# AB

#### Backlash to drone strikes is undermining international credibility and makes drone strikes ineffective

**Zenko ’13** (Micah Zenko, Douglas Dillon fellow in the Center for Preventive Action (CPA) at the Council on Foreign Relations (CFR), Previously, he worked for five years at the Harvard Kennedy School and in Washington, DC, at the Brookings Institution, Congressional Research Service, and State Department’s Office of Policy Planning, “Reforming U.S. Drone Strike Policies,” January, Council Special Report No. 65, Online, 2013)

In his Nobel Peace Prize acceptance speech, President Obama declared: “Where force is necessary, we have a moral and strategic interest in binding ourselves to certain rules of conduct. Even as we confront a vicious adversary that abides by no rules, I believe the United States of America must remain a standard bearer in the conduct of war.”63 Under President Obama drone strikes have expanded and intensified, and they will remain a central component of U.S. counterterrorism operations for at least another decade, according to U.S. officials.64 But much as the Bush administration was compelled to reform its controversial counterterrorism practices, it is likely that the United States will ultimately be forced by domestic and international pressure to scale back its drone strike policies. The Obama administration can preempt this pressure by clearly articulating that the rules that govern its drone strikes, like all uses of military force, are based in the laws of armed conflict and international humanitarian law; by engaging with emerging drone powers; and, most important, by matching practice with its stated policy by limiting drone strikes to those individuals it claims are being targeted (which would reduce the likelihood of civilian casualties since the total number of strikes would significantly decrease). The choice the United States faces is not between unfettered drone use and sacrificing freedom of action, but between drone policy reforms by design or drone policy reforms by default. Recent history demonstrates that domestic political pressure could severely limit drone strikes in ways that the CIA or JSOC have not anticipated. In support of its counterterrorism strategy, the Bush administration engaged in the extraordinary rendition of terrorist suspects to third countries, the use of enhanced interrogation techniques, and warrantless wiretapping. Although the Bush administration defended its policies as critical to protecting the U.S. homeland against terrorist attacks, unprecedented domestic political pressure led to significant reforms or termination. Compared to Bush-era counterterrorism policies, drone strikes are vulnerable to similar—albeit still largely untapped—moral outrage, and they are even more susceptible to political constraints because they occur in plain sight. Indeed, a negative trend in U.S. public opinion on drones is already apparent. Between February and June 2012, U.S. support for drone strikes against suspected terrorists fell from 83 percent to 62 percent—which represents less U.S. support than enhanced interrogation techniques maintained in the mid-2000s.65 Finally, U.S. drone strikes are also widely opposed by the citizens of important allies, emerging powers, and the local populations in states where strikes occur.66 States polled reveal overwhelming opposition to U.S. drone strikes: Greece (90 percent), Egypt (89 percent), Turkey (81 percent), Spain (76 percent), Brazil (76 percent), Japan (75 percent), and Pakistan (83 percent).67 This is significant because the United States cannot conduct drone strikes in the most critical corners of the world by itself. Drone strikes require the tacit or overt support of host states or neighbors. If such states decided not to cooperate—or to actively resist—U.S. drone strikes, their effectiveness would be immediately and sharply reduced, and the likelihood of civilian casualties would increase. This danger is not hypothetical. In 2007, the Ethiopian government terminated its U.S. military presence after public revelations that U.S. AC-130 gunships were launching attacks from Ethiopia into Somalia. Similarly, in late 2011, Pakistan evicted all U.S. military and intelligence drones, forcing the United States to completely rely on Afghanistan to serve as a staging ground for drone strikes in Pakistan. The United States could attempt to lessen the need for tacit host-state support by making significant investments in armed drones that can be flown off U.S. Navy ships, conducting electronic warfare or missile attacks on air defenses, allowing downed drones to not be recovered and potentially transferred to China or Russia, and losing access to the human intelligence networks on the ground that are critical for identifying targets. According to U.S. diplomats and military officials, active resistance— such as the Pakistani army shooting down U.S. armed drones— is a legitimate concern. In this case, the United States would need to either end drone sorties or escalate U.S. military involvement by attacking Pakistani radar and antiaircraft sites, thus increasing the likelihood of civilian casualties.68 Beyond where drone strikes currently take place, political pressure could severely limit options for new U.S. drone bases. For example, the Obama administration is debating deploying armed drones to attack al-Qaeda in the Islamic Maghreb (AQIM) in North Africa, which would likely require access to a new airbase in the region. To some extent, anger at U.S. sovereignty violations is an inevitable and necessary trade-off when conducting drone strikes. Nevertheless, in each of these cases, domestic anger would partially or fully abate if the United States modified its drone policy in the ways suggested below. The United States will inevitably improve and enhance the lethal capabilities of its drones. Although many of its plans are classified, the U.S. military has nonspecific objectives to replace the Predators and Reapers with the Next-Generation Remotely Piloted Aircraft (RPA) sometime in the early-to-mid 2020s. Though they are only in the early stages of development, the next generation of armed drones will almost certainly have more missiles of varying types, enhanced guidance and navigation systems, greater durability in the face of hostile air defense environments, and increased maximum loiter time—and even the capability to be refueled in the air by unmanned tankers.69 Currently, a senior official from the lead executive authority approves U.S. drone strikes in nonbattlefield settings. Several U.S. military and civilian officials claim that there are no plans to develop autonomous drones that can use lethal force. Nevertheless, armed drones will incrementally integrate varying degrees of operational autonomy to overcome their most limiting and costly factor—the human being.70 Beyond the United States, drones are proliferating even as they are becoming increasingly sophisticated, lethal, stealthy, resilient, and autonomous. At least a dozen other states and nonstate actors could possess armed drones within the next ten years and leverage the technology in unforeseen and harmful ways. It is the stated position of the Obama administration that its strategy toward drones will be emulated by other states and nonstate actors. In an interview, President Obama revealed, “I think creating a legal structure, processes, with oversight checks on how we use unmanned weapons is going to be a challenge for me and for my successors for some time to come—partly because technology may evolve fairly rapidly for other countries as well.”71 History shows that how states adopt and use new military capabilities is often influenced by how other states have—or have not—used them in the past. Furthermore, norms can deter states from acquiring new technologies.72 Norms—sometimes but not always codified as legal regimes—have dissuaded states from deploying blinding lasers and landmines, as well as chemical, biological, and nuclear weapons. A well-articulated and internationally supported normative framework, bolstered by a strong U.S. example, can shape armed drone proliferation and employment in the coming decades. Such norms would not hinder U.S. freedom of action; rather, they would internationalize already-necessary domestic policy reforms and, of course, they would be acceptable only insofar as the limitations placed reciprocally on U.S. drones furthered U.S. objectives. And even if hostile states do not accept norms regulating drone use, the existence of an international normative framework, and U.S. compliance with that framework, would preserve Washington’s ability to apply diplomatic pressure.

#### Personality strikes avoid international criticism- sig strikes are unique

**Zapfe and Mahadevan ’13** [Martin Zapfe, PhD in Political Science from the Center of Excellence at the University of Constance, Germany, is head of the Global Security Team at the Center for Security Studies (CSS), Prem Mahadevan is a senior researcher with the Global Security Team at the Center for Security Studies (CSS) and holds a doctoral degree in Intelligence Studies, “DESCENDING DRONES?” July, <http://www.css.ethz.ch/publications/pdfs/CSS-Analysis-137-EN.pdf>]

International criticism has been directed in particular against the so-called “signature strikes”. ¶ In these cases, the precise names and functions of targeted persons are unknown. Those ¶ responsible for the strikes merely assume that the target is a member of a hostile group based ¶ on a review of circumstantial evidence such as movement profiles, intercepted communications, and known associates. The underlying assumption is that urbanised al-Qaida members ¶ will only be sheltered by active supporters when traveling in rural Pakistan, so as to avoid ¶ being betrayed by informants. According to reports, the US therefore regards all adult males in ¶ immediate proximity to the jihadists as legitimate military targets. This assumption in particular is frequently criticised by the international community.¶ “Personality strikes”, on the other hand, are based on personal information about individuals ¶ identified by name. If attempting their capture would pose an unacceptable risk to friendly ¶ forces, drones may be deployed against them. In these missions, according to members of the ¶ US government, considerable efforts are made to prevent the deaths of innocent bystanders. According to these sources, many attacks have been aborted because of the presence of ¶ women or children near the target.

#### Drone program legitimacy is key to allied and public support of US leadership.

Kennedy 13 (Greg, Professor of Strategic Foreign Policy at the Defence Studies Department, King's College London, Drones: Legitimacy and Anti-Americanism, http://www.strategicstudiesinstitute.army.mil/pubs/parameters/Issues/WinterSpring\_2013/3\_Article\_Kennedy.pdf)

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

#### Alliance backlash undermines an effective US hegemonic strategy which prevents global instability

Brooks, Ikenberry and Wohlforth ’13 (Stephen Brooks, Associate Professor of Government at Dartmouth College, John Ikenberry, Albert G. Milbank Professor of Politics and International Affairs at Princeton University and Global Eminence Scholar at Kyung Hee University in Seoul, John Wohlforth, Daniel Webster Professor of Government at Dartmouth College, Foreign Affairs, Lean Forward, EBSCO, Jan/Feb 2013)

Of course, even if it is true that the costs of deep engagement fall far below what advocates of retrenchment claim, they would not be worth bearing unless they yielded greater benefits. In fact, they do. The most obvious benefit of the current strategy is that it reduces the risk of a dangerous conflict. The United States' security commitments deter states with aspirations to regional hegemony from contemplating expansion and dissuade U.S. partners from trying to solve security problems on their own in ways that would end up threatening other states. Skeptics discount this benefit by arguing that U.S. security guarantees aren't necessary to prevent dangerous rivalries from erupting. They maintain that the high costs of territorial conquest and the many tools countries can use to signal their benign intentions are enough to prevent conflict. In other words, major powers could peacefully manage regional multipolarity without the American pacifier. But that outlook is too sanguine. If Washington got out of East Asia, Japan and South Korea would likely expand their military capabilities and go nuclear, which could provoke a destabilizing reaction from China. It's worth noting that during the Cold War, both South Korea and Taiwan tried to obtain nuclear weapons; the only thing that stopped them was the United States, which used its security commitments to restrain their nuclear temptations. Similarly, were the United States to leave the Middle East, the countries currently backed by Washington--notably, Israel, Egypt, and Saudi Arabia--might act in ways that would intensify the region's security dilemmas. There would even be reason to worry about Europe. Although it's hard to imagine the return of great-power military competition in a post-American Europe, it's not difficult to foresee governments there refusing to pay the budgetary costs of higher military outlays and the political costs of increasing EU defense cooperation. The result might be a continent incapable of securing itself from threats on its periphery, unable to join foreign interventions on which U.S. leaders might want European help, and vulnerable to the influence of outside rising powers. Given how easily a U.S. withdrawal from key regions could lead to dangerous competition, advocates of retrenchment tend to put forth another argument: that such rivalries wouldn't actually hurt the United States. To be sure, few doubt that the United States could survive the return of conflict among powers in Asia or the Middle East--but at what cost? Were states in one or both of these regions to start competing against one another, they would likely boost their military budgets, arm client states, and perhaps even start regional proxy wars, all of which should concern the United States, in part because its lead in military capabilities would narrow. Greater regional insecurity could also produce cascades of nuclear proliferation as powers such as Egypt, Saudi Arabia, Japan, South Korea, and Taiwan built nuclear forces of their own. Those countries' regional competitors might then also seek nuclear arsenals. Although nuclear deterrence can promote stability between two states with the kinds of nuclear forces that the Soviet Union and the United States possessed, things get shakier when there are multiple nuclear rivals with less robust arsenals. As the number of nuclear powers increases, the probability of illicit transfers, irrational decisions, accidents, and unforeseen crises goes up. The case for abandoning the United States' global role misses the underlying security logic of the current approach. By reassuring allies and actively managing regional relations, Washington dampens competition in the world s key areas, thereby preventing the emergence of a hothouse in which countries would grow new military capabilities. For proof that this strategy is working, one need look no further than the defense budgets of the current great powers: on average, since 1991 they have kept their military expenditures as A percentage of GDP to historic lows, and they have not attempted to match the United States' top-end military capabilities. Moreover, all of the world's most modern militaries are U.S. allies, and the United States' military lead over its potential rivals .is by many measures growing. On top of all this, the current grand strategy acts as a hedge against the emergence regional hegemons. Some supporters of retrenchment argue that the U.S. military should keep its forces over the horizon and pass the buck to local powers to do the dangerous work of counterbalancing rising regional powers. Washington, they contend, should deploy forces abroad only when a truly credible contender for regional hegemony arises, as in the cases of Germany and Japan during World War II and the Soviet Union during the Cold War. Yet there is already a potential contender for regional hegemony--China--and to balance it, the United States will need to maintain its key alliances in Asia and the military capacity to intervene there. The implication is that the United States should get out of Afghanistan and Iraq, reduce its military presence in Europe, and pivot to Asia. Yet that is exactly what the Obama administration is doing. MILITARY DOMINANCE, ECONOMIC PREEMINENCE Preoccupied with security issues, critics of the current grand strategy miss one of its most important benefits: sustaining an open global economy and a favorable place for the United States within it. To be sure, the sheer size of its output would guarantee the United States a major role in the global economy whatever grand strategy it adopted. Yet the country's military dominance undergirds its economic leadership. In addition to protecting the world economy from instability, its military commitments and naval superiority help secure the sea-lanes and other shipping corridors that allow trade to flow freely and cheaply. Were the United States to pull back from the world, the task of securing the global commons would get much harder. Washington would have less leverage with which it could convince countries to cooperate on economic matters and less access to the military bases throughout the world needed to keep the seas open. A global role also lets the United States structure the world economy in ways that serve its particular economic interests. During the Cold War, Washington used its overseas security commitments to get allies to embrace the economic policies it preferred--convincing West Germany in the 1960s, for example, to take costly steps to support the U.S. dollar as a reserve currency. U.S. defense agreements work the same way today. For example, when negotiating the 2011 free-trade agreement with South Korea, U.S. officials took advantage of Seoul's desire to use the agreement as a means of tightening its security relations with Washington. As one diplomat explained to us privately, "We asked for changes in labor and environment clauses, in auto clauses, and the Koreans took it all." Why? Because they feared a failed agreement would be "a setback to the political and security relationship." More broadly, the United States wields its security leverage to shape the overall structure of the global economy. Much of what the United States wants from the economic order is more of the same: for instance, it likes the current structure of the World Trade Organization and the International Monetary Fund and prefers that free trade continue. Washington wins when U.S. allies favor this status quo, and one reason they are inclined to support the existing system is because they value their military alliances. Japan, to name one example, has shown interest in the Trans-Pacific Partnership, the Obama administration's most important free-trade initiative in the region, less because its economic interests compel it to do so than because Prime Minister Yoshihiko Noda believes that his support will strengthen Japan's security ties with the United States. The United States' geopolitical dominance also helps keep the U.S. dollar in place as the world's reserve currency, which confers enormous benefits on the country, such as a greater ability to borrow money. This is perhaps clearest with Europe: the EU'S dependence on the United States for its security precludes the EU from having the kind of political leverage to support the euro that the United States has with the dollar. As with other aspects of the global economy, the United States does not provide its leadership for free: it extracts disproportionate gains. Shirking that responsibility would place those benefits at risk. CREATING COOPERATION What goes for the global economy goes for other forms of international cooperation. Here, too, American leadership benefits many countries but disproportionately helps the United States. In order to counter transnational threats, such as terrorism, piracy, organized crime, climate change, and pandemics, states have to work together and take collective action. But cooperation does not come about effortlessly, especially when national interests diverge. The United States' military efforts to promote stability and its broader leadership make it easier for Washington to launch joint initiatives and shape them in ways that reflect U.S. interests. After all, cooperation is hard to come by in regions where chaos reigns, and it flourishes where leaders can anticipate lasting stability. U.S. alliances are about security first, but they also provide the political framework and channels of communication for cooperation on nonmilitary issues. NATO, for example, has spawned new institutions, such as the Atlantic Council, a think tank, that make it easier for Americans and Europeans to talk to one another and do business. Likewise, consultations with allies in East Asia spill over into other policy issues; for example, when American diplomats travel to Seoul to manage the military alliance, they also end up discussing the Trans-Pacific Partnership. Thanks to conduits such as this, the United States can use bargaining chips in one issue area to make progress in others. The benefits of these communication channels are especially pronounced when it comes to fighting the kinds of threats that require new forms of cooperation, such as terrorism and pandemics. With its alliance system in place, the United States is in a stronger position than it would otherwise be to advance cooperation and share burdens. For example, the intelligence-sharing network within NATO, which was originally designed to gather information on the Soviet Union, has been adapted to deal with terrorism. Similarly, after a tsunami in the Indian Ocean devastated surrounding countries in 2004, Washington had a much easier time orchestrating a fast humanitarian response with Australia, India, and Japan, since their militaries were already comfortable working with one another. The operation did wonders for the United States' image in the region. The United States' global role also has the more direct effect of facilitating the bargains among governments that get cooperation going in the first place. As the scholar Joseph Nye has written, "The American military role in deterring threats to allies, or of assuring access to a crucial resource such as oil in the Persian Gulf, means that the provision of protective force can be used in bargaining situations. Sometimes the linkage may be direct; more often it is a factor not mentioned openly but present in the back of statesmen's minds." THE DEVIL WE KNOW Should America come home? For many prominent scholars of international relations, the answer is yes--a view that seems even wiser in the wake of the disaster in Iraq and the Great Recession. Yet their arguments simply don't hold up. There is little evidence that the United States would save much money switching to a smaller global posture. Nor is the current strategy self-defeating: it has not provoked the formation of counterbalancing coalitions or caused the country to spend itself into economic decline. Nor will it condemn the United States to foolhardy wars in the future. What the strategy does do is help prevent the outbreak of conflict in the world's most important regions, keep the global economy humming, and make international cooperation easier. Charting a different course would threaten all these benefits. This is not to say that the United States' current foreign policy can't be adapted to new circumstances and challenges. Washington does not need to retain every commitment at all costs, and there is nothing wrong with rejiggering its strategy in response to new opportunities or setbacks. That is what the Nixon administration did by winding down the Vietnam War and increasing the United States' reliance on regional partners to contain Soviet power, and it is what the Obama administration has been doing after the Iraq war by pivoting to Asia. These episodes of rebalancing belie the argument that a powerful and internationally engaged America cannot tailor its policies to a changing world. A grand strategy of actively managing global security and promoting the liberal economic order has served the United States exceptionally well for the past six decades, and there is no reason to give it up now. The country's globe-spanning posture is the devil we know, and a world with a disengaged America is the devil we don't know. Were American leaders to choose retrenchment, they would in essence be running a massive experiment to test how the world would work without an engaged and liberal leading power. The results could well be disastrous.

#### Credibility is the vital internal link into all foreign policy objectives- military capability is irrelevant to hegemony

CSIS ’11 (Center for Studies in International Security, Joint-Research Project, Jon B. Alterman, Ernest Z. Bower, Victor D. Cha, Heather A. Conley, Stephen J. Flanagan, Bonnie S. Glaser, Michael J. Green, Andrew C. Kuchins, Haim Malka, Teresita C. Schaffer, Craig S. Cohen, “Foreign Assessments of U.S. Power Capacity and Resolve”, June 2011)

This study looks at foreign assessments of U.S. power over the next ten years, the primary drivers of such views, and the implications of these assessments for sustained U.S. leadership in the coming era. Most see the United States in decline relative to rising powers like China but do not see a fundamentally new order emerging in the next decade. Foreign expectations of U.S. power remain great. Over the long term, the main worry is not U.S. capacity, but U.S. resolve and competency. In Asia, this study examines Chinese, Japanese, Korean, Indonesian, and Indian views of U.S. power. The United States is in a strong position in Asia although this is not assured. Countries are watching carefully the U.S. capacity for economic regeneration and Washington’s enduring commitment to the region. Regional demands on U.S. power are only likely to increase during this period of increasing limitations and constraints. In the Middle East, this study looked at Israeli and Gulf views of U.S. power. The study finds that a powerful United States that deemphasizes the region could cause profound realignment, but a diminished United States committed to the region could shape order for decades to come. It is too early to know whether Washington’s management of the Arab Spring, NATO’s engagement in Libya, or the Israel-Palestinian conflict will dislodge Iraq and Iran as the main tests of U.S. power. In Eurasia, this study looked at Russian, Turkish, and German views of U.S. power. The alliance politics of the Cold War are clearly over. Germans and Turks have diminished faith in U.S. leadership. They do not deny U.S. capabilities, but they are more willing to challenge U.S. policy, which they view as misaligned with national objectives. Russians have tempered their pessimistic views of U.S. power and look more cautiously now at multipolarity. In Eurasia, U.S. policy is seen as the critical independent variable. Few consulted for this study saw great likelihood in regional powers bandwagoning successfully against the United States in the next decade or a single regional power confronting the United States in a “Suez moment” in which U.S. power is shown to be lacking. China and Iran create their own antibodies, which push neighbors closer into Washington’s orbit. The risks to the U.S. position associated with the rise of regional powers may thus be somewhat overstated. Similarly, few believed nonstate actors had the potential to erode U.S. primacy on their own in the next decade. Recent events demonstrate, however, that the current order is not static or easily managed. Despite this turbulence, the world is still largely welcoming of U.S. leadership. It expects it, and it is afraid to lose it. The greatest challenge may thus come not from external forces, but from a divided, insular, less confident United States. […] Perceptions matter. When Washington acts—whether to bolster an ally, eliminate a safe haven, or remove a terrorist leader or dictator—the stakes are high. The fruits of success or pains of failure are not limited to a single policy objective. With the United States, there is always a demonstration effect, a global reverberation that shapes views of American power abroad. This phenomenon is not limited to U.S. engagement overseas. Other nations watch U.S. domestic politics almost as closely as they watch their own. The rest of the world knows that the United States is entering a period of intense fiscal pressure. Even defense spending has entered a period of greater scrutiny. As Secretary of Defense Robert Gates remarked in Abilene, Kansas, in 2010, “the gusher has been turned off,” not to be turned on again for some time. 1 U.S. technological leadership may be assured for the near future, but there is an increasing feeling that the scientific foundation critical to U.S. economic and national security is eroding at a time when that of other nations is gaining strength. 2 How the world interprets this new period has the potential to affect U.S. relations and standing in the world for decades to come. If other nations anticipate that U.S. power will be constrained in coming years, a new and potentially more dangerous strategic landscape could emerge for the United States. For example, if regional powers judge the United States to be weakened, they will be less willing to compromise on issues of importance to Washington. Similarly, there could be serious consequences to the United States if long-standing allies in Europe, Asia, or the Middle East begin to question America’s security guarantees or if they judge Washington to be unable or unwilling to solve regional or global problems. 3

#### Congress is key to that signal

Ellison ’13 (Keith Ellison, “Time for Congress to build a better drone policy”, <http://articles.washingtonpost.com/2013-01-13/opinions/36311903_1_drone-strikes-drone-program-drone-policy>, January 13, 2013)

An unmanned U.S. aerial vehicle — or drone — reportedly killed eight people in rural Pakistan last week, bringing the estimated death toll from drone strikes in Pakistan this year to 35. As the frequency of drone strikes spikes again, some questions must be asked: How many of those targeted were terrorists? Were any children harmed? And what is the standard of evidence to carry out these attacks? The United States has to provide answers, and Congress has a critical role to play. The heart of the problem is that our technological capability has far surpassed our policy. As things stand, the executive branch exercises unilateral authority over drone strikes against terrorists abroad. In some cases, President Obama approves each strike himself through “kill lists.” While the president should be commended for creating explicit rules for the use of drones, unilateral kill lists are unseemly and fraught with hazards. When asked about the drone program in October during an interview on the “The Daily Show,” the president said, “One of the things we’ve got to do is put a legal architecture in place, and we need congressional help in order to do that, to make sure that not only am I reined in, but any president’s reined in terms of some of the decisions that we’re making.” It’s time to put words into action. Weaponized drones have produced results. They have eliminated 22 of al-Qaeda’s top 30 leaders and just last week took out a Taliban leader. Critically, they lessen the need to send our troops into harm’s way, reducing the number of U.S. casualties. Yet the costs of drone strikes have been ignored or inadequately acknowledged. The number of innocent civilian casualties may be greater than people realize. A recent study by human rights experts at Stanford Law School and the New York University School of Law found that the number of innocent civilians killed by U.S. drone strikes is much higher than what the U.S. government has reported: approximately 700 since 2004, including almost 200 children. This is unacceptable. Another cost is how drone strikes are shaping views of the United States around the world. You might develop a negative attitude toward the United States if your only perception of it is a foreign aircraft buzzing over your house that occasionally fires missiles into your neighborhood. In Pakistan, where 95 percent of U.S. drone strikes have occurred, people familiar with them overwhelmingly express disapproval (97 percent, according to Pew polling from June) and believe they kill too many innocent people (94 percent). Drone strikes may well contribute to the extremism and terrorism the United States seeks to deter. U.S. drone use has also lowered the threshold for the use of lethal force in foreign countries. Would we fire so many missiles into Pakistan, Yemen and Somalia if doing so required sending U.S. troops into harm’s way? Our drone policy must be guided by more than capability. It must be guided by respect for noncombatants, necessity and urgency. It is Congress’s responsibility to exercise oversight and craft policies that govern the use of lethal force. But lawmakers have yet to hold a single hearing examining U.S. drone policy. Any rules must provide adequate transparency, respect the rule of law, conform with international standards and prudently advance U.S. national security over the long term. In codifying a legal framework to guide executive action on drone strikes, Congress should consider these steps: First, we must do more to avoid innocent civilian casualties. The Geneva Conventions, which have governed the rules of war since World War II, distinguish between combatants and noncombatants in the conduct of hostilities and state that civilian casualties are not acceptable except in cases of demonstrated military necessity. This is the standard we must follow. Second, Congress must require an independent judicial review of any executive-branch “kill list.” The U.S. legal system is based on the principle that one branch of government should not have absolute authority. Congress should object to that concentration of power, especially when it may be used against U.S. citizens. A process of judicial review would diffuse executive power and provide a mechanism for greater oversight. Third, the United States must collaborate with the international community to develop a widely accepted set of legal standards. No country — not even our allies — accepts the U.S. legal justification for targeted killings. Our justification must rest on the concept of self-defense, which would allow the United States to protect itself against any imminent threat. Any broader criteria would create the opportunity for abuse and set a dangerous standard for other countries to follow, which could harm long-term U.S. security interests. The United States will not always enjoy a monopoly on sophisticated drone technology. The Iranian-made drone that Hezbollah recently flew over Israel should compel us to think about the far-reaching implications of current policy. A just, internationally accepted protocol on the use of drones in warfare is needed. By creating and abiding by our own set of reasonable standards, the United States will demonstrate to the world that we believe in the rule of law.

#### US-EU relations prevent Eurasian global nuclear war

Brzezinski ‘3 (Zbigniew Brzezinski, former national security advisor to the president, “Hegemonic quicksand,” National Interest Winter, 2003)

FOR THE next several decades, the most volatile and dangerous region of the world--with the explosive potential to plunge the world into chaos--will be the crucial swathe of Eurasia between Europe and the Far East. Heavily inhabited by Muslims, we might term this crucial subregion of Eurasia the new "Global Balkans." (1) It is here that America could slide into a collision with the world of Islam while American-European policy differences could even cause the Atlantic Alliance to come unhinged. The two eventualities together could then put the prevailing American global hegemony at risk. At the outset, it is essential to recognize that the ferment within the Muslim world must be viewed primarily in a regional rather than a global perspective, and through a geopolitical rather than a theological prism. The world of Islam is disunited, both politically and religiously. It is politically unstable and militarily weak, and likely to remain so for some time. Hostility toward the United States, while pervasive in some Muslim countries, originates more from specific political grievances--such as Iranian nationalist resentment over the U.S. backing of the Shah, Arab animus stimulated by U.S. support for Israel or Pakistani feelings that the United States has been partial to India-than from a generalized religious bias. The complexity of the challenge America now confronts dwarfs what it faced half a century ago in Western Europe. At that time, Europe's dividing line on the Elbe River was the strategically critical frontline of maximum danger, with the daily possibility that a clash in Berlin could unleash a nuclear war with the Soviet Union. Nevertheless, the United States recognized the stakes involved and committed itself to the defense, pacification, reconstruction and revitalization of a viable European community. In doing so, America gained natural allies with shared values. Following the end of the Cold War, the United States led the transformation of NATO from a defense alliance into an enlarging security alliance--gaining an enthusiastic new ally, Poland--and it has supported the expansion of the European Union (EU). For at least a generation, the major task facing the United States in the effort to promote global security will be the pacification and then the cooperative organization of a region that contains the world's greatest concentration of political injustice, social deprivation, demographic congestion and potential for high-intensity violence. But the region also contains most of the world's oil and natural gas. In 2002, the area designated as the Global Balkans contained 68 percent of the world's proven oil reserves and 41 percent of the world's proven natural gas reserves; it accounted for 32 percent of world oil production and 15 percent of world natural gas production. In 2020, the area is projected to produce roughly 42 million barrels of oil per day--39 percent of the global production total (107.8 million barrels per day). Three key regions-Europe, the United States and the Far East--collectively are projected to consume 60 percent of that global production (16 percent, 25 percent and 19 percent, respectively). The combination of oil and volatility gives the United States no choice. America faces an awesome challenge in helping to sustain some degree of stability among precarious states inhabited by increasingly politically restless, socially aroused and religiously inflamed peoples. It must undertake an even more daunting enterprise than it did in Europe more than half a century ago, given a terrain that is culturally alien, politically turbulent and ethnically complex. In the past, this remote region could have been left to its own devices. Until the middle of the last century, most of it was dominated by imperial and colonial powers. Today, to ignore its problems and underestimate its potential for global disruption would be tantamount to declaring an open season for intensifying regional violence, region-wide contamination by terrorist groups and the competitive proliferation of weaponry of mass destruction. The United States thus faces a task of monumental scope and complexity. There are no self-evident answers to such basic questions as how and with whom America should be engaged in helping to stabilize the area, pacify it and eventually cooperatively organize it. Past remedies tested in Europe--like the Marshall Plan or NATO, both of which exploited an underlying transatlantic political-cultural solidarity--do not quite fit a region still rent by historical hatreds and cultural diversity. Nationalism in the region is still at an earlier and more emotional stage than it was in war-weary Europe (exhausted by two massive European civil wars fought within just three decades), and it is fueled by religious passions reminiscent of Europe's Catholic-Protestant forty-year war of almost four centuries ago. Furthermore, the area contains no natural allies bonded to America by history and culture, such as existed in Europe with Great Britain, France, Germany and, lately, even Poland. In essence, America has to navigate in uncertain and badly charted waters, setting its own course, making differentiated accommodations while not letting any one regional power dictate its direction and priorities. To Whom Can America Turn? TO BE SURE, several states in the area are often mentioned as America's potential key partners in reshaping the Global Balkans: Turkey, Israel, India and--on the region's periphery--Russia. Unfortunately, every one of them suffers serious handicaps in its capability to contribute to regional stability or has goals of its own that collide with America's wider interests in the region. Turkey has been America's ally for half a century. It earned America's trust and gratitude by its direct participation in the Korean War. It has proven to be NATO's solid and reliable southern anchor. With the fall of the Soviet Union, it became active in helping both Georgia and Azerbaijan consolidate their new independence, and it energetically promoted itself as a relevant model of political development and social modernization for those Central Asian states whose people largely fall within the radius of the Turkic cultural and linguistic traditions. In that respect, Turkey's significant strategic role has been complementary to America's policy of reinforcing the new independence of the region's post-Soviet states. Turkey's regional role, however, is limited by two major offsetting considerations stemming from its internal problems. The first pertains to the still uncertain status of Ataturk's legacy: Will Turkey succeed in transforming itself into a secular European state even though its population is overwhelmingly Muslim? That has been its goal since Ataturk set his reforms in motion in the early 1920s. Turkey has made remarkable progress since then, but to this day its future membership in the European Union (which it actively seeks) remains in doubt. If the EU were to close its doors to Turkey, the potential for an Islamic political-religious revival and consequently for Turkey's dramatic (and probably turbulent) international reorientation should not be underestimated. The Europeans have reluctantly favored Turkey's inclusion in the European Union, largely in order to avoid a serious regression in the country's political development. European leaders recognize that the transformation of Turkey from a state guided by Ataturk's vision of a European-type society into an increasingly theocratic Islamic one would adversely affect Europe's security. That consideration, however, is contested by the view, shared by many Europeans, that the construction of Europe should be based on its common Christian heritage. It is likely, therefore, that the European Union will delay for as long as it can a clear-cut commitment to open its doors to Turkey--but that prospect in turn will breed Turkish resentments, increasing the risks that Turkey might evolve into a resentful Islamic state, with potentially dire consequences for southeastern Europe. (2) The other major liability limiting Turkey's role is the Kurdistan issue. A significant proportion of Turkey's population of 70 million is composed of Kurds. The actual number is contested, as is the nature of the Turkish Kurds' national identity. The official Turkish view is that the Kurds in Turkey number no more than 10 million, and that they are essentially Turks. Kurdish nationalists claim a population of 20 million, which they say aspires to live in an independent Kurdistan that would unite all the Kurds (claimed to number 25-35 million) currently living under Turkish, Syrian, Iraqi and Iranian domination. Whatever the actual facts, the Kurdish ethnic problem and the potential Islamic religious issue tend to make Turkey-- notwithstanding its constructive role as a regional model--also very much a part of the region's basic dilemmas. Israel is another seemingly obvious candidate for the status of a pre-eminent regional ally. As a democracy as well as a cultural kin, it enjoys America's automatic affinity, not to mention intense political and financial support from the Jewish community in America. Initially a haven for the victims of the Holocaust, it enjoys American sympathy. As the object of Arab hostility, it triggered American preference for the underdog. It has been America's favorite client state since approximately the mid-1960s and has been the recipient of unprecedented American financial assistance ($80 billion since 1974). It has benefited from almost solitary American protection against UN disapprobation or sanctions. As the dominant military power in the Middle East, Israel has the potential, in the event of a major regional crisis, not only to be America's military base but also to make a significant contribution to any required U.S. military engagement. Yet American and Israeli interests in the region are not entirely congruent. America has major strategic and economic interests in the Middle East that are dictated by the region's vast energy supplies. Not only does America benefit economically from the relatively low costs of Middle Eastern oil, but America's security role in the region gives it indirect but politically critical leverage on the European and Asian economies that are also dependent on energy exports from the region. Hence good relations with Saudi Arabia and the United Arab Emirates--and their continued security reliance on America--is in the U.S. national interest. From Israel's standpoint, however, the resulting American-Arab ties are disadvantageous: they not only limit the degree to which the United States is prepared to back Israel's territorial aspirations, they also stimulate American sensitivity to Arab grievances against Israel. Among those grievances, the Palestinian issue is foremost. That the final status of the Palestinian people remains unresolved more than 35 years after Israel occupied the Gaza Strip and the West Bank--irrespective of whose fault that actually may be--intensifies and, in Arab eyes, legitimates the widespread Muslim hostility toward Israel. (3) It also perpetuates in the Arab mind the notion that Israel is an alien and temporary colonial imposition on the region. To the extent that the Arabs perceive America as sponsoring Israeli repression of the Palestinians, America's ability to pacify anti-American passions in the region is constrained. That impedes any joint and constructive American-Israeli initiative to promote multilateral political or economic cooperation in the region, and it limits any significant U.S. regional reliance on Israel's military potential. Since September 11, the notion of India as America's strategic regional partner has come to the forefront. India's credentials seem at least as credible as Turkey's or Israel's. Its sheer size and power make it regionally influential, while its democratic credentials make it ideologically attractive. It has managed to preserve its democracy since its inception as an independent state more than half a century ago. It has done so despite widespread poverty and social inequality, and despite considerable ethnic and religious diversity in a predominantly Hindu but formally secular state. India's prolonged conflict with its Islamic neighbor, Pakistan, involving violent confrontations with guerrillas and terrorist actions in Kashmir by Muslim extremists benefiting from Pakistan's benevolence, made India particularly eager to declare itself after September 11 as co-engaged with the United States in the war on terrorism. Nonetheless, any U.S.-Indian alliance in the region is likely to be limited in scope. Two major obstacles stand in the way. The first pertains to India's religious, ethnic and linguistic mosaic. Although India has striven to make its 1 billion culturally diverse people into a unified nation, it remains basically a Hindu state semi-encircled by Muslim neighbors while containing within its borders a large and potentially alienated Muslim minority of somewhere between 120-140 million. Here, religion and nationalism could inflame each other on a grand scale. So far, India has been remarkably successful in maintaining a common state structure and a democratic system--but much of its population has been essentially politically passive and (especially in the rural areas) illiterate. The risk is that a progressive rise in political consciousness and activism could be expressed through intensified ethnic and religious collisions. The recent rise in the political consciousness of both India's Hindu majority and its Muslim minority could jeopardize India's communal coexistence. Internal strains and frictions could become particularly difficult to contain if the war on terrorism were defined as primarily a struggle against Islam, which is how the more radical of the Hindu politicians tend to present it. Secondly, India's external concerns are focused on its neighbors, Pakistan and China. The former is seen not only as the main source of the continued conflict in Kashmir but ultimately--with Pakistan's national identity rooted in religious affirmation--as the very negation of India's self-definition. Pakistan's close ties to China intensify this sense of threat, given that India and China are unavoidable rivals for geopolitical primacy in Asia. Indian sensitivities are still rankled by the military defeat inflicted upon it by China in 1962, in the short but intense border clash that left China in possession of the disputed Aksai Chin territory. The United States cannot back India against either Pakistan or China without paying a prohibitive strategic price elsewhere: in Afghanistan if it were to opt against Pakistan, and in the Far East if it allied itself against China. These internal as well as external factors constrain the degree to which the United States can rely on India as an ally in any longer-term effort to foster--let alone impose--greater stability in the Global Balkans. Finally, there is the question of the degree to which Russia can become America's major strategic partner in coping with Eurasian regional turmoil. Russia clearly has the means and experience to be of help in such an effort. Although Russia, unlike the other contenders, is no longer truly part of the region--Russian colonial domination of Central Asia being a thing of the past--Moscow nevertheless exercises considerable influence on all of the countries to its immediate south, has close ties to India and Iran and contains some 15-20 million Muslims within its own territory. At the same time, Russia has come to see its Muslim neighbors as the source of a potentially explosive political and demographic threat, and the Russian political elite are increasingly susceptible to anti-Islamic religious and racist appeals. In these circumstances, the Kremlin eagerly seized upon the events of September 11 as an opportunity to engage America against Islam in the name of the "war on terrorism." Yet, as a potential partner, Russia is also handicapped by its past, even its very recent past. Afghanistan was devastated by a decade-long war waged by Russia, Chechnya is on the brink of genocidal extinction, and the newly independent Central Asian states increasingly define their modern history as a struggle for emancipation from Russian colonialism. With such historical resentments still vibrant in the region, and with increasingly frequent signals that Russia's current priority is to link itself with the West, Russia is being perceived in the region more and more as a former European colonial power and less and less as a Eurasian kin. Russia's present inability to offer much in the way of a social example also limits its role in any American-led international partnership for the purpose of stabilizing, developing and eventually democratizing the region. Ultimately, America can look to only one genuine partner in coping with the Global Balkans: Europe. Although it will need the help of leading East Asian states like Japan and China--and Japan will provide some, though limited, material assistance and some peacekeeping forces--neither is likely at this stage to become heavily engaged. Only Europe, increasingly organized as the European Union and militarily integrated through NATO, has the potential capability in the political, military and economic realms to pursue jointly with America the task of engaging the various Eurasian peoples--on a differentiated and flexible basis--in the promotion of regional stability and of progressively widening trans-Eurasian cooperation. And a supranational European Union linked to America would be less suspect in the region as a returning colonialist bent on consolidating or regaining its special economic interests.

#### Relations key to solve the environment

Vig and Faure ‘4 (Norman J. Vig and Michael G. Faure, professor of science, technology and society at Carleton College, Minnesota and professor of comparative and international environmental law at Maastricht U, the Netherlands, Green Giants? Environmental Policies of the United States and the European Union, 2004)

This book stems from our concern that the US and the EU—representing the world’s two largest and most developed economic markets— seem increasingly incapable of resolving differences over the priority of environmental problems and methods of addressing them, thus preventing them from taking the kind of joint leadership role that will be necessary to halt environmental degradation on a global scale. The US and EU together account for at least half of the world’s gross domestic product and consume a disproportionate share of the world’s resources. They also generate about 40 percent of global greenhouse gas emissions and most of the planet’s toxic waste. At the same time, they are the source of much of the world’s advanced technology needed to reduce pollution and provide alternative sources of energy in the future. Without their support, it is unlikely that the 170 other nations of the world will be willing or able to pursue sustainable development policies in the future.

#### Extinction – pollution risks come first

Driesen 03 (David, Associate Professor, Syracuse University College of Law. J.D. Yale Law School, 1989, Fall/Spring, 10 Buff. Envt'l. L.J. 25, p. 26-30

**Air pollution can make life unsustainable by harming the ecosystem upon which all life depends and harming the health of both future and present generations**. The Rio Declaration articulates six key principles that are relevant to air pollution. These principles can also be understood as goals, because they describe a state of affairs that is worth achieving. Agenda 21, in turn, states a program of action for realizing those goals. Between them, they aid understanding of sustainable development’s meaning for air quality. The first principle is that "human beings. . . are entitled to a healthy and productive life in harmony with nature", because they are "at the center of concerns for sustainable development." While the Rio Declaration refers to human health, its reference to life "in harmony with nature" also reflects a concern about the natural environment. 4 Since air pollution damages both human health and the environment, air quality implicates both of these concerns. Lead, carbon monoxide, particulate, tropospheric ozone, sulfur dioxide, and nitrogen oxides have historically threatened urban air quality in the United States. This review will focus upon tropospheric ozone, particulate, and carbon monoxide, because these pollutants present the most widespread of the remaining urban air problems, and did so at the time of the earth summit. 6 Tropospheric ozone refers to ozone fairly near to the ground, as opposed to stratospheric ozone high in the atmosphere. The stratospheric ozone layer protects human health and the environment from ultraviolet radiation, and its depletion causes problems. By contrast, tropospheric ozone damages human health and the environment. 8 In the United States, the pollutants causing "urban" air quality problems also affect human health and the environment well beyond urban boundaries. Yet, the health problems these pollutants present remain most acute in urban and suburban areas. Ozone, carbon monoxide, and particulate cause very serious public health problems that have been well recognized for a long time. Ozone forms in the atmosphere from a reaction between volatile organic compounds, nitrogen oxides, and sunlight. 10 Volatile organic compounds include a large number of hazardous air pollutants. Nitrogen oxides, as discussed below, also play a role in acidifying ecosystems. Ozone damages lung tissue. It plays a role in triggering asthma attacks, sending thousands to the hospital every summer. It effects young children and people engaged in heavy exercise especially severely. Particulate pollution, or soot, consists of combinations of a wide variety of pollutants. Nitrogen oxide and sulfur dioxide contribute to formation of fine particulate, which is associated with the most serious health problems. 13 Studies link particulate to tens of thousands of annual premature deaths in the United States. Like ozone it contributes to respiratory illness, but it also seems to play a [\*29] role in triggering heart attacks among the elderly. The data suggest that fine particulate, which EPA did not regulate explicitly until recently, plays a major role in these problems. 16 Health researchers have associated carbon monoxide with various types of neurological symptoms, such as visual impairment, reduced work capacity, reduced manual dexterity, poor learning ability, and difficulty in performing complex tasks. The same pollution problems causing current urban health problems also contribute to long lasting ecological problems. Ozone harms crops and trees. These harms affect ecosystems and future generations. Similarly, particulate precursors, including nitrogen oxide and sulfur dioxide, contribute to acid rain, which is not easily reversible. To address these problems, Agenda 21 recommends the adoption of national programs to reduce health risks from air pollution, including urban air pollution. 19 These programs are to include development of "appropriate pollution control technology . . . for the introduction of environmentally sound production processes." 20 It calls for this development "on the basis of risk assessment and epidemiological research." It also recommends development of "air pollution control capacities in large cities emphasizing enforcement programs using monitoring networks as appropriate." A second principle, the precautionary principle, provides support for the first. As stated in the Rio Declaration, the precautionary principle means that "lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation" when "there are threats of serious or irreversible damage." Thus, lack of complete certainty about the adverse environmental and human health effects of air pollutants does not, by itself, provide a reason for tolerating them. Put differently, governments need to address air pollution on a precautionary basis to ensure that humans can life a healthy and productive life.

# Yemen

**The plan solves through 3 internal links**

#### Signature strikes kill civilians and low level militants; increases AQAP recruiting

**Greenfield 8-19**-13 [Danya, deputy director of the Rafik Hariri Center for the Middle East at the Atlantic Council, where she leads the Yemen Policy Group, “The Case Against Drone Strikes on People Who Only 'Act' Like Terrorists,” <http://www.theatlantic.com/international/archive/2013/08/the-case-against-drone-strikes-on-people-who-only-act-like-terrorists/278744/>]

As Mark Bowden discusses in this month's Atlantic cover story, there is great debate about whether drone strikes should be a core component of the U.S. counterterrorism strategy. Of all the the arguments in favor, those those emphasizing effectiveness of signature strikes are particularly dubious. The term "signature strike" is used to distinguish strikes conducted against individuals who "match a pre-identified 'signature' of behavior that the U.S. links to militant activity," rather than targeting a specific person. The United States should not allow signature strikes because the cost of these attacks far outweighs the potential benefit. Leaving aside significant concerns about the legality of such strikes, there are serious questions about the efficacy of this approach in undermining terrorist networks.¶ The problem with signature strikes is that they open the door to a much higher incidence of civilian casualties--and this is where the danger lies. If the United States is choosing targets based on suspicious activity or proximity to other known-terrorists, this falls short of the threshold for drone strikes set by the Obama Administration, perpetuates a disastrous U.S. image in Yemen, and serves to invigorate the ranks of those groups the United States aims to disable. ¶ In response to increasing criticism, President Obama outlined his counterterrorism policy in May 2013 with a speech at National Defense University. Obama noted that the U.S. will only act against "terrorists who pose a continuing and imminent threat to the American people, and when there are no other governments capable of effectively addressing the threat." He did not, however, directly address the use of signature strikes, leaving open the prospect that they could be used in the ongoing fight against terrorism. This would be a mistake. In Pakistan and Afghanistan, extensive signature strikes sparked a significant increase in anti-American sentiment. After years of drone strikes, 74 percent of Pakistanis considered the U.S. an enemy by 2012 (up from 64 percent in 2009) according to a Pew Research Center poll. The White House authorized signature strikes for Yemen, but U.S. officials insist that they have not employed this tactic to date. If true, the incidence of civilian and non-combatant casualties in Yemen means that faulty intelligence and targeting failures are to blame, which is perhaps even more worrisome.¶ In waging the drone campaign, the United States occasionally hits precisely the wrong person. A U.S. strike in August 2012 supposedly killed three al-Qaeda militants in Yemen. Among the casualties, however, was an anti-Qaeda imam and a policeman he had brought along for protection. The imam was working to dismantle al-Qaeda in the Arabian Peninsula (AQAP), making him precisely the sort of local ally the U.S. desperately needs in a place like Yemen. Yemeni Nobel Prize laureate Tawakkul Karman warned that Yemeni tribal leaders in areas where civilians have been killed in drone strikes say that these attacks drive more Yemenis to turn against Washington. During his testimony to the Senate Judiciary Committee, Yemeni writer Farea al-Muslimi recounted an incident where the eldest son of a man killed by a drone joined AQAP because he identifies the U.S. as his father's killer and wants revenge. As the deaths and injuries mount, dangerous anti-American sentiment grows. When drone strikes occur and non-combatants are killed, Yemenis lash out with protests demanding justice and accountability from the United States--which has not been forthcoming.¶ In a place like Yemen, although the American drone program is universally hated, many Yemenis will admit they would support targeted assassinations if there is clear intelligence that an individual is a senior operative within AQAP and plotting a specific and imminent act of terror against Americans. The problem with signature strikes is that they do not meet this threshold--not even remotely-- and they open the door for the U.S. to make grievous targeting mistakes and be seen as taking sides in a domestic insurgency. Signature strikes target low-level militants who might be nasty characters, but they are not necessarily planning an imminent act of terror or hold a leadership position.¶ Beyond signature strikes, there is a more fundamental question that we should be asking--a question of overall strategy: is the current drone program achieving our national security objectives? It is not just civil libertarians and human rights advocates that are sounding the alarm; a group of 30 foreign policy experts sent a letter to President Obama in March 2013 calling for an end to the current drone strategy. Even senior retired members of the military, including General Stanley McChrystal, believe drone strikes are counterproductive because of the blowback they foment among the local population.¶ Targeted killings may eliminate key al-Qaeda leaders, but when civilians die along with them, these strikes ensure that a generation of Yemenis, Pakistanis, or Somalis will blame the U.S. for killing innocent community members, exacerbating America's serious image problems abroad and creating a space for extremist ideology to take root. In short, the U.S. drone program not only undermines the long-term national security of the United States by fostering widespread anti-U.S. sentiment, it also undermines the legitimacy of the host country government, whose support the U.S. needs, and it provides fodder for jihadi rhetoric that strengthens the very groups the U.S. seeks to destroy.

1. **Signature strikes destroy Yemeni intel and local solutions that are key to solve AQAP terrorism- the plan solves through host government cooperation**

**Johnsen** 8-15-**13** [Gregory D. Johnsen, former Fulbright Fellow in Yemen, Ph.D. candidate in Near Eastern Studies at Princeton University, co-founder of Waq al-Waq: Islam and Insurgency in Yemen Blog, was a member of the USAID's conflict assessment team for Yemen, “How to Beat Al-Qaeda in Yemen,” <http://www.bloomberg.com/news/2013-08-15/how-to-beat-al-qaeda-in-yemen.html>]

Drone strikes can be an effective weapon. And the administration’s reluctance to put boots on the ground is understandable. But while the Obama administration is unlikely to rethink its entire strategy, it can do a lot to reduce the collateral damage in Yemen and increase the good, both in terms of lives and broader goals:¶ -- Use drones more judiciously. The U.S. carries out two types of drone strikes in Yemen. The first are “high-value target” strikes, which take place when the U.S. knows the identity of a target in a car or a house, although not necessarily the identities of everyone present.¶ The second type is called a signature strike. Some in the Central Intelligence Agency refer to these as “crowd killing.” This is when the U.S. doesn’t know the identities of the individuals it is killing. These strikes target “patterns of life” -- things such as visiting a house the U.S. has linked to al-Qaeda, or when a group of men get in a car together and their phones indicate they have all been in contact with known al-Qaeda figures.¶ **Signature strikes are particularly problematic in Yemen**, where most members of AQAP are Yemenis who are linked to local society through their tribes and clans. In such an environment, determining if the bearded man with a gun is a member of al-Qaeda or merely a tribesman is incredibly difficult. Many of the civilian casualties in Yemen, which are helping to spark more recruits for al-Qaeda, are a result of signature strikes. And they need to be stopped.¶ Yemenis don’t take to the streets when legitimate high-value targets are killed; rather, it is the civilian casualties that provoke so much anger. The assassination of U.S.-born cleric Anwar al-Awlaki with a drone in September 2011 caused barely a ripple in Sanaa. It was the death of his 16-year-old son in a drone strike two weeks later that enraged so many. **The problem is not** that the U.S. is using **drones** in Yemen, **but** that it is **using them too often and making too many mistakes**.¶ -- Build up human intelligence. Drones are an impressive piece of technology, but they are also a dependent piece of technology. It doesn’t matter that a drone hovering far above the Yemeni desert can hit a car traveling down the road if it hits the wrong car. The lack of good, on-the-ground human intelligence is the Achilles’ heel of the U.S. in a place like Yemen.¶ More than a decade after the October 2000 suicide attack on the USS Cole, the U.S. in Yemen is still the proverbial blind man. It doesn’t have nearly enough Arabic speakers or assets of its own on the ground, which means that it often has to rely on local intelligence agencies for help. And this can lead to problems. In early 2010, the U.S. targeted what it thought was an al-Qaeda meeting in the desert only to realize after the fact that it had killed a local politician, apparently on deliberately bad intelligence from the Yemeni government.¶ The U.S. has already lost more than a decade as the CIA transformed itself into a paramilitary organization that emphasized killing over the collecting and sifting of intelligence. John Brennan, a 25-year veteran of the CIA and its new director, has said that he wants to return the agency to its more traditional role. The faster this happens, the more accurate U.S. drone strikes will become, which will in turn result in fewer strikes, fewer civilian casualties and fewer recruits for al-Qaeda.¶ -- Create space for tribes and clerics. The only people in a position to decisively disrupt, dismantle and defeat AQAP are the tribesmen and clerics in Yemen. It is men like Salim al-Jabir, a local preacher, who have the standing and stature to take the fight to al-Qaeda. Unfortunately, the more drone strikes there are, the more difficult this becomes. In al-Jabir’s case, it became impossible: In late 2012, a trio of al-Qaeda operatives called a meeting with the young preacher in an attempt to get him to tone down his rhetoric. That meeting was struck by a drone; al-Jabir, a companion and the three al-Qaeda members were killed.¶ **By taking signature strikes off the table and limiting** the number of high-value-target **strikes, the U.S. will open up space for Yemen’s tribesmen and clerics to stand up to the terrorists**. After all, AQAP has killed far more Yemenis than it has Americans.¶ The U.S. can’t win this war on its own. Right now, this is a fight between the U.S. and al-Qaeda with Yemen as the battleground. It has to be Yemenis against al-Qaeda, with the U.S. allying with its Yemeni partners.

#### The plan shifts the CIA to focus to intel – key to drone effectiveness

Anderson ’13 (Kenneth Anderson, Professor of law at Washington College of Law, American University; a visiting fellow of the Hoover Institution and member of its Task Force on National Security and Law; and a non-resident senior fellow of the Brookings Institution. He writes on international law, the laws of war, and national security, and his most recent book is "Living with the UN: American Responsibilities and International Order.", “Taking the CIA Out of Drone Strikes? The Obama Administration’s Yemen Experience”, <http://www.lawfareblog.com/2013/05/taking-the-cia-out-of-drone-strikes-the-obama-administrations-yemen-experience/>, May 28, 2013)

A fundamental reason seems to be something noted many times here at Lawfare – the firing of a missile from a drone is the last kinetic step in a long chain of intelligence-gathering that includes surveillance over time from drones, signals intelligence and, crucially, on-ground human intelligence networks that give the US reason to be focusing on certain people as possible targets. Whether in Pakistan or Yemen, the effectiveness of drone warfare has been a function of the quality of the front-end intelligence that finally might lead to a strike. The drone’s contribution to the intelligence is far from being entirely tactical, of course – the drone’s surveillance has far more utility than just the preparation of a strike and that surveillance is crucial for reducing collateral harm from the strike itself. But drones are not quite so useful if one has no prior idea who one is searching for or where he might be or even why him – and much of this intelligence is gathered at the front end of the process in reliance on human intelligence networks. Although in principle the functions of intelligence gathering at the front end might be separated out from the intelligence involved in the preparation of a strike and from the actual strike itself, with the CIA engaged in the intelligence side and the military serving as the trigger pullers, the experience in Yemen raises some cautions about how easy it is to create this division of labor.

**AQAP will launch CBW attacks- they have the means and motive**

**Stalinsky ’12** [Steve, Executive Director of the Middle East Media Research Institute, “AQAP Releases Issues VIII and IX of Its English-Language Magazine 'Inspire', Calling for Lone-Wolf Jihad Attacks Targeting 'Populations'; Permitting Chemical and Biological Weapons,” <http://www.freerepublic.com/focus/news/2883464/posts>]

Issue VIII opens with an announcement by the magazine's editor-in-chief, Yahya Ibrahim, stating: "In the last few issue[s] of Inspire, we announced that we would be holding an exclusive video interview with Shaykh Anwar al-Awlaki where he will answer the questions of our readers. The question that was most frequently asked was the shari'ah view on killing 'civilians' in the operations of mujahidin. Because of the relevance and great importance of this issue, Shaykh Anwar devoted an article in this issue to answer the question. We encourage our readers to circulate this article on forums and to mailing lists to remove the doubts and confusions that surround this issue."¶ In the article itself, titled "Targeting the Populations of Countries that Are at War with the Muslims," Anwar Al-'Awlaki indeed justifies the targeting of non-combatant populations (i.e. women and children) in countries at war with Muslims, including with chemical and biological weapons, and supports his opinion with statements by Islamic imams and scholars.¶ Al-Awlaki: All Means Are Permissible in Targeting "Populations of Countries at War with the Muslims" Al-Awlaki writes: "The use of poisons or chemical and biological weapons against population centers is allowed and is strongly recommended due to its great effect on the enemy. Regarding the importance and permissibility of using such weapons, the classical scholars have said the following:¶ "Imam al-Mawardi: ...It is allowed to attack the enemy (in the place where they live such as their cities or villages) when they are not aware, like what the Messenger of Allah did with Bani al-Mustalaq, and it is allowed to attack them at night and set fire to their homes and throw on them fire, snakes or scorpions, demolish their homes with them inside, release floods onto them, cutoff their water supply, and do onto them all what would lead to their destruction without refraining just because of the women and children that are among them, even if that would lead to the deaths of their women and children. This is because the Messenger of Allah did not stop from attacking Bani al-Mustalaq or al-Taif because of their women and children. The instruction of the Messenger of Allah not to kill women and children is when they are intentionally executed; also when they fall as booty they should not be killed. However when they are residing in dar al-ĥarb, it is ĥalal to target them and they carry the same ruling as their men.'¶ "Imam al-Sarkhasi (a Hanafi scholar) quotes Muhammad ibn al-Hassan from Sharĥ al-Sayr al-Kabir: 'It is allowed for the Muslims to burn the fortresses of the disbelievers with fire, to flood them with water, or to put blood, feces or poison in their water until they contaminate it because Allah commanded us to subdue them and break their strength and all the methods of war which we mentioned that would lead to their weakening would be fulfilling the commands (of Allah) and would not fall under disobeying (of Allah). All of this also damages the enemy and that is a way to obtain rewards... None of the mentioned (methods of war) are prohibited [even] if there is among them Muslim prisoners of war, people who are given peace, young or old, men or women even if we know that, because there is no way to avoid them and at the same time fulfill the commands of subjugating the disbelievers and whatever is not possible to avoid is forgiven'...¶ "Imam al-Kharshi (a Maliki scholar): 'It is allowed to fight the enemy if they do not respond to what we call them to with all forms of war. It is allowed to cut off water from them to kill them from thirst, to release floods on them, to drown them according to the famous opinion, or to kill them with weapons such as a blow from a sword, a stab from a lance, a missile from a mangonel [catapult] or other weapons of war.'¶ "Imam al-Shafi'i: 'If the enemy protects himself in a mountain, a fortress, a trench, with thorn trees, or with any form of protection it is allowed to strike them with mangonels, catapults, fire, scorpions, snakes and all what harms them. It is allowed to flood them with water to drown them, or to get them hampered in mud. That is whether women, children and priests are among them or not because the land (of war) is not protected with Islam or with a covenant. It is also acceptable to burn their fruit trees or other trees, to destroy their buildings and all what doesn't have a soul from their belongings.'¶ "Imam al-Bahuti (a Hanbali scholar): 'It is also allowed to strike them (the disbelievers) and put fire, snakes, or scorpions in the scales of the mangonel, to fill their tunnels with smoke, to release floods on them in order to drown them, and to destroy their fortresses and buildings. But if we can defeat them without the use of fire then we shouldn't use it.'¶ "Imam al-Shawkani: 'Allah has commanded us to kill the disbelievers without specifying the methods of doing so. Allah did not command us to do this or not do that. Therefore there is no preventing from killing them with every means of killing whether it is shooting, stabbing, flooding, demolishing buildings on them or throwing them from heights.'"¶ Al-Awlaki concludes: "These statements of the scholars show that it is allowed to use poison or other methods of mass killing against the disbelievers who are at war with us. In addition to that, there are many other important insights in their statements that the reader may benefit from. The populations of the nations that are at war with the Muslims and especially those who are at the lead such as the U.S., Britain and France should be targeted by the mujahidin in operations that employ explosives, poisons, firearms and all other methods that lead to inflicting the greatest harm on them and this is among the greatest deeds a Muslim can worship Allah with in our day and time."¶ The Actions of the Toulouse Shooter Were Justified Because He Was Pursuing a Sacred Goal¶ Another article, titled "Do the Mujahideen and Christian Terrorists Have Similar Goals?" compares the Norwegian mass killer Anders Breivik (who killed dozens of teens at a summer camp in July 2011) to Toulouse shooter Muhammad Merah (who also killed children). The article stresses that the difference between them is "night and day," because Christian terrorists "seek mere bloodshed" while the Muslim mujahideen fight for the sacred goal of instating shari'a worldwide and in retaliation for crimes perpetrated against the Muslims: "The right wing extremists are the real Crusaders who seek mere bloodshed whereas the mujahidin of the al Qaeda organization seek the establishment of a just socio-political order throughout the globe: the shari'ah. The difference is night and day. Our war with America and the West may appear to some that we are out to kill for the sake of killing since all we do to them is just that. The reason behind it is – as we've previously stated – because of the crimes these governments have perpetrated on our lands and continue to perpetrate. Had that not been the case, the entire Western world wouldn't be living in fear from an al Qaeda attack."¶ What Would Obama Do If Muslims Killed His Daughters?¶ It is interesting to note that while providing religious justification for the killing of women and children, the magazine harshly condemns the killing of Muslim women and children. An article titled "They Killed Father, They Killed Son," on the killing in a U.S. drone attack of Al-Awlaki's son Abdur-Rahmaan Bin Anwar Al-Awlaki, states that the U.S., not Al-Qaeda, is the real terrorist. It says: "One should wonder what Obama will do, what Obama would feel if Muslims kill his daughters... We do not see al Qaeda planes above the U.S. but we see U.S. drones killing women and children of Yemen."¶ C. Challenging Claims of Al-Qaeda's Demise¶ The magazine argues that Al-Qaeda has been neither "decimated" nor "devastated" by the U.S. As evidence, it points to two facts: the continued publication of Inspire, despite America's attempts to prevent this, and the continuation of the jihad attacks.¶ Editor Yahya Ibrahim: "Issue 9 of Inspire Magazine Is Out Against All Odds"¶ The issue's editorial, by editor Yahya Ibrahim, focuses on the first of these points. It states: "To the disappointment of our enemies, issue 9 of Inspire magazine is out against all odds al-Hamdolilah. The Zionists and the crusaders thought that the magazine was gone with the martyrdom of Shaykh Anwar and brother Samir, may Allah have mercy upon their souls. Yet again, they have failed to come to terms with the fact that the Muslim ummah is the most fertile and most generous mother that gives birth to thousands and thousands of the likes of Shaykh Anwar and brother Samir. They will be displeased to know that we have been inundated with emails and requests by young inspired Muslims who are persistently offering their help, not just intellectually, but with whatever the mujahideen need in the West."¶ AQAP Mufti Ibrahim Al-Rubaish: "The Long List of the Martyred Mujahideen Hasn't Weaken[ed the] Jihad"¶ AQAP Mufti Ibrahim Al-Rubaish stresses that, despite the war on the mujahideen, their attacks continue and have even increased: "America wanted to deceive its nation by portraying its war as a war against particular individuals so with death of individuals war will ended. In that way America's administration feel some sort of victory by killing certain individuals. Just like what happened when they killed Shaykh Usama Bin Laden. Those miserable people haven't yet realized that their war is waged against a nation that has principles and fundamentals. These principles gain life in the Muslims' heart when their supporters are martyred for their sake. The clearest of evidence is the long list of the martyred mujahideen that hasn't weaken[ed] jihad. Instead, jihad operations often increase."¶ Yahya Ibrahim Lists Jihad Attacks in Recent Years¶ In an article titled "Wining [sic] On the Ground," editor Yahya Ibrahim mocks the West's claims of victory over the mujahideen, and enumerates successful jihad attacks over the recent years: "Obama's wrong thinking have been repeated previously by those who preceded him in office. In the 2003, the U.S. president George W. Bush, in a ridiculous scene of an illusionary victory, was celebrating the end of the military operations in Iraq which was actually the ignition for jihad. Iraq then emerged to be one of the fiercest centers for jihad. The celebrations had no impact on the movement of jihad. However, the media broadcasted the celebrations in a dexterous way and that's how America wins; through baseless claims. On 29th Oct. 2011 the world was engaged in a ceremony just like that of Bush, but this time it was Obama's. The same way Bush was celebrating, unaware of the long tough war. Obama was trying to shorten the fate of the ongoing conflict through a decade in an ambiguous speech."¶ Giving details on AQAP's ability to produce body bombs, the article continues: "...[L]et us review the year 2009 where a very modest and small laboratory in a rural area prepared a bomb which penetrated all checkpoints and could not be detected by the advanced detecting machines. The first was carried by brother Abul Khayr as he executed a martyrdom operation inside the castle of America's agent, Muhammad bin Naif al-Saud – the head of the intelligence wing of the war against the mujahideen. Obama wasn't worried when his servant bin Naif explained to him what happened. Bin Naif travelled to Washington days after he had miraculously survived just to inform his master on the undetectable bomb.¶ "Later, came the operation of Omar Farouq which required only $5,000. At the time, the mujahideen couldn't provide more than half of the amount. The other half was borrowed from one mujahid's pocket. The operation costed the world over $40,000,000,000. Once more another operation of the air-cargo from the same modest lab. It shocked all the crusade countries and caused economic losses and discomfort to the American cargos in the air.¶ "Two year after the operation of Abul Khayr, the New York Times reports on the mujahideen's preparations in Yemen and their advanced labs. Especially after A.Q.A.P has obtained a large deal of chemicals from military laboratories after the conquered Zinjibaar and other cities and town in the south of Yemen. Of course, the modest lab has transformed into a modern one. Hence, no wearisome measures are taken anymore to attain the needed large amount of chemicals for explosives. Also, the operations do not lack money as before.¶ "The account of Allah is always full – by His grace. This is what Obama forgot to mention in his fascinating speech at that party. It is an extremely difficult challenge."¶ Ibrahim goes on to note attacks and attempted attacks by failed Christmas Day bomber Umar Farouq Abdulmutallab, Khost CIA base bomber Abu Dajana Al-Khorsani, and failed Times Square bomber Faisal Shahzad, and hints at of future attacks inside the U.S.: "When you talk about security, you tend to talk about money and wealth in the time of need. Unlike Obama, when he speaks of American security, he talks about its deteriorated economy. If anyone was to talk about the assassination of Shaykh Anwar Al Awlaki, his talk will synchronize with the congestion of the streets of New York, Detroit, Los Angeles, Chicago with tens of thousands of Americans who criticize the politics of capitalism and banks. All of that is firstly through the favor of Allah and then through the worldwide jihadi operations."¶ Stating that Al-Qaeda's jihad against America has come full circle, from the pre-9/11 training camps in Afghanistan to Inspire, he notes: "The fact that Shaykh Anwar was martyred after we have reached this level in our jihad – by the grace of Allah – is considered a victory by itself. Now, our capabilities and skills have developed from being in the military camp of Khaldun in Khowst to be transferred now to Virginia. And the idea that the military camp of al-Farouq has now become portable in a section of our magazine which is easily accessible online. Now, all you need to make explosives is the kitchen of your mum as instructed in the open source jihad."¶ Ibrahim concludes with a promise of future attacks, to be carried out by homegrown followers of Al-Qaeda: "We congratulate the grave which comprised the remains of these great martyrs. America should know that those remains will ignite a jihadi revolution with a unique style which they can't withhold. By the martyrdom of our leaders, their ideology which they lived calling to, is revived and their followers realize how fruitful that ideology is. They become enthusiastic to join their convoy, the convoy of martyrs – By Allah's will...

**CBW terror causes extinction- multiple reasons**

**Kellman ‘8** (Barry Kellman is the director of the International Weapons Control Center, “Bioviolence: A Growing Threat”, The Futurist, May-June 2008, http://www.wfs.org/March-April09/MJ2008\_Kellman.pdf)

A looming danger confronts the world—**the threat of bioviolence**. It is a danger that **will only grow** in the future, yet we are increasingly failing to confront it. With every passing day, committing a biocatastrophe becomes a bit easier, and this condition will perpetuate for as long as science progresses. Biological warfare is as old as conflict, of course, but in terms of the objectives of traditional warfare— gaining territory or resources, compelling the surrender of an opposing army—biological weapons weren’t very effective. **If the objective is to inflict mass death and panic** on a mixed population, however, emerging **bioweapons offer remarkable potential.** **We would be irresponsible to presume that radical jihadists like al Qaeda have ignored said potential**. What’s New in Bioviolence? Bioviolence refers to the many ways to inflict disease as well as the many people who might choose to do so, whether heads of states, criminals, or fanatics. Fortunately, doing bioviolence is technically far more difficult than using conventional explosives. Natural pathogens like anthrax are difficult to weaponize. Smallpox remains unavailable (presumably); plague is readily treatable; Ebola k i l l s t o o q u i c k l y t o i g n i t e a p a ndemic. But **emerging scientific disciplines—notably genomics**, nanotechnology, and other microsciences— **could alter** these **pathogens for use as weapons**. These scientific disciplines offer profound benefits for humanity, yet **there is an ominous security challenge in minimizing the danger of their hostile application**. For exampl e , **highly dangerous agents can be made resistant to vaccines or antibiotics**. In Australia, scientists introduced a gene into mousepox (a cousin of smallpox) to reduce pest populations—it worked so well that it wiped out 100% of affected mice, even those that had immunity against the disease. Various bacterial agents, such as plague or tularemia (rabbit fever), could be altered to increase their lethality or to evade antibiotic treatment. **Diseases once thought to be eradicated can now be resynthesized, enabling them to spread in reg ions where there is no natural immunity**. The polio virus has been synthesized from scratch; its creators called it an “animate chemical.” Soon, it may be resynthesized into a form that is contagious even among vaccinated popu l a t i o n s . Recreation of long eradicated livestock diseases could ravage herds severely lacking in genetic diversity, damage food supplies , and cause devastating economic losses. Perhaps the greatest biothreat is the manipulation of the flu and other highly contagious viruses, such as Ebola. Today, scientists can change parts of a virus’s genetic material so that it can perform specific functions. The genomic sequence of the Spanish flu virus that killed upwards of 40 million people nearly a century ago has been widely published; any savvy scientist could reconstruct it. The avian flu is even more lethal, albeit not readily contagious via casual aerosol delivery. A malevolent bioscientist might augment its contagiousness. The Ebola virus might be manipulat ed so that i t ki l l s more slowly, allowing it to be spread farther before its debilitating effects altogether consume its carrier. A bit further off is genetic manipulation of the measles virus—one of the great killers in human history—rendering useless the immunizations that most of us receive in early childhood. Soon , laboratory resynthesis of smallpox may be possible. Advanced drug delivery systems can be used to disseminate lethal agent s to broad populations . Bioregulators — small organic compounds that modify body systems— could enhance targeted delivery technologies. Some experts are concerned that new weapons could be aimed at the immune, neurological, and neuroendocrine systems. Nanotechnology that lends itself to mechanisms for advanced disease detection and drug delivery—such as gold nanotubes that can administer drugs directly into a tumor—could also deliver weaponized agents deep into the body, substantially raising the weapon’s effectiveness. Altogether, techniques that were on the frontiers of science only a decade or two ago are rapidly mutating as progress in the biological sciences enables new ways to produce lethal catastrophe. Today, they are on the horizon. Within a decade, they will be pedestrian. According to the National Academies of Science, “The threat spectrum is broad and evolving—in some ways predictably, in other ways unexpectedly. In the future, genetic engineering and other technologies may lead to the development of pathogenic organisms with unique, unpredictable characteristics.” For as far into the future as we can possibly see, every passing day it becomes slightly easier to commit a violent catastrophe than it was the day before. Indeed, the rapid pace of advancing science helps explain why policies to prevent such a catastrophe are so complicated. Bioviolence Jihad? **Some experts argue that terrorists** and fanatics **are not interested in bioviolence** and that the danger might therefore be overblown. Since there have been no catastrophic bioviolence attacks, these experts argue, terrorists lack the intention to make bioweapons. Hopefully, they are correct. But **an enormous amount of evidence suggests they are wrong**. From the dawn of biology’s ability to isolate pathogens, people have pursued hostile applications of biological agents. It is perilous to ignore this extensive history by presuming that today’s villains are not fervent about weaponizing disease. Not a single state admits to having a bioweapons program, but U.S. int e l l i g e n c e o f f i c i a l s a s s e r t t h a t a s many as 10 states might have active programs, including North Korea, Iran, and Syria. Moreover, many terrorist organizations have expressed interest in acquiring biological weapons. Whatever weight the **taboo against inflicting disease** might have for nation-states, it **is obviously irrelevant to terrorists**, criminals, and lunatics. **Deterrence by threat of retaliation is essentially meaningless for groups with suicidal inclinations** who are likely to intermingle with innocent civilians. **Al -Qaeda** and aff i l iat ed I s lami c fundamentalist organizations **have overtly proclaimed their intention to develop and use bioweapons.** The 11th volume of al-Qaeda’s Encyclopedia of Jihad is devoted to chemical and biological weapons. Indeed, alQaeda has acknowledged that “biological weapons are considered the least complicated and easiest to manufacture of all weapons of mass destruction.” **Al-Qaeda is widely reported to have acquired legal pathogens via publicly available scientific sources**. Before 9/11, **al-Qaeda operatives** reportedly purchased anthrax and plague from arms dealers in Kazakhstan, and the group **has repeatedly urged followers to recruit microbiology and biotechnology experts**. Follow ing th e Ta l iban ’ s fa l l , f iv e **a l Qaeda bio**logi cal **weapons labs** in Afghanistan **tested positive for anthrax**. **Documents calculating aerial dispersal methods** of anthrax via balloon **were discovered** in Kabul, along with anthrax spore concentrate at a nearby vaccine laboratory. According to a lengthy fatwa commissioned by Osama bin Laden, jihadists are entitled to use weapons of mass destruction against the infidels, even if it means killing innocent women, children, and Muslims. No matter that these weapons cannot be specifically targeted. “[N]othing is a greater duty, after faith itself, than repelling an enemy attacker who sows corruption to religion and the world.” According to the fatwa, “No conditions limit this: one repels the enemy however one can.” The sentiment might be reprehen sible, but it is certainly not irrational. Even the most passionate terrorists must realize that conventional attacks are not bringing the West to its knees. The 9/11 strikes, the bombing of the Madrid and London subways, and numerous smaller attacks have all put civilization on edge, but history marches inexorably forward. A few thousand people can be killed, yet Western armies still traverse the world, and Western economies still determine winners and losers. From this perspective, the stakes must be raised. Bioviolence is perhaps the most dire, easiest means to execute existential danger. What Might Bioviolence Accomplish? Envision a series of attacks against capitals of developing states that have close diplomatic linkages with the United States. The attacks would carry a well-publicized yet simple warning: “If you are a friend of the United States, receive its officials, or suppo r t i t s po l i c i e s , thou sand s o f y o u r p e o p l e wi l l g e t s i c k . ” How many a t ta ck s in how many c i t i e s would it take before international diplomacy, to say nothing of international transit, comes to a crashing halt? In comparison to use of conventional or chemical weapons, the potential death toll of a bioattack could be huge . Al though the numbe r of victims would depend on where an attack takes place, the type of pathogen, and the sophistication of the weapons maker, there is widespread consensus among experts that a heightened attack would inflict casualties exceedable only by nuclear weapons. In comparison to nuclear weapons, **bioweapons are far easier and cheaper to make and transport, and they can be made in facilities that are far more difficult to detect**. **The truly unique characteristic of** c e r t a i n **bioweapons** t h a t d i s t i nguishes them from every other type of weapon **is contagion. No other** type of **weapon can replicate itself and spread. Any other type of attack**, no matter how severe, **occurs at a certain moment in time at an identifiable place.** If you aren’t there, you are angry and upset but not physically injured by the attack. **An attack with a contagious agent can uniquely spread, potentially imperiling target populations far from where the agents are released**. **A** b i o - o ff e n d e r c o u l d i n f e c t h i s minions with a disease and send them across borders before symptoms are obvious. Carriers will then spread it to other unsuspecting victims who would themselves become extended bioweapons, carrying the disease indiscriminately. There are challenges in executing such an attack, but fanatical terrorist organizations seem to have an endless supply of willing suicide attackers. All this leads to the most important characteristic of bioviolence: It raises incomparable levels of panic. Contagious bioviolence means that planes fly empty or perhaps don’t fly at all. People cancel vacation and travel plans and refuse to interact with each other for fear of unseen affliction. Public entertainment events are canceled; even going to a movie becomes too dangerous. Ultimately, bioviolence is about hiding our children as everyone becomes vulnerable to our most fundamental terror: the fear of disease. **For people who seek to rattle the pillars of modern civilization and** perhaps **cause it to collapse, effective use of disease would set in motion political, economic, and health consequences so severe as to call into question the ability of existing governments to maintain their citizens’ security**. In an attack’s wake, no one would know when it is over, and no government could credibly tell an anxious population where and when it is safe to resume normal life. While it is difficult to specify when this danger will strike, there should be no doubt that we are vulnerable to a rupture. Just as planes flying into the Twin Towers on September 11, 2001, instantly became a historical marker dividing strategic perspectives before from after, the day that disease is effectively used as an instrument of hate will profoundly change everything. If you want to stop modern civilization in its tracks, bioviolence is the way to go. The notion that no one will ever commit catastrophic bioviolence is simply untenable. What Can We Do? How can we confront these growing dangers? First, we must appreciate the global nature of the problem. Perpetrators from anywhere can get p a t h o g e n s f ro m v i r t u a l l y e v e r ywhe re . Biore s earch labs that onc e were concentrated in about two dozen developed states are proliferating, expanding the risk that lethal agents could be diverted and misused. The knowledge needed to weaponize pathogens is available on the Internet. An attack can be prep a r e d t h ro u g h e a s y n e tw o r k s o f transnational communication. Once a bioweapon is prepared, terrorists or other perpetrators from anywhere can slide across national boundaries and release disease anonymously. Once released, a contagious agent would spread without regard for boundaries, race, religion, or nationality. Public health responses would have to be internationally coordinated. New modes of international l egal coope rat ion would immediately be needed to investigate the crime. Thus, bioviolence dangers shrink the planet into an interdependent neighborhood. It makes no sense for any particular country to try to insulate its homeland from these dangers. No missile defense system will p ro t e c t u s f rom b i o v i o l e n c e . Improved border security will not keep disease at bay. National efforts to enhan c e m ed i ca l p repa redn e s s hav e virtues, but these defenses can be readily circumvented. To prevent bioviolence requires policies that focus on humanity as a species and that are implemented everywhere with centralized governance. Antibioviolence policies must be global. Ye t , advanc ing ant i -bioviol enc e policies is what the international community does worst. Bioviolence dangers are unnecessarily high because national and international antibioviolence strategies are gap-ridden, often incoherent, and not globally observed. As a result, we are all virtually naked in the face of unacceptable dangers. No ot her t hreat pre s ent s such a s tark cont ras t between severity of harm and a failure of leadership to reduce risks. Most important, existing institutional arrangements are inadequate. In sharp contrast to most other global security challenges, there is no responsible international authority that defines relevant prohibitions and responsibilities, implements policies over time, or evaluates whether obligations are being fulfilled. With regard to global bioviolence prevent i o n p o l i c i e s , t h e r e ’ s n o b o d y i n charge. No one is responsible; no one is accountable. The absence of authority is profoundly dangerous. Bioviolence prevention and preparedness requires a sizable orchestra, made up of various instruments, to play complicated music in harmony. Today, there is not a bad “conductor”, there is no conductor at all. The result is cacophony. Simply stated, bioviolence is the dark s ide of global izat ion, ye t int e rna tional alarms of bioviolence ring nowhere! We need a comprehensive national and international strategy for bioviol enc e prevent ion . [Se e box: “Five S t r a t e g i e s f o r P r e v e n t i n g B i oviolence,” page 30.] Policies should be pursued within an integrated approach that enables each policy to gain strength from all the others. Such policies are potentially available and effective, but they demand progressive changes in our global order. The Security Mission Global bioviolence prevention and preparedness policies are imperative, but also imperative is recognition that the world faces natural disease horrors. Where mass public health challenges are daily phenomena, the risks of terrorists using pathogens must be weighed against more tangible natural threats. Simply stated, it is illegitimate to insist that every nation adopt policies for preventing human-inflicted disease without acknowledging the silent genocide of natural disease that is responsible for millions of deaths. But neither is it legitimate to view bioviolence dangers as distractions from efforts to combat natural disease and therefore to put off beneficial measures until those afflictions are defeated. To do so frustrates forward movement on cost-effective initiatives that could help build an international security architecture for advancing science and health. Thus, bioviolence prevention must be a facet of a broad international commitment to: 1. Prevent the spread of disease ( e .g. , through publ i c -heal th measures). 2. Enhance protection against and cures for disease (e.g., through vaccination and drug therapies). 3. Supervise the conduct of biological science. 4. Criminalize unauthorized or improper use of pathogens. From this foundation should flow a policy commitment to the growth of bioscience as a global public good. Policies to encourage its worldwide spread deserve vigorous support. This governance mission should, therefore, be conceived as a global covenant . As bios c i enc e goe s forward as a fundamental pillar of human progress, all nations must undertake common responsibilities to prevent bioviolence even as the burdens associated with those responsibilities are differentiated according to wealth and capability. From everyone according to their abilities—to all for the benefit of all. The United Nations’ Importance The United Nations represents the b e s t venu e fo r a new gove rnanc e platform that can accommodate the need for an integrated global strategy agains t bioviol enc e . Only the United Nations has the necessary in ternational legitimacy, and only the Uni t ed Nat ions can int egrat e the many sectors—health, law enforcement, science, military, emergency preparedness—that must devote expertise and resources. A primary consideration here is to minimize any bureaucratic reshuffling. There is certainly no need to modify or replicate existing capabilities. Many relevant governance tasks are already addressed by one or more international organizations. For example, the World Health Organization should continue to be responsible for addressing the health implications of a pandemic, whether natural or malevolent. Interpol should continue to be responsible for a d d re s s i n g b i o v i o l e n c e ’ s l aw e nforcement implications. Indeed, the UN’s role should be only to coordinate the performance of these tasks. Broadly viewed, the United Nations should be able to undertake three functions: First, a specific UN agency should stimulate bioscience development by incorporating security concerns into the fabric of scientific undertakings and by assisting countries in using bioscience in ways that are consistent with policies for preventing bioviolence. Because science, development, and security can and must be mutually reinforcing, this agency’s primary responsibilities would be to promote and distribute knowledge and build capacity to fulfill obligations, especially in developing nations. Second, a UN office should coordinate activities among the relevant international/regional organizations, professional networks, and expert bodies. For example, three major international organizations focus on health (World Health Organization, Animal Health Organization, and the Food and Agriculture Organization); Interpol and Europol both focus on law enforcement; a large array of organizations focus on conveyance of dangerous items (e.g., International Maritime Organization, International Civil Aviation Organization). This UN office should be a steering mechanism to engage each of these orga nizations’ specialized expertise and to identify synergies. Third, a Security Council Committee should be authorized to investigate bioviolence preparations as well as respond and coordinate assistance to a bioviolence attack. Situations that call for investigation or response arise rarely, but they carry disproportionate significance for international peace and security. The Security Council Committee should not advance programmatic agendas, but it should be able to wield expertise and political muscle in volatile situations. Its primary mission would be to enable the international community to sustain global order in the face of a bioviolence challenge. Ever since someone harnessed a new technology to create a weapon with more devastating effects, there has been a link—a double helix—between the progress of science and the pursuit of security. This is inevitable. These dangers of bioviolence do not a rg u e f o r re l i n q u i s h i n g s c i e n t i f i c progress, but they disprove notions tha t n ew cha l l eng e s can b e e ff e ct ive ly addre s s ed wi th ye s t e rday’ s policies. At bottom is a condition unique to this historical era: Scientific progress is intertwined with escalating malevolence threatening human security. **Progressing capabilities** improve our l ive s and ye t , inext r i cably, **enable truly harmful weapons against humanity**. Here are the challenges to international peace and security at the beginning of the third millennium. **Failing to do the right thing in response to these challenges could have dire consequences for all humanity.**

#### Independently causes US retaliation

Lt Col Henry W **Conley 3** (Chief of the Systems Analysis Branch, Directorate of Requirements, Headquarters Air Combat Command (ACC), Langley AFB, Virginia, http://www.airpower.maxwell.af.mil/airchronicles/apj/apj03/spr03/conley.html)

“According to the U.S. Congress Office of Technology Assessment, 100 kg of anthrax spores delivered by an efficient aerosol generator on a large urban target would be between two and six times as lethal as a one megaton thermo-nuclear bomb.” Would the deaths of 300,000 Americans be enough to trigger a nuclear response**?** In this case, proportionality does not rule out the use of nuclear weapons. Besides simply the total number of casualties, the types of casualties- predominantly military versus civilian- will also affect the nature and scope of the US reprisal action. Military combat entails known risks, and the emotions resulting from a significant number of military casualties are not likely to be as forceful as they would be if the attack were against civilians.World War II provides perhaps the best examples for the kind of event or circumstance that would have to take place to trigger a nuclear response. A CBW event that produced a shock and death toll roughly equivalent to those arising from the attack on Pearl Harbor might be sufficient to prompt a nuclear retaliation. President Harry Truman’s decision to drop atomic bombs on Hiroshima and Nagasaki- based upon a calculation that up to one million casualties might be incurred in an invasion of the Japanese homeland47- is an example of the kind of thought process that would have to occur prior to a nuclear response to a CBW event. Victor Utgoff suggests that **“**if nuclear retaliation is seen at the time to offer the best prospects for suppressing further CB attacks and speeding the defeat of the aggressor, and if the original attacks had caused severe damage that had outraged American or allied publics, nuclear retaliation would be more than just a possibility, whatever promises had been made**.”**

**Terrorism causes nuclear miscalc with China and Russia**

**Ayson ‘10** [Robert, Professor of Strategic Studies and Director of the Centre for Strategic Studies: New Zealand at the Victoria University of Wellington, “After a Terrorist Nuclear Attack: Envisaging Catalytic Effects,” Studies in Conflict & Terrorism, Volume 33, Issue 7, July, Available Online to Subscribing Institutions via InformaWorld]

But these two nuclear worlds—a non-state actor nuclear attack and a catastrophic interstate nuclear exchange—are not necessarily separable. It is just possible that **some sort of terrorist attack**, and especially an act of nuclear terrorism, **could precipitate a chain of events leading to a massive exchange of nuclear weapons between two or more** of the **states** that possess them. In this context, today’s and tomorrow’s terrorist groups might assume the place allotted during the early Cold War years to new state possessors of small nuclear arsenals who were seen as **raising the risks of a catalytic nuclear war between the superpowers started by third parties**. These risks were considered in the late 1950s and early 1960s as concerns grew about nuclear proliferation, the so-called n+1 problem. It may require a considerable amount of imagination to depict an especially plausible situation where an act of nuclear terrorism could lead to such a massive inter-state nuclear war. For example, in the event of a terrorist nuclear attack on the United States, it might well be wondered just how Russia and/or China could plausibly be brought into the picture, not least because they seem unlikely to be fingered as the most obvious state sponsors or encouragers of terrorist groups. They would seem far too responsible to be involved in supporting that sort of terrorist behavior that could just as easily threaten them as well. Some possibilities, however remote, do suggest themselves. For example, how might the United States react if it was thought or discovered that the fissile material used in the act of nuclear terrorism had come from Russian stocks,40 and if for some reason Moscow denied any responsibility for nuclear laxity? The correct attribution of that nuclear material to a particular country might not be a case of science fiction given the observation by Michael May et al. that while the debris resulting from a nuclear explosion would be “spread over a wide area in tiny fragments, its radioactivity makes it detectable, identifiable and collectable, and a wealth of information can be obtained from its analysis: the efficiency of the explosion, the materials used and, most important … some indication of where the nuclear material came from.”41 Alternatively, if the act of nuclear terrorism came as a complete surprise, and American officials refused to believe that a terrorist group was fully responsible (or responsible at all) suspicion would shift immediately to state possessors. Ruling out Western ally countries like the United Kingdom and France, and probably Israel and India as well, authorities in Washington would be left with a very short list consisting of North Korea, perhaps Iran if its program continues, and possibly Pakistan. But **at what stage would Russia and China be** definitely **ruled out** in this high stakes game of nuclear Cluedo? In particular**, if the act** of nuclear terrorism **occurred against a backdrop of existing tension** in Washington’s relations **with Russia and/or China**, and at a time when threats had already been traded between these major powers, **would officials and political leaders not be tempted to assume the worst**? Of course, the chances of this occurring would only seem to increase if the United States was already involved in some sort of limited armed conflict with Russia and/or China, or if they were confronting each other from a distance in a proxy war, as unlikely as these developments may seem at the present time. The reverse might well apply too: should a nuclear terrorist attack occur in Russia or China during a period of heightened tension or even limited conflict with the United States, could Moscow and Beijing resist the pressures that might rise domestically to consider the United States as a possible perpetrator or encourager of the attack? **Washington’s early response** to a terrorist nuclear attack on its own soil **might** also **raise the possibility of an unwanted** (and nuclear aided) **confrontation** with Russia and/or China. For example, in the noise and confusion during the immediate aftermath of the terrorist nuclear attack, **the U.S. president might be expected to place the country’s** armed forces, including its **nuclear arsenal, on a higher stage of alert**. In such a tense environment, when careful planning runs up against the friction of reality, **it is** just **possible that Moscow and/or China might mistakenly read this as a sign of U.S. intentions to use force** (and possibly nuclear force) against them. In that situation, the **temptations to preempt** such actions might **grow**, although it must be admitted that any preemption would probably still meet with a devastating response.

**Yemen AQAP is strong and disrupts global trade**

**The Week** 8-7-**13** [International news service, “Yemen terror threat – why the West is so worried by AQAP,” <http://www.theweek.co.uk/world-news/54494/yemen-terror-threat-al-qaeda-aqap-west-worried>]

AQAP is a force to be reckoned with: It first emerged in 2007 after its parent organisation was defeated in Saudi Arabia. According to BBC security correspondent Frank Gardner, AQAP "is not the biggest offshoot of the late Osama bin Laden's organisation, nor is it necessarily the most active... But Washington considers AQAP to be by far the most dangerous to the West because it has both technical skills and global reach." It also has close links with al-Qaeda in Pakistan, and it is 'chatter' between leaders in Yemen and Pakistan that has prompted the current crisis.¶ The West cannot stamp it out: AQAP is sustained by local factors including wild terrain, economic misery, tribal divisions and the weakness of the Yemeni state, "battered by the Arab spring and the threat from secessionist movements", Ian Black of The Guardian explains. The US has used unmanned drones against terror cells but they are a double-edged sword and foster ill-feeling towards the west. "In Yemen, the US drones are deeply unpopular, sometimes hitting the wrong targets and wiping out whole extended families," says the BBC.¶ AQAP continues to thrive: Despite operating from remote Yemeni backwaters, the group produces a magazine called Inspire, which The Guardian describes as "a magnet for jihadists from Pakistan to Mali". The group's leader, Nasser al-Wahayshi, is now believed to be deputy leader of the entire al-Qaeda network while chief bombmaker Ibrahim al-Asiri has shown himself to be a sophisticated operator. In 2009 he "built an explosive device so hard to detect it was either packed flat next to the wearer's groin or perhaps even concealed inside his body," says the BBC. He was also behind the underpants bomb, worn by Omar Farouk Abdulmutallab.¶ Yemen remains strategically important: "Yemen's control over one of the most important naval straits in the world, the Strait of Bab-el-Mandeb, which is located between Yemen and the Horn of Africa, underscores this geostrategic importance," says Geopolitical Monitor. "Commercial liners and oil tankers pass through the strait on their way to and from the Suez Canal. International stakeholders are concerned that al-Qaeda will take advantage of the current transitional conditions in Yemen to threaten shipping and international trade."

**Global trading stability solves great power wars- collapse causes conflict**

**Hillebrand ‘10** [Evan E., Senior Economist for the Central Intelligence Agency and Professor of Diplomacy at the University of Kentucky, Deglobalization Scenarios: Who Wins? Who Loses?, Global Economy Journal, Volume 10, Issue 2]  
  
A long line of writers from Cruce (1623) to Kant (1797) to Angell (1907) to Gartzke (2003) have theorized that economic interdependence can lower the likelihood of war. Cruce thought that free trade enriched a society in general and so made people more peaceable; Kant thought that trade shifted political power away from the more warlike 117 7 aristocracy, and Angell thought that economic interdependence shifted cost/benefit calculations in a peace-promoting direction. Gartzke contends that trade relations enhance transparency among nations and thus help avoid bargaining miscalculations. There has also been a tremendous amount of empirical research that mostly supports the idea of an inverse relationship between trade and war. Jack Levy said that, ―While there are extensive debates over the proper research designs for investigating this question, and while some empirical studies find that trade is associated with international conflict, most studies conclude that trade is associated with peace, both at the dyadic and systemic levels‖ (2003, p 127). There is another important line of theoretical and empirical work called Power Transition Theory that focuses on the relative power of states and warns that when rising powers approach the power level of their regional or global leader the chances of war increase (Tammen, Lemke, et al, 2000). Jacek Kugler (2006) warns that the rising power of China relative to the United States greatly increases the chances of great power war some time in the next few decades. The IFs model combines the theoretical and empirical work of the peace-through-trade tradition with the work of the power transition scholars in an attempt to forecast the probability of interstate war. Hughes (2004) explains how he, after consulting with scholars in both camps, particularly Edward Mansfied and Douglas Lemke, estimated the starting probabilities for each dyad based on the historical record, and then forecast future 118 8 probabilities for dyadic militarized interstate disputes (MIDs) and wars based on the calibrated relationships he derived from the empirical literature. The probability of a MID, much less a war, between any random dyad in any given year is very low, if not zero. Paraguay and Tanzania, for example, have never fought and are very unlikely to do so. But there have been thousands of MIDs in the past and hundreds of wars and many of the 16,653 dyads have non-zero probabilities. In 2005, the IFs base year—the last year of the data base and the starting year for all simulations—the average probability across the 183 countries represented in the model of a country being involved in at least one war was estimated to be 0.8%, with 104 countries having a probability of at least 1 war approaching zero. A dozen countries8, however have initial probabilities over 3%. The globalization scenario projects that the probability for war will gradually decrease through 2035 for every country—but not every dyad--that had a significant (greater than 0.5% chance of war) in 2005. The decline in prospects for war stems from the scenario’s projections of rising levels of democracy, rising incomes, and rising trade interdependence—all of these factors figure in the algorithm that calculates the probabilities. Not all dyadic war probabilities decrease, however, because of the power transition mechanism that is also included in the IFs model. The probability for war between China and the US, for example rises as the power9 of China rises gradually toward the US level but in these calculations the probability of a China/US war never gets very high.10 Deglobalization raises the risks of war substantially. In a world with much lower average incomes, less democracy, and less trade interdependence, the average probability of a country having at least one war in 2035 rises from 0.6% in the globalization scenario to 3.7% in the deglobalization scenario. Among the top-20 war-prone countries, the average probability rises from 3.9% in the globalization scenario to 7.1% in the deglobalization scenario. The model estimates that in the deglobalization scenario there will be about 10 wars in 2035, vs. only 2 in the Globalization Scenario11. Over the whole period, 2005-2035, the model predicts four great power wars in the deglobalization scenario vs. 2 in the globalization scenario.12 Winners and Losers Deglobalization in the form of reduced trade interdependence, reduced capital flows, and reduced migration has few positive effects, based on this analysis with the International Futures Model. Economic growth is cut in all but a handful of countries, and is cut more in the non-OECD countries than in the OECD countries. Deglobalization has a mixed impact on equality. In many non-OECD countries, the cut in imports from the rest of the world increases the share of manufacturing and in 61 countries raises the share of income going to the poor. But since average productivity goes down in almost all countries, this gain in equality comes at the expense of reduced incomes and increased poverty in almost all countries. The only winners were a small number of countries that were small and poor and not well integrated in the global economy to begin with—and the gains from deglobalization even for them were very small. Politically, deglobalization makes for less stable domestic politics and a greater likelihood of war. The likelihood of state failure through internal war, projected to diminish through 2035 212 1 with increasing globalization, rises in the deglobalization scenario particularly among the non-OECD democracies. Similarly, deglobalization makes for more fractious relations among states and the probability for interstate war rises.

**Trade decline causes nuclear war**  
**Friedberg and Schoenfeld ‘08** [Aaron, Professor of politics and international relations @ Princeton University & Visiting scholar @ Witherspoon Institute [AARON FRIEDBERG and GABRIEL SCHOENFELD, ?The Dangers of a Diminished America: In the 1930s, isolationism and protectionism spurred the rise of fascism.?, Wall Street Journal, ?The Dangers of a Diminished America?, OCTOBER 21, 2008, <http://online.wsj.com/article/SB122455074012352571.html>]  
  
In such a scenario there are shades of the 1930s, when global trade and finance ground nearly to a halt, the peaceful democracies failed to cooperate, and aggressive powers led by the remorseless fanatics who rose up on the crest of economic disaster exploited their divisions. Today we run the risk that rogue states may choose to become ever more reckless with their nuclear toys, just at our moment of maximum vulnerability. The aftershocks of the financial crisis will almost certainly rock our principal strategic competitors even harder than they will rock us. The dramatic free fall of the Russian stock market has demonstrated the fragility of a state whose economic performance hinges on high oil prices, now driven down by the global slowdown. China is perhaps even more fragile, its economic growth depending heavily on foreign investment and access to foreign markets. Both will now be constricted, inflicting economic pain and perhaps even sparking unrest in a country where political legitimacy rests on progress in the long march to prosperity. None of this is good news if the authoritarian leaders of these countries seek to divert attention from internal travails with external adventures. As for our democratic friends, the present crisis comes when many European nations are struggling to deal with decades of anemic growth, sclerotic governance and an impending demographic crisis. Despite its past dynamism, Japan faces similar challenges. India is still in the early stages of its emergence as a world economic and geopolitical power. What does this all mean? There is no substitute for America on the world stage. The choice we have before us is between the potentially disastrous effects of disengagement and the stiff price tag of continued American leadership. Are we up for the task? The American economy has historically demonstrated remarkable resilience. Our market-oriented ideology, entrepreneurial culture, flexible institutions and favorable demographic profile should serve us well in whatever trials lie ahead. The American people, too, have shown reserves of resolve when properly led. But experience after the Cold War era -- poorly articulated and executed policies, divisive domestic debates and rising anti-Americanism in at least some parts of the world -- appear to have left these reserves diminished. A recent survey by the Chicago Council on World Affairs found that 36% of respondents agreed that the U.S. should "stay out of world affairs," the highest number recorded since this question was first asked in 1947. The economic crisis could be the straw that breaks the camel's back. In the past, the American political process has managed to yield up remarkable leaders when they were most needed. As voters go to the polls in the shadow of an impending world crisis, they need to ask themselves which candidate -- based upon intellect, courage, past experience and personal testing -- is most likely to rise to an occasion as grave as the one we now face.

# Solvency

#### Text: The United States Congress should restrict the use of signature strikes by the President of the United States.

#### Plan is key to credibility and counter-terror

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

In his Nobel Peace Prize acceptance speech, President Obama declared:¶ “Where force is necessary, we have a moral and strategic interest in¶ binding ourselves to certain rules of conduct. Even as we confront a¶ vicious adversary that abides by no rules, I believe the United States of¶ America must remain a standard bearer in the conduct of war.”63 Under¶ President Obama drone strikes have expanded and intensified, and they¶ will remain a central component of U.S. counterterrorism operations¶ for at least another decade, according to U.S. officials.64 But much as the¶ Bush administration was compelled to reform its controversial counterterrorism¶ practices, it is likely that the United States will ultimately¶ be forced by domestic and international pressure to scale back its drone¶ strike policies. The Obama administration can preempt this pressure¶ by clearly articulating that the rules that govern its drone strikes, like all¶ uses of military force, are based in the laws of armed conflict and international¶ humanitarian law; by engaging with emerging drone powers;¶ and, most important, by matching practice with its stated policy by¶ limiting drone strikes to those individuals it claims are being targeted¶ (which would reduce the likelihood of civilian casualties since the total¶ number of strikes would significantly decrease).¶ The choice the United States faces is not between unfettered drone¶ use and sacrificing freedom of action, but between drone policy reforms¶ by design or drone policy reforms by default. Recent history demonstrates¶ that domestic political pressure could severely limit drone¶ strikes in ways that the CIA or JSOC have not anticipated. In support of¶ its counterterrorism strategy, the Bush administration engaged in the¶ extraordinary rendition of terrorist suspects to third countries, the use¶ of enhanced interrogation techniques, and warrantless wiretapping.¶ Although the Bush administration defended its policies as critical to¶ protecting the U.S. homeland against terrorist attacks, unprecedented¶ domestic political pressure led to significant reforms or termination. Compared to Bush-era counterterrorism policies, drone strikes are¶ vulnerable to similar—albeit still largely untapped—moral outrage,¶ and they are even more susceptible to political constraints because they¶ occur in plain sight. Indeed, a negative trend in U.S. public opinion¶ on drones is already apparent. Between February and June 2012, U.S.¶ support for drone strikes against suspected terrorists fell from 83 percent¶ to 62 percent—which represents less U.S. support than enhanced¶ interrogation techniques maintained in the mid-2000s.65 Finally, U.S.¶ drone strikes are also widely opposed by the citizens of important allies,¶ emerging powers, and the local populations in states where strikes¶ occur.66 States polled reveal overwhelming opposition to U.S. drone¶ strikes: Greece (90 percent), Egypt (89 percent), Turkey (81 percent),¶ Spain (76 percent), Brazil (76 percent), Japan (75 percent), and Pakistan¶ (83 percent).67¶ This is significant because the United States cannot conduct drone¶ strikes in the most critical corners of the world by itself. Drone strikes¶ require the tacit or overt support of host states or neighbors. If such¶ states decided not to cooperate, or to actively resist, U.S. drone¶ strikes, their effectiveness would be immediately and sharply reduced,¶ and the likelihood of civilian casualties would increase. This danger is¶ not hypothetical. In 2007, the Ethiopian government terminated its¶ U.S. military presence after public revelations that U.S. AC-130 gunships¶ were launching attacks from Ethiopia into Somalia. Similarly, in¶ late 2011, Pakistan evicted all U.S. military and intelligence drones, forcing¶ the United States to completely rely on Afghanistan to serve as a¶ staging ground for drone strikes in Pakistan. The United States could¶ attempt to lessen the need for tacit host-state support by making significant¶ investments in armed drones that can be flown off U.S. Navy ships,¶ conducting electronic warfare or missile attacks on air defenses, allowing¶ downed drones to not be recovered and potentially transferred to¶ China or Russia, and losing access to the human intelligence networks¶ on the ground that are critical for identifying targets.¶ According to U.S. diplomats and military officials, active resistance—¶ such as the Pakistani army shooting down U.S. armed drones—¶ is a legitimate concern. In this case, the United States would need to¶ either end drone sorties or escalate U.S. military involvement by attacking¶ Pakistani radar and antiaircraft sites, thus increasing the likelihood¶ of civilian casualties.68 Beyond where drone strikes currently take place,¶ political pressure could severely limit options for new U.S. drone bases. For example, the Obama administration is debating deploying armed¶ drones to attack al-Qaeda in the Islamic Maghreb (AQIM) in North¶ Africa, which would likely require access to a new airbase in the region.¶ To some extent, anger at U.S. sovereignty violations is an inevitable and¶ necessary trade-off when conducting drone strikes. Nevertheless, in¶ each of these cases, domestic anger would partially or fully abate if the¶ United States modified its drone policy.

#### All relevant officials will comply with the plan

**Goldsmith ’12** [Jack Goldsmith is a Harvard Law professor and a member of the Hoover Task Force on National Security and Law. He served in the Bush administration as assistant attorney general in charge of the Office of Legal Counsel, “Fire When Ready,” 3-19-13, <http://www.foreignpolicy.com/articles/2012/03/19/fire_when_ready?page=full>]

When the Obama administration made the decision to kill Awlaki, it did not rely on the president's constitutional authority as commander in chief. Rather, it relied on authority that Congress gave it, and on guidance from the courts. In September 2001, Congress authorized the president "to use all necessary and appropriate force against those nations, organizations, or persons he determines" were responsible for 9/11. Whatever else the term "force" may mean, it clearly includes authorization from Congress to kill enemy soldiers who fall within the statute. Unlike some prior authorizations of force in American history, the 2001 authorization contains no geographical limitation. Moreover, the Supreme Court, in the detention context, has ruled that the "force" authorized by Congress in the 2001 law could be applied against a U.S. citizen. Lower courts have interpreted the same law to include within its scope co-belligerent enemy forces "associated" with al Qaeda who are "engaged in hostilities against the United States."¶ International law is also relevant to targeting decisions. Targeted killings are lawful under the international laws of war only if they comply with basic requirements like distinguishing enemy soldiers from civilians and avoiding excessive collateral damage. And they are consistent with the U.N. Charter's ban on using force "against the territorial integrity or political independence of any state" only if the targeted nation consents or the United States properly acts in self-defense. There are reports that Yemen consented to the strike on Awlaki. But even if it did not, the strike would still have been consistent with the Charter to the extent that Yemen was "unwilling or unable" to suppress the threat he posed. This standard is not settled in international law, but it is sufficiently grounded in law and practice that no American president charged with keeping the country safe could refuse to exercise international self-defense rights when presented with a concrete security threat in this situation. The "unwilling or unable" standard was almost certainly the one the United States relied on in the Osama bin Laden raid inside Pakistan.¶ These legal principles are backed by a system of internal and external checks and balances that, in this context, are without equal in American wartime history. Until a few decades ago, targeting decisions were not subject to meaningful legal scrutiny. Presidents or commanders typically ordered a strike based on effectiveness and, sometimes, moral or political considerations. President Harry Truman, for example, received a great deal of advice about whether and how to drop the atomic bomb on Hiroshima and Nagasaki, but it didn't come from lawyers advising him on the laws of war. Today, all major military targets are vetted by a bevy of executive branch lawyers who can and do rule out operations and targets on legal grounds, and by commanders who are more sensitive than ever to legal considerations and collateral damage. Decisions to kill high-level terrorists outside of Afghanistan (like Awlaki) are considered and approved by lawyers and policymakers at the highest levels of the government.¶ The lawyers and policymakers are guided in part by Supreme Court and lower court decisions that, in the context of reviewing military detentions, have interpreted the meaning, scope, and limits of the congressional authorization to use force. The executive branch also has tools at its disposal -- an elaborate intelligence bureaucracy, precision weapons, and computer targeting algorithms -- to minimize collateral damage in war like never before (indeed, these tools sometimes force an operation or target to be avoided or aborted). We do not know the full details of targeting decisions, but we do know -- from administration speeches and press coverage of internal deliberations -- that Obama administration policymakers and lawyers seriously grapple with the legal limits of their authorities, construe them narrowly to meet the case at hand, and are constrained in who they target.¶ Congress too is involved. The executive branch only targets enemy forces that fall within the parameters set by Congress in 2001. All major targeting operations conducted as "covert actions" must, under laws in place before 9/11, be conducted in conformity with presidential "findings" and reported to congressional intelligence committees. These committees lack a formal veto, but they have many ways to push back against covert actions they dislike. House Minority Leader Nancy Pelosi is said to have scaled back a covert operation in 2004 to influence the outcome of elections in Iraq by complaining to the White House, while the House Intelligence Committee reportedly persuaded the Obama administration not to arm the Libyan rebels in 2011. Operations by the U.S. military are also reported to and scrutinized by congressional armed services committees through less formal means.¶ More broadly, Congress as a whole is well aware of the president's targeted killing program, and many congressional committees have held public hearings on targeted killing in the last few years. And yet, in contrast to its actions to tighten the president's traditional military authorities in other contexts (like interrogation, military detention, and military commissions), Congress has not tightened the president's power to target. Instead, Congress chose to reaffirm the 2001 authorization on which the president has rested his targeting practices in December 2011, and to bless the judicial construction of the statute that extended the president's authorities to co-belligerents like Awlaki, all without a word about limitations on targeted killing. Congress did this against the backdrop of many public reports that the 2001 statute was relied on to kill Awlaki.¶ The targeted killing of Awlaki was also subject to a limited but important form of judicial scrutiny. In 2010, the ACLU and the Center for Constitutional Rights brought a novel lawsuit that sought to enjoin the president from killing Awlaki. Judge John Bates of the U.S. District Court for the District of Columbia dismissed the case, in part because of "the impropriety of judicial review." Bates explained that the Constitution places "responsibility for the military decisions at issue in this case 'in the hands of those who are best positioned and most politically accountable for making them'" -- Congress and the president. This ruling, based on extensive precedent, is almost certainly right. Commanders in chief have always had discretion over targeting decisions in wars authorized by Congress. No court has ever suggested that judicial approval for these decisions was appropriate or necessary. This is so even though the U.S. military killed U.S. citizens in the Civil War and most likely in World War II as well, when some fought in the Italian and German armies. The Supreme Court itself has ruled -- in the context of military commissions and military detention -- that U.S. citizenship does not by itself preclude the commander in chief from exercising traditional forms of military force.¶ This is the background against which to assess Attorney General Holder's claim that the Constitution "guarantees due process, not judicial process." Holder was referring to the Fifth Amendment's prohibition on taking life without due process, a further legal limitation on the targeted killing of U.S. citizens. Critics belittled Holder for distinguishing due process from judicial process, but Holder is right. The Supreme Court has ruled in many contexts that due process does not always demand judicial scrutiny. It has also ruled that the type and extent of process due depends on the nature and circumstances of the deprivation, including a balance between the interests of the individual and the government.¶ A U.S. citizen's interest is obviously at its height when he is targeted with lethal force. The government's interest is at its height when it seeks to incapacitate a threatening enemy in a congressionally sanctioned war. Holder only defended the wartime authority to kill a U.S. citizen who presents "an imminent threat of violent attack against the United States" and for whom "capture is not feasible," and only when operations are "conducted in a manner consistent with applicable law of war principles." In these circumstances, he claimed, high-level executive deliberation, guided by judicial precedent and subject to congressional oversight, is all the process that is due.¶ Is Holder right? It is hard to say for sure because the due process clause has never before been thought relevant to wartime presidential targeting decisions. The system described above goes far beyond any process given to any target in any war in American history. Awlaki was not given a formal notice and opportunity to defend himself in court, but war does not permit such formal practices. One predicate for the killing was that Awlaki was in hiding -- beyond legal process or the reasonable possibility of capture -- and plotting and directing attacks on the United States. The U.S. government made clear that if Awlaki "were to surrender or otherwise present himself to the proper authorities in a peaceful and appropriate manner, legal principles with which the United States has traditionally and uniformly complied would prohibit using lethal force or other violence against him in such circumstances." And as Judge Bates noted, while Awlaki's placement on a targeting list was publicly disclosed in January 2010, Awlaki publicly disclaimed any intention of challenging his status or turning himself in.¶ It is hard to see how the executive branch could have taken its constitutional responsibilities more seriously while honoring its obligation to keep the nation safe. In light of Judge Bates's ruling and the analysis on which it rests, and until Congress thinks the president's approach to targeting requires change, the current system -- executive deliberation guided by judicial precedent and subject to congressional oversight -- almost certainly satisfies any constitutional requirement. In any event, it belies the claim that the president is not subject to checks and balances.¶ This conclusion will not assuage critics like Andrew Rosenthal who insist that "the president must receive judicial input before ordering the death of an American citizen." What Rosenthal and other krytocrats have not explained is how the Constitution permits, much less demands, such ex ante judicial input. These critics have not grappled with Judge Bates's analysis. Nor have they explained how a presidential request for judicial approval to target and kill a terrorist suspect is consistent with the constitutional limitation of judicial power to cases and controversies between parties in court.¶ It is also unclear whether judges possess the competence to assess and quickly act upon military targets, or whether they would welcome the responsibility for targeting decisions. Perhaps Congress could devise a lawful and effective scheme of judicial or administrative review of the president's targeting decisions.

#### Unchecked drones cause Obama adventurism and global warfare- Congressional signal is key

**Friedman ’12** [Benjamin H. Friedman is a research fellow in defense and homeland security studies at the Cato Institute, “Drones, Special Operations and Whimsical Wars,” <http://nationalinterest.org/blog/the-skeptics/drones-special-operations-whimsical-wars-7085>]

The official rationale for using force across the world is that Al Qaeda is global. But that’s true only thanks to a capacious definition of Al Qaeda that imposes a sense of false unity of disparate groups. The always-overrated remnant of the organization that sponsored the 9/11 attacks barely exists anymore, even in Pakistan. Our counterterrorism efforts are directed mostly against others: terrorists that take up Al Qaeda’s name and desire to kill Westerners but have limited links to the real McCoy, as in Yemen and North Africa, and insurgents friendly to jihadists but mostly consumed by local disputes, such as the Taliban in Afghanistan, Al Shabaab in Somalia and Al Qaeda’s Islamist allies in southern Yemen. Like the phony communist monolith in the Cold War, the myth of a unified, global “Al Qaeda” makes actions against vaguely linked entities—many with no obvious interest in the United States—seem a coherent campaign against globe trotting menace bent on our destruction.¶ The real reason we are fighting so much these days is that war is too easy. International and domestic restraints on the use of U.S. military power are few. And unrestrained power tends to be exercised. Presidents can use it whimsically, at least until they do something costly that creates a backlash and wakes up public opposition. Drones and special-operations forces made this problem worse. Most of the world is what the military calls a permissive environment, especially since the end of the Cold War. Most places lack forces capable of keeping our military out. Many potential allies invite it. The risks traditionally associated with war—invasion, mass death, etc.—are now alien to Americans. Since the draft ended, the consequences of even bad wars for most of us are minor: unsettling media stories and mildly higher taxes deferred by deficits. That’s why, as Nuno Monteiro argues, the U.S. military was already quite busy in the 1990s despite the absence of real enemies.¶ Because war is so cheap, the public has little reason to worry much about it. That leaves elected representatives without any electoral incentive to restrain presidential war powers. No surprise then that the imperial presidency grew as American power did. Technology gains and secrecy exacerbate the problem. Even more than strategic bombing from high altitude, which already prevented U.S. casualties, drones cheapen warfare. Covert raids are riskier, of course, but secrecy limits public appreciation of those risks.¶ The president and his advisors assure us that they use these forces only after solemn debate and nights spent (badly) reading just war theory. But a White House that debates the use of force only with itself short-circuits the democratic process. That is not just a constitutional problem but a practical one. Broad debate among competing powers generally produces better decisions than narrower, unilateral ones. That is why is it is naive to suggest, as John Fabian Witt did last week in a New York Times op-ed, that the executive branch is developing sensible legal institutions to manage the gray area between war and peace occupied by drone strikes. What’s needed are checks and balances. That means Congress needs to use its war powers.¶ First, Congress should rewrite the 2001 Authorization of Military Force, which has morphed into a legal rationale for doing whatever presidents want in the name of counterterrorism. That bill authorized force against the organizers of the September 11 attacks and those who aided them, which seemed to mean Al Qaeda and the Taliban in Afghanistan and maybe Pakistan. The new law should state that acts of war, including drone strikes, in other places require a new authorization of force. If Congress is for bombing stuff in Yemen and Somalia, it should debate those missions. Second, Congress should reform the convoluted laws governing the deployment of special operations forces, making their use more onerous and transparent. Those forces should engage in covert action only after a presidential finding, as with the CIA. Third, Congress should require that taxes or offsets fund wars. That would increase debate about their worth.¶ The trouble, as already noted, is that Congress has no interest in doing these things. Congressional leaders are today more interested in policing leaks about the president’s unilateral exercise of war powers than in restraining them. Short of a military disaster involving special-operations forces or drones, this seems unlikely to change in the short term. In the longer term, we need a restoration of Congress’ institutional identity. Even without an electoral reason, politicians should want to exercise war powers simply because they can—because people like power. That’s the assumption behind Edward Corwin’s notion that the constitution’s is an “invitation to struggle” over foreign policy. Something has obstructed Congress’ desire to struggle. Those concerned by the president’s promiscuous use of force should try to identify and remove the obstruction.

#### Congress would invoke the power of the purse- solves

Elsea et al ’13 (Jennifer K. Elsea, Legislative Attorney; Michael John Garcia, Legislative Attorney; Thomas J. Nicola, Legislative Attorney; CRS Report for Congress, “Congressional Authority to Limit Military Operations”, <http://fpc.state.gov/documents/organization/206121.pdf>, February 19, 2013)

The Purpose Statute states that funds may be used only for purposes for which they have been appropriated; by implication it precludes using funds for purposes that Congress has prohibited. When Congress states that no funds may be used for a purpose, an agency would violate the Purpose Statute if it should use funds for that purpose; it also in some circumstances could contravene a provision of the Antideficiency Act, 31 U.S.C. Section 1341. Section 1341 prohibits entering into obligations or expending funds in advance of or in excess of an amount appropriated unless authorized by law. If Congress has barred using funds for a purpose, entering into an obligation or expending any amount for it would violate the act by exceeding the amount— zero—that Congress has appropriated for the prohibited purpose.

**Clear Congressional restrictions are key to effective counter-terror policy- solves future enforcement, executive overreach, and operational certainty**

**Cronogue ‘12** [Graham, graduate of the Duke University School of Law, where he served as an¶ Executive Editor for the Duke Journal of Comparative and International Law and an Articles¶ Editor for the Duke Environmental Law and Policy Forum, BA in Political Science from University of North Carolina at Chapel Hill, “A New AUMF: Defining Combatants in the War on Terror,” <http://scholarship.law.duke.edu/cgi/viewcontent.cgi?article=1294&context=djcil>]

Though the President’s inherent authority to act in times of emergency ¶ and war can arguably make congressional authorization of force ¶ unnecessary, it is extremely important for the conflict against al-Qaeda and ¶ its allies. First, as seen above, the existence of a state of war or national ¶ emergency is not entirely clear and might not authorize offensive war ¶ anyway. Next, assuming that a state of war did exist, specific congressional ¶ authorization would further legitimate and guide the executive branch in ¶ the prosecution of this conflict by setting out exactly what Congress ¶ authorizes and what it does not. Finally, Congress should specifically set out what the President can and cannot do to limit his discretionary authority and prevent adding to the gloss on executive power. ¶ Even during a state of war, a congressional authorization for conflict ¶ that clearly sets out the acceptable targets and means would further ¶ legitimate the President’s actions and help guide his decision making ¶ during this new form of warfare. Under Justice Jackson’s framework from ¶ Youngstown, presidential authority is at its height when the Executive is acting pursuant to an implicit or explicit congressional authorization.74 In ¶ this zone, the President can act quickly and decisively because he knows ¶ the full extent of his power.75 In contrast, the constitutionality of ¶ presidential action merely supported by a president’s inherent authority ¶ exists in the “zone of twilight.”76 Without a congressional grant of power, ¶ the President’s war actions are often of questionable constitutionality ¶ because Congress has not specifically delegated any of its own war powers ¶ to the executive.77¶ This problem forces the President to make complex judgments ¶ regarding the extent and scope of his inherent authority. The resulting uncertainty creates unwelcome issues of constitutionality that might hinder the President’s ability to prosecute this conflict effectively. In timesensitive and dangerous situations, where the President needs to make splitsecond decisions that could fundamentally impact American lives and ¶ safety, he should not have to guess at the scope of his authority. Instead, Congress should provide a clear, unambiguous grant of power, which would mitigate many questions of authorization. Allowing the President to ¶ understand the extent of his authority will enable him to act quickly, ¶ decisively but also constitutionally. ¶ Finally, a grant or denial of congressional authorization will allow Congress to control the “gloss” on the executive power. There is considerable tension between the President’s constitutional powers as Commander in Chief and Congress’s war making powers.78 This tension is ¶ not readily resolved simply by looking at the Constitution.79 Instead courts look to past presidential actions and congressional responses when evaluating the constitutionality of executive actions.80 Indeed Justice ¶ Frankfurter noted in Youngstown that “a systematic, unbroken, executive ¶ practice, long pursued to the knowledge of the Congress and never before ¶ questioned . . . may be treated as a gloss on ‘executive Power’ vested in the ¶ President by § 1 of Art. II.”81 Thus, congressional inaction can be deemed as implicit delegation of war making power to the executive.82 Whether the United States is in a state of war or not, an authorization ¶ of force provides legitimacy and clarity to the war effort. If the President acts pursuant to such an authorization his authority is at its height; consequently, he can operate with greater certainty that his actions are ¶ constitutional.83 Absent such a declaration, the President’s power is much less clear. While the President has the authority to frame the conflict and he might still be able to act pursuant to his inherent powers, he is operating in the zone of twilight.84