### ATTENTION: this was Barron-Evans new aff at districts, NOT Bacon-Boor, but ya know, same squad.

### Advantage 1: Relations

#### Despite the War Powers Act, Executive war powers afford the President the authority to introduce US armed forces into hostilities in countries like Guatemala

Caffrey 12

[Kevin, Sept. 13, M.A. in Political Science U of Colorado, political columnist, <http://www.nolanchart.com/article9846-marines-in-guatemala-fighting-a-drug-war-what-about-americas-border.html>, mg]

What are **two hundred Marines** doing **in Guatemala** fighting **a drug war**? Adam Williams explains how "Operation Martillo" is being lauded as a huge success among the Central American leaders who are involved with the operation. Adams argues that the United States is involved in Operation Martillo and has been since April of 2012.The Marines in Guatemala **represent** another one of the President’s unconstitutional acts. This is because the **President** is **acting militarily in a foreign country** without the expressed will of the United States Congress: **"Its central provision prohibited the President from engaging in military actions for more than sixty days, unless Congress voted approval. " That last quote is the direct wording found in the War Powers Act of 1973 that was developed to** place limits on the President’s ability to use military troops for extended periods of time.¶ How is it that President Obama would put Marines into combat in the jungles of Guatemala? The President and Homeland Security cannot do a thing about our own Mexican and United States border! The Drug War along the Mexican and United States border is more important to the Border States and America’s border security. Our President and his crony worthless Homeland Security are more of a threat to the United States than a help.¶ Whatever policy the President gave to Homeland Security is not a policy at all apparently.The policy is an ideology whose action-- amounts to less action. President Obama has said that giving amnesty is, "The right thing to do" for illegal immigrants. Since President Obama’s statement illegal immigrants in Border States have immunity to American law. Law enforcement is placed in a position which is a recipe for disaster. This "War on Drugs" declared back when Nixon was President has grown beyond control. Some argue that America will lose control of its border states to Mexican drug gangs. President Obama seems to place Guatemala above the American problem of illegal immigration and the true Drug War on America’s border.¶ Mendonez a reporter for Associated Press on August 29, 2012 argues that an American Spokesperson confirmed the fact that there were 200 Marines in Guatemala for operations against drug traffickers. Mendonez argues that Guatemalan Authorities have stated that a treaty was signed allowing the United States to operate within their country. The Marines at that time are: "This week the Marines have been patrolling waterways and the coastline, looking for fast power boats and self-propelled "narco-submarines" used to smuggle drugs along Central America's Pacific Coast. U.S." The President of the United States can negotiate a treaty, but that treaty is worthless without ratification by three quarters of the United States Senate. The President has not even confirmed the action with the Senate.¶ President Obama can care less about the Rule of Law or what his authority is in light of the Presidential office he holds. The President has recently softened the border with Mexico in many ways. President Obama in his amnesty for illegals amounted to an end around Congress. What the President developed in the amnesty has costs involved. Does not Congress regulate the purse? What the President did was a violation of the United States Constitution. President Obama’s actions cannot be analogized with President Reagan who signed amnesty for millions of Mexicans in America. Congress produced and passed the Immigration Reform and Control Act of 1986. President Reagans amnesty was supposed to and should have tended to America’s immigration problem.¶ The border problem in President Reagans mind was solved. He signed the bill that had guarantees in the Act: "[Amnesty] illegal immigrants in return for assurances that border security would be tightened, and employers would be rigorously prosecuted for hiring illegal immigrants." If the last quote was acted upon in good faith there would not be a problem today. The millions of illegals that President Obama has given amnesty to would not have been in America to begin with. The previous could not have occurred because the kid’s parents, if Reagan’s law was enforced, would never have been in the United States. The kids would not have been born in the United States. This is a perfect example of the border problem the people who are supposed to enforce the law never enforce the law and that is a crime.¶ So we have the crime of not enforcing the border in the case of Homeland Security and President Obama. However, the real crime is what the amnesty does to the poor Americans that are in the country legally. The American poor are hurt badly by amnesty and illegal immigrants working in the United States. Amnesty is the green light for more illegal immigration it seems. The years of lack border enforcement has punished the American poor. Most of the poor do not graduate from high school and thus become unskilled labor.¶ The economics of the illegal immigrants creates an environmnet of to many workers and not enough jobs. That allows businesses to hire help at a pay rate much lower than would be if the illegal immigrants were not in the country. Giving the illegals amnesty is like an extra kick in the face for the poor Black and Latino unskilled labor in the United States. The legal poor Latinos and Blacks who hope to go to college are forced to chase dollars against the illegals that Obama has just given amnesty to. ¶ So where the rich think that they are doing such a good humanitarian thing by allowing immigrants to flow over are border. In fact, they are causing a great deal of hardship for poor Americans and their Children. It should be obvious why the poor hate the rich, but what the poor do not realize is that the elected officials in office should be protecting our border. The Democrats use the rich against the poor argument as the number one reason for the poor to vote for Democrats. We the democrats will tax the rich and further screw the poor; and a majority of the people will love us for it! Every minority will vote for Democrats and the Democrats New Socialism. America is becoming the country of ‘free stuff’ and a Federal Debt cannot sustain another four years of Obama. President Obama plans on running trillion dollar deficits for his next four years if elected, and that will kill the United States as we know it.¶ America cannot fall for the class warfare of the Democratic Party because it is ruining are country. President Obama is running a divide and conquers campaign. Every move the President makes from his latest amnesty in hopes of getting the Mexican vote to his new support for Gay Marriage is to gain votes. It seems that everything President Obama does is campaign motivated.¶ Central America has always been important to American Presidents. President **Obama** and the new Guatemala treaty **allows the Marines to fight in Guatemala. Guatemala represents combat situations in order** to fight a drug war. It is unconstitutional for the President to allow what is being done in Guatemala and sets a new precedent (United States Military fighting drug traffickers). If the President wants to use United States military troops for drug wars, then why not have the American military on our border.¶ President Obama should make an unconstitutional treaty with Mexico. This would allow American troops to fight on both sides of the Mexican and American border. The drug war on the American border is going to spill over into the United States. America needs to use its military to an even larger extent than it is in Guatemala. We cannot forget our Marines in Guatemala they are still there. The number of Marines is probably a lot higher than the amount given here.

#### Guatemala will be a staging ground - plan prevents further militarization

Paley 13

[Dawn, Jan. 7, <http://www.breakingthesilenceblog.com/general/strategies-of-a-new-cold-war-us-marines-and-the-drug-war-in-guatemala/>, mg]

The news broke in the United States during the lazy summer days of late August: 200 US Marines were stationed in Guatemala as part of the war on drugs.[1] Thedeployment of US combat troopsto Guatemala was part of Operation Martillo, a military plan meant to disrupt cocaine trafficking routes that pass through Central America on their way from Colombia to the United States. **Fight**ing organized crime anddrug trafficking is the most recent justification for US incursions in Guatemala, also serving to justify the increased activity of Guatemalan military around the country. This militarization is taking place in areas where there are fierce social and land conflicts related to the imposition of mega-resource extraction projects, such as in mining and oil industries. In addition, communities that resist displacement and the extractive industries have been tarred with accusations that they are involved in the organized crime; in some cases entire peasant villages have even been labeled “narco-communities.”¶ “We have the sense that [fighting narcotrafficking] is a pretext to return to the level of military deployment that was maintained during the height of the armed conflict, which resulted in acts of genocide,” said Iduvina Hernandez Batres, of the Guatemala City-based NGO Security and Democracy (Sedem). The Guatemalan Army, which is still formally ineligible for receiving US military assistance, was responsible for the vast majority of the 200,000 killed and the 50,000 disappeared during the internal armed conflict, which officially ended in 1996.¶ The Guatemalan army was called upon “to put an end to the external threats and contribute to neutralizing illegal armed groups by means of military power,” by Guatemalan President Otto Pérez Molina the day after his inauguration in January 2012.[2] Pérez Molina, a former General and head of army intelligence, also promised to increase military spending. So far, he has kept his promise. According to Plaza Publica, a Guatemalan investigative journalism outlet, projected spending on military and security equipment in 2013 alone will surpass all such spending between 2004 and 2012.[3]¶ **The arrival of US Marines in Guatemala represents more than a military maneuver to disrupt drug trafficking. It demonstrates that** in allied countries like Guatemala, the US can champion a military invasion under the discourse of the war on drugs **with little fanfare or criticism. The deployment of US troops to Guatemala is** arguably the most blatant **example of an** evolving strategythat the **US military establishment is betting on** in order **to expand and exercise control in the hemisphere**, all within an international framework **of formal democracy and law and order**.¶ “The predominant hemispheric security challenges no longer stem principally from state–on-state conflict, right-wing paramilitaries, or left-wing insurgents,” reads the US’s Western Hemisphere Defense Policy Statement, released in October of 2012. “Today’s threats to regional peace and stability stem from the spread of narcotics and other forms of illicit trafficking, gangs, and terrorism, the effects of which can be exacerbated by natural disasters and uneven economic opportunity.”[4]¶ Guatemala, and Central America as a whole, is a testing ground **for one iteration of the** US military’s new strategy of control**, which is being applied unevenly throughout the hemisphere. Here, it includes the presence of US combat troops** – something the US can’t get away with in Mexico. It also includes the involvement of military officials from Canada, Chile, and Colombia as trainers in regional security matters.[5]¶ Events in Guatemala are taking place in the context of an ongoing escalation of the US-backed drug war in Mexico, which has pushed the number of murders to around 100,000 over the past six years, according to some estimates.[6]¶ While Mexico has been a central focus for US anti-narcotics funds and media attention, its neighbors to the south have already seen their share of action. The deployment of US Marines to Guatemala came just two months after a controversial massacre of civilians in Ahuas, Honduras, when US backed anti-drug efforts there went awry. According to human rights groups, Drug Enforcement Administration agents and Honduran police shot from State Department Helicopters killing four Indigenous people in the country’s northwest in May.[7]¶ “The aircraft that were used in that operation were at that time piloted by officials of the Guatemalan Army,” said Sedem’s Hernandez. “Later, [Operation Martillo] appeared publicly in Guatemala, getting its official start midway through this year, but the operations had already begun.”¶ According to official sources, between July and October, members of the US Marine Corps Forces, South —the naval component of the US Southern Command— flew helicopters destined for trafficking interdiction efforts in Guatemala out of Santa Elena, Petén, and aircraft out of La Aurora in Guatemala City, Retalhuleu, and Puerto San José, as well as coordinating with the Guatemalan Navy in Puerto Quetzal, on the Pacific Coast.[8]¶ Beyond a handful of wire stories, news of the deployment of active duty US combat troops in Guatemala made barely a blip in the media.[9] It also seemed to go largely unnoticed in the Central American nation. Few outside military and security research circles were aware of the details of the agreement between the US Embassy and Guatemala’s Foreign Relations Ministry.¶ Nineth Montenegro, the second vice president of Guatemala’s congress, told Toward Freedom she found out about the operations through reports in the newspaper.¶ “There was no discussion in congress. It was an agreement [made by the executive] that the President approved,” said Montenegro. “Some here think there was a violation, because legislative power is independent and it is the only [power] which can authorize the arrival of troops or military or support. It never went to congress.”¶ A Quiet Agreement¶ Instead of moving through constitutional channels, on July 16th, 2012, the US Embassy in Guatemala delivered a verbal note to the Minister of Foreign Relations, proposing the conditions for the regularization of US defense personnel in Guatemala. The note from the Embassy, which was later transcribed and published in Guatemala’s Congressional Gazette, makes reference to military and aviation cooperation agreements signed between the two countries in 1949, 1954, and 1955.[10] One of the documents referenced in the agreement was signed by Castillo Armas, a military dictator who took power after the US backed coup against President Jacobo Arbenz in 1954. Such references make it clear that the legal elements permitting present day US military engagement in Guatemala were created in the wake of the coup in 1954, and have been maintained ever since.¶ The day after they received the request from the US Embassy, the Guatemalan government responded in the affirmative. Toward Freedom obtained the exchange of notes between the US and Guatemala which legalized the presence of US troops and private security contractors hired by the US Department of Defense in Guatemala for 120 days, beginning July 17th. [11]¶ The agreement allows US personnel to carry arms, to import and export goods without inspection or taxation by the Guatemalan government, to freely transit into, out of, and throughout the country without interference by the Guatemalan government, and to make free and unlimited use of radiofrequencies.[12] US soldiers and contractors are granted immunity from prosecution in Guatemala should injury or death of civilians or military personnel result from the operation.¶ According to members of the US Navy, their mission in Guatemala, led by the Joint Interagency Task Force South out of Key West, Florida, represents a move back to what the organization has traditionally done.¶ “For decades, the Marine Corps has supported engagement in Central and South America with the intent of building partnership capacity and improving interoperability,” wrote Captain Greg Wolf on the Marine Corps official website. “In recent years, though, the wars in Iraq and Afghanistan have curtailed some of that engagement. The Marines of Detachment Martillo relished the opportunity to partner with Guatemalan authorities and strengthen ties in the region.”[13]¶ According to New York University history professor Greg Grandin, whose book Empire’s Workshop: Latin America, the United States, and the Rise of the New Empire documents the US military’s shift from Vietnam and South Asia to Central America in the late 1970s, the discourse of the US military today masks a continued attempt to control local armies and police.¶ “We’ve come a long way from the robust language of the cold war — which hailed Latin American death squads and dictators as ‘freedom fighters’ on the frontline of a global anticommunist crusade – to the anodyne babble of ‘building partnership capacity and improving inter-operability,’” noted Grandin in an email to Toward Freedom. “But basically the goal has remained the same, to coordinate the work of national security forces on an international level subordinated, either directly or indirectly, to Washington’s directive.”¶ That said, Grandin thinks the reach of the US in the hemisphere has shrunk, making the importance of what takes place in countries like Honduras and Guatemala even greater.¶ “What is different is the degree that the US’s reach has been reduced, from all of Latin America to basically a corridor running from Colombia through Central America to Mexico,” wrote Grandin. “But even there, US’s hegemony is threatened by a degree of independence that would have been unthinkable just a few years earlier, whether it be in Juan Manuel Santos’ Colombia or Daniel Ortega’s Nicaragua.”¶ The steadfast allegiance displayed by the Government of Guatemala towards Washington, as well as the presence of US troops in Guatemala –both overt and clandestine – has a strong historical precedent.¶ In 1960, the Central Intelligence Agency (CIA) coordinated directly with Guatemala’s right wing president José Miguel Ramón Ydígoras Fuentes, who offered support for the Bay of Pigs invasion against Fidel Castro in Cuba. According to declassified CIA documents, “Not only did Guatemala sever official relations with Cuba, but before the end of February 1960, President Ydígoras offered the use of his territory to support propaganda activities directed against Castro; and he also made a special offer through the CIA ‘to groups favorably regarded by us [of] training facilities in the Petén area of Guatemala.’”[14]¶ The US continued to be openly involved in all manner of military operations in Guatemala through to 1978, when official military aid to Guatemala was cut off by US congress after evidence of massacres, rapes, and disappearances by the army became insurmountable.¶ Extrajudicial assassinations and other scandals continue to dog the Guatemalan military. In October of this year, six people were murdered when soldiers fired on Indigenous demonstrators protesting high electricity prices, changes to the teacher training program, and constitutional reforms in Totonicapán.[15]¶ Of late, US assistance to the Guatemalan army has come in the form of supports for anti-narcotics initiatives, including the Central America Regional Security Initiative (CARSI), a nearly $500 million program started in 2008, with assistance, equipment and training going to Central American police and armies.¶ The presence of US troops in Guatemala on non-combat missions is ongoing, consisting of one special deployment after another. Beyond the Horizon, a series of “U.S. Southern Command-sponsored, joint foreign military interaction/humanitarian exercises” in Honduras and Guatemala, ended two days before Marines arrived in Guatemala for Operation Martillo in July.[16] Two days after Operation Martillo soldiers left the Guatemala, members of the United States Navy construction battalions deployed to Coban, Alta Verapaz, as part of a “theater security cooperation mission” with local troops.[17]¶ But there is a new twist to the engagement of US Marines in Guatemala for Operation Martillo. “This is the first Marine deployment that directly supports countering transnational crime in this area, and it’s certainly the largest footprint we’ve had in that area in quite some time,” Marine Staff Sgt. Earnest Barnes told AP shortly after news of the deployment broke in the US.[18]¶ Or, as Wired magazine put it, it was “Marines vs. Zetas,” in reference to the Mexican narco-paramilitary group known for mass kidnappings, extortions, and massacres of civilians throughout Mexico and in Guatemala.[19]¶ Unlikely Allies in an Uncertain World¶ In an October 2012 speech in Virginia, US Secretary of Defense Leon Panetta outlined his army’s plan in the face of budget constraints, explaining that rotational deployments and joint exercises with local militaries are to become an increasingly important element of US defense strategy.¶ “We build new alliances, we build partnerships, we build their capacity and capability to be able to defend and provide their own security,” said Panetta. “So we’re gonna do that. We’re gonna do that in Latin America. We’re gonna do that in Africa. We’re gonna do that in Europe. We’re doing it in the Pacific. Just have a rotational deployment of Marines going into Darwin. We’re gonna develop the same capability in the Philippines. Gonna do the same thing in Vietnam. Gonna do the same thing elsewhere.”[20]¶ The U.S. Southern Command, operating from a new $400 million headquarters just west of Miami, is responsible for all US military activities in Central and Latin America.[21]¶ “The military’s role is not to act as a law enforcement force, but the unfortunate reality is that it has been called upon to deal with this problem on an interim basis in several countries,” said U.S. Deputy Assistant Secretary of Defense for Western Hemisphere Affairs Frank Mora in June. “When asked to do a job that many of them do not want to do—which is to do law enforcement, like in El Salvador and Guatemala—they have tried to do it the best that they can.”[22]¶ One of the least acknowledged difficulties of increasing US cooperation with the Guatemalan armed forces is the role the army has played and continues to play in drug trafficking. The Guatemalan army is widely documented to have been involved in drug trafficking, but that hasn’t stopped the US from partnering with it and providing it with technology and training aimed at controlling the flow of narcotics.¶ “Evidence from various sources, including information from U.S. Drug Enforcement Agency (DEA) reports, indicates that beginning in the 1980s, Colombian traffickers gained access to trafficking networks along key routes throughout the south and west of Guatemala,” reads a publicly available research paper prepared by Navy-linked CNA Analysis and Solutions. “These networks were composed of military intelligence officials, their subordinates and former colleagues, and informants and partners—including military commissioners.”[23]¶ By the mid 1990s, Guatemala’s top drug lord was Byron Berganza, a former soldier whose “security detail was comprised exclusively of military officials,” according to a 2010 report by the Woodrow Wilson Institute.[24] At that time, Berganza was also a DEA informant and the Guatemalan go-between with Colombian drug trafficking groups. Berganza was extradited to the US in 2003, opening up a power vacuum in the country’s drug transshipment market, eventually filled by members of a handful of powerful Guatemalan families.¶ Since Mexican President Felipe Calderon launched the war on drug trafficking organizations there in December 2006, Mexican drug traffickers have increasingly staked out territory in Guatemala.¶ “This has a lot to do with the beginning of the war in Mexico and interests of territorial control on the part of actors who didn’t involve themselves in territorial control because that was the job of local narcotraffickers,” said Claudia Virginia Samayoa, who coordinates UDEFEGUA, a group dedicated to defending activists in Guatemala.¶ These days, according to activist and writer Jennifer Harbury, the rising violence in Guatemala “is being carried out by military leaders who took their uniforms off after the war, created large mafias to run drugs, and hired and trained gangs such as the Zetas—that’s very well documented—to help them run the drugs.”[25]¶ It was a former Kaibil (member of Guatemala’s elite Special Forces) who was accused of directing the single most violent act in Guatemala yet linked to drug trafficking. Hugo Gómez Vásquez was accused of supervising the massacre in Finca Los Cocos, Péten in May 2011, where 27 farmworkers were killed, allegedly as part of a land dispute between Otto Salguero, a local landowner, and the Zetas.[26]¶ Some Kaibiles trained in the US, as did some of the first members of the Zetas, who defected from the GAFEs, an airborne unit of Mexico’s elite special forces, in the late 1990s. Kaibiles have also trained the GAFEs, and have been involved in training with US Marines.[27]¶ “It has become normal that when they find an official on active duty among Zetas, or a Kaibil who is still in active service, two or three days go by and the army claims ‘it’s that they deserted’, but the internal process regarding what discipline was applied, and what disciplinary procedures there are aren’t documented,” Hernandez told Toward Freedom.¶ Regardless of evidence of collaboration with the Zetas and other drug trafficking groups and a history of participation in massacres, Guatemala’s Kaibiles maintain a privileged relationship with the US military.¶ Drug War Capitalism, From Guatemala to the Caribbean¶ “These guys, **the Marines, they aren’t just here to control narcotrafficking, but** to train the Guatemalan military for what I call **the continuation of the cold war,”** said Kajkok Maximo Ba Tiul, a Maya Poqomchi’ analyst and university professor based in Coban, Alta Verapaz. “**A cold war that’s more refined, more academic, more intellectualized**, if you’d like. **But one that will be just as brutal and damaging for all of us here in Guatemala, and which** I don’t think is destined only for Guatemala.”¶ The positioning of new military bases in areas of heightened social conflict has raised alarm bells for local activists. One of the new bases is in San Juan Sacatepequez, which is the site of a major struggle against a highway project and a cement company, another in Panzós, near a proposed nickel mine in El Estor and surrounding areas, which are steeped in land conflict related to the industrial production of African Palm, and the third in Peten, the huge northern region of the country which is currently undergoing a wave of oil investment and development.[28]¶ “In less than 10 months, this government has inaugurated three new military bases, and there’s talk about a fourth that could be up and running by the end of this year or the beginning of next, all with the argument –and this is what worries us– of the supposed fight against drug trafficking, this has been the pretext for the participation of the army in civilian law enforcement,” said Hernandez, who proceeded to point out that each of the new bases is located in a resource rich area.¶ Indeed, if the drug war in Mexico and Guatemala continues to play out as it has in Colombia, the notion of what “success” means in this war must be expanded to include the provision of new opportunities and guarantees for investors and transnational corporations, whose operations may also eventually benefit from increasingly militarized police forces and a beefed up prison system capable of controlling dissent within a “democratic” law and order framework.[29]¶ It is clear that the US backed war in Mexico is what transformed the narco-landscape of Guatemala. Similarly, there is little doubt that pushing traffickers out of the waters of the Pacific Coast, as Operation Martillo seeks to do, will make the Caribbean Sea a more transited route.¶ It is widely known that consumers in the first world fuel the drug trade. The United Nations Office on Drugs and Crime reported in 2010 that 85 per cent of the gross profits of the $35 billion cocaine market are generated in the United States.[30] Yet it is also important to consider the ability of the US armed forces to manipulate an enemy, now called transnational organized crime, created by that same demand. **The US and other countries have** strategic interests in the Caribbean **that would be well served by the application of the drug war there**.¶ In fact, last October, just two days after the US Marines departed Guatemala, US drug war tsar William Brownfield arrived in Santo Domingo, the capital of the Dominican Republic. “All of us,” Brownfield declared, “agree that in the months and years to come, the problem, the threat and danger of illicit drugs will increase, but the fault lies not with the Dominican Republic or its people.”[31]¶ Taken in context, it reads almost like a sad repetition of the past. **Just as Guatemala served as a staging ground for the failed Bay of Pigs invasion in 1960, it has potentially again served as** a base to facilitate the transfer of the drug war back to the Caribbean. If only, like before, the invasion would fail.

#### This policy creates resentment throughout the region crushing relations

Crandall ’14 (professor of international politics and American foreign policy at Davidson College and a contributing writer to the New Republic. He recently served as a national security aide to President Barack Obama and is the author of the forthcoming book, America’s Dirty Wars: Irregular Warfare from 1776 to the War on Terror (Cambridge.)

http://www.newrepublic.com/article/116076/uruguays-pot-legalization-bad-americas-war-drugs

It is easy to forget that Washington’s global war on drugs had started roughly two decades before Escobar’s death, when President Nixon unveiled the counter-narcotics campaigns in Southeast Asia and Mexico. The motive for pursuing these “source control” efforts (as opposed to addressing the issue domestically) was rationalized by a “drugs-as-disease” metaphor that conveniently placed the responsibility for America’s drug scourge overseas.¶ The irony today is that we are seeing the juggernaut that has been the U.S**.**-financed and -designed war on drugs being increasingly questioned in Latin America—where the “supply side” activity takes place. It’s especially surprising given that it’s right in America’s historical geopolitical backyard; it is also the case that, until recently, most elected Latin American leaders expressed genuine support for the broad outlines of the supply side approach—namely, that it wasn’t pretty but the alternatives (read: legalization) were far worse. It is still too soon to declare that the United States is basically the only country fighting the drug war as we commonly understand it. But it is certainly the case that Washington’s continued orthodox approach and rhetoric are increasingly out-of-place among Western Hemisphere nations involved in either the production, transit, or consumption of illicit drugs.¶ Known for its early welfare state begun a century ago and a national soccer team that punches well above its weight, on December 10 sleepy Uruguay (Argentina on Valium, some say) became the clearest example yet of Latin American countries’ drift away from Washington’s narcotized supply side campaign when it established the state regulation (and effective legalization) of marijuana. In some ways, Uruguay is an unexpected drug war apostate given that, unlike Colombia or Mexico, it has historically not been deeply involved in the supply side drug war in the region.¶ Passed by the Senate in a 16-13 vote after approval by the lower house earlier this year, this law marks the most liberal national pot legalization approach in the world to date. Consumption of pot has been legal in Uruguay since the 1970s, but starting next year the government will grow marijuana and distribute it to licensed pharmacies; the retail price ceiling with be $1 per gram, roughly 30 percent below the current black market rate. Uruguayans will be allowed to grow up to six plants of their own as well as join new 15 to 45-person “clubs” that will grow up to 99 plants each year. (But don’t buy your plane ticket for Montevideo just yet: Foreign tourists will not be eligible to purchase the stuff, potentially avoiding the opprobrium of becoming the Amsterdam of the Southern Cone.)¶ A former leftist guerrilla leader who was jailed by the police for 14 years—ten in solitary confinement—President José “Pepe” Mujica donates 90 percent of his salary to charity and lives with his wife (also an ex-guerrillero) in a dilapidated apartment, not in the presidential palace. Calling the marijuana law an “experiment,” Mujica framed it as a sober anti-crime measure, not a radical rethinking of a failed puritanical drug war.¶ According to the country’s drug czar, the new approach will take marijuana smokers “out of the dark alleyways,” where they are tempted to purchase more dangerous drugs. The government’s hope is that the new program will kill off the black market and allow police to focus on more serious illicit drugs like cocaine and its wicked cousin, base cocaine—the highly addictive crack-like drug. And with Uruguayans spending tens of millions on illicit marijuana each year, his government also sees a lucrative revenue source.¶ It is worth noting that Uruguayans themselves are generally against legalization due to fear that the country will in fact become more crime-ridden or a tourist destination for drug users. An October poll showed that just 29 percent approved. But this was up from only three percent a decade ago. Still, an opposition political party might push for a referendum to repeal the law.¶ The road to legalization in Uruguay started back in 2009, when three prominent former Latin American presidents—including Colombia’s César Gaviria, who was in office at the height of Escobar’s savage war on the Colombian state and political class—stated publicly that it was time to “break the taboo” on the prohibitionist drug war. Two years later, former UN Secretary General Kofi Annan, former U.S. Secretary of State George Schultz, and former Federal Reserve Chairman Paul Volcker, among others, joined the growing chorus of prominent critics.¶ In April 2012, upon arriving at the Summit of the Americas in Cartagena, Colombia, President Barack Obama received an unexpected earful from some of his Latin American counterparts, including summit host and erstwhile reliable U.S. drug war ally Colombian President Juan Manuel Santos, who told an American journalist:¶ There’s probably no person who has fought the drug cartels and drug trafficking as I have. But at the same time, we must be very frank: after 40 years of pedaling and pedaling very hard, sometimes you look to your left, you look to your right, and you are almost in the same position. So you have to ask yourself: Are we doing the correct thing?¶ Cast on the defensive, Obama did acknowledge that the drug war was “a legitimate topic for debate” and that it was “entirely legitimate to have a conversation about whether the laws in place are ones that are doing more harm than good in certain places.¶ The recent surge of drug-related violence in Mexico (that appears to be ebbing somewhat, at least for now) has added to this impression: Over 50,000 people have been killed in the country since former President Felipe Calderón kicked the hornets’ nest in 2006 by vowing to crack down on the drug cartels using all levers of the government, including the military. The belief is also strengthened by shocking levels of drug-related violence in Central America, which have created de facto war zones in countries such as Honduras, Guatemala, and Belize.¶ It is a great irony that the United States, which created and aggressively pushed for a massive militarized drugs-interdiction effort regardless of whether Latin America supported the approach, is now the incubator for experiments in legalizing narcotics in states like Washington and Colorado. When asked whether he would enforce federal laws that override the outcome of these referendums, Obama quipped that he had “bigger fish to fry.”¶ The apparent hypocrisy of this was not lost on many Latin American politicians. Mexican congressman Fernando Belaunzarán of the Party of the Democratic Revolution introduced marijuana legalization a week after the Washington and Colorado votes. Belaunzarán pointed out that “everyone is asking: What sense does it make to keep up such an intense confrontation, which has cost Mexico so much, by trying to keep this substance from going to a country where it’s already regulated and permitted?”¶ Belaunzarán joined Mujica and a growing list of Latin American leaders in calling for a reconsideration of the U.S.-led prohibitionist model, the enforcement of which they contend has helped turn patches of Latin America into drug-fuelled hellholes. Shortly after the Colorado and Washington referendums passed, the outgoing Calderón, along with leaders from Honduras, Belize and Costa Rica, called for the UN General Assembly to hold a special session on drug prohibition; this is scheduled to begin in early 2016. They also asked the Organization of American States to consider potential reforms to current drug policies in Latin America.

#### Biggest internal link to relations

Miller-Llana ‘12

Sara The Christian Science Monitor July 30, 2012 Monday

Bolivia's more go-it-alone approach symbolizes a fundamental shift in the drug war in Latin America - one that is creating a tense new relationship between the US and its southern neighbors and could help determine how many drugs ultimately end up on urban streets.¶ Countries across the region are adopting a more autonomous, sometimes nationalistic, response to narcotics control that increasingly questions Washington's priorities and prescriptions. From Bolivia, where drugs are produced, to Mexico and Guatemala, where they transit through, to Brazil, where they are increasingly consumed, officials are forging new policies or floating ideas to deal with a problem they believe 40 years of US-dictated solutions hasn't curbed.¶ The relationship between Latin America and the US has always been at its most fraught over the war on drugs, ever since Richard Nixon launched the initiative in the 1970s. Nowhere has Washington's scolding finger been more in the face of its Latin American counterparts. Nowhere has Latin America felt it has fewer options than to just acquiesce, dependent as it is on US aid and military might to overcome the cartels that control narcotics trafficking.¶ But in the past five years, frustration has mounted. Gruesome drug crimes have brought record levels of violence to swaths of Mexico and Central America, despite the billions that the US has poured into the antinarcotics fight.¶ Leaders in the region are pleading for new alternatives - some are even discussing legalized drug markets - no matter how much those ideas might alienate the US.¶ The restiveness reflects a growing political assertiveness in the region. While Latin America has always been weary of the heavy hand of the US, Bolivia and Venezuela have taken their indignation to a new level, refusing to cooperate with the DEA and other US officials. Many countries also seem less inclined to genuflect toward Washington on other issues, from trade to foreign policy.¶ Yet it is the drug issue that will most define US relations with the hemisphere - and have the most impact around the world. Latin America remains the world's No. 1 supplier of cocaine, and how various countries deal with their coca tracts will not only affect the flow of narcotics, but might lead to new strategies in the drug fight.

#### Impact is global instability and hegemonic wars

Rochlin 94 [1994, James Francis Rochlin is Professor of Political Science at Okanagan University College, “Discovering the Americas: the evolution of Canadian foreign policy towards Latin America,” p. 130-131]

While there were economic motivations for Canadian policy in Central America, security considerations were perhaps more important. Canada possessed an interest in promoting stability in the face of a potential decline of U.S. hegemony in the Americas. Perceptions of declining U.S. influence in the region – which had some credibility in 1979-1984 due to the wildly inequitable divisions of wealth in some U.S. client states in Latin America, in addition to political repression, under-development, mounting external debt, anti-American sentiment **produced by decades of** subjugation to U.S. strategic **and economic interests,** and so on – **were linked to the prospect of** explosive events **occurring in the hemisphere.** Hence, **the Central American imbroglio was viewed as a fuse which could ignite a** cataclysmic process throughout the region. **Analysts** at the time **worried that** in a worst case scenario, instability created by a regional war, beginning in Central America and **spreading elsewhere in Latin America**, might preoccupy Washington to the extent that the United States would be unable to perform adequately its important hegemonic role in the international arena – a concern expressed by the director of research for Canada’s Standing Committee Report on Central America. It was feared that such a predicament **could generate increased** global instability **and** perhaps even **a** hegemonic war.

### Advantage 2: Terrorism

#### Militarization of the war on drugs crushes Latin American democracies and threatens regional security

Zirnite 2K (Senior Research Fellow; Council on Hemispheric Affairs)

Peter *Global Focus: U.S. Foreign Policy at the Turn of the Millennium*, p. 48  
At a time whenfledgingcivilian governments in Latin America are struggling to keep security forces in check, the United States has enlisted the region’s militaries as its pivotal partners in international drug control. This militarization, which begins at the US-Mexico border, is undermining recent trends toward greater democratization and respect for human rights while doing little to stanch the flow of drugs into the United States. Washington’s militarization of its antidrug efforts is the product of a US drug control strategy that historically has emphasized reducing the supply of illegal narcotics rather than addressing the demand for drugs. In 1971, three years after the first declared “war on drugs,” President Richard Nixon took a crucial step toward militarization by proclaiming drug trafficking a national security threat. ‘Protecting the national security” has remained the rallying cry for providing more money and firepower to wage the war on drugs. Since the 1970s, US spending on the drug war has risen from less than $1 billion to more than $16 billion annually. In the early 1980s, President Ronald Reagan raised the curtain on a rapid expansion of US antidrug efforts, justifying the expansion, in part, by developing the narco-guerilla theory by positing ties between the Columbian cartels and Cuba, leftist guerillas in Columbia, and the Sandinistas in Nicaragua. The purported guerilla-drug link has been used to legitimize the Pentagon’s gradual shift in Latin America from the cold war against communism to the drug war against communist-linked guerillas. The National Defense Authorization Act of 1989 designated the Pentagon as the “single lead agency: for the detection and monitoring of illicit drug shipments into the United States. Soon after, President George Bush announced his Andean Initiative, to stop the cocaine trade at its source. This opened the door to a dramatic expansion of this role and to a significant infusion of US assistance to olice and military forces in the region. US policymakers view local militaries as the most capable and reliable allies in the war on drugs. Although counternarcotics operations are a law enforcement function reserved in most democracies for civilian police, the United States prefers to use military forces. When Washington does recruit police, it provides them with heavy arms and with training in combat tactics that are inappropriate to the role that police should pay in a civilian society. The militarization of counternarcotics efforts in Latin America not only undermined efforts to promote human rights and democracy; it also threatens regional security. In Columbia, where the line between fighting drug trafficking and combating insurgents is blurred, Washington risks becoming mired in the hemisphere’s longest-running guerrilla war, possibly widening that conflict into neighboring countries. In Mexico, US helicopters supplied for antidrug work to be heightened regionwide by disturbing trend- an increasing amount of US aid is being provided under Pentagon programs that are exempt from civilian oversight and human rights legislation.

#### That risks regional conflict, WMD prolif, and genocide

Manwaring, adjunct professor of international politics at Dickinson, 2005

(Max, “Venezuela’s Hugo Chávez, Bolivarian Socialism, and Asymmetric Warfare,” October, Online: <http://www.strategicstudiesinstitute.army.mil/pdffiles/pub628.pdf>)  
President Chávez also understands that the process leading to state failure is the most dangerous long-term security challenge facing the global community today. The argument in general is that failing and failed state status is the breeding ground for instability, criminality, insurgency, regional conflict, and terrorism. These conditions breed massive humanitarian disasters and major refugee flows. They can host “evil” networks of all kinds, whether they involve criminal business enterprise, narco-trafficking, or some form of ideological crusade such as Bolivarianismo. More specifically, these conditions spawn all kinds of things people in general do not like such as murder, kidnapping, corruption, intimidation, and destruction of infrastructure. These means of coercion and persuasion can spawn further human rights violations, torture, poverty, starvation, disease, the recruitment and use of child soldiers, trafficking in women and body parts, trafficking and proliferation of conventional weapons systems and WMD, genocide, ethnic cleansing, warlordism, and criminal anarchy. At the same time, these actions are usually unconfined and spill over into regional syndromes of poverty, destabilization, and conflict.62

Risks authoritarian takeover in large parts of the region

Weylund ‘13

Kurt http://www.theatlantic.com/international/archive/2013/07/why-latin-america-is-becoming-less-democratic/277803/

For the first time in decades, democracy in the region is facing a sustained, coordinated authoritarian threat.¶ Opponents of Venezuelan President Hugo Chavez stage a protest over a drawing of a gagged face during a march to commemorate the 53rd anniversary of the return of democracy after the 1958 coup in Caracas January 23, 2011. (Jorge Silvas/Reuters)¶ Around the turn of the millennium, prominent Latin America special­ist Scott Mainwaring highlighted the surprising endurance of democracy in that region after the transition wave of the late 1970s and 1980s.Dur­ing that interval, no democracy had permanently succumbed to a mili­tary coup or slid back into authoritarian rule. After decades marked by instability in numerous countries, especially Argentina, Bolivia, and Ec­uador, this newfound democratic resilience came as a welcome surprise.¶ But at about the time Mainwaring was writing, onetime coupmaker Hugo Chávez was winning election to the Venezuelan presidency and beginning to move his country away from democratic rule. Venezuela had survived the rash of military coups that swept the region in the 1960s and 1970s to become a byword for democratic stability in Latin America. Economic deterioration, political ossification, and rampant corruption had brought sustained decay, however, and paved the way for this radical populist, former army officer, and would-be golpista (he had led a violent putsch that failed in February 1992) to decisively win the free and fair December 1998 balloting. Using plebiscitarian strategies to transform the country's liberal institutional framework, concentrate power, and entrench himself, Chávez set about strangling democracy and putting competitive authoritarianism in its place. He remained as president till he died of cancer on 5 March 2013.¶ The Chávez phenomenon has had strong demonstration and conta­gion effects beyond Venezuela. Eager to overcome instability and ce­ment their own supremacy, Presidents Evo Morales of Bolivia (2006-) and Rafael Correa of Ecuador (2007-) have emulated Chávez's script. As did their political ally and financial benefactor, they have used con­stituent assemblies to augment executive powers, allow for presidential reelection, and weaken institutional checks and balances. From that po­sition of strength, they have made discretionary use of the law for politi­cal purposes. With this discriminatory legalism, they have attacked, un­dermined, and intimidated the opposition in their respective countries, moving toward competititve authoritarianism as well.¶ With its electoral façade and progressive rhetoric about helping the excluded, the soft authoritarianism that is taking hold in parts of Latin America has an attractive face.¶ Similarly, strong informal pressures and disrespect for constitutional principles have enabled Daniel Ortega (2007-) to establish his hege­mony in Nicaragua. President Manuel Zelaya of Honduras (2006-2009) also sought to follow in the footsteps of Chávez, Morales, and Correa by convoking a constituent assembly and preparing his own perpetuation in power; yet coordinated opposition from Congress, the courts, and the military aborted this effort through a controversial June 2009 coup. Even President Cristina Fernández de Kirchner of Argentina (2007-), whose fervent supporters take inspiration from Chávez, is eyeing constitutional changes and renewed reelection (she is now in her second term). Given Argentina's weak and disunited opposition, this push for entrenchment, combined with continuing attacks on the press and the president's per­sonalistic command over the state, has created alarm in civil society about looming threats to the country's hard-won democracy.¶ The Democracy Report¶ That Venezuela had already fallen under nondemocratic rule was confirmed in October 2012 by Chávez's unfair reelection, achieved with the help of intimidation tactics, tight restrictions on the opposition, and the massive misuse of the state apparatus. Since the third wave reached Latin America in 1978, the region had seen only occasional threats and temporary interruptions of democracy in individual nations. The recent suffocation of political pluralism in a whole group of countries is with­out precedent. For the first time in decades, democracy in Latin America is facing a sustained, coordinated threat. The regional trend toward de­mocracy, which had prevailed since the late 1970s, has suffered a partial reversal. Unexpectedly, democracy is now on the defensive in parts of the region.¶ With its electoral façade and progressive rhetoric about helping the excluded, the soft authoritarianism that is taking hold in parts of Latin America has an attractive face. It exerts an appeal on regional and global public opinion to which academics are not immune. The military dicta­tors of the 1960s and 1970s were ogres with no legitimacy who depicted themselves as stopgaps--house cleaners putting politics in order so de­mocracy could return. By contrast, Chávez and friends have claimed to institute a new participatory--and hence qualitatively better--form of democracy and to promote social equity and national independence. Rather than a short-lived detour, they seek to carve out a distinct devel­opment path purportedly leading to what Chávez called "socialism for the twenty-first century." Their competitive authoritarianism appears not as a limited interruption but a permanent alternative to pluralist, representative democracy. This appeal is unusual among contemporary nondemocracies; it contrasts with Russian strongman Vladimir Putin's more bluntly unsavory brand of autocracy, for instance. These "pro­gressive" claims aggravate the risks emanating from the recent turn to authoritarian rule.

#### Best data indicates that is the root cause and biggest internal link to terrorism

Khalil ’07 (international affairs fellow in residence at the Council on Foreign Relations.)

Lydia “Countering Terrorism and Insurgency in the 21st Century: International Perspectives p.81 http://books.google.com/books?id=mITtXngZkSYC&pg=PA81&lpg=PA81&dq=authoritarianism+breeds+terrorism&source=bl&ots=FUEsoFMvrT&sig=gPZFQDAlkesWEXEWM8yea\_oM94k&hl=en&sa=X&ei=\_LsOU\_uQG6GU2gWzqYGwCQ&ved=0CEMQ6AEwBA#v=onepage&q=authoritarianism%20breeds%20terrorism&f=false

To be sure, terrorists are motivated by other factors besides repression¶ or lack of political representation under authoritarian governments. The¶ chaos of a failed state and lack of economic opportunity are alternative or¶ additional motivators. Terrorists can be motivated by religious and ideological factors that could just as easily manifest themselves under democratic societies. But autocratic or authoritarian governments are the political systems most likely to breed terrorism.¶ A recent study by Alan Krueger and David Laitin concluded that, contrary to common one thesis, lack of economic opportunity could not alone¶ explain the emergence of terrorism. After analyzing U.S. State Department¶ databases on terrorism attacks, they found no evidence to suggest poorer¶ countries generate more terrorism. Alberto Abadie, professor of public¶ policy at Harvard University, expanded upon their research when he analyzed reports by the World Markets Research Centers Global Terrorism¶ Jndex, which evaluates the level of terrorist risk of 186 countries around the world. His findings corroborated Krueger and Laitin’s analysis, but¶ also revealed that incidents of terrorism relate to a country’s level of political freedom. Abadie concluded that democracies enjoyed the lowest levels of terrorism and that autocratic regimes suffer higher levels of terrorism than democracies.

#### Nuclear terrorism is feasible - high risk of theft and attacks escalate

Dvorkin 12

Vladimir Z. Dvorkin 12 Major General (retired), doctor of technical sciences, professor, and senior fellow at the Center for International Security of the Institute of World Economy and International Relations of the Russian Academy of Sciences. The Center participates in the working group of the U.S.-Russia Initiative to Prevent Nuclear Terrorism, 9/21/12, "What Can Destroy Strategic Stability: Nuclear Terrorism is a Real Threat," belfercenter.ksg.harvard.edu/publication/22333/what\_can\_destroy\_strategic\_stability.html

Hundreds of scientific papers and reports have been published on nuclear terrorism. International conferences have been held on this threat with participation of Russian organizations, including IMEMO and the Institute of U.S. and Canadian Studies. Recommendations on how to combat the threat have been issued by the International Luxembourg Forum on Preventing Nuclear Catastrophe, Pugwash Conferences on Science and World Affairs, Russian-American Elbe Group, and other organizations. The UN General Assembly adopted the International Convention for the Suppression of Acts of Nuclear Terrorism in 2005 and cooperation among intelligence services of leading states in this sphere is developing.¶ At the same time, **these efforts fall short for a number of reasons, partly because various acts of nuclear terrorism are possible. Dispersal of radioactive material by detonation of conventional explosives (“dirty bombs”) is a method that is most accessible for terrorists. With the wide spread of radioactive sources, raw materials for such attacks have become much more accessible than weapons-useable nuclear material or nuclear weapons.** The use of **“**dirty bombs**”** will not cause many immediate casualties, but it **will result into long-term radioactive contamination, contributing to the spread of** panic and socio-economic destabilization**.**¶ Severe **consequences can be caused by sabotaging nuclear power plants, research reactors, and radioactive materials storage facilities. Large cities are especially vulnerable to such attacks. A large city may host dozens of research reactors with a nuclear power plant or a couple of spent nuclear fuel storage facilities and dozens of large radioactive materials storage facilities located nearby.** The past few years have seen significant efforts made to enhance organizational and physical aspects of security at facilities, especially at nuclear power plants. **Efforts have also been made to improve security culture. But these efforts do not preclude the possibility that** well-trained terrorists may be able to penetrate nuclear facilities**.**¶ **Some estimates show that sabotage of a research reactor in a metropolis may expose hundreds of thousands to high doses of radiation. A formidable part of the city would become uninhabitable for a long time**.¶ Of all the scenarios, it **is building an improvised nuclear device by terrorists that poses the maximum risk. There are no engineering problems that cannot be solved if terrorists decide to build a simple “gun-type” nuclear device.** **Information on the design of such devices, as well as implosion-type devices, is available in the public domain**. It is the acquisition of weapons-grade uranium that presents the sole serious obstacle. Despite numerous preventive measures taken, we cannot rule out the possibility that **such materials can be bought on the black market.** Theft of weapons-grade uranium is also possible**. Research reactor fuel is considered to be particularly vulnerable to theft, as it is scattered at sites in dozens of countries. There are about 100 research reactors in the world that run on weapons-grade uranium fuel, according to the International Atomic Energy Agency (IAEA).**¶ **A terrorist “gun-type” uranium bomb can have a yield of least 10-15 kt, which is** comparable to the yield of the bomb dropped on Hiroshima**.** **The explosion of such a bomb in a modern metropolis can kill and wound hundreds of thousands and cause serious economic damage. There will also be long-term sociopsychological and political consequences**.¶ The vast majority of states have introduced unprecedented security and surveillance measures at transportation and other large-scale public facilities after the terrorist attacks in the United States, Great Britain, Italy, and other countries. These measures have proved burdensome for the countries’ populations, but the public has accepted them as necessary. **A nuclear terrorist attack will make the public accept further measures meant to enhance control even if these measures significantly restrict the democratic liberties they are accustomed to. Authoritarian states could be expected to adopt even more restrictive measures**.¶ If a nuclear terrorist act occurs, **nations will delegate tens of thousands of their secret services’ best personnel to investigate and attribute the attack. Radical Islamist groups are among those capable of such an act.** We can imagine what would happen if they do so, **given the anti-Muslim sentiments and resentment that conventional terrorist attacks by Islamists have generated in developed democratic countries. Mass deportation of the non-indigenous population and severe sanctions would follow such an attack in what will cause violent protests in the Muslim world. Series of armed clashing terrorist attacks may follow. The prediction that Samuel Huntington has made in his book “**The Clash of Civilizations **and the Remaking of World Order” may come true**. Huntington’s book clearly demonstrates that it is not Islamic extremists that are the cause of the Western world’s problems. Rather there is a deep, intractable conflict that is rooted in the fault lines that run between Islam and Christianity. **This is especially dangerous for Russia because these fault lines run across its territory.** To sum it up, the political leadership of Russia has every reason to revise its list of factors that could undermine strategic stability.  BMD does not deserve to be even last on that list because its effectiveness in repelling massive missile strikes will be extremely low. BMD systems can prove useful only if deployed to defend against launches of individual ballistic missiles or groups of such missiles. Prioritization of other destabilizing factors—that could affect global and regional stability—merits a separate study or studies. But even without them I can conclude that nuclear terrorism should be placed on top of the list. The threat of nuclear terrorism is real, and a successful nuclear terrorist attack would lead to a radical transformation of the global order.  All of the threats on the revised list must become a subject of thorough studies by experts. States need to work hard to forge a common understanding of these threats and develop a strategy to combat them.

### Advantage 3: Colombian Oil

#### **Militarization of the Drug war increases anti-government protest in allied countries, threatening oil and gas supplies**

O'Connor ‘12

Jenny, October 31, 2012 Wednesday 3:54 PM EST “The US War on Communism, Drugs, and Terrorism in Colombia” Nexis -- Militarisation of the War on Drugs

The militaristic approach to fighting the drug war has intensified the conflict in Colombia. The result has been mass displacement and disenfranchisement of people which, in turn, has pushed more people into some area of the drug trade. What’s more, numerous studies dating back to the 1980 s have mutually concluded that militarising the drug war would have little to no effect on the consumption of illicit drugs in the United States.10 The effect of the militarised strategy has been a marked increase in drug related violence wherever it is initiated and there is not a more clear-cut example of this than Mexico. Before Calderon militarised Mexico s drug war the violent crime rate was actually falling. Since this approach has been adopted, with avid U.S. support including the allocation of 1.4 billion dollars over a three year period (2008-2010) through the Mérida Initiative, the homicide rate has more than doubled, the violent crime rate has increased by more than 200% and the number of human rights abuses committed by the military in their attempts to reign in the drugs cartels have increased six-fold.11 ¶ In terms of preventing the flow of drugs into the U.S. the militarised approach has one simple economic paradox at its core: by disproportionally tackling production and distribution (the supply side of the equation) without equally tackling consumption (the demand side of the equation), the price of the product is increased thus providing a greater profit incentive for people to take the involved risks in trafficking and producing illicit drugs. ¶ War on Narcoguerrillas?¶ As previously stated, Plan Colombia s original objective was the eradication of coca plantations by targeting left-wing narcoguerrillas (FARC) who, it was explicitly claimed, were directly involved in the drug trade. Evidence of a direct link between the FARC and the illicit drug trade, however, did not emerge until the early 2000 s after Plan Colombia had been instigated. In fact, into the late 1990s, there was little evidence to suggest that the FARC s involvement in the production and distribution of drugs extended beyond the taxation of coca cultivation in the regions it controlled. In 1997 Donnie Marshall, Chief of Operations for the Drug Enforcement Administration admitted this in a DEA congressional testimony stating that there is little to indicate the insurgent groups are trafficking in cocaine themselves, either by producing cocaine HCL and selling it to Mexican syndicates, or by establishing their own distribution networks in the United States. 12 ¶ Plan Colombia, while stating the pursuit of left-wing narcoguerrillas as an objective, did not equally target right-wing Colombian paramilitaries. While a few high profile cases of paramilitaries being tried and convicted on drug trafficking charges have occurred, on the whole, the focus remains principally on the FARC. This is despite the fact that at least as early as 1997 the DEA were aware of their involvement in narcotics trafficking. In the same congressional testimony quoted above Marshal stated that the AUC (United Self-Defence Forces of Colombia), the largest Colombian right-wing paramilitary group, has been closely linked to the Henao Montoya organisation; the most powerful of the various independent trafficking groups that comprise the North Valle drug mafia and that the AUC s leader, Carlos Castano, is a major cocaine trafficker in his own right. Fumigation too has been concentrated mainly in FARC strongholds in the South East despite the fact that right-wing paramilitaries are known to be involved in cocaine production and trafficking in the north of the country. Suspicions have thus emerged that the real aim of the fumigation campaign is to remove one of the FARC s key revenue streams (the taxation of coca cultivation in areas they control) rather than coca cultivation in general. ¶ The disparity in treatment between right and left-wing groups has also led many critics to suggest that the U.S. tolerate and even support right-wing paramilitary activities due to their ideological alliance with U.S. economic interests in the country. In 2001 an investigation by Amnesty International led to a lawsuit to obtain CIA records of Los Pepes , a vigilante organisation set up by Carlos Castano. Its findings revealed an extremely suspect relationship between the U.S. government and the Castano family at a time when the U.S. Government was well aware of that family s involvement with paramilitary violence and narcotics trafficking. 13 ¶ War on Drugs/War on Terror¶ Colombia was one of the largest recipients of U.S. military aid and training throughout the Cold War. In the Cold War era the communist threat was used to justify counterinsurgency operations against the FARC rebels whose communist/socialist roots posed a particular threat to U.S. economic interests due to Colombia s extensive natural resources and strategic geographical location. Today, even if the idea of the FARC gaining control over the Colombian state has diminished in credibility, the rebels regularly attack U.S. interests including the infrastructure (railways, pipelines etc.) of U.S. energy and mining multinationals in Colombia. As Marc Grossman, former U.S. undersecretary of state for political affairs put it; [Colombian insurgents] represent a danger to the $4.3 billion in direct U.S. investment in Colombia . Colombia supplied three per cent of U.S. oil imports in 2001, and possesses substantial potential oil and natural gas reserves. 14 ¶ After the Cold War and the fall of the Soviet Union the communist threat no longer justified U.S. counterinsurgency operations in Colombia or elsewhere in Latin America. The US Military s Southern Command (SOUTHCOM) therefore welcomed the drug war as a new justification for maintaining the same levels of military spending and counterinsurgency training of Latin American militaries and low intensity warfare strategies employed in Central America were easily adopted to fight a war on drugs. 15 In Colombia, the FARC, previously labelled Communist became narcoguerrillas and, post-9/11, this morphed again into terrorists. President Bush utilised the war on terror to redefine the Colombian conflict and continue counter-insurgency operations against the FARC. Again, the target of this campaign remained the FARC despite the fact that the Colombian Army and closely linked armed right-wing paramilitary groups have been responsible for countless grave human rights abuses.16 ¶ The Historic Importance of Military Training to U.S. Foreign Policy¶ Military training and the cultivation of allied militaries whose interests and ideologies would reflect those of Washington has, historically, been one of the main methods of U.S. control in Latin America. Several Spanish language schools were established specifically for training Latin American officers including the notorious School of the Americas (SOA) which trained nearly every officer involved in the 1973 Chilean coup and where many members of the Colombian Army continue to train today. As well as training these officers in counter-insurgency, counter terrorism and unconventional warfare (among other forms of attack) the SOA intentionally cultivates a glorified image of privileged capitalist modernity and a strong belief in the right-wing capitalist model. 15 ¶ What resulted from such instruction in the past was the creation of highly politicised right-wing military entities which remained allied to the state only insofar as the government in power reflected a similar ideology. Throughout the 1970 s and 1980 s this resulted in military coups overthrowing left-wing governments throughout Latin American and the Caribbean. As Latin American states transitioned to democracy the strength of these staunchly right-wing militaries (as well as well-grounded fears of U.S. military intervention) led to the establishment of pacted democracies whereby elite and military support for the democratic transition was conditioned on the formation of certain economic parameters to be enshrined into the constitution. Despite the fact that many democratic movements mobilised on the basis of wealth redistribution these pacts generally guaranteed the continued presence of foreign multinationals in the extractive industries as well as ruling out the nationalisation of resources and the socialisation of land as policy options regardless of electoral outcomes.17 Where specific pacts did not exist left leaning elected governments remained very wary of their right-wing militaries when making policy decisions. In Chile, one of the more modern examples, even though the Concertación (Chile s democratic movement) opposed neoliberalism, the intimidating power of the right-wing military caused them to accept a moderately reformed version of Pinochet s 1980 constitution which enshrined the neoliberal model as well as a number of authoritarian enclaves with a bias to the political right.18 ¶ This is also the reason why very few Latin American countries, with the notable exception of Argentina, have managed to hold military personal accountable for atrocities of the past. Indeed, in many places, army personal who took part in grave atrocities continue to hold high ranking positions in the military. In Colombia this is particularly so and, as military abuses continue to this day, a culture of impunity has been created which remains a hindering factor to any potential for peace and reconciliation.19 What s more, many high ranking members of the Colombian military trained in the U.S. as counter-insurgents during the Cold War and were then thought by their U.S. instructors to define a number activities normally associated with a healthy democracy as Insurgent Activity Indicators. Such indicators listed in Manuals used by U.S. trainers included; Characterization of the armed forces as the enemy of the people Increased unrest amongst labourers Increased number of articles or advertisements in newspapers criticizing the government. Strikes or work stoppages Increase of petitions demanding government redress of grievance and Initiation of letter-writing campaigns to newspapers and government officials deploring undesirable conditions and blaming individuals in power. 14 ¶ The more recent move to the left in Latin America has been a success, in part, because the new generation of left wing leaders are acutely aware of the dangers the military pose. In Bolivia one of Morales acts as President was to raise military wages and the recent police strikes (so severe some called them a police mutiny) were partly based on the fact that police wages were roughly half those received by similar ranking military officers. In Venezuela, Chavez holds tight to his military image and many critics have used this to claim he is merely another generalissimo. This criticism fails to realise, however, the great political importance in Chavez s realignment of the Venezuelan military with the democratically elected government of the state rather than outside forces and ideologies. His success in this endeavour was demonstrated when soldiers loyal to him reversed a military coup that displaced him briefly from power in 2002. Both Chavez and Morales, due to their opposition to drug war policies and the imperialist undertones they carry, have driven the DEA out of their respective countries. ¶ The stability of instability¶ It is clear that the war on drugs and the subsequent war on terror in Colombia have been used as fronts to justify the continued counterinsurgency war against the FARC. Or, as Stan Goff a retired US Army Special Forces officer for counterinsurgency operations and former military advisor to Colombia put it: the war on drugs is simply a propaganda ploy We were briefed by the Public Affairs Officers that counter-narcotics was a cover story that our mission, in fact, was to further develop Colombians capacity for counterinsurgency operations. 20 ¶ U.S. and Colombian government anti-terror and anti-drug policy, however, has actually swelled the ranks of the FARC. Peasant farmers who depend on coca for their livelihoods are forced to rely on the armed guerrillas to protect their crop from planes spraying chemicals. The displacement and terrorisation of people and the destruction of subsistence crops in rural areas due to fumigation and military and paramilitary activity have created a large amount of unemployed, disenfranchised and angry young people who gravitate towards the guerrilla movement due to the impunity of the armed forces and the perceived inability of the Colombian justice and democratic political systems to hear their grievances or reflect their interests. The fact that the Colombian army and paramilitary groups continue to see coca growing peasants as guerrilla collaborators and therefore legitimate military targets (due to the taxes they are forced to pay the FARC on their coca crops) merely exacerbates the divide between the military and the peasantry.

#### Colombia is fastest growing regional oil producer—FARC attacks threaten it

Watson ‘13

<http://www.nxtbook.com/nxtbooks/phoenix/emi_2013summer/index.php?startid=8> p.9

Colombia is the fastest-growing major oil producer in the region. In 2012, the country had proven reserves of more than 2 billion barrels of oil, ranking as the country with the fifth-largest reserves in the region. The government expects interest in the oil and gas sector to continue growing in the following years, and hopes that increased FDI in this sector will allow the country to boast proven oil reserves of up to 41 billion barrels by 2030. Production has also increased steadily since the early 1990’s and reached the long-coveted 1 million-barrels-per-day mark in early 2013.¶ Colombia’s history of stability and pro-business governments mean that the likelihood of companies facing political risks like in neighboring Venezuela or Ecuador is relatively low. However, bureaucratic hurdles, especially delays regarding the concession of environmental licenses, are emerging as a challenge to smooth business operations.¶ The other challenge facing oil and gas companies stems from Colombia’s continuing security problems. Despite the fact that the government of President Juan Manuel Santos and the Revolutionary Armed Forces of Colombia (FARC) leftist guerrilla group are engaged in peace talks, there is no ceasefire in place and the conflict continues. Attacks on oil and gas infrastructure were already up by over 250 percent in the first six months of 2012, and while attacks may have dipped subsequently, the FARC continues to target oil and gas sector assets in many remote areas of the country. Civil commotion, including protests, marches and blockades has also been increasing across Colombia, as communities increasingly make use of their new freedom from decades of conflict to protest social and environmental issues.

#### Regional oil key to global supply

Control Risks ’13 “SOuth AMeRicA Oil And GAS: RiSk And RewARd in the lAnd Of OppORtunity“

http://www.controlrisks.com/Oversized%20assets/LATAM\_oil\_and\_gas\_whitepaper\_2013\_10.pdf

South America’s role and importance on the global oil and gas map is changing rapidly. The region is once again attracting considerable global attention after many years during which resource nationalism dominated headlines and warned off potential investors. Whether the interest lies ¶ in Brazil’s pre-salt fields, Colombia’s unexplored expanses, new bidding rounds in Ecuador and Peru, unconventional potential in Argentina or Venezuela’s vast reserves, the region can certainly claim to be key to global supplies in the years to come.

#### Oil shocks collapse the economy

Erwin ’12[Sandra, editor of National Defense Magazine, 11-1-12, <http://www.nationaldefensemagazine.org/blog/Lists/Posts/Post.aspx?ID=577>]

Unless the United States curtails its consumption of petroleum, these military greybeards caution, any future crisis that disrupts oil supplies could hamstring the nation’s economy and cause global instability. “We have seen oil shocks before … But at today’s level of U.S. consumption, a sustained disruption would be devastating – crippling our very freedom of movement,” said retired Army Gen. Paul Kern, chairman of the military advisory board of CNA Corp., a government-funded think thank. In a report released Nov. 1, a group of 13 generals and admirals are calling for "immediate, swift and aggressive action" over the next decade to reduce U.S. oil consumption by 30 percent. Of nearly 88 million barrels of oil consumed worldwide every day, the United States eats up the biggest share, with 20 million barrels. Slightly more than half of the petroleum the United States consumes comes from foreign countries: Two-thirds from the Middle East, and the rest from Canada and Mexico. “You could wake up tomorrow morning and hear that the Iranians sense an attack on their nuclear power plants and preemptively take steps to shut off the flow of oil in the Gulf,” retired Marine Corps Gen. James T. Conway says in a CNA news release. “The U.S. would likely view this as a threat to our economy, and we would take action. And there we are, drawn into it.” Even a small interruption of daily oil supply can have huge ripple effects, the study contends. Even though just 2 percent of U.S. oil supplies come from Libya, the military campaign there this summer prompted the U.S. Department of Energy to release 30 million barrels of oil from the Strategic Petroleum Reserve. A larger crisis could disrupt the entire fabric of the U.S. economy, the CNA analysis concludes. If America reduces its current rate of oil consumption by 30 percent and diversifies its fuel sources, the study says, the U.S. economy would be relatively insulated from such upheaval, even in the event of a complete shutdown of a strategic chokepoint like the Strait of Hormuz, the international passageway for 33 percent of the world’s seaborne oil shipments. The report, titled, “Ensuring America's Freedom of Movement: A National Security Imperative to Reduce U.S. Oil Dependence,” was sponsored by the San Francisco-based Energy Foundation, a partnership of major donors interested in solving the world's energy problems. CNA analyzed the potential economic impact of a future oil disruption. Under a worst-case scenario 30-day closure of the Strait of Hormuz, the analysis finds that the U.S. would lose nearly $75 billion in GDP. By cutting current levels of U.S. oil dependence by 30 percent, the impact would be nearly zero.

**Global nuclear war**

**Royal 10**

Jedediah, Director of Cooperative Threat Reduction at the U.S. Department of Defense, “Economic Integration, Economic Signaling and the Problem of Economic Crises,” in Economics of War and Peace: Economic, Legal and Political Perspectives, ed. Goldsmith and Brauer, p. 213-215

Less intuitive is how periods of **economic decline may increase the likelihood of external conflict.** Political science literature has contributed a moderate degree of attention to the impact of economic decline and the security and defence behaviour of interdependent states. Research in this vein has been considered at systemic, dyadic and national levels. Several notable contributions follow. First, on the systemic level, Pollins (2008) advances Modelski and Thompson's (1996) work on leadership cycle theory, finding that **rhythms in the global economy are associated with the rise and fall of a pre-eminent power and the often bloody transition from one pre-eminent leader to the next**. As such, exogenous shocks such as **economic crises could usher in a redistribution of relative power** (see also Gilpin. 1981) that leads to uncertainty about power balances, **increasing the risk of miscalculation** (Feaver, 1995). Alternatively, **even a relatively certain redistribution of power could lead to a permissive environment for conflict** as **a rising power may seek to challenge a declining power** (Werner. 1999). Separately, Pollins (1996) also shows that global economic cycles combined with parallel leadership cycles impact the likelihood of conflict among major, medium and small powers, although he suggests that the causes and connections between global economic conditions and security conditions remain unknown. Second, on a dyadic level, Copeland's (1996, 2000) theory of trade expectations suggests that **'future expectation of trade' is a significant variable in understanding economic conditions and security behaviour of states**. He argues that interdependent states are likely to gain pacific benefits from trade so long as they have an optimistic view of future trade relations. However, **if the expectations of future trade decline**, particularly for difficult to replace items such as energy resources, **the likelihood for conflict increases, as states will be inclined to use force to gain access to those resources. Crises could** potentially be the **trigger** for **decreased trade expectations** either on its own or because it triggers protectionist moves by interdependent states.4 Third, **others have considered the link between economic decline and external armed conflict at a national level. Blomberg and Hess** (2002) **find a strong correlation between internal conflict and external conflict, particularly during periods of economic downturn**. They write: The linkages between internal and external conflict and prosperity are strong and mutually reinforcing. Economic conflict tends to spawn internal conflict, which in turn returns the favour. Moreover, the **presence of a recession tends to** amplify the extent **to which international and external conflicts self-reinforce each other**. (Blomberg & Hess, 2002. p. 89) **Economic decline has** also **been linked with an increase in the likelihood of terrorism** (Blomberg, Hess, & Weerapana, 2004), which has the capacity to spill across borders and lead to external tensions. Furthermore, crises generally reduce the popularity of a sitting government. **"Diversionary theory" suggests that, when facing unpopularity arising from economic decline, sitting governments have increased incentives to fabricate external military conflicts to create a 'rally around the flag' effect.** Wang (1996), DeRouen (1995). and Blomberg, Hess, and Thacker (2006) find supporting evidence showing that economic decline and use of force are at least indirectly correlated. Gelpi (1997), Miller (1999), and Kisangani and Pickering (2009) suggest that **the tendency towards diversionary tactics are greater for democratic states** than autocratic states, due to the fact that democratic leaders are generally more susceptible to being removed from office due to lack of domestic support. DeRouen (2000) has provided evidence showing that **periods of weak economic performance in the United States, and thus weak Presidential popularity, are statistically linked to an increase in the use of force**. In summary, recent economic scholarship positively correlates economic integration with an increase in the frequency of economic crises, whereas **political science scholarship links economic decline with external conflict at systemic, dyadic and national levels**.5 This implied connection between integration, crises and armed conflict has not featured prominently in the economic-security debate and deserves more attention.

#### FARC trades weapons to Russian organized crime groups due to the drug war

**Moran 2k** (Sue Lackey, Michael Moran, MSNBC Analysts, Field Experts, “Russian mob trading arms for cocaine with Colombia rebels” 4/9/09, Online [SA])

WASHINGTON, April 9, 2000 — Russian crime syndicates and military officers are supplying sophisticated weapons to Colombian rebels in return for huge shipments of cocaine, U.S. intelligence officials told MSNBC.com. A senior intelligence official described the smuggling ring as “literally an industry” that threatens to overwhelm the Colombian government and turn the U.S.-backed fight against the Colombia cocaine cartels into a losing proposition. The Clinton administration is trying to escalate the long-running war on Colombia’s cocaine cartels, and a $1.7 billion aid package to the South American nation is under consideration in Congress. U.S. intelligence officials, all of whom spoke to MSNBC.com on condition of anonymity, said the scope of the Russia-to-Colombia smuggling ring took them by surprise and remains unknown to all but a few high-ranking figures in the American government. In short, an alliance of corrupt Russian military figures, organized crime bosses, diplomats and revolutionaries has been moving regular shipments of up to 40,000 kilograms of cocaine to the former Soviet Union in return for large shipments of deadly weaponry. The intelligence officials said the smuggling ring works like this: Russian-built IL-76 cargo planes take off from various airstrips in Russia and Ukraine laden with anti-aircraft missiles, small arms and ammunition. The planes, roughly the size of Boeing 707s and a mainstay of the modern cargo industry, stop in Amman, Jordan, to refuel. There, they bypass normal Jordanian customs with the help of corrupt foreign diplomats and bribed local officials. After crossing the Atlantic, the cargo jets use remote landing strips or parachute air-drops to deliver their cargo to the Revolutionary Armed Forces of Colombia, or FARC. The guerrilla group is challenging the authority of the U.S.-backed Colombian government, and its guerrillas provide security to Colombia’s cocaine cartels. The planes return loaded with up to 40,000 kilograms of cocaine. Some of this is distributed as payment for the arms to the diplomatic middlemen in Amman. The rest is flown back to the former Soviet Union for sale there, in Europe and in the Persian Gulf. CORRUPT DIPLOMATS Officials close to the investigation cited intelligence intercepts that show the IL-76 cargo planes use Royal Jordanian Airlines cargo facilities in Amman, where airline officials are bribed to ignore false cargo manifests. While in Amman, the planes are cleared for transit under diplomatic cover originating from a Spanish-speaking embassy in Amman, according to U.S. intelligence officials. The officials refused to specify which embassy was involved. The officials noted there are two Spanish speaking embassies in Amman - Spain and Chile. A third, that of Portuguese-speaking Brazil, often conducts business in Spanish. InsertArt(891846)“They’re using diplomatic authority to get that stuff in,” said a senior U.S. intelligence official close to the investigation. “If they’re not using a [diplomatic] pouch, they’re using diplomatic authority to clear the shipment. This is a big operation. There are a lot of people involved - it’s literally an industry.” The Spanish-speaking embassy official in Jordan, whom the intelligence officials would not identify by name, has the power to clear diplomatic shipments and may also be able to authorize embassy funds when additional money is needed to move the shipments through Amman. Still, while the embassy contact may have a high rank, intelligence sources said they do not think the scheme is operating with the knowledge of the country involved or Jordan’s government. REBELS AND CARTELS Once the plane has refueled in Amman, officials said, it then proceeds from Jordan to various landing strips throughout South America, where shipments are coordinated by a renegade Peruvian military officer. A senior U.S. intelligence source has identified by name three men alleged to be directly involved in those shipments. Luiz Fernando Da Costa, working under the alias Fernandinho Beira-Mar, is one of Brazil’s most wanted narco-traffickers. For the past four years, Da Costa has used the town of Pedro Juan Caballero in Paraguay as his base of operations. According to U.S. intelligence, Da Costa runs arms received from Fuad Jamil, a Lebanese businessman operating in the same Paraguayan town. The official said Jamil uses a legitimate import company as a front. While most of the weaponry goes directly to FARC, a smaller amount is parceled off to other guerrilla groups. Among them is Hezbollah, the Iranian-backed movement best known for its guerrilla activities in southern Lebanon. U.S. intelligence officials say the group has set down roots among the Arab immigrant communities of Paraguay, Ecuador, Venezuela and Brazil and frequently uses legitimate business operations to cover illegal arms transfers. Within Colombia, arms deliveries to rebel guerrillas are coordinated through the town of Barranco Minas, the headquarters for the FARC’s 16th Front. The 16th Front is lead by Tomas Medina Caracas, who operates the arms ring under the alias Negro Acacio. PAYING OFF THE SMUGGLERS The FARC rebels, who control the distribution of the arms, pay the smugglers with cocaine. The drug is then loaded onto the planes for the return journey through Amman. Hundreds of thousands of kilos of cocaine have been smuggled over the last two years. According to drug enforcement officials, cocaine can bring more than $50,000 per kilo in Europe. The involvement of Russian organized crime in its smuggling is well established, and the most common gateway is Spain, where European drug enforcement officials say the bulk of Colombian cocaine and heroin enters the continent. Intelligence officials confirmed that because of Spain’s pivotal role in the European drug trade, their suspicions in Amman focus on Spain’s embassy. Some of the cocaine is delivered under diplomatic cover to intermediaries in Jordan, where it finds its way onto the streets. The majority of the cocaine shipment continues on to Russia and Ukraine, where it feeds the growing appetite for the drug, or is sold in other lucrative markets in Europe and the Persian Gulf. A POWERFUL UNDERGROUND ALLIANCE The smuggling ring brings together two powerful and destabilizing forces that have become key targets of U.S. foreign policy: the deep-seated corruption of the former Soviet states and Colombia’s spiral toward drug-induced anarchy. For Russia and Ukraine, billions of dollars in International Monetary Fund, World Bank and direct aid is at stake. Scandals over the alleged misuse of such loans already have sparked investigations in the U.S. Congress. For Colombia’s backers in the United States and advocates of increased U.S. aid, the revelations are particularly ill-timed. Congress is considering a $1.7 billion drug-interdiction aid package for Colombia, including sophisticated Blackhawk helicopters. Among the weapons being supplied to FARC, intelligence officials said, are rocket-propelled grenade launchers (RPGs) and Russian SA-model shoulder-mounted anti-aircraft weapons similar to the U.S. Stinger missiles. As U.S. soldiers learned in Somalia, both RPGs and missile launchers can bring down a Blackhawk helicopter, even in the untrained hands of rebel armies. ”[The guerrillas] get the RPG to explode in the vicinity of the tail rotor, which gives the helicopter its horizontal stability,” said a U.S. Army official. “All that has to happen is for the tail rotor to become a bit unbalanced or for a hydraulic line to be cut, and that helicopter is coming down. It takes good aim and cases full of RPGs, but it’s been done many times.” WELL-ESTABLISHED NETWORK U.S. intelligence officials say the arms-for-drugs ring has been operational for two years. MSNBC.com first broke the story of large arms shipments to FARC rebels last October, and it was that shipment that drew the attention of U.S. intelligence agencies to what they eventually concluded was a major trafficking ring. That single drop last October was said by U.S. intelligence officials to have delivered $50 million worth of AK-47s deep inside FARC-held territory. U.S. authorities ultimately apprehended one of the traffickers, the officials said. Since that time, the intelligence officials said, arms traffickers have refined their operation. While the IL-76 is designed to drop large loads by parachute, that method requires favorable weather and specially trained flight crews. After repeated problems with air drops, traffickers seek to avoid detection by using a variety of existing runways where they can bribe officials to allow the cargo in. The IL-76 also is capable of landing at rough, remote landing strips. The size of the cargo is staggering; the IL-76 is used to transport troops, arms and tanks for the Russian military. In one hour, a trained ground crew can unload, refuel and reload a plane bearing 90,000 pounds of cargo, U.S. military officials say. That’s equivalent to 5,400 rifles and 360,000 rounds of ammunition, along with shoulder-held missiles and RPGs. RUSSIA, FROM RED TO GRAY The scale of the smuggling underscores the enormous challenge that law enforcement authorities face in the former Soviet Union, where Soviet-era intelligence operatives in many cases made a seamless transition from Cold War spying or military intelligence into organized crime. “The source of the weapons [smuggled into Colombia] is both organized crime and military,” a U.S. intelligence official said. “There is a tremendous gray area between the two in Russia and the Ukraine.” After the fall of the Berlin Wall, many KGB and other Soviet security agents appropriated bank accounts, companies and contacts used for covert operations, and turned them instead into conduits for their own organized crime activities, including arms and drug trafficking.

**That includes nukes and fissile material**

**Majalla 1** (Al-Majalla, Al-Watan al-Arabi and Al-Wasat, Middle Eastern news sources, “Bin Laden's Nuclear Weapons” 12/27/01, Online [SA])

Al-Watan al-Arabi goes on to say that Western security agencies are afraid that the atomic reactor and armaments plant being developed in Khost will be the means for changing these atomic warheads into miniature atomic weapons which can be used to threaten U.S. and Western cities. The report also acknowledges that these agencies now realize that the threat here is not “Islamic” in nature but rather is an organized network of terrorists whose intention is to build a criminal network for the creation and sale of two “hot” commodities: nuclear weapons and drugs. Their purpose is to provide these two “staples” to those who wish to bring down a government or support a particular political figure while simultaneously generating huge income and profits. Though many of the figures involved appear in the “name of Islam,” they in fact have nothing to do with the religion. Al-Watan’s sources report that once the Soviet Union collapsed, the republics that were freed were so `politically unstable and economically fragile that many nuclear warheads and other sources of active uranium were quickly hijacked by the mafia and sold to different nations and extremist groups. In Russia alone there exist over 30,000 nuclear warheads which the Russian mafia has no difficulty stealing or purchasing and distributing on the weapons black market. At the same time, the black market in drugs began to be flooded with opiates, particularly heroin, which can be traced back to Afghanistan. For the Russian mafia the most profitable trade is “nukes for heroin.” Experts consider this lucrative new trade to be one reason for the renewed popularity of heroin, a derivative of opium, after it had been eclipsed as the drug of choice by cocaine during the 80’s and 90’s.

**South America drug war is the biggest internal link**

**MacDonald 8** (Brad MacDonald, staff writer for the Trumpet, “Is Chávez Helping Terrorists Go Nuclear?” 5/2008, Online [SA])

That seizure marked the first time radioactive material has been linked to farc. It raises some critical questions: Why is farc in the major league of black-market uranium trade? Where did it get the uranium? And what was it planning on doing with it? So far, the most plausible explanation is that farc planned to sell the uranium to raise money, since joint American-Colombian eradication efforts against farc’s cocaine crops and operations are eating into its cash flow. That’s reasonable, though in reality the material was nearly worthless. But who would be interested in purchasing uranium, and how deep do farc’s connections with that entity run? Matthew Bunn, senior research associate with Harvard’s Project on Managing the Atom, said he found it interesting that “a very professional terrorist organization like FARC, with a good deal of experience in smuggling, apparently was interested in getting involved in buying and selling nuclear material for money. That suggests that someone who had serious nuclear material (unlike this material) and needed to move it from one country to another might have been able to make use of the farc’s capabilities” (Foreign Policy, March 28; emphasis mine throughout). Black-market activities are inherently dangerous, but few are more so than the illegal trade of nuclear materials and technology. The nature of the underground trade in uranium, particularly when it involves covert enrichment and construction of a nuclear weapon (the ultimate weapon of mass destruction), requires above all a rare willingness to risk everything for the cause, as well as expansive expertise and vast resources. The point is, 66 pounds of uranium didn’t accidentally fall into farc’s lap. farc is clearly—although we don’t know to what extent—involved in the international black-market trade of nuclear material. That’s alarming when you consider the known members of the black-market nuclear trade! Clearly, this seizure raises more questions than it answers. While many find assurance in the lack of answers, this is a naive approach. The truth is, these questions are extremely disconcerting—especially when considered against the growth of the South American terrorist network. Mountains of evidence have arisen in recent years showing that South America is a hideout and breeding ground for the world’s most dangerous terrorist organizations, including al Qaeda, Hezbollah and Hamas. Pockets of South America—including areas in Venezuela, Bolivia and Ecuador, all of which have governments hostile to the U.S.—have become launching pads from which the world’s most venomous anti-American entities, particularly radical Islam, could strike the United States. Now we learn that uranium is being illegally traded in the region. Even the weakest imagination ought to be able to conjure images of what the consequences for America could be!

**Expanded Russian organized crime power causes nuclear war**

**Power 97** (Jonathan Power, staff writer for the Baltimore Sun, “Threat of the Russian nuclear mafia” 10/14/97, Online [SA])

The real issue in terms of imminent danger, both then and now, is the Russian mafia. ''The director of the FBI, Louis Freeh, has warned that Russian organized crime networks pose a menace to U.S. national security and has asserted that there is now greater danger of a nuclear attack by some outlaw group than there was by the Soviet Union during the Cold War,'' the Washington Post reported. In conversation, Munir Ahmed Khan, the former chairman of the world's nuclear watchdog body, the International Atomic Energy Agency, confirms that opinion here is moving in the same direction as Mr. Freeh's. Mr. Khan, commenting on the recent allegations made by the former Russian general and national security adviser, Alexander Lebed, that the mafia has stolen Soviet-era nuclear suitcase bombs, says that if this is true they would be usable: ''Competent nuclear scientists, of which there are many out of work and in economic difficulties, could be hired to keep them operational.**'**' His view is contrary to statements made by Russian President Boris N. Yeltsin's government. Mr. Khan knows a thing or two about undercover bomb work. He masterminded, against all the odds, the clandestine manufacture of Pakistan's nuclear bomb. Iran, even if it is trying to develop a nuclear bomb, North Korea, if it has ever been, are both unlikely ever to use them. ''Rogues'' they may be. Suicidal they are not. Both live in neighborhoods where a move to deploy such weapons would be met with a debilitating blitzkrieg. As Pakistan does, these countries would keep their nukes in the background, partly deterrent, partly prestige item. The Russian mafia -- and the people it does business with -- is another matter. If they do trade in nuclear weapons, the danger will not be with governments with a fixed address, where Washington, Moscow, London, Paris or even Beijing know where to retaliate It will be with a free-lance terrorist group of no fixed abode, determined to use blackmail to secure a particular objective. It could be to force the withdrawal of the Turkish army from Kurdish areas or Israel from its settlements in the West Bank or to demand release of jailed Colombian drug barons. Mr. Freeh promised ''drastic steps to prevent and detect'' nuclear weapons falling into the hands of Russian criminal gangs. Yet at the same time he admitted that the Russian syndicates, with former KGB officers in the hierarchy, run the most sophisticated criminal operations ever seen in the United States. What ''drastic steps'' does Mr. Freeh have up his sleeve? Former CIA director John M. Deutch, commenting on the statement that ''the U.S. government is effectively organized to address the terrorist threat,'' said two words: ''Ha, ha.'' Every policy-maker should read his article in the latest issue of Foreign Policy. Its point is obvious: America is wide open to nuclear terrorist blackmail. Nevertheless, the White House is being very careful to keep the lid on the debate, for fear it could unnerve and alarm public opinion. The officials' caution and reticence is understandable. For decades, Washington justified the possession of nuclear weapons as creating a stable balance of power. All through the Cold War it paid little or no attention to the now-known dangers of atmospheric testing or to those who warned that nuclear weapons were a Faustian bargain and would inevitably fall into the wrong hands. Missed opportunity Washington, London, Paris, Bonn, Rome, Ottawa and Tokyo (the G-7) missed the historic opportunity of the century to put Russia the right way up when they refused to provide the financial wherewithal to enable Soviet President Mikhail S. Gorbachev to make what could have been a relatively smooth transition from rigid communism to a more liberal set-up, something short of today's present Wild West capitalism. They repeated their mistake when they, led by President George Bush, refused the Russian president, Mr. Yeltsin, help in late 1991. Washington sent as the sole emissary a Treasury undersecretary whose job was to insist to the new Russian government that it honor the old Soviet debt. Only 2 percent of NATO defense spending would have done the job and avoided nearly eight years of economic turmoil and, not least, the emergence of the mafia that now threatens us. No doubt Washington would like to deal with this grave crisis without having to throw into relief its past errors. Common sense suggests the White House is working with Moscow to try quietly to buy off the would-be nuclear terrorists. One wishes the authorities well, for if they fail it will be the greatest tragedy to befall humanity since Hiroshima and Nagasaki

## Plan

#### Plan: The United States federal government should determine that any extraterritorial use of US armed forces for the purpose of drug interdiction and/or counter-narcotics operations constitutes an introduction of United States Armed Forces into hostilities.

## Solvency

#### Redefining applicability of the WPA to the War on drugs key to check Presidential authority and solve the aff

Gvosdev & Stigler ‘11

Nikolas & Andrew http://nationalinterest.org/commentary/war-by-any-other-name-5567

There are so many ways in which the United States can find itself in a situation where its armed forces are engaged in action that there are no longer clear guidelines as to what constitutes “peacetime” and “wartime.” Beyond the propensity of presidential administrations to label any major policy initiative a “war” (like the “war on poverty”), the reality is that at least two of these so-called “wars”—the “war on drugs” and the “war on terror”—have led to the deployment of military forces engaged in combat activities. Indeed, the evolution of Plan Colombia—initially billed by the Clinton administration as a drug interdiction program, and approved as such by Congress—into a much more expansive counterterrorism and counterinsurgency program—shows the various policy backdoors through which U.S. personnel can be sent into combat situations without triggering either the War Powers Act or a need for a formal declaration of war. Plan Colombia, in its early days, also showed how Congressional restrictions could be circumvented: in order to reassure Congress that the U.S. military would not be dragged into a Colombian civil war, U.S. military personnel were specifically prohibited from engaging in combat or being present in situations where combat would be imminent. However, there were no such bans enacted applying to contractors in the employ of the State Department. Yet, in political circles, use of the term “war” has not abated. Last week, as the Obama administration released its new counterterrorism strategy, the president’s chief counterterrorism official declared the release of the document to be the official end of the use of the phrase “global war on terror.” He then immediately added that though the struggle “does not require a global war, it does require a focus on specific regions … We’re at war with al-Qaeda.” Of course, in a Constitutional sense, the United States hasn’t been at war in over sixty years, since Congress’s last declaration of war was against the Axis powers during World War II. But Brennan’s statement is one of the clearer examples of the political temptation to undermine the definition of war by using it casually. Stating one is “at war” is a strong statement that you are taking the problem with utmost seriousness, while offering a modicum of political protection from your opponents’ charges that you are not.¶ Statements such as “war on poverty” are more politically innocuous, since one does not use actual military force to prosecute such conflicts. But nonchalantly committing to a war on al-Qaeda does raise serious concerns. In informal parlance, it can communicate that all defensive measures are acceptable. And given that the new counterterrorism strategy makes explicit reference to targeting individual “adherents” to al-Qaeda, this raises the worrying possibility that the “sense of war” that the United States is a risk of embracing could last a very long time.¶ It is not clear, for instance, that the use of force by agents of the U.S. government rises to the level of war. As we recently argued,¶ consider the raid to kill Osama bin Laden (which, of course, was justified under the broad authority granted to the president by Congress three days after 9/11). Should a forty-minute raid conducted by several dozen commandos be considered an act of war—even though force was projected across borders, and without the permission of the host government? If not, how many more soldiers must be involved to cross the threshold between military action and war? How long must they be engaged? While there may be varying degrees of reasonableness to different answers to that question, any answer must have an element of arbitrariness to it.¶ Nor are political scientists much help. We observed:¶ The definition of war from the Correlates of War database defines war as a conflict in which there are 1,000 battlefield deaths. This, also, is an arbitrary number, selected to be large and yet not too large. Why is a conflict with 999 battlefield deaths not a war, but one with 1,001 is? Interestingly, the Falklands War (907 deaths) fails to meet this definition, while the less consequential 100 hour “Soccer War” between El Salvador and Honduras (approximately 2,000 killed) does meet the standard. The Correlates of War definition is also one that is designed solely to study wars after the fact, and is therefore useless in identifying wars in advance.¶ One cannot, after all, know how many casualties a conflict will generate before that conflict actually takes place.¶ More importantly, there has been a change in how military conflicts are fought. The emphasis on “effects-based operations” have shifted the purpose of operations from inflicting large amounts of casualties in favor of targeted strikes designed to produce pressure on a government. In analyzing the strategy of the 1999 Kosovo air campaign, Joshua Cooper Ramo observed that “Milosevic’s electricity … was far more important than his army”—and so instead of devastating attacks against massed military formations, NATO tried to “shut off the lights”—an approach which led to far fewer casualties. So, by the Correlates of War standard, was the action against Yugoslavia over Kosovo a war or not, given the relatively light number of casualties? Yet from the perspective of Carl von Clausewitz, the Kosovo campaign—or the current operation in Libya—is very much a war—because both could be described as “an act of force to compel our enemy to do our will.” Joshua Rovner, an editor with the Journal of Strategic Studies, observes that the Clausewitzian definition is useful but it doesn't always qualify. In cases like action taken against Libya or al-Qaeda, the goal is to eliminate an enemy, not compel a change in his behavior.¶ Thomas Nichols has observed: “There is an unavoidable tension in the Constitution between the president's role as commander in chief (Article II, section two) and the power of Congress to declare war (Article I, section eight). Although Congress controls defense funding and the Senate must approve treaties, the legislature has little power over the actual execution of military operations.” But perhaps one step that could be taken to help bring clarity to these debates over whether or not presidents have exceeded their authority is to better define when military action rises to the level of war. The War Powers Act, in its current form, sets the bar at any dispatch of U.S. combat forces outside the country’s borders—something which presidents of both parties have consistently rejected since 1973 as a major infringement of the powers of the executive branch—an argument which also resonates with many members of Congress as well. On the other hand, abandoning any and all criteria opens the door to Congressional abdication of its Constitutional responsibilities to be a partner with the president in determining matters of war and peace.

#### Congressional demand for WPR coverage of drug war related military incursion is necessary to ensure Executive compliance

Brown ’98 (JD George Washington Law)

Kenneth B. 2 J. Nat'l Security L. 23 “The War Powers Resolution: Origins, History, Criticism and Reform: Chapter 2: Scope of the War Powers Resolution: Section 2”

In discussions surrounding the WPR, the concept of military involvement in law enforcement operations was not raised. However, in view of the fact that U.S. Navy and Army assets are frequently used to provide transport platforms for Drug Enforcement Agency ("DEA") agents, and that counter-terrorist units usually consist mainly of military personnel, the question of the WPR's applicability to such operations is unavoidable.¶ The President has not provided a WPR report in any law enforcement operation involving U.S. military personnel. Congress has never officially asked for one. Thus, during Operation Blast Furnace, a raid against drug manufacturers in Bolivia that involved more than 100 U.S. military personnel, n68 the WPR was not officially a matter of concern. n69 Additionally, the executive branch has generally viewed counter-terrorist units as beyond the WPR's purview. n70¶ Threatening Uses of Force¶ Ships, aircraft, and military personnel are regularly sent around the globe to exercise international rights, display resolve, or support favored regimes through logistics and training. They are often deployed to high-tension regions, inviting a hostile response.¶ One such threatening use of armed forces involved the deployment of a carrier battle group to the Gulf of Sidra following Colonel Quadafi's claim of the Gulf as part of Libya's internal waters. This operation was one in a long line of similar Freedom of Navigation exercises conducted publicly to dispute excessive maritime claims. n71 However, it also occurred in the waters claimed by a country hostile to the United States at a time of increased tensions between the two nations. n72¶ During the exercise, U.S. forces engaged four Libyan missile patrol boats, sinking at least one and heavily damaging two. In addition, Navy attack [\*34] aircraft engaged shore-based surface-to-air missile sites with high-speed antiradiation missiles, possibly destroying one battery. n73 There were no U.S. casualties. President Reagan reported these engagements to Congress two days later, but did not mention the WPR in his letter. As authority for the deployment, the President cited his general constitutional powers, "including my authority as Commander in Chief of U.S. Armed Forces." n74 Additionally, he stated:¶ U.S. forces will continue with their current exercises. We will not be deterred by Libyan attacks or threats from exercising our rights on and over the high seas under international law. If Libyan attacks do not cease, we will continue to take the measures necessary in the exercise of our right of self-defense to protect our forces. n75¶ Abraham Sofaer, then the Legal Adviser to the Department of State, claimed that the President's notification to selected congressional leaders after the planes were in the air and his post-raid letter to Congress satisfied the reporting requirements of the WPR. n76¶ Large-Scale Operations: War¶ Large-scale operations involving invasions of foreign territory or long-term defensive actions are the uses of force most likely to fall under the WPR. However, Presidents have not conceded the applicability of the WPR even to these situations. Instead, they have consistently relied on their inherent authority to deploy massive numbers of troops for operations that obviously involved "hostilities."¶ One example of such a situation was Operation Urgent Fury, the U.S. invasion of Grenada in October 1983. President Reagan justified the invasion by reference to his "constitutional authority with respect to the conduct of foreign relations and as Commander in Chief of the United States Armed Forces." n77 Although he did report to Congress that the operation was underway, the President did not specify the section of the WPR under which he was reporting. Instead, like almost every other President, he stated that the report was submitted "in accordance with my desire that the Congress be informed on this matter, and consistent with the War Powers Resolution." n78¶ Although Urgent Fury was small compared to Operation Just Cause n79 or Operation Desert Storm, it involved open combat between American and [\*35] Cuban forces, thereby presenting the possibility of a wider conflict. Additionally, it required well in excess of 3,000 U.S. combat troops to quell resistance and secure the island. n80 These two elements together clearly present the type of situation that Congress was concerned about when it passed the WPR, and undoubtedly show that Operation Urgent Fury involved "hostilities," no matter what definition one uses.¶ While Urgent Fury represents a clear rejection of the WPR by the executive branch, Operation Desert Storm contained an even stronger message: it denied Congress's role in commencing massive offensive operations against a potentially powerful enemy. As he prepared almost 500,000 American troops to conduct an air and land campaign against the fourth largest army in the world, President Bush and his appointees repeatedly denied the necessity for congressional authorization. Even after he asked for and received passage of the Use of Military Force Against Iraq Resolution (Pub. L. No. 102-1), President Bush declared that "my request for congressional support did not, and my signing this Resolution does not, constitute any change in the longstanding positions of the executive branch on either the President's constitutional authority to use the Armed Forces to defend vital U.S. interests or the constitutionality of the War Powers Resolution." n81 In other words, although President Bush believed that a display of congressional support for Operation Desert Storm would show U.S. resolve to the Iraqi leadership, he did not believe that such support was required in order to commence offensive operations against Iraqi forces. n82¶ Critical Analysis¶ Since the Senate's method of enumerating presidential war powers was not included in WPR, it is unclear exactly what the President is authorized to do under the "hostilities" language that was ultimately adopted in the WPR's operative sections. An evading Executive is left with little guidance and a considerable amount of discretion. n83 Therefore, to determine which uses of force are covered by the WPR restrictions on presidential action, this section analyzes the general categories of military operations used above, in light of statutory and constitutional language and history.¶ [\*36] Rescue and Self-Defense¶ Section 2(c) of the WPR specifically authorizes unilateral presidential action in the case of "attack upon the United States, its territories, or its armed forces." n84 However, this explicit concession is very narrow and is based on a strict and static constitutional interpretation. Moreover, as a result of inconsistent presidential practice since the WPR's passage, and questionable positioning of this text, this provision is of uncertain legal force as a limitation on the President's actions. n85¶ Thus, the question remains: which presidential rescue and self-defense missions are covered by the WPR and which fall within inherent constitutional authority of the President or another statutory authorization?¶ First, Presidents have frequently claimed and the courts have acknowledged an inherent power to rescue American citizens in danger abroad. n86 If this is a valid power, then the WPR's authorization provisions do not regulate such rescue missions because it expressly provides that it is not "intended to alter the constitutional authority of the Congress or of the President. . . ." n87¶ However, if the mission goes beyond direct and immediate rescue, and Congress has not otherwise acted, then the President must rely on statutory authority granted by the so-called "Hostage Act" of 1868. n88 Unfortunately for the Executive, due to a restrictive interpretation of this Act by the Supreme Court, it fails to give much support. n89 Furthermore, even if the Hostage Act was read to provide a foundation for rescue operations, it still would not satisfy section 8(a) of the WPR. n90 Therefore, the WPR may very well apply [\*37] under such circumstances. n91¶ Second, as section 2(c) of the WPR indicates, it is generally accepted that the President has inherent powers to repel attacks on the U.S. military forces at home and abroad. n92 However, this seems to be the extent of permissible unilateral action, since, according to the WPR, a President may engage in military operations to protect allies or general U.S. interests pursuant to a treaty only if it has been executed by explicit legislation. n93¶ Additionally, it is unclear whether such measures as "proactive defense" or preemptive strikes can be considered to be within the presidential self-defense power. n94 According to President Reagan, the "preemptive strike . . . against the Libyan terrorist infrastructure" was justified "in the exercise of our right to self-defense under Article 51 of the United Nations Charter" and was conducted pursuant to his foreign affairs and Commander in Chief authority. n95 According to Abraham D. Sofaer, Legal Adviser of the Department of State during the Reagan Administration, the need for speed and secrecy in such operations also limits the applicability of the WPR's consultation provision. n96 Moreover, these strikes are also likely to conclude before sixty days, mooting the WPR's time-limit. n97¶ In conclusion, the effect of the WPR on actions beyond immediate self-defense is uncertain. Where one draws the line on permissible presidential actions depends heavily on which of the broad-ranging interpretations of the President's inherent war powers one accepts. Additionally, in view of the sixty-day time-limit and claims of needs for speed and secrecy that inhibit consultation, debates about scope are irrelevant because the President, as a practical matter, uses military forces without restriction during the sixty days. [\*38] Under these circumstances, the WPR clearly suffers from inherent weaknesses that deprive it of any real effect on short-lived defensive and rescue operations.¶ Internationally Approved Small-Scale "Police" Operations¶ With the collapse of the Soviet Bloc and advent of peacekeeping operations as the primary use of force under the "New World Order," internationally approved small-scale "police" operations have become the latest battleground in the congressional-presidential struggle for power. n98 The applicability of the WPR to these operations has been challenged on two grounds. First, it is unclear whether the term "hostilities" includes operations in which U.S. forces have been deployed to separate rather than fight warring factions. n99 As seen above, the Reagan Administration claimed that the WPR was inapplicable to the peacekeeping operation in Lebanon because any "hostilities" were not directed at the American forces. n100 While this may be a defensible argument, it is undermined when the participating forces are targeted by the warring parties, as in Lebanon, or the mission becomes proactive, favoring one faction over the other, as in Somalia. n101¶ Second, some critics contend that because internationally approved small-scale operations of limited duration are not "acts of war" in an international legal sense, they qualify as "police actions" that fall under the President's inherent executive powers. n102 The problem with this theory, however, is that it equates the international and constitutional definitions of war, thereby concluding that once war is legal internationally, it is also legal domestically. n103 Under the police action theory, the only authority a President needs in order to launch a military operation is a United Nations Security Council Resolution, leaving Congress "out of the loop" even for full-scale engagements. n104 [\*39] As noted in Chapter 1, this theory leaves Congress with only a vestigial war power.¶ In deciding the domestic legal authority for U.N.-sanctioned peacekeeping operations, it may be helpful to distinguish between operations taken under Chapter VI of the U.N. Charter (directed at "Pacific Settlement of Disputes") and those taken under Chapter VII (directed at "Threats to the Peace, Breaches of the Peace, and Acts of Aggression"). In the former, the possibility that U.S. peacekeeping troops will be involved in hostilities is lower than in the latter. Professor Stromseth has suggested that the deployment of U.S. troops for Chapter VI operations "can be viewed as peacetime troop deployments for foreign policy purposes" - like threatening uses of force - arguably falling with the President's foreign affairs authority. n105 It is Chapter VII operations, like the U.S. deployment in the Gulf War, in contrast, that raise serious questions of constitutional war powers.¶ Law Enforcement Operations¶ Presumably, overseas law enforcement is principally conducted by small contingents of DEA agents or other civilian police forces, armed with sidearms or light automatic weapons. WPR uncertainty arises when U.S. Navy combat vessels are used on the high seas to interdict suspected shipping and when U.S. military forces augment DEA agents or civilian or foreign police units.

#### Congressional inaction over WPR and drug war deployments ensures interbranch conflict and exponential expansion of drug war interventions

Richard ’98

Daniel 2 J. Nat'l Security L. 59 “The War Powers Resolution: Origins, History, Criticism and Reform: Chapter 4: Re-porting Under the War Powers Resolution: Section 4”

CENTRAL AMERICA. The hottest debates during the Reagan Administration regarding the WPR focused on American military policy in Central America. In 1981, President Reagan decided to send fifty-four American advisors to assist the El Salvadoran government in combating guerrilla warfare. n43 The President did not file a report under the WPR, citing two different rationales. First, a State Department memorandum argued that El Salvador did not qualify as an environment in which hostilities or imminent hostilities existed and, therefore, reporting under section 4(a)(1) was unnecessary. n44 Second, it claimed that because the advisors possessed only side-arms designed specifi-cally for self-defense, this deployment to El Salvador did not fall under section 4(a)(2). In order to fall under the "equipped for combat" language of section 4(a)(2), American soldiers allegedly needed to possess weaponry authorized for offensive action. n45¶ The predominantly Democratic Congress reacted to these arguments with extreme skepticism. Several legislators proposed legislation to force the President to comply with the WPR. n46 Additionally, eleven members of Congress filed a lawsuit in United States District Court asserting that "hostilities" existed in El Salvador and that the President should, therefore, comply with the reporting requirements of the WPR. n47 United States District Judge Joyce Hens Green dismissed the case, stating that the "subtleties of fact-finding in this situation should be left to the political branches." n48¶ The congressional failure to prevent President Reagan from deploying advisors to El Salvador without filing a re-port had ramifications on American policy throughout Central and South America. Afterwards, he ordered federalized National Guard troops to conduct massive training exercises with the Honduran army between 1981 and 1988 without reporting any of these actions under section 4(a)(2). n49 Moreover, in 1986, the United States deployed aircraft and personnel to Bolivia to assist the government in its drug interdiction program. Once again, the executive branch did not report this deployment, deciding that it did not fall under the purview of the WPR. The Administration's lackluster adherence to the WPR in Lebanon, combined with disagreements over Latin American policy, sharpened tensions be-tween the two political branches.

#### WPR application ensures the creation of norms through its statutory procedures that constrain Executive actions and prevent bad foreign policy outcomes—Executive Restraint CP doesn’t solve

Teifer ’99 Associate Professor of Law, University of Baltimore School of Law. Solicitor and Deputy General Counsel for the House of Representatives, 1984-1995.

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[\*24] In the first 150 years of our country, numerous instances of presidential requests to Congress for war power authorization had occurred. n104 During the Cold War, the well-known "area resolutions" of the 1950s were requested. n105 These resolution's provided the model for the Tonkin Gulf Resolution of 1964 n106 which preceded the massive American intervention in Vietnam.¶ There has been some tendency for war powers theory to brush aside such presidential requests as insignificant camouflage for the unilateral exercise of presidential power. n107 Along with this presidential posturing, there exists a corresponding myth that the eventuality of war never actually depends on what Congress does with these requests. n108 Yet, [\*25] there is a major difference between presidential posturing and such requests having no meaning. The presidential request-for-approval interaction with Congress cranks up an elaborate machinery for the democratic inclusion of the nation in the military commitment decision. Hearings, news coverage, briefings, disputes over conditions or demands for assurances, and floor debate ventilate and test the propositions as to the soundness of the commitment, which was previously done only within the relatively closed circle of the executive branch. Moreover, congressional action has its effects on the course of military action. n109

#### WPR application ensures Presidential Flex while still constraining the worst abuses of drug war interventions by forcing the Executive to debate intervention and creating norms beyond the legal restrictions—All other approaches fail

Weiner ’07 J.D. Candidate, Vanderbilt University Law School,

Michael 40 Vand. J. Transnat'l L. 861

The WPR in Action: A Paper Tiger with Bite¶ Vietnam spurred not only the creation of new laws to restrain the Executive, but a revolution within the defense establishment. In a war that never had clear policy objectives, unfettered military tactical control, or strong public support, suffering prolonged casualties had a significant effect on the mid-level officers who fought in Vietnam. n55 A young Colin Powell wrote:¶ Many of my generation, the career captains, majors and lieutenant colonels seasoned in that war vowed that when our turn came to call the shots, we would not quietly acquiesce in halfhearted warfare for [\*871] half-baked reasons that the American people could not understand or support. n56¶ In Powell's view, the United States should no longer enter combat unless it has amassed overwhelming force at the point of attack, has clearly defined political and military objectives, and has a reasonable expectation of having a galvanized public to support the war effort. n57 This point of view, which found an audience when Powell became the senior military aide to Secretary of Defense Caspar Weinberger, n58 became entrenched in U.S. strategic philosophy and was called the Weinberger/Powell Doctrine, or the Powell Doctrine for short. n59¶ The Powell Doctrine, which bears a striking resemblance to the classical master of war Carl von Clausewitz's remarkable trinity of warfare, n60 is notable in a WPR discussion because of its cognizance of the importance of the national will. Under the Powell Doctrine, governments would no longer "behave ... as if they were themselves the state." n61 Thus, the U.S. public's expected reaction to a use of force was already becoming a stronger factor in the decision to commit U.S. forces into action immediately after Vietnam. n62 The WPR, then, which explicitly requires the Executive to receive approval of the people's agents before entering a prolonged conflict, n63 can be seen as a formal declaration of a desire for the people to be a more influential factor in deciding when their military will be placed in harm's way.¶ In practice the WPR limits presidents' outrageous unilateral uses of force. While critics of the WPR seem likely to oppose any legislation that stops short of emasculating the Executive into [\*872] becoming the "messenger-boy" n64 of Congress, they must remember that the foundation for the law of war lies in practice. n65 Again, recall this Note's suggestion that the WPR, and the law of war in general, should be viewed from a functionalist perspective. Any law that purports to control the actions of those involved in warfare will only be followed if it allows the actor the chance to preserve his own interests. Thus, while a soldier is interested in staying alive, and a commander is interested in preserving the lives of those under his command, the Executive is interested in both of these things as well as ensuring the national security of the entire nation. A law that does not afford the Executive sufficient flexibility to satisfy these interests is bound to be a dead-letter.¶ The WPR allows such flexibility, because while its requirements are clear black-letter law, its enforcement structure owes its strength to behavioral norms rather than law. The Executive has an incentive to abide by the WPR to avoid showing disrespect for Congress or the will of the U.S. public. However, he retains the legal freedom to function outside the WPR when he judges it to be manifestly clear (1) that the Nation's interests require it, or (2) when he perceives that the will of the people is behind him. n66 The WPR's effectiveness can only be evaluated by its effect in practice. For this reason, this Note now surveys post-1973 presidential unilateral uses of force.¶ A. Grenada¶ The WPR was first applied in the invasion of Grenada. n67 In this instance, President Reagan unilaterally ordered the island to be [\*873] invaded after a coup by communist rebels seemed to provide Cuba and Soviet Russia with another strategically located ally. n68 Significantly, for terms of the U.S. pretext for invasion, Grenada was also home to hundreds of U.S. medical students. n69 While many dispute the veracity of the request for military assistance from interested parties in the region, n70 as well as the level of danger that the medical students actually faced, n71 it is undisputed that once the invasion took place it "was considered an unmitigated military success." n72 The invasion, as the Powell Doctrine commanded, also enjoyed immense public support. n73 Nevertheless, many consider the Grenada invasion to be emblematic of the WPR's impotence; for WPR opponents, the invasion was just another example of an Executive waging a war at his own prerogative. n74 As the facts are examined, however, it becomes clear not only that the WPR was abided by, but that its spirit was heeded and its goals achieved.¶ To begin, the Grenada invasion complied with the WPR. Despite the WPR's lack of strength, President Reagan opted to follow its prescribed guidelines. To satisfy § 1542's consultation requirement, President Reagan met with bipartisan leaders of Congress the night before the invasion began. n75 While it is true that the invasion was green-lighted two hours before the meeting took place and that the invasion commenced early the next morning, n76 it is also true that President Reagan could have cancelled the invasion after the meeting occurred. Thus, when referenced in conjunction with the WPR's command that "the President in every possible instance shall consult with Congress before introducing United States Armed Forces into hostilities," n77 it appears that President Reagan adhered to the plain meaning of the statutory term "consult," which is "to ask the advice or opinion of." n78 This, along with President Reagan's explanation for the dearth of time between the consultation and the commencement of the invasion (protecting the secrecy of the [\*874] invasion), n79 necessitates the conclusion there is at least a prima facie case that the consultation requirement was met.¶ Thus, it seems strange that some scholars claim that the congressional consultation requirement was not met. n80 While it would be hard to argue that the level of consultation offered by President Reagan was anything but sparse, it is one thing to criticize the level of consultation and quite another to claim that there was none. For this reason, it is difficult to imagine what would satiate opponents of the WPR. The WPR requires the Executive only to consult and report, not abandon unilateral uses of force altogether. n81 Opponents of the WPR apparently would prefer that the Executive "psychoanalyze ... Congress rather than read ... its laws." n82 A more reasonable position is the one advanced by former Secretary of State Cyrus R. Vance, who contended that while the meaning of "consult" was clear to him, it should be replaced with the requirement that the Executive ""discuss fully and seek the advice and counsel' of a defined group of congressional leaders." n83¶ President Reagan also abided by the reporting requirement during the Grenada invasion by submitting a report to Congress on October 25, 1983, the day military actions began. n84 While some contend that President Reagan did not meet this requirement, this complaint seems to be grounded more on the substance of the report than lack of a report, as President Reagan's report did not refer to U.S. armed forces being engaged in "hostilities or into situations where imminent involvement in hostilities is clearly indicated by the circumstances." n85 An explicit reference to "hostilities" is significant in terms of the WPR, because such a reference is what begins the sixty-day countdown of the automatic termination clause. n86 Thus, while complying with the WPR, President Reagan allowed Congress to decide whether the WPR would actually be a legal constraint on Executive power. Congress did begin to create a resolution exercising its power under the WPR to put the Executive "on the clock" when deemed necessary. n87 In the end, however, while the House of Representatives passed a resolution deeming the automatic countdown to have started, there was not sufficient support for such a resolution in the Senate. n88¶ The WPR's legislative failure, however, did not result in the kind of extended conflict that the WPR's framers, and indeed the nation, hoped to avoid. The Grenada invasion enjoyed astounding success through reliance on the Powell Doctrine (using overwhelming forces to achieve clear objectives). n89 The large U.S. invasion force compelled the capitulation of joint Cuban and Grenadian forces in under a week, with minimal U.S. casualties. n90 In the end, the U.S. Marines employed in the fighting were off the island by October 30, 1983, and elements of the Army 82nd Airborne unit were also off the island well before the theoretical sixty-day time limit. n91¶ The invasion of Grenada, then, represented a departure from previous presidential unilateral uses of force. Although President Reagan likely irritated members of Congress through his interpretation of the consultation and reporting clauses, he did heed the ultimate purpose of the WPR. The unilateral use of force in Grenada was short in duration and not bloody by any standard. n92 Even though Congress had not achieved dominance over the Executive branch in the decision to use military force, the WPR did spur President Reagan, at least to some extent, to involve Congress in the decision.¶ Further, the WPR spurred Congress to discuss amongst itself whether it should take a greater role. That congressional support was insufficient to put the WPR into play says more about the lack of congressional will than it does about the ability of the WPR to constrain Executive action. The invasion of Grenada thus serves as a good start for proving that the WPR, despite its imperfect nature as a legal document, has led to increased participation between the [\*876] Executive and Legislative branches in the decision to use military force.¶ B. Lebanon¶ In 1982, President Reagan relied on his authority as Commander in Chief in sending 800 marines to join a multinational force with the task of keeping the peace "in an internecine struggle among the many ethnic and religious groups that have been warring in Lebanon from time out of memory." n93 Unfortunately, the intervention in Lebanon is notoriously remembered for the suicide bombing of a marine barracks, which caused the deaths of 241 U.S. servicemen (an act that accounted for 94% of all U.S. casualties in the conflict). n94 Despite this event, the intervention in Lebanon teaches much about the effectiveness of the WPR. This is so even though President Reagan arguably failed to abide by the consultation requirement in the WPR (since it appears that no member of Congress was consulted before the marines went ashore). n95 While President Reagan may have believed that the marines would not encounter "hostilities or ... situations where imminent involvement in hostilities is clearly indicated by the circumstances," n96 thus making the WPR inapplicable to the event, it is hard to argue that when one orders a ground combat force into a war-torn area the WPR will not apply.¶ Nevertheless, President Reagan did comply with the WPR's reporting requirement. After the marines entered Lebanon, President Reagan sent a report to Congress. n97 Interestingly, President Reagan's letter proclaimed that the report was "consistent" with the WPR rather than in "compliance" with it. n98 Former Secretary of State Vance interpreted this language as the President's implicit statement that he was complying with the WPR out of respect for Congress, rather than because of a legal obligation. n99 Whatever the motivation, President Reagan did continue to send [\*877] reports to Congress after he ordered 1200 additional troops to be sent to Lebanon and again after the United States suffered its first casualties. n100¶ The last of these reports was significant because Congress acted on the basis of this information to invoke the WPR and begin the sixty-day countdown. n101 Opponents of the WPR were then presented with what amounts to their utopian situation: a President tries to statutorily interpret his way around the WPR, but Congress stands fast and invokes the WPR itself. If nothing else, the Lebanese intervention is at least incontrovertible evidence that the WPR is not legally impotent in all instances.¶ The events occurring after Congress's invocation of the WPR are profoundly important for the purposes of this Note. First, despite President Reagan's contentions that the WPR could not constrain his powers as Commander in Chief, n102 his administration actually sought explicit congressional authorization for "continued participation of United States Armed Forces in the Multinational Force in Lebanon." n103 Thus, in the end, while there was implicit posturing about the WPR's legality, the Executive chose to respect its, and Congress's, authority.¶ As such, the WPR contributed to the restoration of some semblance of balanced participation between the political branches on the question of continuing to use force in Lebanon. While the discussion preferably would have occurred before the insertion of U.S. forces, it is true that in Lebanon "the War Powers Resolution ... belatedly achieved its purpose [of] bringing the President and the Congress together to discuss a critically important foreign policy issue." n104 While some scholars may disapprove of Congress's policy decision to follow the President's lead, such a policy decision is not the fault of the WPR. The WPR should instead be lauded for prodding President Reagan into obtaining congressional approval for what began as a unilateral use of his Commander in Chief power.¶ The second profound event following the invocation of the WPR comes from Congress's authorization itself. Secretary Vance said that the time extension given to President Reagan was "subject to a [\*878] variety of important conditions and restrictions designed to define and limit the scope of our involvement in the Lebanese conflict." n105 For example, while Congress's Resolution provided the President with eighteen months of leeway, it also provided that this leeway would cease to exist if the United Nations or the government of Lebanon assumed the U.S. peacekeeping role, if the U.S. partners in the venture abandoned the cause, or if any other competent security arrangement for Lebanon was put forward. n106¶ Congress thus created enforcement measures to substantiate its policy goals of ensuring a timely U.S. withdrawal from Lebanon. Such a pointed articulation of policy stands in direct contrast to the broad "take any and all appropriate means" delegation that embodied the Tonkin Gulf Resolution. n107 The WPR contributed to a high level of interaction between the Executive and Congress, notwithstanding the regrettable loss of life involved with the barracks attack. This point will be revisited again in this Note's conclusion, as the Multinational Force in Lebanon Resolution remains a model for Congress to emulate.¶ C. Libya¶ The Libyan air strike, which occurred on April 14, 1986, n108 serves as another example of the WPR's positive effect on the implementation of U.S. foreign policy. The air strike also illustrates one of the WPR's weaknesses, because an air strike, which can certainly be referred to as "surgical" in nature, is sure to be over within the WPR's sixty-day limit. n109 For this reason, an Executive could hypothetically order unrelated air strikes around the clock, without consulting with or reporting to Congress, and have no fear of running afoul of the WPR. Despite this reality, President Reagan chose not to take this route, and instead complied with the WPR. n110 Thus, the Libyan air strike is a prime example of how the WPR, even if legally impotent, consistently affects and constrains presidential unilateral uses of force.¶ [\*879] The pretext for the air strike was what President Reagan called "irrefutable" n111 evidence of Libyan involvement in not only the Lockerbie Scotland Pan Am disaster but also in terrorist attacks that killed U.S. citizens in airports in Vienna and Rome, and in the bombing of a West Berlin nightclub frequented by U.S. servicemen (killing one Army sergeant and wounding others). n112¶ It is at least arguable that President Reagan complied with the WPR. He consulted with fifteen members of Congress, a group larger than he met with before the Grenada operation, before the air strikes took place. n113 However, just as the manner of consultation in the Grenada invasion surely irritated some members of Congress, this instance must have been no different; the consultation did not take place until the planes responsible for the air strike were in the air. n114 Again, while President Reagan could have responded by noting his ability to call off the air strikes while the planes were en route, this is surely not the manner of consultation desired by parties in the mold of Secretary Vance. n115 However, when the plain meaning of the statutory text is as weak as it is in the WPR (an interpretation even accepted by some of its opponents n116), it is a large step to maintain that Reagan failed the consultation requirement altogether.¶ President Reagan also satisfied the reporting requirement, submitting a report to Congress on April 16, 1986. While some scholars claim that the reporting requirement was evaded because the report was vague and made no reference to "hostilities," a necessity for the implementation of the sixty-day countdown, this is not the correct conclusion. n117 Although President Reagan may have had bad intentions in not referring to "hostilities," this does not mean the reporting requirement was not met. It simply means that the Executive took advantage of a legislative loophole to place the ball back into Congress's court. However, the reporting requirement was made moot by the use of an air strike; as soon as the planes conducting the strikes returned to their respective bases the attack [\*880] was over, and this was well before the sixty-day clock could have struck zero. So while the WPR had no formal influence over President Reagan's decision to use military force, its existence likely provided the Executive with the impetus to favor a strategy that would not give Congress a chance to implement it. The WPR, therefore, deterred the Executive's preference for undertaking foreign policy initiatives that could have become the next Korea or Vietnam.¶ Furthermore, one must only look to the popularity of the Libyan air strike n118 to accentuate the difference between this conflict and one such as Vietnam. With popularity in one hand and narrow objectives (retribution for supporting terrorism n119) achieved by a discrete use of force in the other, the Libyan air strike constitutes the Powell Doctrine taken airborne. Given the Libyan air strike's strong compliance with the principles of the Powell Doctrine, it must be said that this unilateral use of force was at least a responsible one.¶ D. The Persian Gulf¶ Prior to the 1991 Gulf War (which will not be discussed in this Note since it was not a unilateral use of force on the part of the Executive), n120 but after the Iran-Iraq war made the strategic Persian Gulf un-navigable, Kuwait requested U.S. protection for merchant oil tankers using Kuwaiti ports. n121 Responding favorably, the United States re-flagged the merchant ships and escorted the tankers through the Gulf with U.S. warships. n122 Believing that the WPR did not apply to this use of the Navy, President Reagan did not consult with or report to Congress before ordering the naval escorts into service. n123 Following this action and an incident in which a U.S. helicopter opened fire on an Iranian minelayer, 110 members of the [\*881] House of Representatives sued the President to compel him to report to Congress pursuant to the WPR (and thus initiate the automatic sixty-day countdown). n124 The district court's opinion, which relied on the doctrines of equitable discretion and nonjusticiability to dismiss the suit, n125 amply illustrates how the WPR has increased Congress's participation in the prosecution of foreign policy.¶ As seen in the Lebanon intervention, it does not take much to make out a case that the U.S. forces engaged in the Gulf were involved in "hostilities or in ... situations where imminent involvement in hostilities was clearly indicated by the circumstances." n126 Beyond the fact that U.S. warships were going to be conducting escort operations in the Gulf during the vicious Iran-Iraq war and the imminent destruction of the Iranian minelayer (which killed three and led to the capture of twenty-six more), n127 there were multiple reasons for President Reagan to conclude that the WPR was applicable to the escort operation. During the time of the operation there were multiple examples of hostilities, such as when the U.S. frigate the Samuel B. Roberts struck two mines or when Iranian missile boats fired on the U.S. cruiser the Wainwright as well as U.S. aircraft. n128 Other naval clashes occurred as well, including the downing of an Iranian airliner by the U.S. cruiser Vincennes, providing President Reagan and later President Bush with a reason to report to Congress. n129 Neither President Reagan nor President Bush, however, actually chose to report to Congress. n130 On these facts, it is easy to criticize the WPR as failing to constrain the Executive. In fact, one could even say that the WPR significantly empowered the Executive in this case, because without the triggering of the WPR, there was not even a sixty-day limit with which the Executive had to contend.¶ A closer look, however, tells a different story. While it is true that Congress was not able to muster enough support to trigger the WPR by itself, and that the courts refused to do the same, the Persian Gulf situation is marked by a high level of congressional involvement. For example, the district court in Lowry v. Reagan noted that "before the filing of this lawsuit, several bills to compel the President to invoke section 4(a)(1) of the [WPR] were introduced in Congress. Bills also were introduced to alternately repeal and to strengthen the [WPR]." n131 The WPR therefore led Congress to [\*882] discuss not only the constitutional and legislative authority involved in the Persian Gulf incident, but the merits of the entire constitutional and legislative war powers system.¶ Furthermore, the court's handling of Lowry also implicitly contributed to reaching the utopia of balanced participation in the prosecution of U.S. foreign policy. By refusing to adjudicate the WPR claims and sending the substantive questions back to Congress, the courts allowed Congress to decide "a question for the executive and legislative branches." n132 Rather than "impose a consensus on Congress," n133 the court gave Congress a chance to use the legislation that it wrote and rein in the Executive. Again, it is not the fault of the WPR that the Senate enacted a bill that would restrain the Executive, but that the House, in the words of former majority leader Senator John Warner, "s[at there] and did nothing" with it. n134 Rather, the WPR led to political discussion, and almost action, over a presidential unilateral use of force. Given the strong success that the Executive has enjoyed throughout U.S. history in the foreign affairs arena, n135 it is impractical to expect that the WPR would have transformed the Executive into a figurative dog that follows obediently after the heels of Congress. As such, the discussion and votes spurred by the WPR should not be derided as insignificant. Indeed, this Note contends that such political discourse is significant - it is the practical result of a reasonable piece of legislation.¶ Remembering Justice Holmes's adage on representational government, n136 the prospect of Congress being on the edge of invoking the WPR must have had some normative effect on the Executive. Perhaps this explains why the escort action was relatively safe, despite the Vincennes calamity. For example, of the 10,000 Navy personnel sent to support the escort effort, there were only thirty-nine casualties (with thirty-seven of those coming in one instance, the attack on the Stark). n137 Thus, this illustrates another post-1973 unilateral use of force that was not protracted, bloody, or based on murky objectives. n138 The conflict was, again, the antithesis of Vietnam.¶ [\*883] ¶ E. Panama¶ The 1989 Panamanian invasion is an interesting case study with which to test the effectiveness of the WPR. The intrigue stems from President H.W. Bush's choice to comply with the consultation requirement of the WPR in only the most barebones fashion. n139 Much like President Reagan's actions in the Libyan air strikes, President Bush only consulted with a small group of congressional leaders, hours before deposing Dictator Manuel Noriega. n140 While President Bush defended his actions by arguing that Congress was not in session at the time of the invasion n141 and that he needed to protect the secrecy of the invasion, Secretary Vance is quick to point out the logical response to these arguments:¶ [A] group of leaders such as I have suggested [Majority and Minority Leaders of both houses and the Chairpersons and ranking minority members of the Armed Forces and Foreign Affairs committees of both houses, among others] will almost always be within reach of the President and will keep confidences. n142¶ Thus, President Bush can cite no bulletproof reason for choosing to test the WPR's consultation requirement. President Bush, however, did report to Congress within forty-eight hours of introducing U.S. forces into "hostilities." n143¶ What makes the Panamanian invasion an interesting case for judging the WPR's effectiveness, however, is that even though President Bush almost flouted the consultation requirement, the House of Representatives still chose to enact a resolution praising President Bush for his actions as Commander in Chief. n144 Even more striking is that the resolution passed the House by the margin of 389 to 26. n145 This extreme margin is even more interesting when it is noted that the House of Representatives was the chamber of Congress that tried to invoke the WPR to limit President Reagan's invasion of Grenada just six years earlier. n146¶ The House of Representative's behavior can be explained by President Bush's adherence to the spirit of the WPR. Although [\*884] President Bush's failure to consult with Congress until seven hours before the invasion took place seems to contradict this conclusion, n147 the Panamanian invasion satisfied the purpose of the WPR, because unlike Vietnam and as the Powell Doctrine commanded, the invasion had the support of the U.S. public. n148 This support (likely stemming from Noriega's federal indictment for engaging in narcotics dealings, n149 the Panamanian Defense Forces slaying of a U.S. marine, and the assault of a Navy Lieutenant and the threat of sexual assault made toward his wife n150) is a probable reason why neither branch of Congress mounted a formal challenge to President Bush and why the House went so far as to praise the President.¶ A second reason why the Panamanian invasion illustrates the relevance of the WPR was the brevity and the relative safety of the conflict. While U.S. forces were already based in Panama prior to the action to unseat Noriega (due to the Panama Canal), the additional U.S. troops sent to bolster the existing 13,000 were for the most part removed from the area within the sixty-day period specified by the WPR. n151 Again, the success and speed of this operation can be credited to the use of the Powell Doctrine, the strategy designed to win conflicts quickly and safely. n152 The intervention was indeed safe by the standards of conventional war, with only twenty-three U.S. citizens losing their lives in an operation involving over 4,000 combat troops. n153 Thus, the safety, brevity, and recognition of the public will is what made the intervention in Panama another example of a post-1973 unilateral use of force that was positively influenced by the "paper tiger" itself, the WPR.

#### Plan is key to increase accountability and stop Presidential overreach

Benjamin R. Farley 12, JD from Emory University School of Law, former Editor-in-Chief of the Emory International Law Review, “Drones and Democracy: Missing Out on Accountability?” Winter 2012, 54 S. Tex. L. Rev. 385, lexis

Effective accountability mechanisms constrain policymakers' freedom to choose to use force by increasing the costs of use-of-force decisions and imposing barriers on reaching use-of-force decisions. The accountability mechanisms discussed here, when effective, reduce the likelihood of resorting to force (1) through the threat of electoral sanctioning, which carries with it a demand that political leaders explain their resort to force; (2) by limiting policymakers to choosing force only in the manners authorized by the legislature; and (3) by requiring policymakers to adhere to both domestic and international law when resorting to force and demanding that their justifications for uses of force satisfy both domestic and international law. When these accountability mechanisms are ineffective, the barriers to using force are lowered and the use of force becomes more likely.¶ Use-of-force decisions that avoid accountability are problematic for both functional and normative reasons. Functionally, accountability avoidance yields increased risk-taking and increases the likelihood of policy failure. The constraints imposed by political, supervisory, fiscal, and legal accountability "make[] leaders reluctant to engage in foolhardy military expeditions... . If the caution about military adventure is translated into general risk-aversion when it comes to unnecessary military engagements, then there will likely be a distributional effect on the success rates of [democracies]." n205 Indeed, this result is predicted by the structural explanation of the democratic peace. It also explains why policies that rely on covert action - action that is necessarily less constrained by accountability mechanisms - carry an increased risk of failure. n206 Thus, although accountability avoidance seductively holds out the prospect of flexibility and freedom of action for policymakers, it may ultimately prove counterproductive.¶ In fact, policy failure associated with the overreliance on force - due at least in part to lowered barriers from drone-enabled accountability avoidance - may be occurring already. Airstrikes are deeply unpopular in both Yemen n207 and Pakistan, n208 and although the strikes have proven critical [\*421] to degrading al-Qaeda and associated forces in Pakistan, increased uses of force may be contributing to instability, the spread of militancy, and the failure of U.S. policy objectives there. n209 Similarly, the success of drone [\*422] strikes in Pakistan must be balanced against the costs associated with the increasingly contentious U.S.-Pakistani relationship, which is attributable at least in part to the number and intensity of drone strikes. n210 These costs include undermining the civilian Pakistani government and contributing to the closure of Pakistan to NATO supplies transiting to Afghanistan, n211 thus forcing the U.S. and NATO to rely instead on several repressive central Asian states. n212 Arguably the damage to U.S.-Pakistan relations and the destabilizing influence of U.S. operations in Yemen would be mitigated by fewer such operations - and there would be fewer U.S. operations in both Pakistan and Yemen if U.S. policymakers were more constrained by use-of-force accountability mechanisms.¶ From a normative perspective, the freedom of action that accountability avoidance facilitates represents the de facto concentration of authority to use force in the executive branch. While some argue that such concentration of authority is necessary or even pragmatic in the current international environment, 168 it is anathema to the U.S. constitutional system. Indeed, the founding generation’s fear of foolhardy military adventurism is one reason for the Constitution’s diffusion of use-of-force authority between the Congress and the President. 169 That generation recognized that a President vested with an unconstrained ability to go to war is more likely to lead the nation into war.