was intended and received as a message like, we are watching you too. So this person is the first to go and if you don't make sure that she's outta the building, then you know, other people could follow. And I was subsequently cut off from my email.

I was removed from all, I couldn't get access to the databases. They, they decommissioned the chip in my ID that allowed me access to the building. You know, I was given a little bit of time to clear out my office, which, you know, was nice I guess. But it was, I was not surprised to be removed by the president, but I thought that what would happen would be that I would be replaced in the normal course, right. As would have been consistent with the law. But that is not in fact what happened. And by the way, the other, another ramification of all of these firings is that the, it's a, it's a death by decapitation of various agencies including the FEC.

The FEC has is supposed to have six commissioners, four is a quorum, and now it's down to two. All of the Republican commissioners left This year, one to join the administration, one to go into private practice, one to run for Congress, and then I was fired. So they don't have a quorum and there are no nominations pending. So this is another way that the president fails in his constitutional duty to take care that the laws be faithfully executed. That's the sentence that the originalists don't quote quite so often also from the constitution. But Congress set up this agency, they set it up in particular as a bipartisan body.

And if the president can just fire people willy-nilly so that there is no functional quorum, the agency can't enforce the law, it can't interpret the law, it can't do anything that it's any of its major important jobs. And, and the FEC is not the only commission that's been effectively decommissioned. Yeah. You know, the NLRB- I think is in the same situation. There are probably others.

I think the ccp SC maybe lacks a quorum too. Yeah.

But, but Ellen, this is so interesting. I mean, the point about yeah, dismantling by decapitation. So Ramon Martinez in the argument said that this case was basically moot because the administration wasn't going to enforce it. He might have actually been exactly right, but for a different reason. Like, they're not going to enforce it because there's not going to be an FEC.

Yeah. I think he or he's doubly he's right for even more reasons that he was identifying. But it, it did that, when you were talking Ellen, it made me think that, you know, their effort to completely sort of slash and burn federal government under the leadership of Elon Musk and Doge was actually pretty unpopular in certain respects. But I wonder whether this reflects a kind of effort to, in more, you know, kind of gentil looking ways, like to just exercise the president's rightful article to power, but essentially get to the same place, which is agencies that can do none of the work that Congress empowered them to do. And that the people often really need to go back to the first thing you said, to do things like protect consumers, prevent corporate consolidation, protect laborers, and so much more.

#### That solves fed workers – the private right of action provides them a remedy to enforce their CBRs and get their jobs back

Newhouse 25 [Sean Michael Newhouse staff writer at Government Executive, 10-8-2025 https://www.govexec.com/management/2025/10/federal-employee-appeals-board-gets-quorum-after-senate-confirms-new-member/408701/]

The return of a quorum to the Merit Systems Protection Board may undercut the rationale behind a new Democratic bill that would enable federal employees who appeal disciplinary actions taken against them to the three-member panel to move their cases to a civil court if the quasi-judicial agency is experiencing delays.

MSPB had been without a quorum since the spring when the Supreme Court temporarily permitted President Donald Trump’s firing of Democratic board member Cathy Harris. The justices are scheduled during their current term to consider a related case, which could expand the president’s power to remove leaders of historically independent agencies with leaders from both parties, over the firing of Rebecca Slaughter, a Democratic member of the Federal Trade Commission.

The Senate on Tuesday, however, confirmed the nomination of James Woodruff to be a member of the MSPB. He was considered in an en bloc package of nominees that was approved in a 51-47 party-line vote.

Woodruff joins Henry Kerner, who is also a Republican and had been the board’s sole member following Harris’ removal and the end of Democratic MSPB board member Raymond Limon’s term in February. No more than two members of the panel can be from the same political party.

The new board member is a professor at an online law school who said in his opening statement during his confirmation hearing that he has argued cases before MSPB as a lawyer for the Air Force. According to Woodruff’s LinkedIn, he is pursuing a Master of Liberal Arts degree in digital media design and a graduate certificate in front end web development at Harvard’s Extension School.

Also on Tuesday, Senate and House Democrats introduced the Fair Access to Swift and Timely Justice Act (S. 2977), which would grant a private right of action to federal employees if MSPB does not act on an appeal after 120 days.

“Our measure helps federal employees who have been illegally fired by the Trump administration get the justice they deserve,” the bill’s sponsor, Sen. Richard Blumenthal, D-Conn., said in a statement. “The Trump administration’s efforts to undermine the independent MSPB have already resulted in significant delays for fired federal workers seeking relief.”

The measure is cosponsored by 11 Senate Democrats. Rep. James Walkinshaw, D-Va., is planning to introduce companion legislation in the House, according to a press release. Walkinshaw has continued the legislative focus on federal employees of his predecessor, and former boss, Rep. Gerry Connolly, D-Va., who died from cancer in May.

The bicameral bill is endorsed by the American Federation of Government Employees, the nonprofit Government Accountability Project and the National Active and Retired Federal Employees Association.

“If the MPSB has no quorum, appeals to its authority may languish without action,” NARFE National President William “Bill” Shackelford said in a statement. “This bill provides an alternative remedy when the MSPB is unable to hear a case in a timely manner, allowing public servants who may have been terminated for political reasons to file an action in federal court.

### 2NC---S---National Security

#### The counterplan expands the pool of plaintiffs in national security cases and creates offensive and defensive standing to sue. That ensures agency accountability.

Kent 14 [Andrew, Professor, Fordham Law School; Faculty Advisor, Center on National Security at Fordham Law School, “ARE DAMAGES DIFFERENT?: BIVENS AND NATIONAL SECURITY”, 2014, <https://ir.lawnet.fordham.edu/cgi/viewcontent.cgi?article=1522&context=faculty_scholarship>]

Under current doctrine, offensive litigation seeking injunctions or injunctive-type relief (habeas) are widely, but by no means universally, available for individuals affected by U.S. national security policies. But, as this Article has discussed, offensive money damages remedies (Bivens) have not been provided in most circumstances. Allowing Bivens in the national security area will substantially increase the size of the pool of potential plaintiffs—meaning the pool of persons who can raise constitutional claims offensively or defensively, whether or not they initiate civil lawsuits as formal plaintiffs. Rules about Article III standing and matters of timing mean that there is an enormous difference between the size of the pool of potential plaintiffs in offensive versus defensive constitutional litigation, and between suits seeking retrospective versus prospective remedies. There will always be a much larger number of individuals who potentially could raise claims against the government offensively compared to defensively, and a much larger number of individuals who can sue for damages than for injunctive relief.

To simplify somewhat, an individual may seek injunctive relief only for so long as the government harm is occurring. That might be just a few instances. After it is over, the injured party will not have standing to sue for injunctive-type relief unless it can be shown that the government harm is objectively likely to recur.263 Even if the harm occurs over a longer period of time, and therefore, there is a greater time window during which to sue for injunctive relief, the government misconduct might be of a type which prevents the individual from reaching a lawyer or court.264 Therefore, there will generally be a somewhat narrow time window in which an injured party can be a plaintiff seeking injunctive relief against government misconduct. The time window during which an individual injured by government officials may seek to be plaintiffs in a money damages suit is substantially, often exponentially, larger—probably at least several years under the relevant statute of limitations.265 In addition, it is significantly easier to establish standing to sue for damages than for an injunction.266

### 2NC---AT: ‘Should’

**It can’t be perceived as follow-on since fiat is immediate**

**Summers 94** (Justice – Oklahoma Supreme Court, “Kelsey v. Dollarsaver Food Warehouse of Durant”, 1994 OK 123, 11-8, http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker3fn13)

¶4 The legal question to be resolved by the court is whether the word "should"[13](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker3fn13) in the May 18 order connotes futurity or may be deemed a ruling *in praesenti*.[14](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker3fn14) The answer to this query is not to be divined from rules of grammar;[15](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker3fn15) it must be governed by the age-old practice culture of legal professionals and its immemorial language usage. To determine if the omission (from the critical May 18 entry) of the turgid phrase, "and the same hereby is", (1) makes it an in futuro ruling - i.e., an expression of what the judge will or would do at a later stage - or (2) constitutes an in in praesenti resolution of a disputed law issue, the trial judge's intent must be garnered from the four corners of the entire record.[16](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker3fn16)

[CONTINUES – TO FOOTNOTE]

[13](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker2fn13) "*Should*" not only is used as a "present indicative" synonymous with *ought* but also is the past tense of "shall" with various shades of meaning not always easy to analyze. See 57 C.J. Shall § 9, Judgments § 121 (1932). O. JESPERSEN, GROWTH AND STRUCTURE OF THE ENGLISH LANGUAGE (1984); St. Louis & S.F.R. Co. v. Brown, 45 Okl. 143, 144 P. 1075, 1080-81 (1914). For a more detailed explanation, see the Partridge quotation infra note 15. Certain contexts mandate a construction of the term "should" as **more** than merely indicating preference or desirability. Brown, supra at 1080-81 (jury instructions stating that jurors "should" reduce the amount of damages in proportion to the amount of contributory negligence of the plaintiff was held to imply an *obligation* *and to be more than advisory*); Carrigan v. California Horse Racing Board, 60 Wash. App. 79, [802 P.2d 813](http://www.oscn.net/applications/oscn/deliverdocument.asp?box1=802&box2=P.2D&box3=813) (1990) (one of the Rules of Appellate Procedure requiring that a party "should devote a section of the brief to the request for the fee or expenses" was interpreted to mean that a party is under an *obligation* to include the requested segment); State v. Rack, 318 S.W.2d 211, 215 (Mo. 1958) ("should" would mean the same as "shall" or **"must"** when used in an instruction to the jury which tells the triers they "should disregard false testimony"). [14](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker2fn14) *In praesenti* means literally "at the present time." BLACK'S LAW DICTIONARY 792 (6th Ed. 1990). In legal parlance the phrase denotes that which in law is *presently* or ***immediately effective***, as opposed to something that *will* or *would* become effective *in the* ***future*** *[in futurol*]. See Van Wyck v. Knevals, [106 U.S. 360](http://www.oscn.net/applications/oscn/deliverdocument.asp?box1=106&box2=U.S.&box3=360), 365, 1 S.Ct. 336, 337, 27 L.Ed. 201 (1882).

## Court Politics DA

### Impact---1NC

#### Economic decline escalates global tinderboxes and undermines societal adaptation.

Cavaciuti-Wishart et al. 24 [Ellissa Cavaciuti-Wishart, MPhil, Head, Global Risks, World Economic Forum; Sophie Heading, MA, Lead, Global Risks, World Economic Forum; Kevin Kohler, MA, Specialist, Global Risks, World Economic Forum; and Saadia Zahidi, MPhil, Managing Director, World Economic Forum, "Global Risks 2024: At a Turning Point," & "Global Risks 2034: Over the Limit," in The Global Risks Report 2024, Chapters 1-2, January 2024, pg. 14-39]

Weakened systems only require the smallest shock to edge past the tipping point of resilience. In the second time frame covered by the survey, respondents were asked to rank the likely impact of risks in the next two years. The results suggest that corrosive socioeconomic vulnerabilities will be amplified in the near term, with looming concerns about an Economic downturn (Chapter 1.5), resurgent risks such as Interstate armed conflict (Chapter 1.4), and rapidly evolving risks like Misinformation and disinformation (Chapter 1.3).

As discussed in last year’s Global Risks Report, less predictable and harder-to-handle inflation heightens the risk of miscalibration of efforts to balance price stability and economic growth (Chapter 1.5: Economic uncertainty). Economic risks are notable new entrants to the top 10 rankings this year, with both Inflation (#7) and Economic downturn (#9) featuring in the two-year time frame (Figure 1.3). Economic risks are prioritized in particular by public- and private-sector respondents (Figure 1.5). Geoeconomic confrontation (#14) is a marked absence from the top 10 rankings this year (Figure 1.4) and has decreased in perceived severity compared to last year’s scores. However, like related economic risks, it features among the top concerns for both public- and private-sector respondents (at #10 and #11, respectively) as a continuing source of economic volatility.

[Figures omitted]

Misinformation and disinformation has risen rapidly in rankings to first place for the two-year time frame, and the risk is likely to become more acute as elections in several economies take place this year (Chapter 1.3: False information). Societal polarization is the third-most severe risk over the short term, and a consistent concern across nearly all stakeholder groupings (Figures 1.5 and 1.6). Divisive factors such as political polarization and economic hardship are diminishing trust and a sense of shared values. The erosion of social cohesion is leaving ample room for new and evolving risks to propagate in turn. Societal polarization, alongside Economic downturn, is seen as one of the most central risks in the interconnected “risks network”, with the greatest potential to trigger and be influenced by other risks (Figure 1.7).

[Figures omitted]

Interstate armed conflict (#5) rises in the rankings for the two-year horizon, across nearly all stakeholder groups, except for government respondents. This divergence may simply reflect different views around defining conflict: interstate armed conflict in the strict definition has remained relatively rare thus far, but international interventions in intrastate conflict are on the rise (Chapter 1.4: Rise in conflict).

Extreme weather events, a persistent concern between last year and this year, is at #2, Cyber insecurity at #4, Involuntary migration at #8 and Pollution at #10, rounding out the top 10 concerns in respondents’ risk perceptions through to 2026. Overall, global risks have lower severity scores compared to last year’s results.7 Further down in the two-year time frame rankings, Critical change to Earth systems comes in at #11, Debt in 16th place, and Adverse outcomes of AI technologies and other frontier technologies in 29th and last place, respectively.

The following sections explore some of the most severe risks that many expect to play out over the next two years, focusing on three entrants to the top 10 risks list over the short term: Misinformation and disinformation (#1), Interstate armed conflict (#5) and Economic downturn (#9). We briefly describe the latest developments and key drivers for false information, a rise in conflict and economic uncertainty, and consider their emerging implications and knock-on effects.

False information

[Figure omitted]

* Misinformation and disinformation may radically disrupt electoral processes in several economies over the next two years.
* A growing distrust of information, as well as media and governments as sources, will deepen polarized views – a vicious cycle that could trigger civil unrest and possibly confrontation.
* There is a risk of repression and erosion of rights as authorities seek to crack down on the proliferation of false information – as well as risks arising from inaction.

The disruptive capabilities of manipulated information are rapidly accelerating, as open access to increasingly sophisticated technologies proliferates and trust in information and institutions deteriorates. In the next two years, a wide set of actors will capitalize on the boom in synthetic content,8 amplifying societal divisions, ideological violence and political repression – ramifications that will persist far beyond the short term.

Misinformation and disinformation (#1) is a new leader of the top 10 rankings this year. No longer requiring a niche skill set, easy-to-use interfaces to large-scale artificial intelligence (AI) models have already enabled an explosion in falsified information and so-called ‘synthetic’ content, from sophisticated voice cloning to counterfeit websites. To combat growing risks, governments are beginning to roll out new and evolving regulations to target both hosts and creators of online disinformation and illegal content.9 Nascent regulation of generative AI will likely complement these efforts. For example, requirements in China to watermark AI-generated content may help identify false information, including unintentional misinformation through AI hallucinated content.10 Generally however, the speed and effectiveness of regulation is unlikely to match the pace of development.

Synthetic content will manipulate individuals, damage economies and fracture societies in numerous ways over the next two years. Falsified information could be deployed in pursuit of diverse goals, from climate activism to conflict escalation.

New classes of crimes will also proliferate, such as non-consensual deepfake pornography or stock market manipulation.11 However, even as the insidious spread of misinformation and disinformation threatens the cohesion of societies, there is a risk that some governments will act too slowly, facing a trade-off between preventing misinformation and protecting free speech, while repressive governments could use enhanced regulatory control to erode human rights.

Mistrust in elections

Over the next two years, close to three billion people will head to the electoral polls across several economies, including the United States, India, the United Kingdom, Mexico and Indonesia (Figure 1.9).12 The presence of misinformation and disinformation in these electoral processes could seriously destabilize the real and perceived legitimacy of newly elected governments, risking political unrest, violence and terrorism, and a longer-term erosion of democratic processes.

Recent technological advances have enhanced the volume, reach and efficacy of falsified information, with flows more difficult to track, attribute and control. The capacity of social media companies to ensure platform integrity will likely be overwhelmed in the face of multiple overlapping campaigns.13 Disinformation will also be increasingly personalized to its recipients and targeted to specific groups, such as minority communities, as well as disseminated through more opaque messaging platforms such as WhatsApp or WeChat.14

The identification of AI-generated mis- and disinformation in these campaigns will not be clear-cut. The difference between AI- and humangenerated content is becoming more difficult to discern, not only for digitally literate individuals, but also for detection mechanisms.15 Research and development continues at pace, but this area of innovation is radically underfunded in comparison to the underlying technology.16 Moreover, even if synthetic content is labelled as such,17 these labels are often digital and not visible to consumers of content or appear as warnings that still allow the information to spread. Such information can thus still be emotively powerful, blurring the line between malign and benign use. For example, an AI-generated campaign video could influence voters and fuel protests, or in more extreme scenarios, lead to violence or radicalization, even if it carries a warning by the platform on which it is shared that it is fabricated content.18

The implications of these manipulative campaigns could be profound, threatening democratic processes. If the legitimacy of elections is questioned, civil confrontation is possible – and could even expand to internal conflicts and terrorism, and state collapse in more extreme cases. Depending on the systemic importance of an economy, there is also a risk to global trade and financial markets. State-backed campaigns could deteriorate interstate relations, by way of strengthened sanctions regimes, cyber offense operations with related spillover risks, and detention of individuals (including targeting primarily based on nationality, ethnicity and religion).19

[Figure omitted]

Societies divided

Misinformation and disinformation and Societal polarization are seen by GRPS respondents to be the most strongly connected risks in the network, with the largest potential to amplify each other. Indeed, polarized societies are more likely to trust information (true or false) that confirms their beliefs. Given distrust in the government and media as sources of false information,20 manipulated content may not be needed – merely raising a question as to whether it has been fabricated may be sufficient to achieve relevant objectives. This then sows the seeds for further polarization.

As identified in last year’s Global Risks Report (Chapter 1.2: Societal polarization), the consequences could be vast. Societies may become polarized not only in their political affiliations, but also in their perceptions of reality, posing a serious challenge to social cohesion and even mental health. When emotions and ideologies overshadow facts, manipulative narratives can infiltrate the public discourse on issues ranging from public health to social justice and education to the environment. Falsified information can also fuel animosity, from bias and discrimination in the workplace to violent protests, hate crimes and terrorism.

Some governments and platforms, aiming to protect free speech and civil liberties, may fail to act to effectively curb falsified information and harmful content, making the definition of “truth” increasingly contentious across societies. State and non-state actors alike may leverage false information to widen fractures in societal views, erode public confidence in political institutions, and threaten national cohesion and coherence. Trust in specific leaders will confer trust in information, and the authority of these actors – from conspiracy theorists, including politicians, and extremist groups to influencers and business leaders – could be amplified as they become arbiters of truth.

Defining truth

False information could not only be used as a source of societal disruption, but also of control, by domestic actors in pursuit of political agendas.21 Although misinformation and disinformation have long histories, the erosion of political checks and balances, and growth in tools that spread and control information, could amplify the efficacy of domestic disinformation over the next two years.22 Global internet freedom is already in decline and access to wider sets of information has dropped in numerous countries.23 Falls in press freedoms in recent years and a related lack of strong investigative media, are also significant vulnerabilities that are set to grow.24

Indeed, the proliferation of misinformation and disinformation may be leveraged to strengthen digital authoritarianism and the use of technology to control citizens. Governments themselves will be increasingly in a position to determine what is true, potentially allowing political parties to monopolize the public discourse and suppress dissenting voices, including journalists and opponents.25 Individuals have already been imprisoned in Belarus and Nicaragua, and killed in Myanmar and Iran, for online speech.26

[Figure omitted]

The export of authoritarian digital norms to a wider set of countries could create a vicious cycle: the risk of misinformation quickly descends into the widespread control of information which, in turn, leaves citizens vulnerable to political repression and domestic disinformation.27 GRPS respondents highlight strong bilateral relationships between Misinformation and disinformation, Censorship and surveillance (#21) and the Erosion of human rights (#15), indicating a higher perceived likelihood of all three risks occurring together (Figure 1.10).

This is a particular concern in those countries facing upcoming elections, where a crackdown on real or perceived foreign interference could be used to consolidate existing control, particularly in flawed democracies or hybrid regimes. Yet more mature democracies could also be at risk, both from extensive exercises of government control or due to trade-offs between managing mis- and disinformation and protecting free speech. In January last year, Twitter and YouTube agreed to remove links to a BBC documentary in India.28 In Mexico, civil society has been concerned about the government's approach to fake news and its implications for press freedom and safety.29

Rise in conflict

[Figure omitted]

* Escalation in three key hotspots – Ukraine, Israel and Taiwan – is possible, with high-stakes ramifications for the geopolitical order, global economy, and safety and security.
* Geographic, ideological, socioeconomic and environmental trends could converge to spark new and resurgent hostilities, amplifying state fragility.
* As the world becomes more multipolar, a widening array of pivotal powers will step into the vacuum, potentially eroding guardrails to conflict containment.

The world has become significantly less peaceful over the past decade, with conflict erupting in multiple regions last year.30 Active conflicts are at the highest levels in decades, while related deaths have witnessed a steep increase, nearly quadrupling over the two-year period from 2020 to 2022 (Figure 1.12), largely attributable to developments in Ethiopia and Ukraine. While difficult to attribute to a single cause, longer-term shifts in geopolitical power, economic fragility and limits to the efficacy and capacity of international security mechanisms have all contributed to this surge.

Interstate armed conflict (#5) is a new entrant to the top 10 risk rankings this year. Specific flashpoints could absorb focus and split the resources of major powers over the next two years, degrading global security and destabilizing the global financial system and supply chains. Although war between two states in the strict definition remains relatively rare (Figure 1.12), this could contribute to conflict contagion, leading to rapidly expanding humanitarian crises that overwhelm the capacity to respond.

[Figure omitted]

High-stakes hotspots

Over the next two years, the attention and resources of global powers are likely to be focused on three hotspots in particular: the war in Ukraine, the Israel-Gaza conflict and tensions over Taiwan. Escalation in any one of these hotspots would radically disrupt global supply chains, financial markets, security dynamics and political stability, viscerally threatening the sense of security and safety of individuals worldwide.

All three areas stand at a geopolitical crossroads, where major powers have vested interests: oil and trade routes in the Middle East, stability and the balance of power in Eastern Europe, and advanced technological supply chains in East Asia. Each could lead to broader regional destabilization, directly drawing in major power(s) and escalating the scale of conflict. All three also directly involve power(s) reckoned to possess nuclear capabilities.

Over the next two years, the war in Ukraine could sporadically alternate between intensifying and refreezing. Despite sanctions, Russia has continued to benefit from energy profits and commodity exports – and this could increase further if the conflict in the Middle East widens.31 Pro-Russian or neutral sentiment in Eastern and Central Europe could soften support from Ukraine’s European allies,32 while support in the United States could wane under domestic pressures, other international priorities, or under a new government. Global divisions with respect to the Middle East conflict may also complicate efforts by Ukraine to maintain unity with Western allies, while also garnering support from the Global South.33 If the conflict intensifies, it is still more likely to do so through conventional rather than nuclear means, but it could also expand to neighbouring countries. While post-conflict scenarios for both Ukraine and Russia are difficult to predict, the war could ‘refreeze’ into a prolonged, sporadic conflict that could last years or even decades.34

Proximate developments in the Middle East are a source of considerable uncertainty, risking further indirect or direct confrontation between global powers. If the Israel-Gaza conflict destabilizes into wider regional warfare, more extensive intervention by major powers is possible, including Iran and the West.35 Beyond potentially seismic shocks to global energy prices and supply chains, escalation could split the attention and resources of the EU and the United States between Ukraine and Israel.36 The scale of Gulf countries’ or Western intervention is uncertain; it’s likely to continue to be deeply polarizing domestically and hold significant political sway.

Numerous GRPS respondents also cited Taiwan and disputed territories in East and South-East Asia as areas of concern. In contrast to Russia, which doubled its defense spending target to more than $100 billion in 2023, and the United States, which allocated over $113 billion in assistance relating to the war in Ukraine alone,37 China has largely acted as a non-interventionist power in both the Ukraine and Middle East conflicts, avoiding the risk of overstretch.38 While there is no evidence to suggest that escalation is imminent, there remains a material possibility of accidental or intentional outbreak of hostilities, given heightened activity in the region.39

Conflict contagion

As high-stakes hotspots undermine global security, a wider set of trends may fuel a combustible environment in which new and existing hostilities are more likely to ignite. As conflicts spread, guardrails to their containment are eroding and resolve for long-term solutions have stalled.40 In parallel, the internationalization of conflicts by a wider set of alternate powers will accelerate ‘multipolarity’ and the risk of inadvertent escalation.

First, simmering tensions and frozen conflicts that are proximate to existing hotspots could heat up. For example, spillover impacts from a high concentration of conflicts, such as in Asia and Africa (Figure 1.13), could range from more readily available arms trafficking to conflict-driven migration. Other states could also deliberately stoke tensions in neighbouring countries to divert attention and resources, through disinformation campaigns or the deployment of state-backed militia groups, for example. Frozen conflicts at risk could include the Balkans, Libya, Syria, Kashmir, Guyana, the Kurdish region and Korean peninsula.41 These risks are well-recognized by business leaders: Interstate armed conflict features as a top-five risk in 20 countries (18%) surveyed in the Forum’s Executive Opinion Survey (EOS, see Appendix C: Executive Opinion Survey: National Risk Perceptions), including Egypt, Iraq, Kazakhstan and Serbia, and is the top risk in Armenia, Georgia, Kyrgyzstan and Japan.

Second, resource stress, economic hardship and weakened state capacity will likely grow and, in turn, fuel conflict.42 There may also be a rise of ‘ungoverned countries’, where non-state actors fight for control over large swathes of territory, or where parties not recognized by the international system gain full control. For example, resource-rich countries could become caught in a battleground of proxy warfare between multiple powers, including neighbouring economies, organized crime networks and paramilitary groups (Chapter 2.6: Crime wave).43

[Figure omitted]

Third, with instant information networks and reinforcing algorithms, the symbolism of high-stakes hotspots could trigger contagion beyond conflict geographies. Deeply ingrained ideological grievances are in some cases driving hostilities, and these divisions are resonating with communities and political parties elsewhere. This expands beyond religious and ethnic divisions to broader challenges to systems of governance. National identities, international law and democratic values are coming into question, contributing to civil unrest, threatening human rights, and reigniting violence, including in advanced democracies and between the Global North and South.

North-South rift

Dissatisfaction with the continued political, military and economic dominance of the Global North is growing, particularly as states in the Global South bear the brunt of a changing climate, the aftereffects of pandemic-era crises and geoeconomic rifts between major powers. Historical grievances of colonialism, combined with more recent ones regarding the costs of food and fuel, geopolitical alliances, the United Nations and Bretton Woods systems, and the loss and damage agenda, could accelerate anti-Western sentiment over the next two years. In conjunction with more thinly spread resources and tighter economic conditions, military power projection by the West could fade further, potentially creating power vacuums in parts of Africa, the Middle East and Asia. France, for example, has withdrawn troops on request from Mali, Burkina Faso and Niger over the past two years.44

As the dominance of long-held power centres wanes, alternate powers will compete for influence in interstate and intrastate conflicts, potentially leading to deadlier, prolonged proxy warfare and overwhelming humanitarian crises.45 There are a number of incentives to this involvement, from access to raw resources, such as minerals and oil, to the protection and promotion of trade, investment and security interests. Pivotal powers will also increasingly lend support and resources to garner political allies, taking advantage of this widening rift between the Global North and the Global South.

As a new set of influences in global affairs takes shape, political alliances and alignment within the Global South will also shape the longer-term trajectory of internationalized conflicts. A deep divide on the international stage could mean that coordinated efforts to isolate ‘rogue’ states may be increasingly futile, while international governance and peacekeeping mechanisms shown to be ineffective at ‘policing’ conflict could be sidelined.

Economic uncertainty

[Figure omitted]

* The near-term outlook remains highly uncertain due to domestic factors in some of the world's largest markets as well as geopolitical developments.
* Continued supply-side pressures and demand uncertainty could contribute to persistent inflation and high interest rates.
* Small- and medium-sized companies and heavily indebted countries will be particularly exposed to slowing growth amid elevated interest rates.

According to one narrative, the global economy has shown surprising resilience in the face of the most aggressive global tightening of monetary policy in decades. Despite widespread predictions of a recession in 2023 (Figure 1.15),46 the perception of a ‘softer landing’ appears to be prevailing. Inflation is falling amid tight labour markets and stronger-than-anticipated consumer spending and growth, particularly in the United States.47

In another version, persistently elevated inflation in many countries and high interest rates are weighing heavily on economic growth, particularly in export- and manufacturing-led markets. An already visible economic downturn is likely to spread, with a risk that new economic shocks would be unmanageable in such fragility and debt passes the tipping point of sustainability.

[Figure omitted]

These contrasting narratives encapsulate the highly uncertain economic outlook. Fears of an Economic downturn are widespread among private-sector respondents, featuring as a top-five risk in 102 countries (90%) surveyed in the EOS, a significant uptick from 2022 (Figure 1.16). A slowdown in global growth is already occurring, but it is taking place under a different set of economic parameters than previous cycles, heightening uncertainty. Over the next two years, there may be a lack of coherence in forward projections within and between economies, particularly with respect to inflation, interest rates and growth rates. With contrasting views about the future, the risk of miscalibration by central banks, governments and companies will rise accordingly, potentially deepening and prolonging economic risks. Additionally, continued trade conflicts and geoeconomic rifts between the United States, European Union and China add to the significant economic uncertainty ahead.

Supply-driven price pressures

Markets are already anticipating interest rate cuts in key economies in the first half of this year.48 However, there are several inflationary pressures that may stymie expectations and present a less-smooth path to inflation targets. If price pressures continue, central banks could be hesitant to cut rates in response to signals of weaker growth, resulting in higher-for-longer inflation and interest rates.

Reflecting tighter financial conditions, both headline and core inflation have dropped in the United States and the Eurozone (Figure 1.17).49 In parallel, there has been a slowdown in economic growth in key industries and markets. The global economy had been propped up by continued strength in services throughout 2023, which is now flagging, while manufacturing has already been in contraction for over a year (Figure 1.18).50 Economic growth is stagnant in the European Union, at 0.6% last year, with estimates suggesting that the economic powerhouse of Germany contracted by 0.3% in 2023.51 Profits of the S&P 500, excluding the ‘Magnificent 7’ tech stocks, were estimated to contract by 8.6% last year.52

[Figures omitted]

Yet even as inflation has been partially tamed through higher interest rates, it has not reached central bank targets of two percent and there remains a material risk of largely supply-side price pressures over the next two years. For example, El Niño-impacts to food production and logistics could drive inflation and costly disruptions to supply chains. Any amplification of the Middle East conflict could trigger price spikes in energy and further disrupt shipping routes, compounding continued impacts from the war in Ukraine.53 The cost-of-living impact of persistent inflation, perceived to be declining in 2024, could resurge as the continued impact of elevated prices persists. A wage-price spiral is still possible, with EOS respondents anticipating labour shortages in key sectors and economies over the next two years (Chapter 2.5: End of development?). Stronger industrial policies and trade controls emanating from advanced economies, targeting the green transition and advanced technology, could also remain a persistent inflationary trend over this period.

Uncertainty within global powerhouses

The outlooks for the two largest economies – China and the United States – are highly complex, and these two key sources of uncertainty could lead to unanticipated, and possibly divergent, implications for the trajectory of the global economy.

China’s economy is widely expected to slow this year, with the weakening of the property market and local and external demand generally cited as primary causes.54 Despite retaining its ‘A1’ long-term credit rating, the outlook for China’s government debt was recently downgraded from ‘neutral’ to ‘negative’, reflecting risks relating to ‘structurally and persistently lower medium-term economic growth’.55 Yet investment in both manufacturing and energy infrastructure have been key drivers of growth in recent years, replacing lost construction demand to a degree.56 Although challenges remain, in the absence of further shocks, there is room for an upside surprise – local consumption may revive, growth may be less sluggish and the slowdown shallower than pervasive market expectations. In addition, in the absence of further geoeconomic backlash, excess capacity in advanced manufacturing, particularly in green technologies, could help counteract global price pressures, lending momentum to the green transition and global demand.57

There is similar uncertainty in the United States. Some forecasts are already pricing in up to 2.4% economic growth for 2024, and others predict rate cuts in the early half of the year.58 Fiscal policy has remained loose even as monetary policy tightened, with the United States running a $1.7 trillion deficit in 2023, effectively doubling the deficit in the past year alone.59 This could continue to keep demand-driven price pressures high. The correlation between consumer sentiment and spending is also adding to uncertainty: economic pessimism may be widespread, but it is not necessarily dampening demand – yet.60 On the other hand, debt servicing hit over $981 billion in Q3 2023 – an increase of over $753 billion compared to the same period in 2022, a sum similar to the budgetary spend on defense.61 Any fiscal consolidation in the United States – or a political stand-off relating to debt loads – could have a profound effect on global markets and trade, while any overestimation of the slowdown could lead to earlier or sharper intervention on interest rates and re-spark demand-side price pressures. The outcome of the US presidential elections in November creates additional uncertainty for the country’s economic outlook, depending on the policy choices of the next government.62

Debt distress

Higher interest rates amid slowing growth will strain debt loads for the public and private sector alike. The corporate debt default rate remains far lower than peaks hit during the 2008-09 Global Financial Crisis (Figure 1.19).63 The majority of corporate debt is also years from maturity. Less than 14% of S&P 500 debt is set to mature in the next two years, with nearly half to mature after 2030.64 In essence, the world’s largest companies will be effectively insulated from higher interest rates for more than half a decade.

However, small and medium-sized companies, that form the backbone of many domestic markets, will be particularly sensitive to slowing economic growth and persistently high interest rates. As struggling companies cut costs, unemployment may rise, reducing consumer spending and creating a negative feedback loop that can contribute to a deeper economic downturn. This could also contribute to heightened market concentration, as start-ups struggle and larger, more financially robust corporations consolidate their position, including in the tech sector (Chapter 2.4: AI in charge).

Heavily indebted countries are also exposed to these economic conditions. The risk of sovereign debt defaults is rising but notably, even with a strong US dollar, larger emerging economies such as Mexico and Brazil have largely avoided debt distress to date.65 This has been attributed to structurally different conditions in these markets than in the past, including central bank independence and the accumulation of large foreign-exchange reserves.66 In other parts of the world, like in Egypt, Ethiopia, Ghana, Lebanon, Pakistan, and Tunisia, the risks are much higher. The impacts of tighter financial conditions will build over time, and pressures on fiscal balances will rise. Given historically high debt loads, many governments might be unable or unwilling to help cushion economic impacts to the same degree as they have in recent years, sharpening the slowdown for companies and individuals.

[Figure omitted]

Looking ahead

These results point to a global risks landscape where economic, geopolitical and societal vulnerabilities will continue to build. Worrying developments emerging today have the potential to become chronic global risks over the next decade.

As constant upheaval becomes the norm, decades of investment in human development – and human resilience – are slowly being chipped away, potentially leaving even comparatively strong states and individuals vulnerable to rapid shocks from novel and resurgent sources. The impacts of extreme weather may deplete available economic resources to mitigate and adapt to climate change. Increasing vulnerabilities, brought about by resource stress, conflict and increasing polarization, could expose societies and whole economies to crime and corruption. Exponential technology growth may leave the next generation without a clear path to improve human potential, security and wellbeing.

How these global risks evolve will reflect the global conditions that are slowly taking shape across multiple spheres: geostrategic, environmental, demographic and technological. Chapter 2 discusses a world that is being stretched beyond its limit, highlighting a series of emergent risks that are arising in the context of these structural regime shifts. A multiplicity of futures are conceivable over the next decade. While the next chapter explores the most concerning potential outcomes, Chapter 3 explores how a more positive path can be shaped through acting today.

[Endnotes omitted]

Global Risks 2034: Over the limit

This chapter focuses on the longer-term horizon, highlighting risks that may become the most severe over the next decade. While the short-term risks landscape described in Chapter 1 may, if not addressed, contribute to these negative, longer-term outcomes, attention, planning and action today can still set us on a markedly more positive trajectory.

The world in 2034

The next decade will usher in a period of significant change, stretching our adaptive capacity to the limit. GRPS respondents are far less optimistic about the outlook for the world over the longer term than the short term. As noted in Chapter 1, nearly two-thirds (63%) of respondents to the GRPS predict a turbulent or stormy outlook, with upheavals and an elevated risk of global catastrophes at best (Chapter 1, Figure 1.1).

A diagram with colorful dots and text

Description automatically generated with medium confidence

Comparing the two- and 10-year time frames reveals a deteriorating global risks landscape. Thirty-three of the 34 global risks increase in severity score over the longer-term, reflecting respondents’ concerns about the heightened frequency or intensity of these risks over the course of the 10-year horizon (Figure 2.1).

Environmental and technological risks are among those expected to deteriorate the most in severity over this period and dominate the longer-term global risks landscape. Nearly all environmental risks are included in the top 10 rankings for the decade ahead (Figure 2.2). Extreme weather events are anticipated to become even more severe, as the top ranked risk over the next decade.

Mirroring last year’s results, the perceived severity of Biodiversity loss and ecosystem collapse worsens the most of all risks, increasing by a full two Likert points, rising from #20 in the short-term to 3rd place. Critical change to Earth systems (#2) and Natural resource shortages (#4) are also among those perceived to materially deteriorate, contributing to their entrance into the top 10 ranking of risks over the next 10 years, while the related risk of Involuntary migration rises one place to #7 over the next decade. Pollution remains in 10th place. In contrast, Non-weather related natural disasters (#33) falls close to the bottom of rankings over both time horizons, likely reflecting the nature of such a tail risk and the often geographically isolated nature of these events.

[Figure omitted]

These results highlight divergent perceptions around the comparative urgency of environmental risks. Biodiversity loss and ecosystem collapse (#20 in the two-year time frame) and Critical change to Earth systems (#11 in the two-year time frame) feature in the longer-term rankings for all stakeholder groups (Figure 2.3). However, it appears that younger respondents prioritize these risks as a more urgent concern, ranking them higher in the two-year period compared to other age groups (Chapter 1, Figure 1.6). Private-sector respondents, unlike those from civil society or government, feel that most environmental risks will materialize over a longer time frame (Figures 1.5 and 2.3). This dissonance in perceptions among key decision-makers could mean the time to act may soon pass, without sufficient progress made (Chapter 2.3: A 3°C world).

Concerns around the possible implications of recent technological developments are also clearly evident. Adverse outcomes of AI technologies is anticipated to experience one of the largest deteriorations in severity. It rapidly rises from #29 over the two-year period to #6 over the 10-year period, likely reflecting the possible systemic or even existential nature of related risks as AI penetrates economic, social and political systems (Chapter 2.4: AI in charge). Despite worsening severity scores over this time frame, the most prominent technological risks in the short term, Misinformation and disinformation and Cyber insecurity, drop in ranking but remain in the top 10 over the longer-term, at 5th and 8th place, respectively. The related risk of Societal polarization also drops from 3rd place in the short term to 9th place over the longer-term horizon.

Despite a small increase in perceived severity, the societal risk of Lack of economic opportunity falls from #6 over two years to #11 in the global rankings; however, it makes the top 10 rankings for both civil society and academia respondents over the longer-term horizon (Figure 2.3). The divergence from perceptions of the public sector – which do not rank this risk in the top 10 – coupled with the long-term, cumulative effects of a low-opportunity world on the next generation make this a risk to watch over the coming years (Chapter 2.5: End of development?). The related economic risk of Illicit economic activity is perceived to be of lower severity over both time periods. However, it is seen to be driven by several risks ranked in both the short- and longer-term top 10, suggesting it may be an underappreciated risk over the coming decade (Chapter 2.6: Crime wave).

[Figure omitted]

Inflation is the only risk with a severity score predicted to improve over the next decade, and it moves from #7 to #32. In fact, most economic risks fall rapidly in comparative rankings of risk perception over the next decade, with, for example, Economic downturn dropping from #9 to #28 over the longer-term horizon. This may reflect that Geoeconomic confrontation (#16), a key driver of many of economic risks, has decreased significantly in perceived severity over both time horizons when compared to last year’s scores.1

Indeed, geopolitical risks are noticeably absent from the top 10 rankings over the next decade. Interstate armed conflict exhibits the same longterm severity score as last year but falls from 5th to 15th place over the 10-year period. Similar to last year, Terrorist attacks sits in the bottom left quadrant of Figure 2.1, indicating lower perceived severity over both the short and long term. While the latest available data indicates that overall lethality remains contained compared to other risks, at 6,701 global fatalities in 2022, terrorism has the potential to spark broader conflict and unrest, such as the current conflict in the Middle East.2

### T/Case---1NR

#### A ruling for Trump in the tariffs case gives him dictatorial authority and cements his control

Millhiser 9-16 [Ian Millhiser is a senior correspondent at Vox, 9-16-2025 https://www.vox.com/politics/461677/supreme-court-trump-dictator-economy-tax-spending]

Realistically, however, if the Supreme Court gives Trump the other powers he is seeking, it would be child’s play for him to get around the Constitution’s Appropriations Clause. The mechanism that prevents federal officials from illegally spending money is the Antideficiency Act, which makes it a crime for federal employees to spend money in excess of the amount appropriated by Congress.

But Trump can pardon anyone who violates this criminal law. And the Republican justices already held, in Trump v. United States (2024), that Trump is immune from prosecution if he uses his official powers to commit crimes.

If Trump gets what he wants from the Supreme Court, in other words, he could wind up with dictatorial authority over US fiscal and monetary policy — fully empowered to tax and spend without any meaningful checks from the other branches of government. And there is a real risk that this Court, which has a Republican supermajority that has shown extraordinary deference to the leader of their political party, will give Trump what he wants.

Trump claims the power to raise trillions in new taxes — Trump v. V.O.S. Selections

The power to tax is potentially the most frightful power that any government possesses. It is essentially the power to take the fruits of people’s labor and to spend that money on programs of the government’s own choosing.

Which isn’t to say that taxation is wrong. Taxes fund essential humanitarian services, such as Medicare or Medicaid. But they can also fund armies of conquest. Or a secret police directed at a nation’s own citizens.

Historically, the United States has prevented its taxing power from becoming a tool of tyranny by vesting this power in an elected Congress. The Constitution provides that “Congress,” and not the president, “shall have the Power to lay and collect Taxes.” As mentioned above, it also requires Congress to determine how this money will be spent — although Congress does often enact broad appropriation bills and leave the details of how to spend that money to the Executive.

In V.O.S. Selections, however, Trump claims the power to raise trillions of dollars worth of new taxes without first seeking Congress’s permission to do so.

In fairness, Trump’s lawyers do argue that he has levied these taxes pursuant to an existing federal law — the International Emergency Economic Powers Act of 1977 (IEEPA), which permits the president to “regulate…transactions involving, any property in which any foreign country or a national thereof has any interest.” Notably, however, IEEPA only permits the president to use this power “to deal with an unusual and extraordinary threat.”

But multiple federal judges have now ruled that this law does not permit the massive tariffs imposed by Trump. One argument is that the power to “regulate” imports does not include the power to tax them. Other judges have pointed out that Trump has not actually identified an “unusual or extraordinary threat” that can justify the taxes.

### Solves Case---1NR

#### Ruling against Trump hamstrings his entire agenda

Gupta 25 [Samantha; September 24; J.D. from Yale Law School, Policy Fellow at the Stanford Institute for Economic Policy and Research; Royal United Services Institute, "The US Supreme Court’s Tariff Trolley Problem," https://www.rusi.org/explore-our-research/publications/commentary/us-supreme-courts-tariff-trolley-problem]

Third, there will be uncertainty in President Trump’s [approach](https://www.washingtonpost.com/business/2025/08/09/trump-trade-policy-national-security/) to his policy agenda, including for the domestic economy, foreign policy and national security. With the tariff as a hammer, the President views every problem as a nail. To reindustrialise America, tariff foreign competition. To end the war in Ukraine, tariff India. To induce greater NATO spending, tariff allies. Without the ability to use IEEPA, the President’s agenda could be hamstrung. There are a **handful** of other authorities permitting the use of tariffs, but each comes with requirements that limit the expansive approach the President has pursued under IEEPA, though the administration certainly may test the bounds of these authorities.

### IL---1NC

#### The court will narrowly repeal Trump’s tariffs now, but it’s not guaranteed. Upholding tariff authority causes major economic decline across all markets.

Khardori 25 [Ankush Khardori; attorney and former federal prosecutor. Senior writer at POLITICO Magazine and the author of [Rules of Law, a reported column](https://www.politico.com/tag/column-rules-of-law) that examines the intersection of politics and the law., 5-29-2025, "The Supreme Court May Not Step in and Save Trump’s Tariffs", POLITICO, https://www.politico.com/news/magazine/2025/05/29/trump-tariffs-court-defeat-00374194]

The U.S. Court of International Trade’s unanimous ruling against Trump’s signature tariffs is not the first judicial rebuke of Trump’s second term administration — and it will not be the last — but it may be the most serious and consequential to date. For the time being, the decision provides a major source of relief to the large majority of Americans who opposed Trump’s tariffs; to the U.S. businesses, both large and small, whose operations were existentially threatened by a policy that changed by the day; to the country’s foreign trading partners, whose economies were thrown into disarray; and to international financial markets, which quickly rose after the decision came down.

It was also not particularly surprising. The administration’s legal position was precarious from the start, and as the inevitable litigation unfolded, it did not get better over time.

The ruling on Wednesday came down in two cases — one filed by a group of small businesses and the other by 12 Democratic state attorneys general. There are at least five other cases challenging the tariffs pending at the Court of International Trade and other courts throughout the country (including one that dealt Trump another defeat Thursday), but Wednesday’s decision was importantly the first ruling on the merits that Trump had exceeded his authority in imposing such sweeping tariffs. It will also likely pave the way for a more definitive resolution — the administration quickly filed notices of appeal and moved to stay the ruling — perhaps going all the way up the Supreme Court.

There were recent signs of desperation on the part of the administration as the court’s skepticism became increasingly evident over the course of lengthy oral arguments in the two cases.

Late last week, Justice Department lawyers told the court that a ruling against the government would undermine the administration’s “leverage” and “unravel the complex and delicate foreign-affairs negotiations unfolding around the globe.” “Interfering with the negotiations in their present state,” DOJ added, “would create a foreign-policy disaster.”

The argument was backed by declarations from three Cabinet secretaries — Secretary of State Marco Rubio, Treasury Secretary Scott Bessent and Commerce Secretary Howard Lutnick — along with U.S. Trade Representative Jamieson Greer. The gambit — arguably a not-so-subtle form of political blackmail — evidently flopped with the three judges, who are appointees of Trump, Barack Obama and Ronald Reagan.

The litigation is not over, but the legal terrain is probably not going to get any better for Trump. In some respects, it may actually get worse as the case moves up on appeal.

And although Trump has a Supreme Court that is heavily skewed in his favor — a 6-3 super-majority of Republican appointees that includes three named by Trump — it is far from clear that they will bail him out when all is said and done.

To fully understand the legal headwinds that continue to face the administration, it is helpful to zero in on a 50-year-old decision that quickly emerged as a central point of contention among the parties — and that the Court of International Trade relied upon heavily in ruling against Trump.

The case in question is known as United States v. Yoshida International, which affirmed President Richard Nixon’s power to impose a 10 percent tariff on imports that he announced in August 1971, under a statute known as the Trading with the Enemy Act (TWEA). The TWEA was the predecessor statute to the International Emergency Economic Powers Act (IEEPA), which Trump invoked to support his tariffs.

Nixon justified the tariff by claiming that an overvaluation of the U.S. dollar at the time had contributed to a trade imbalance and a deficit in America’s “balance of payments” (a broader economic measure that includes both trade and capital flows). The tariff was short-lived — Nixon terminated it in December 1971 after negotiating a realignment of exchange rates with a group of developed countries — but in the meantime, U.S. importers that paid the additional tax challenged Nixon’s legal authority.

One of those companies was Yoshida — now known as YKK — which challenged the tariff on zippers imported from Japan. The company filed a lawsuit and won in the lower court, but the decision was overturned on appeal several years later. (The lower court was then known as the Customs Court, and the appellate court was known at the time as the Court of Customs and Patent Appeals. Those courts have since been renamed the Court of International Trade and the U.S. Court of Appeals for the Federal Circuit, respectively. As a result, the decision binds the current Court of International Trade.)

Yoshida at first glance appeared to be quite helpful to the Trump administration.

The court concluded that the tariff was legally justified under the TWEA to address the trade imbalance and pointed to language in the statute that authorized the president to “regulate” the “importation” of foreign goods in the event of an emergency. That language was carried over into IEEPA as part of a much longer list of actions permitted by the president, though that list does not explicitly mention either tariffs or taxes (a point to which we will return).

In light of the parallel statutory language in TWEA and IEEPA, the Justice Department argued that Yoshida “continues to control today” and requires the Court of International Trade to rule in favor of the Trump administration.

As Wednesday’s decision makes clear, it was not so simple.

In several crucial respects, the Yoshida decision cut sharply against the administration’s position. That put the Justice Department in the awkward — and generally unenviable — position of having to pick and choose which parts of the decision that it likes, and which parts of the decision the courts should ignore.

For starters, the Yoshida decision rejected a key proposition that is at the heart of the government’s defense of Trump’s tariffs — the notion that courts have no power to review a president’s actions under IEEPA.

The court ruled in Yoshida that each presidential action under the statute “must be evaluated on its own facts and circumstances.” The court went on to emphasize that its ruling, while favorable to the Nixon administration, was not a blanket approval of “any future surcharge of a different nature, or any surcharge differently applied or any surcharge not reasonably related to the emergency declared;” that the president’s actions under the statute “must also bear a reasonable relation to the particular emergency confronted;” and that “emergencies are expected to be shortlived.”

In other words, the facts matter. But the facts then under Nixon — and the facts now under Trump — are markedly different.

Nixon’s tariff was fixed at 10 percent and in place for less than five months. Trump’s tariff framework is far more ambitious, open-ended and has been all over the place since his inauguration — with the effective dates and applicable countries, rates, exceptions and concessions under seemingly constant revision.

And if Trump and some of his advisors are to be believed, there would be no end in sight. “If President Trump succeeds like he wants to succeed,” Trump’s trade adviser Peter Navarro said earlier this year, “we are going to structurally shift the American economy from one over-reliant on income taxes and the Internal Revenue Service, to one which is also reliant on tariff revenue and the External Revenue Service.” That is a far cry from a five-month, supplemental 10 percent tariff like what Nixon imposed.

Two other, subtler points in the Yoshida decision made things worse for the administration.

First, Nixon’s tariff did not apply to all imports — only those that had been the subject of prior concessions under the government’s tariff schedule — and Nixon made clear in announcing the policy that the rates would nevertheless be capped at levels that Congress had previously set for the relevant goods. As a result, the court concluded in Yoshida that “the congressionally established rates remained untouched” and that Nixon was not claiming the power to simply impose “whatever tariff rates he deems desirable.”

Trump made no such concessions, which made it a relatively straightforward matter for the court on Wednesday to contrast Nixon’s “limited” tariffs with those imposed by Trump. Indeed, given the administration’s position that the courts cannot review Trump’s emergency declarations in support of the tariffs or circumscribe his authority to issue tariffs under IEEPA, he has effectively claimed the power not just to issue “whatever tariff rates he deems desirable” but to impose those tariffs whenever he wants, for any reason that he wants and for however long he wants.

Second, as a footnote in the Yoshida decision notes, Congress later enacted a specific statutory provision to address the problem that attracted the Nixon administration’s attention. That provision authorizes the president to impose tariffs in response to “large and serious … balance-of-payments deficits,” but it caps those tariffs at 15 percent and limits them to a duration of just 150 days unless Congress authorizes an extension.

Needless to say, the Trump administration did not invoke that statute, and Justice Department lawyers sought to downplay its significance given the fact that Congress kept the statutory language at issue in Yoshida on the books in IEEPA.

This argument also did not move the three judges on the Court of International Trade. They concluded that the existence of the statute demonstrated that “even ‘large and serious United States balance-of-payments deficits’ do not necessitate the use of emergency powers” and that they “justify only the President’s imposition of limited remedies subject to enumerated procedural constraints.”

The argument was rooted in the conclusion in Yoshida that if a president wanted to impose a similar tariff in the future, he must “comply with the statute now governing such action.”

Trump, of course, had no interest in doing that.

There is no way to definitively predict how the appellate court — and eventually the Supreme Court — will approach the matter. But there is good reason to question whether Yoshida will spur them to come to Trump’s rescue.

To start, the country’s federal courts — led by the Supreme Court — have become more committed to textualism as a mode of statutory interpretation. That has generally led to more fine-grained and narrower readings of statutes passed by Congress.

It is far from clear, for instance, whether the current Supreme Court would agree with the conclusion in Yoshida that the power to “regulate” the “importation” of foreign property under the relevant U.S. law includes even a limited power to impose tariffs or otherwise tax those goods. The textual analysis of that position was debatable even at the time and, if anything, is even shakier now.

To take just one example: In 2015, the Supreme Court threw out a conviction under the Sarbanes-Oxley Act in a case involving the captain of a commercial fishing boat who had attempted to obstruct a federal wildlife investigation by tossing out fish he was not legally permitted to capture.

In the plurality decision in Yates v. United States, Justice Ruth Bader Ginsburg concluded that the relevant statutory provision — which prohibits the destruction of “tangible object[s]” — did not cover fish. She pointed to the rest of the statutory text and the relevant historical context (the Sarbanes-Oxley Act was passed in the wake of corporate accounting scandals) in concluding that the provision covers “only objects one can use to record or preserve information, not all objects in the physical world.”

It is not hard to see how a similar interpretive approach could yield the conclusion that the language in IEEPA authorizing the president to “regulate” foreign imports does not include the unilateral and unfettered power to impose taxes or tariffs on them. That is particularly true given the fact that IEEPA was passed in the 1970s as part of an effort to limit the president’s emergency economic powers, not expand them.

As it happens, Chief Justice John Roberts joined the Yates decision, as did Justice Sonia Sotomayor; Justice Samuel Alito supported the result in a concurring opinion that focused heavily on textual analysis. Four of the justices currently on the court were not seated at the time — Justices Neil Gorsuch, Brett Kavanaugh, Amy Coney Barrett and Ketanji Brown Jackson — but in a book published last year, Gorsuch strongly implied that he agreed with the result in Yates.

### IL---AT: Tariffs Inev---1NR

#### Their ev doesn’t assume the unlimiting effect of upholding Trump’s tariffs. It would give the executive unprecedented fiscal authority.

Willis 25 [Alexander, staff writer at RAWSTORY, interviewing **John Brooks**, professor of tax law at Fordham University, “'No end to uncertainty': Supreme Court’s next case could hand Trump unprecedented power”, 9-10-2025, <https://www.rawstory.com/supreme-court-2673979738/>]

An impending case before the Supreme Court could end up granting President Donald Trump “sweeping fiscal authority” that has historically been held exclusively by Congress, a precedent that, once set, could expand the power of the executive branch indefinitely.

That case is related to Trump’s tariffs, which were ruled illegal and blocked by a federal court last month. Trump fought for the Supreme Court to take up the matter, a wish that was ultimately granted on Tuesday after the court agreed to hear the Trump administration’s case in November.

Now, on the eve of that case being taken up and decided upon, one commentator is sounding the alarm that the court’s decision could end up undoing the American system as imagined by the framers of the Constitution.

“The Constitution grants Congress authority over both taxes and tariffs,” wrote commentator Greg Ip in an analysis published in the Wall Street Journal Wednesday.

“This was central to the framers’ systems of checks and balances. James Madison argued that the president couldn’t become king because the ‘purse is in the hands of the representatives of the people.’”

The authority to impose tariffs has historically been held by Congress, which under Article I of the Constitution, limits government spending to acts of law, which only Congress may enact. This standard has been softened, however, over the past century, with new laws granting limited power to the executive branch to enact tariffs, largely as a tool to coerce or punish foreign nations, and not to generate revenue.

Trump, however, has openly characterized his sweeping tariff policy as a revenue builder, while in the courts, arguing it to be a matter of national security.

If Trump gets his wish, Ip warned, not only would his authority to impose sweeping tariffs be cemented, but it could also be argued that Trump – or subsequent president – could impose taxes on Americans of any kind.

“There would also be no end to uncertainty,” Ip wrote. “...And then there are all the other taxes, besides tariffs, Trump could feel free to use.”

John Brooks, a professor of tax law at Fordham University, concurred with Ip’s assessment, telling Ip that if the Supreme Court were to rule in Trump’s favor on tariffs, there was no reason to believe his newfound authority wouldn’t extend to domestic taxes.

“Any tax with foreign-policy implications would be within his authority,” Brooks said, speaking with the Wall Street Journal. “Why wouldn’t that apply to any tax he can conceive of, not just the tariffs?”

### IL---AT: Tariffs Inev---2NR

#### Their ev is Trump propaganda – the alternatives are much weaker

Khardori 12-16 [Ankush Khardori is a senior writer for POLITICO Magazine and a former federal prosecutor at the Department of Justice, 12-16-2025 https://www.politico.com/news/magazine/2025/12/16/trump-tariffs-supreme-court-defeat-messy-column-00691102]

If Trump’s request for divine intervention falls flat, the administration will, in fairly short order, have to figure out a way to salvage the president’s signature economic policy initiative. For months, top administration officials like Treasury Secretary Scott Bessent and National Economic Council Director Kevin Hassett have brushed off the prospect of a loss at the Supreme Court by claiming that they will simply use other trade statutes to replace the tariffs that have been issued under the purported authority of the International Emergency Economic Powers Act.

Their outward nonchalance raises some obvious questions, not the least of which are why, if they are right, the president is asking God to step in, or why the administration spent all year using the wrong legal authority to support the president’s policy initiative. Their seeming indifference, however, also obscures the new legal and political obstacles that the Trump administration would confront. The fallback effort would not be as simple or straightforward a matter as they have claimed.

It is true that the administration could use other statutes to replicate (largely, though probably not entirely) the current tariff regime in the short term. But a new set of questions would immediately emerge — concerning both the process for importers to obtain refunds on previously imposed tariffs and the legal scope of the statutes that the Trump administration might use going forward.

### IL---Tariffs Hit in 2026---1NR

#### Effects from Trump’s tariffs are delayed but will come in 26 absent SCOTUS reversal

Frankel 12-29 [Jeffrey Frankel is a professor of capital formation and growth at Harvard University. He served as a member of President Bill Clinton’s Council of Economic Advisers. 12-29-2025, “Why haven’t Trump’s tariffs crashed the US economy?” https://www.theguardian.com/business/2025/dec/29/donald-trump-tariffs-us-economy-inflation-employment-2026]

But this does not mean economists got their predictions all wrong. There are good reasons to think that many of the adverse effects of Trump’s tariffs have simply been delayed, and we should expect them to show up in 2026.

This brings us to the third point: as soon as Trump was elected in November 2024, companies began front-loading imports, in order to accumulate stocks of goods – especially gold from Switzerland and weight-loss drugs from Ireland – before the anticipated tariffs were introduced. The Penn Wharton Budget Model estimates that this strategy saved US importers as much as $6.5bn (£4.8bn) – equivalent to 13.1% of the new tariff bill – through May 2025.

After the tariffs entered into effect, most retailers still didn’t raise prices, as they had not depleted their pre-tariff inventories. This is common practice among retailers, though an economist might say that it violates the principle of profit maximisation. Even today, many importers have still not fully passed along the added costs to their customers.

In fact – and this is the final and most important point – importers have continued to absorb much of the cost increase, even after depleting their pre-tariff inventories. Using real-time data from large US retailers, Alberto Cavallo and his co-authors find that the prices of goods subject to the new tariffs – the imported products and their US-made substitutes – have been rising since April. The increase, which amounted to about 5.4% at the retail level, has been enough to raise the inflation rate on the overall CPI basket by 0.7 percentage points above where it otherwise would have been. But it represents a small fraction of the costs that could potentially be passed through, at current tariff levels.

To be sure, the prices importers pay have risen proportionately with tariffs, contrary to Trump’s claims that foreign exporters cover the costs of the duties by lowering their prices. It is US companies that have been absorbing the costs, much as they typically do when the dollar depreciates. This partly reflects the fact that they have no idea how long the tariffs will be in place. Trump might change his mind, or perhaps the supreme court will decide to adhere to the law and strike them down. This uncertainty also helps to explain why many affected companies have so far refrained from laying off workers.

But companies will not let tariffs erode their profit margins indefinitely. Assuming the tariffs remain, the US can look forward to more price increases, and downward pressure on real incomes, in 2026.

### IL---AT: Tariffs Good for Econ---1NR

#### Their arg is a Trumpian talking point – on balance, removal is much better for the economy and negative effects of removal will be limited

Hurley 25 [Lawrence Hurley is a senior Supreme Court reporter for NBC News. 10-24-2025 https://www.nbcnews.com/politics/supreme-court/trumps-dramatic-rhetoric-tariffs-ramps-pressure-supreme-court-rcna238207]

Trump's remarks over the course of this year reflect a consistent theme: In his view, the tariffs are raising so much revenue and are so important to the country that a court ruling saying that he does not have the authority to impose them would be cataclysmic.

"If we win the tariff case, which hopefully we will, it’s vital to the interests of our country. We’re the wealthiest country there is. If we don’t, we’ll be struggling for years to come,” Trump said on the Fox News show "Sunday Morning Futures" on Oct 19.

He has also weighed in on the litigation via his Truth Social feed.

On Aug. 8, he said there would be a "Great Depression" if the tariffs were not upheld. Later that month, he said that it would be a "total disaster for the country" if they were struck down.

Trump is also quick to accuse others of seeking to put pressure on the justices. On Thursday night, he posted that he was ending trade negotiations with Canada because he thought the country was trying to influence the Supreme Court to rule against him on tariffs via an ad sponsored by the province of Ontario.

“They only did this to interfere with the decision of the U.S. Supreme Court, and other courts,” Trump wrote.

Tariff revenues for the year have raised $174.04 billion, according to the most recent Treasury Department numbers. Treasury Secretary Scott Bessent, on Sept. 7, told "Meet the Press" that the government would have to issue refunds for about half the tariff revenues it has collected if the administration loses at the Supreme Court.

To some lawyers who oppose the tariffs, Trump's remarks are easy to label.

"It's partial intimidation, it's mostly trying to scare them in terms of consequences," said Thomas Berry, a lawyer at the libertarian Cato Institute.

"Presumably he hopes these statements will influence the Supreme Court," said Elizabeth Goitein, a lawyer at the left-leaning Brennan Center for Justice.

Oregon Attorney General Dan Rayfield, a Democrat who, along with other state attorneys general and some small businesses, challenged the tariffs in court, said in a statement that Trump was only "right about one thing" in his public statements: It is a significant case on the scope of presidential power.

"We can't normalize this behavior. We have to draw a line in the sand and hold him accountable," Rayfield added.

Trump's characterization of how bad the consequences would be if he loses the case is massively overstated, according to Maury Obstfeld, a senior fellow at the Peterson Institute for International Economics, a nonpartisan think tank.

"The rhetoric and hyperbole have no basis in fact," he said. "Large swaths of the economy and all consumers would benefit if tariffs were lowered."

Goldman Sachs recently said that American consumers are bearing more than half the cost of tariffs, while companies have warned prices will start to increase as the impact of the tariffs are felt.

Major companies like General Motors and Mattel have said they expect to take financial hits as a result of tariffs, while the impact on small businesses is even greater.

The administration has both overestimated potential revenue from tariffs and used those projections to claim that Trump's signature legislative victory, the "big, beautiful bill," is largely revenue neutral, Obstfeld added.

"The job of the courts is to interpret the law, not to save the government from the consequences of its own bad decisions," he said.

Trump's focus on the potentially drastic consequences of a loss are echoed in court papers filed by Solicitor General D. John Sauer, who was previously one of the president's personal lawyers

The opening paragraphs of the brief he filed outlining the government's arguments use language that is just as colorful as Trump's and sometimes quotes the president.

His tone departs from the usual dry style of the Justice Department, which traditionally focuses on the technical legal arguments rather than colorful rhetoric.

The tariffs, Sauer wrote, are "necessary to rectify America’s country-killing trade deficits" and limit the distribution of illegal drugs across the border by targeting countries including Mexico and Canada that, the administration alleges, have failed to stem trafficking.

Sauer’s filing included a quotation from Trump saying that before he imposed the tariffs, the United States was “a dead country" but is now booming.

"To the president, these cases present a stark choice," Sauer wrote. "With tariffs, we are a rich nation; without tariffs, we are a poor nation."

#### It’s a ludicrous claim that overstates benefits – the consensus of qualified experts is that removal is comparatively better

Lincicome 25 [Scott Lincicome is vice president of general economics and trade at the Cato Institute. BA in political science from the University of Virginia and a JD from the university’s School of Law 10-28-2025 https://www.washingtonpost.com/opinions/2025/10/28/ieepa-scotus-tariffs-case-economy-trump/]

In both legal filings and in public, President Donald Trump and his team have made fantastical claims about the calamities that would befall the nation should the Supreme Court curtail his authority to implement global tariffs under the International Emergency Economic Powers Act. They allege, in the government’s opening brief for a case that will be argued before the court in November, that an adverse decision would devastate the U.S. economy, the federal government’s fiscal position, and the president’s ability to effectuate trade and foreign policy. The goal, it appears, is to pressure the court into issuing a favorable opinion for prudential and institutional reasons, even if the law demands otherwise.

Given the legal deficiencies in the Trump administration’s case, this shock-and-awe approach is understandable. Yet it suffers from a serious flaw: The underlying policy claims are ridiculous.

First, a ruling against the tariffs would not “lead to financial ruin,” as the government’s attorneys asserted in a letter to an appeals court. Between May and September, the tariffs were only around 4.5 percent of federal receipts. But even this effect is overstated because it ignores the slower economic growth and smaller tax base that the tariffs create.

In its Supreme Court brief, the government claims that “with tariffs, we are a rich nation; without tariffs, we are a poor nation.” The reality is that the United States is drowning in debt either way. The government’s fiscal trajectory is determined by other policies — in particular, social insurance entitlements — that dwarf the tariffs’ effects. Dynamic calculations from the Tax Foundation show that, between 2025 and 2054, public debt will rise from 99.9 percent of gross domestic product to 164.1 percent with the tariffs and to 171.5 percent without them. That’s one fewer deck chair on the Titanic, at best.

Warnings of massive harm to the broader economy — even another Great Depression — are similarly nonsensical. Tariff policy matters on the margins and can be especially painful for small businesses like those now before the Supreme Court. For the U.S. economy overall, however, trade policy isn’t transformative because — contrary to conventional wisdom — the United States is one of the least globally integrated countries in the world. Total trade is 25 percent of GDP, ranking us 191st among the 195 nations with data available.

Meanwhile, revenue from the tariff collections under consideration by the court are just $89 billion thus far — a rounding error in a $30.5 trillion economy. The tariffs’ modest fiscal effects mean that invalidating them would have a modest effect on the market for government debt and related securities.

And virtually all professional economic analyses have concluded that unilateral tariffs — and related policy uncertainty — harmed the economy during Trump’s first term. In short, it would be impossible for the “catastrophic consequences” warned of during an earlier appeal to result from invalidating the new tariffs. If anything, we should expect a small but real boost to the economy — a conclusion that rising equity markets confirmed when lower courts found the tariffs to be illegal.

### AT: BLS Turn---1NR

#### Shutdown thumps---BLS workers will never put out a report but the economy is fine

Gould 25 [Elise Gould, “Without today’s jobs report, next-best data indicate a weakening labor market,” 12-5-2025, https://www.epi.org/blog/without-todays-jobs-report-next-best-data-indicate-a-weakening-labor-market/]

In normal times, today would have been a jobs day. However, the Bureau of Labor Statistics (BLS) has been forced to[delay the release](https://www.bls.gov/bls/2025-lapse-revised-release-dates.htm) until December 16 due to the lingering impacts of the Trump administration radically restricting BLS operations during the government shutdown. Further, BLS has announced that we will never have data from the monthly survey of households for October. This means that valuable information for that month—like the overall unemployment rate or the unemployment rate for various demographic groups—will never be known. During the last federal shutdown in 2018–2019, [BLS did not suspend its activities](https://www.bls.gov/bls/shutdown_2019_empsit_qa.pdf) and released its [employment situation report as normal](https://www.bls.gov/news.release/archives/empsit_01042019.pdf). In fact, this is the first time in [12 years](https://www.bls.gov/bls/updated_release_schedule.htm) that a jobs report was delayed and the first time a month of household data will be missed completely.

## Bureaucracy

### 1NC---AT: Terror

#### No nuclear terrorism---logistical and technological hurdles overwhelm

Mueller 23 [John Mueller, Professor of Political Science at The Ohio State University, PhD and Master’s from UCLA, AB from University of Chicago, “The Risk of Nuclear Terrorism,” 06-20-23, Chapter in The Oxford Handbook of Nuclear Security, https://doi.org/10.1093/oxfordhb/9780192847935.013.5] \*OCR errors manually fixed

The risk of nuclear terrorism is low—perhaps vanishingly so. It is unlikely that 'loose nukes' —nuclear weapons missing from their proper storage locations and available for purchase in some way—exist, and it is equally unlikely a true black market in nuclear materials exists. And, because terrorists face a host of organizational and technical hurdles, fears that they will be able to build or acquire an atomic bomb or device are unjustified. In addition, the evidence of any desire of terrorists to go atomic and of any progress in accomplishing this exceedingly difficult task is remarkably skimpy, if not completely negligible.

### 1NC---AT: Polycrisis

**No polycrisis. It’s a buzzword that describes trends observed across all of human history.**

**James 24** [Harold, Professor of History and International Affairs at Princeton University, “Is the Polycrisis so bad?”, 7-31-24, https://www.project-syndicate.org/commentary/polycrisis-climate-pandemic-geopolitical-tensions-could-generate-new-innovations-by-harold-james-2024-07]

But crisis and polycrisis are not new, of course. Both concepts are embedded in human history, and thus also in the human psyche. The profound shock generated by episodes of famine, disease, and war – the premodern horsemen of the apocalypse – tends to leave the impression that all challenges are linked. As Claudius says in Shakespeare’s Hamlet, “When sorrows come, they come not single spies but in battalions.”

The end of the Roman empire – with its over-expansion, failure to provision large cities, escalating inequality, famines, and external attacks – was surely beset by a polycrisis. Similarly, in the 1340s, after defaults by states (the English monarchy, above all) and the bankruptcies of the major financial houses in Florence, there was more war, which helped spread the Black Death across Europe. Thus, the late-medieval version of globalization was savagely interrupted.

The oddity of the current moment is that in the face of so much doom and gloom, solutions seem to be both closer at hand and more far-ranging than at any point in the past. The pace of technical innovation – often in response to crises – is accelerating, and there is warranted optimism about the capacity of artificial intelligence to deliver major improvements in medicine (new drugs, new techniques) and education (new methods of learning), as well as generating alternatives to carbon energy or the widespread use of pesticides.

Perhaps we should be optimistic, then, focusing more on the “poly” than on the “crisis.” Poly itself has become a guiding meme of the 2020s with the new interest in another old phenomenon: polyamory. The polyamorous psychotherapist Jessica Fern has pioneered terms such as Polysecure and Polywise, echoing Morin’s parallel between individual small-scale crises and world events. Indeed, terms used for personal life are becoming applicable to broader political trends. China and the United States, for example, have embarked on a “conscious uncoupling,” which is also how Gwyneth Paltrow described her breakup with Chris Martin.

The world might be more secure than we think. Though we are facing polynegative supply shocks, these will generate new innovations that could lead to greater, not less, prosperity and security.

### 2NC---AT: Polycrisis

**Their framing is wrong and redundant. We’ve always been subject to interwoven risk, we’re just now realizing how little we understand about it.**

Kluth 23 [Andreas, Columnist for Bloomberg Opinion, Former Editor in Chief of Handelsblatt Global and writer for the Economist, “So we’re in a polycrisis. Is that even a thing?”, 1-23-23, https://www.tbsnews.net/features/panorama/so-were-polycrisis-even-thing-572374]

The question is whether polycrisis — as a concept rather than a portmanteau — is useful or banal. To have meaning, it would have to encapsulate more than the obvious: that we have an awful lot of problems nowadays, and that many of them are connected.

Here's a partial map. We've long worried about climate change and inequality. Those two are connected because global warming hurts the poor — both people and countries — more than the rich. Both in turn also cause wars, hunger and mass migrations, and therefore "refugee crises" such as the one of 2015. Via "zoonotic spillover," climate change even accelerates the emergence of new superbugs and pandemics.

Global warming didn't directly cause SARS-CoV-2, but that virus interacted with all those pre-existing problems. It devastated economies, again hitting the poor worse than the rich. And it caused supply-chain stoppages that, from 2021, caused certain prices to rise. This primed our economies for inflation, and thereby hooked into the adjacent fiscal and monetary crises of excessive debt and money supply.

All the while, these upheavals stoked cynicism, escapism, mendacity, denial and sheer idiocy within electorates and political elites. This contributed to a decline in the quality of democracy and a corresponding spread of populism and conspiracy theories. That led to all sorts of distractions — from Brexit to anti-vax hysteria — and a widespread rejection of rationality in dealing with the actual problems.

Then Russian President Vladimir Putin decided to throw a bomb into this mix, by launching an old-style war of imperialist and genocidal aggression. That disrupted the flows of Russian gas and oil, causing an acute energy crisis, a food emergency (because Putin didn't allow grain to leave Ukrainian ports for much of last year) and even higher inflation, necessitating higher interest rates too. Putin also added yet another refugee crisis and distracted us from the necessary green transition.

On it goes. So there's no question that the world is in the throes of many interlocking crises. The question is whether that amounts to something qualitatively new, deserving its own neologism. That was the implication of Edgar Morin, a French philosopher who first used the term "polycrisis" in 1999. Other intellectuals, notably the economist Adam Tooze, have since popularised it.

The new aspect, as one research institute attempts to nail it down, could be that the interaction of the various crises causes "a cascading, runaway failure of Earth's natural and social systems." The hallmarks of the polycrisis, then, are "extreme complexity, high nonlinearity, transboundary causality, and deep uncertainty [and also] causal synchronisation." As Tooze puts it, "the shocks are disparate, but they interact so that the whole is even more overwhelming than the sum of the parts."

Forgive me, but I'm still wondering what's new. We've long known about such dynamics in other contexts, under more familiar labels such as feedback loops, tipping points, emergent properties, chaos theory and the butterfly effect (so named because a butterfly flapping its wings on one side of the world can allegedly affect the weather on the other).

Similarly, myriad (Greek for "ten thousand") factors interlocked to cause, say, the fall of the Western Roman empire in late antiquity, or pretty much any development in history. So complexity, the interaction of factors and nonlinear consequences are old hat.

The difference, if there is one, is that human beings in the past had even less of a clue about this bewildering reality, and, being human, feigned more confidence in attributing any given phenomenon to whichever explanation they preferred. If Rome fell, it must have been because the Romans lost their "virtue," or because of those pesky Goths.

Tooze seems to be almost nostalgic about this. "In the 1970s," he writes, "whether you were a Eurocommunist, an ecologist or an angst-ridden conservative, you could still attribute your worries to a single cause — late capitalism, too much or too little economic growth, or an excess of entitlement. A single cause also meant that one could imagine a sweeping solution, be it social revolution or neoliberalism."

Well, thank heavens we're over all that nonsense — single causes, sweeping solutions and messianic hubris in general. These days, the only people with the simplistic answers are the populists.

So what's new is not that humanity suddenly has uncountable problems that are all linked — that's always been true — but that it's finally dawning on us how little we understand about the mess we're in. And we hate, hate, hate that feeling. This apocalyptic angst — we don't comprehend what's going on but it'll end badly — is what the highfalutin word polycrisis expresses.

My practical advice is to stop coining Greek neologisms and attack complexity with simple words. We have problems, emergencies and catastrophes, but we also have solutions — from mRNA vaccines to, who knows, maybe fusion energy one day. I suggest the Davos honchos boarding their return flights, and the rest of us, just pick whichever crisis they know something about, and get back to work solving it.

### 2NC---AT: Diplomacy---Ambassador Thumper

#### It guts diplomacy and politicizes foreign policy

Brangham and Dinkelman 25 [William Brangham is an award-winning correspondent, producer, and substitute anchor for the PBS News Hour interviewing John Dinkelman, President, American Foreign Service Association, 12-23-2025 https://www.pbs.org/newshour/show/how-recall-of-career-diplomats-fits-into-trumps-foreign-policy-shift]

William Brangham:

How unusual is this to recall nearly 30 ambassadors one year into an administration? Is this standard practice?

John Dinkelman:

This is not standard practice. This is unprecedented. This is unheard of.

This is a sabotage of the American diplomatic machine. This is an affront to the professional Foreign Service that we have spent decades, a century in building in our country. And I don't know what it foretells.

William Brangham:

Sabotage?

John Dinkelman:

Definitely. When individuals have spent their lives devoted to a profession, to representing our country overseas, and, en masse, you tell those who have qualified to represent our country, to carry out our policies, to execute any administration, any president's goals in any given country, when you tell them all summarily that for some reason they don't qualify, something is definitely wrong.

William Brangham:

I mean, you heard the State Department's position on this. They're arguing, this happens with every administration. Many of these people were appointed by the Biden administration, and the president wants his own people in there.

What do you make of that argument?

John Dinkelman:

This -- it is entirely incorrect and a misrepresentation of the reality. Every American ambassador submits their resignation to the incoming president, who either chooses to accept or reject those resignations at that time.

William Brangham:

And all these ambassadors did that?

John Dinkelman:

All of these ambassadors did that about one year ago right now. And the Trump administration not only refused those resignations, but actually encouraged the individuals to remain.

Even within the past few weeks, senior-level Cabinet individuals have visited with these various ambassadors on trips, reaffirming the desire of the administration that they stay in their positions, only to find them getting a phone call and surreptitiously being told they haven't until January to get out.

William Brangham:

We know that the U.S. already had about 80 vacant ambassadorships before this event. Then this comes. What is your sense of what the impact is going to be on our ability to project American power in ways, soft and hard, all over the world?

John Dinkelman:

Simply put, we're taking our star players off the field before we can even enter the game.

These individuals will not be able to exercise the personal and professional bona fides and relationships that they have established over decades. And what will be very interesting is who replaces them.

If it's a member of the professional Foreign Service, I have to worry, as the president of the Foreign Service Association, what kind of loyalty oath are they going to be required to take that demonstrates their fidelity to the administration, in addition to the fidelity that they should have sworn to the Constitution in the first place?

William Brangham:

Have you seen any evidence that there is such a loyalty oath being passed around to potential candidates?

John Dinkelman:

I have not yet seen that, and I am looking for it closely.

William Brangham:

Have you been hearing -- I imagine your phone must be ringing off the hook?

John Dinkelman:

Incessantly, yes.

William Brangham:

And what are they saying to you?

John Dinkelman:

They're hurt. They're concerned. Many of them are afraid. There is a wonder as to what in the world they could have done that would have caused the ire of our leaders.

They have done everything they could to carry out the policies of the president, as they would for any elected leader of our country, because that's what the Foreign Service does. But, in this case, they are left stumped, as am I, as to what would have caused this en masse dismissal of our leaders in our Foreign Service.

William Brangham:

Is it possible, just playing devil's advocate, that, to take the State Department's stated position, that some of these people were not enacting what President Trump believes is an America first agenda in their positions?

John Dinkelman:

I find it inconceivable.

Individuals like myself who have spent decades trained to make sure that they're advocating on behalf of our leaders, on behalf of the elected leaders of the United States, it is incomprehensible to me that individuals would do this, much less 30 or 40 of them en masse all at once. It simply cannot happen.

William Brangham:

At the beginning, I put the list up of all those nations that were -- where the ambassadors have now been pulled. Are there particular nations, when you look at that list, that you're -- that concern you specifically?

John Dinkelman:

There's various that concern me, but I'm particularly interested in what's going on in Guatemala, where not only our ambassador, but our deputy chief of mission, both senior Foreign Service officers with decades of experience each, have been summarily told that they are to leave the post.

Given the immigration crisis that the administration says we are in and the key role that Guatemala plays in that crisis, how we could determine that the individuals in charge of our mission there, on the other side of that problem, working with the other side of the equation, are no longer going to be there and who will fill that gap is beyond me.

William Brangham:

You mentioned earlier to one of my colleagues the concern that you have that, if every new administration comes in and basically guts the corps, civil service, what that does to America's ability to enact its foreign policy. What did you mean by that?

John Dinkelman:

It will politicize us as a profession. We come into the service sworn loyal to the Constitution and nothing else. And when presidents change -- I myself have been through six different presidents and have served willingly under each one of them.

I know that the thousands of men and women in the Foreign Service will continue to do so, because that's what they were sworn to do. If, on the other hand, we start to move our people in and out with every administration, it's going to deplete our ability as diplomats to get the job done. It will hurt our credibility and it will hurt our nation in general.

#### Upends influence and cooperation

TA 25 [Tomorrow’s Affairs, produced by Tomorrow’s Affairs staff, 12-24-2025 https://tomorrowsaffairs.com/all-the-consequences-of-trump-s-mass-recall-of-ambassadors]

Donald Trump’s administration suddenly recalled an unusually large number of top diplomatic representatives from global capitals, directing them to return home with minimal notice, even as early as January.

Such a large-scale recall of diplomats, with a phone notification and extremely short deadlines for return, is unprecedented and has led to many interpretations, most of which suggest it is not a routine matter.

“To remove these senior diplomats without cause or justification sends a dangerous message. It tells our public servants that loyalty to country is no longer enough – that experience and oath to the Constitution take a back seat to political loyalty,” was one of the interpretations given by the American Foreign Service Association (AFSA), the union that represents US diplomats.

This decision by the administration is difficult to dispute from a formal, legal perspective, because ambassadors are personal representatives of the US president, so the president has the authority to terminate their service, as announced by the State Department.

Nevertheless, the manner in which this major move was organized reflects the continuity of Trump’s management style, in which institutions and non-partisan civil services are subordinate to his policies and management.

New criteria in diplomacy

The recall of ambassadors shows that the US diplomatic service, under Trump, will be shaped not according to professional standards but according to a very specific policy within the US – the one represented by the president and his administration.

“It is the president’s right to ensure that he has individuals in these countries who advance the America First agenda,” announced the US State Department regarding the decision to withdraw a large number of US ambassadors from around the world.

This interpretation effectively means that the main criterion for selecting new American representatives abroad, and especially for the work of those who remain in their posts, will be the implementation of Trump’s political and economic agenda.

Such a criterion effectively breaks with the non-partisan tradition of the American diplomatic service, abandoning one of its greatest strengths, which has made it effective and influential worldwide.

“This is bad for our diplomacy, bad for our national security, and bad for our influence in the world,” said Eric Rubin, a retired diplomat and former AFSA president.

Friends and business partners

The attitude towards top career diplomats will therefore not be friendly at all during the next three years of Trump’s term.

It will generally reflect Trump’s approach of removing the management of public services from career professionals as much as possible and handing it over to loyalists, party members, and personal friends.

Trump is certainly not an exception among US presidents in appointing personal and business friends to high diplomatic positions around the world.

However, he will probably be the first whose term sees personal and business connections take precedence over professional qualifications and diplomatic experience.

Mass dismissals of professionals serving ambassadors is a waste of talent and contemptuous of service to country - Daniel Fried

The appointment, for example, of Charles Kushner, the father of Trump’s adviser Jared Kushner, as ambassador to France, will probably not remain an exception arising from the US president’s discretion but may become the new rule in the US diplomatic service.

According to the same criteria, long-time Fox News star and former fiancée of Trump’s son Donald Jr, Kimberly Guilfoyle (Greece), and Joseph Popolo Jr, a major donor to the Republicans and Trump (the Netherlands), have also been appointed to ambassadorial positions.

The consequences of such a shift in the diplomatic service – from institutional and professional to political and private – could be damaging for the US in the long term.

The government’s insistence that diplomats must implement an America First policy will inevitably narrow their scope and create pressures that will make the profession unattractive to non-partisan professionals.

Special envoys instead of diplomats

Second, such a mass recall of diplomats will have a very negative impact on the governments of the countries where they served. Vacant ambassadorial positions inevitably lower the level of political, security, and economic cooperation with the US.