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### Advantage {X}: Drone Failure

#### Drone strikes are causing instability and terrorist backlash in Pakistan and Yemen- creating a failed state syndrome and killing relations

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When Barack Obama took the oath of office three years ago, no one associated the phrase “targeted killing” with his optimistic young presidency. In his inaugural address, the 47-year-old former constitutional law professor uttered the word “terror” only once. Instead, he promised to use technology to “harness the sun and the winds and the soil to fuel our cars and run our factories.” Oddly, technology has enabled Obama to become something few expected: a president who has dramatically expanded the executive branch’s ability to wage high-tech clandestine war. With a determination that has surprised many, Obama has embraced the CIA, expanded its powers and approved more targeted killings than any modern president. Over the last three years, the Obama administration has carried out at least 239 covert drone strikes, more than five times the 44 approved under George W. Bush. And after promising to make counterterrorism operations more transparent and rein in executive power, Obama has arguably done the opposite, maintaining secrecy and expanding presidential authority. Just as importantly, the administration’s excessive use of drone attacks undercuts one of its most laudable policies: a promising new post-9/11 approach to the use of lethal American force, one of multilateralism, transparency and narrow focus. Obama’s willingness to deploy lethal force should have come as no surprise. In a 2002 speech, Illinois State Senator Obama opposed Bush’s impending invasion of Iraq, but not all conflicts. “I don’t oppose all wars,” he said. “What I am opposed to is a dumb war.” And as president, in his December 2009 Nobel Peace Prize acceptance speech, Obama warned, “There will be times when nations — acting individually or in concert — will find the use of force not only necessary but morally justified.” Since then, he has not only sent U.S. forces into Afghanistan, Iraq and Libya, but also repeatedly approved commando raids in Pakistan and Somalia and on the high seas, while presiding over a system that unleashed hundreds of drone strikes. In a series of recent interviews, current and former administration officials outlined what could be called an “Obama doctrine” on the use of force. Obama’s embrace of multilateralism, drone strikes and a light U.S. military presence in Libya, Pakistan and Yemen, they contend, has proved more effective than Bush’s go-heavy approach in Iraq and Afghanistan. “We will use force unilaterally if necessary against direct threats to the United States,” Ben Rhodes, the administration’s deputy national security advisor for strategic communications, told me. “And we’ll use force in a very precise way.” Crises the administration deems indirect threats to the United States — such as the uprisings in Libya and Syria — are “threats to global security,” Rhodes argued, and will be responded to multilaterally and not necessarily by force. The drawdown of U.S. troops in Iraq and Afghanistan, as well as the creation of a smaller, more agile U.S. military spread across Asia, the Pacific and the Middle East, are also part of the doctrine. So is the discreet backing of protesters in Egypt, Iran and Syria. The emerging strategy — which Rhodes touted as “a far more focused approach to our adversaries” — is a welcome shift from the martial policies and bellicose rhetoric of both the Bush administration and today’s Republican presidential candidates. But Obama has granted the CIA far too much leeway in carrying out drone strikes in Pakistan and Yemen. In both countries, the strikes often appear to be backfiring. Obama and other administration officials insist the drones are used rarely and kill few civilians. In a rare public comment on the program, the president defended the strikes in late January. “I want to make sure the people understand, actually, drones have not caused a huge number of civilian casualties,” Obama said. “For the most part, they have been very precise precision strikes against al Qaeda and their affiliates. And we are very careful in terms of how it’s been applied.” But from Pakistan to Yemen to post-American Iraq, drones often spark deep resentment where they operate. When they do attack, they kill as brutally as any weapon of war. The administration’s practice of classifying the strikes as secret only exacerbates local anger and suspicion. Under Obama, drone strikes have become too frequent, too unilateral, and too much associated with the heavy-handed use of American power. In 2008, I saw this firsthand. Two Afghan colleagues and I were kidnapped by the Taliban and held captive in the tribal areas of Pakistan for seven months. From the ground, drones are terrifying weapons that can be heard circling overhead for hours at a time. They are a potent, unnerving symbol of unchecked American power. At the same time, they were clearly effective, killing foreign bomb-makers and preventing Taliban fighters from gathering in large groups. The experience left me convinced that drone strikes should be carried out — but very selectively. In the January interview, Obama insisted drone strikes were used only surgically. “It is important for everybody to understand,” he said, “that this thing is kept on a very tight leash.” Drones, though, are in no way surgical. In interviews, current and former Obama administration officials told me the president and his senior aides had been eager from the outset to differentiate their approach in Pakistan and Afghanistan from Bush’s. Unlike in Iraq, where Democrats thought the Bush administration had been too aggressive, they thought the Bush White House had not been assertive enough with Afghan and Pakistani leaders. So the new administration adopted a unilateral, get-tough approach in South Asia that would eventually spread elsewhere. As candidate Obama vowed in a 2007 speech, referring to Pakistan’s president at the time, “If we have actionable intelligence about high-value terrorist targets and President Musharraf won’t act, we will.” In his first year in office, Obama approved two large troop surges in Afghanistan and a vast expansion of the number of CIA operatives in Pakistan. The CIA was also given more leeway in carrying out drone strikes in the country’s ungoverned tribal areas, where foreign and local militants plot attacks for Afghanistan, Pakistan and beyond. The decision reflected both Obama’s belief in the need to move aggressively in Pakistan and the influence of the CIA in the new administration. To a far greater extent than the Bush White House, Obama and his top aides relied on the CIA for its analysis of Pakistan, according to current and former senior administration officials. As a result, preserving the agency’s ability to carry out counterterrorism, or “CT,” operations in Pakistan became of paramount importance. “The most important thing when it came to Pakistan was to be able to carry out drone strikes and nothing else,” said a former official who spoke on condition of anonymity. “The so-called strategic focus of the bilateral relationship was there solely to serve the CT approach.” Initially, the CIA was right. Increased drone strikes in the tribal areas eliminated senior al Qaeda operatives in 2009. Then, in July 2010, Pakistanis working for the CIA pulled up behind a white Suzuki navigating the bustling streets of Peshawar. The car’s driver was later tracked to a large compound in the city of Abbottabad. On May 2, 2011, U.S. commandos killed Osama bin Laden there. The U.S. intelligence presence, though, extended far beyond the hunt for bin Laden, according to former administration officials. At one point, the CIA tried to deploy hundreds of operatives across Pakistan but backed off after suspicious Pakistani officials declined to issue them visas. At the same time, the agency aggressively used the freer hand Obama had given it to launch more drone strikes than ever before. Established by the Bush administration and Musharraf in 2004, the covert CIA drone program initially carried out only “personality” strikes against a preapproved list of senior al Qaeda members. Pakistani officials were notified before many, but not all, attacks. Between 2004 and 2007, nine such attacks were carried out in Pakistan, according to the New America Foundation. In 2008, the Bush administration authorized less-restrictive “signature” strikes in the tribal areas. Instead of basing attacks on intelligence regarding a specific person, CIA drone operators could carry out strikes based on the behavior of people on the ground. Operators could launch a drone strike if they saw a group, for example, crossing back and forth over the Afghanistan-Pakistan border. In 2008, the Bush administration carried out 33 strikes. Under Obama, the drone campaign has escalated rapidly. The number of strikes rose steeply to 53 in 2009 and then more than doubled to 118 in 2010. Former administration officials said the looser rules resulted in the killing of more civilians. Current administration officials insisted that Obama, in fact, tightened the rules on the use of drone strikes after taking office. They said strikes rose under Obama because improved technology and intelligence gathering created more opportunities for attacks than existed under Bush. But as Pakistani public anger over the spiraling strikes grew, other diplomats expressed concern as well. The U.S. ambassador in Pakistan at the time, Anne Patterson, opposed several attacks, but the CIA ignored her objections. When Cameron Munter replaced Patterson in October 2010, he objected even more vigorously. On at least two occasions, CIA Director Leon Panetta dismissed Munter’s protests and launched strikes, the Wall Street Journal later reported. One strike occurred only hours after Sen. John Kerry, head of the Senate Foreign Relations Committee, had completed a visit to Islamabad. A March 2011 strike brought the debate to the White House. A day after Pakistani officials agreed to release CIA contractor Raymond Davis, the agency — again over Munter’s objections — carried out a signature drone strike that the Pakistanis say killed four Taliban fighters and 38 civilians. Already angry about the Davis case, Pakistan’s Army chief, Gen. Ashfaq Parvez Kayani, issued an unusual public statement, saying a group of tribal elders had been “carelessly and callously targeted with complete disregard to human life.” U.S. intelligence officials dismissed the Pakistani complaints and insisted 20 militants had perished. “There’s every indication that this was a group of terrorists, not a charity car wash in the Pakistani hinterlands,” one official told the Associated Press. Surprised by the vehemence of the official Pakistani reaction, National Security Adviser Tom Donilon questioned whether signature strikes were worthwhile. Critics inside and outside the U.S. government contended that a program that began as a carefully focused effort to kill senior al Qaeda leaders had morphed into a bombing campaign against low-level Taliban fighters. Some outside analysts even argued that the administration had adopted a de facto “kill not capture” policy, given its inability to close Bush’s Guantánamo Bay prison and create a new detention system. In April 2011, the director of Pakistan’s intelligence service, Lt. Gen. Ahmed Shuja Pasha, visited Washington in an effort to repair the relationship, according to news accounts and former administration officials. Just after his visit, two more drone strikes occurred in the tribal areas, which Pasha took as a personal affront. In a rare concession, Panetta agreed to notify Pakistan’s intelligence service before the United States carried out any strike that could kill more than 20 people. In May, after the bin Laden raid sparked further anger among Pakistani officials, Donilon launched an internal review of how drone strikes were approved, according to a former administration official. But the strikes continued. At the end of May, State Department officials were angered when three missile strikes followed Secretary of State Hillary Clinton’s visit to Pakistan. As Donilon’s review progressed, an intense debate erupted inside the administration over the signature strikes, according to the Wall Street Journal. Adm. Mike Mullen, then chairman of the Joint Chiefs of Staff, said the strikes should be more selective. Robert Gates, then the defense secretary, warned that angry Pakistani officials could cut off supplies to U.S. troops in Afghanistan. Clinton warned that too many civilian casualties could strengthen opposition to Pakistan’s weak, pro-American president, Asif Ali Zardari. The CIA countered that Taliban fighters were legitimate targets because they carried out cross-border attacks on U.S. forces, according to the former official. In June, Obama sided with the CIA. Panetta conceded that no drone strike would be carried out when Pakistani officials visited Washington and that Clinton and Munter could object to proposed strikes. But Obama allowed the CIA director to retain final say. Last November, the worst-case scenario that Mullen, Gates and Clinton had warned of came to pass. After NATO airstrikes mistakenly killed 24 Pakistani soldiers on the Afghanistan-Pakistan border, Kayani [army chief general] demanded an end to all U.S. drone strikes and blocked supplies to U.S. troops in Afghanistan. At the same time, popular opposition to Zardari soared. After a nearly two-month lull that allowed militants to regroup, drone strikes resumed in the tribal areas this past January. But signature strikes are no longer allowed — for the time being, according to the former senior official. Among average Pakistanis, the strikes played out disastrously. In a 2011 Pew Research Center poll, 97 percent of Pakistani respondents who knew about the attacks said American drone strikes were a “bad thing.” Seventy-three percent of Pakistanis had an unfavorable view of the United States, a 10-percentage-point rise from 2008. Administration officials say the strikes are popular with Pakistanis who live in the tribal areas and have tired of brutal jihadi rule. And they contend that Pakistani government officials — while publicly criticizing the attacks — agree in private that they help combat militancy. Making the strikes more transparent could reduce public anger in other parts of Pakistan, U.S. officials concede. But they say some elements of the Pakistani government continue to request that the strikes remain covert. For me, the bottom line is that both governments’ approaches are failing. Pakistan’s economy is dismal. Its military continues to shelter Taliban fighters it sees as proxies to thwart Indian encroachment in Afghanistan. And the percentage of Pakistanis supporting the use of the Pakistani Army to fight extremists in the tribal areas — the key to eradicating militancy — dropped from a 53 percent majority in 2009 to 37 percent last year. Pakistan is more unstable today than it was when Obama took office. A similar dynamic is creating even worse results on the southern tip of the Arabian Peninsula. Long ignored by the United States, Yemen drew sudden attention after a suicide attack on the USS Cole killed 17 American sailors in the port of Aden in 2000. In 2002, the Bush administration carried out a single drone strike in Yemen that killed Abu Ali al-Harithi, an al Qaeda operative who was a key figure in orchestrating the Cole attack. In the years that followed, the administration shifted its attentions to Iraq, and militants began to regroup. A failed December 2009 attempt by a militant trained in Yemen to detonate a bomb on a Detroit-bound airliner focused Obama’s attention on the country. Over the next two years, the United States carried out an estimated 20 airstrikes in Yemen, most in 2011. In addition to killing al Qaeda-linked militants, the strikes killed dozens of civilians, according to Yemenis. Instead of decimating the organization, the Obama strikes have increased the ranks of al Qaeda in the Arabian Peninsula from 300 fighters in 2009 to more than 1,000 today, according to Gregory Johnsen, a leading Yemen expert at Princeton University. In January, the group briefly seized control of Radda, a town only 100 miles from the capital, Sanaa. “I don’t believe that the U.S. has a Yemen policy,” Johnsen told me. “What the U.S. has is a counterterrorism strategy that it applies to Yemen.” The deaths of bin Laden and many of his lieutenants are a step forward, but Pakistan and Yemen are increasingly unstable. Pakistan is a nuclear-armed country of 180 million with resilient militant networks; Yemen, an impoverished, failing state that is fast becoming a new al Qaeda stronghold. “They think they’ve won because of this approach,” the former administration official said, referring to the administration’s drone-heavy strategy. “A lot of us think there is going to be a lot bigger problems in the future.” The backlash from drone strikes in the countries where they are happening is not the only worry. In the United States, civil liberties and human rights groups are increasingly concerned with the breadth of powers Obama has claimed for the executive branch as he wages a new kind of war. In the Libya conflict, the administration invoked the drones to create a new legal precedent. Under the War Powers Resolution, the president must receive congressional authorization for military operations within 60 days. When the deadline approached in May, the administration announced that because NATO strikes and drones were carrying out the bulk of the missions, no serious threat of U.S. casualties existed and no congressional authorization was needed. “It’s changed the way politicians talk about what should be the most important thing that a nation engages in,” said Peter W. Singer, a Brookings Institution researcher. “It’s changed the way we in the public deliberate war.” Last fall, a series of drone strikes in Yemen set another dangerous precedent, according to civil liberties and human rights groups. Without any public legal proceeding, the U.S. government executed three of its own citizens. On Sept. 30, a drone strike killed Anwar al-Awlaki, a charismatic American-born cleric of Yemeni descent credited with inspiring terrorist attacks around the world. Samir Khan, a Pakistani-American jihadist traveling with him, was killed as well. Several weeks later, another strike killed Awlaki’s 16-year-old son, Abdulrahman al-Awlaki, also a U.S. citizen. Administration officials insisted a Justice Department review had authorized the killings but declined to release the full document. “The administration has claimed the power to carry out extrajudicial executions of Americans on the basis of evidence that is secret and is never seen by anyone,” said Jameel Jaffer, deputy legal director of the American Civil Liberties Union. “It’s hard to understand how that is consistent with the Constitution.” After criticizing the Bush administration for keeping the details of its surveillance, interrogation and detention practices secret, Obama is doing the same thing. His administration has declined to reveal the details of how it places people on kill lists, carries out eavesdropping in the United States or decides whom to detain overseas. The administration is also prosecuting six former government officials on charges of leaking classified information to the media — more cases than all other administrations combined. Administration officials deny being secretive and insist they have disclosed more information about their counterterrorism practices than the Bush administration, which fiercely resisted releasing details of its “war on terror” and established the covert drone program in Pakistan. Obama administration officials say they have established a more transparent and flexible approach outside Pakistan that involves military raids, drone strikes and other efforts. They told me that every attack in Yemen was approved by Yemeni officials. Eventually, they hope to make drone strikes joint efforts carried out openly with local governments. For now, keeping them covert prevents American courts from reviewing their constitutionality, according to Jaffer. He pointed out that if a Republican president followed such policies, the outcry on the left would be deafening. “You have to remember that this authority is going to be used by the next administration and the next administration after that,” Jaffer said. “You need to make sure there are clear limits on what is really unparalleled power.” To their credit, Obama and his senior officials have successfully reframed Bush’s global battle as a more narrowly focused struggle against al Qaeda. They stopped using the term “war on terror” and instead described a campaign against a single, clearly identifiable group. Senior administration officials cite the toppling of Muammar al-Qaddafi as the prime example of the success of their more focused, multilateral approach to the use of force. At a cost of zero American lives and $1 billion in U.S. funding, the Libya intervention removed an autocrat from power in five months. The occupation of Iraq claimed 4,484 American lives, cost at least $700 billion, and lasted nearly nine years. “The light U.S. footprint had benefits beyond less U.S. lives and resources,” Rhodes told me. “We believe the Libyan revolution is viewed as more legitimate. The U.S. is more welcome. And there is less potential for an insurgency because there aren’t foreign forces present.” In its most ambitious proposal, the administration is also trying to restructure the U.S. military, implement steep spending cuts and “right-size” U.S. forces around the world. Under Obama’s plan, the Army would be trimmed by 80,000 soldiers, some U.S. units would be shifted from the Middle East to the Pacific, and more small, covert bases would be opened. Special Forces units that have been vastly expanded in Iraq and Afghanistan would train indigenous forces and carry out counterterrorism raids. Declaring al Qaeda nearly defeated, administration officials say it is time for a new focus. “Where does the U.S. have a greater interest in 2020?” Rhodes asked. “Is it Asia-Pacific or Yemen? Obviously, the Asia-Pacific region is clearly going to be more important.” Rhodes has a point, but Pakistan and its nuclear weapons — as well as Yemen and its proximity to vital oil reserves and sea lanes — are likely to haunt the United States for years. Retired military officials warn that drones and commando raids are no substitute for the difficult process of helping local leaders marginalize militants. Missile strikes that kill members of al Qaeda and its affiliates in Pakistan and Yemen do not strengthen economies, curb corruption or improve government services. David Barno, a retired lieutenant general who commanded U.S. forces in Afghanistan from 2003 to 2005, believes hunting down senior terrorists over and over again is not a long-term solution. “How do you get beyond this attrition warfare?” he asked me. “I don’t think we’ve answered that question yet.”

#### Specifically- drone strikes kill the president of Pakistan (Shariff’s) political legitimacy

Toosi ’13 (Nahal Toosi, Associated Press Editor, “Pakistan Summons U.S. Envoy Over Drone Strike”, <http://www.huffingtonpost.com/2013/06/08/pakistan-us-envoy-summoned_n_3407803.html>, June 8, 2013)

ISLAMABAD — Just days after taking power, Pakistan's new government summoned a top U.S. envoy Saturday to lodge a protest over a U.S. drone strike, suggesting that Prime Minister Nawaz Sharif's team fully intends to make good on its promise to aggressively push for an end to such strikes. Friday night's drone strike near the Afghan border, which was said to have killed seven militants, came two days after Sharif was sworn in as premier and the same day his Cabinet members took their oaths. Sharif's Pakistan Muslim League-N handily won general elections last month and is expected to govern with a relatively strong mandate because it doesn't need to rely on coalition partners. Sharif, who wants to pursue peace talks with militants threatening his country, has insisted the U.S. stop the drone strikes, saying they violate Pakistan's sovereignty and are counterproductive because they often kill innocent civilians and stoke anti-U.S. sentiment in this nation of 180 million. The U.S. insists the CIA-run strikes primarily kill al-Qaida and other militants who threaten the West as well as efforts to stabilize Afghanistan. In a recent speech, President Barack Obama pledged more transparency and restrictions on the highly secretive program. Sharif adviser Tariq Fatemi, acting on the premier's instructions, summoned U.S. Embassy Charge D'Affaires Richard Hoagland to the Foreign Office on Saturday to complain about the latest drone strike, according to a Pakistani government statement. U.S. Ambassador Richard Olson was out of Pakistan at the time. "The importance of bringing an immediate end to drone strikes was emphasized," the government statement said. "It was also stressed that these drone strikes have a negative impact on the mutual desire of both countries to forge a cordial and cooperative relationship and to ensure peace and stability in the region." A U.S. Embassy official confirmed the encounter but did not provide further details. He requested anonymity because he was not authorized to publicly talk about diplomatic discussions. Issuing the summons so quickly after taking power indicates Sharif wants to quickly carve out as much political space as he can – domestically and in his relations with the U.S. It could also be a fairly calculated move in this country, where the military retains significant power and where political rivals have gained traction by being even more vocal against drones. While the previous government of the Pakistan People's Party did, on occasion, summon U.S. envoys over drone strikes, it usually stuck to routine press releases denouncing them. It was also widely believed that many People's Party leaders privately supported the drone strikes. At the same time, Sharif has to strike a balance in his approach to a powerful ally such as the U.S., which has provided Pakistan with billions in military and humanitarian aid over the years, said Babar Sattar, a political and legal analyst in Pakistan. "Reaction more stringent than this with an ally and friend would obviously have the possibility of disrupting the relationship – and he's made it clear that's not what he wants," Sattar said, noting that Sharif has not, for example, backed calls by some activists that Pakistan shoot down the drones. Sharif also has been far more careful than his People's Party predecessors in his rhetoric about militancy in Pakistan and has said he wants to enter a dialogue with the Pakistani Taliban. That has raised concerns in the West that he might be too sympathetic to the Islamist extremists, but he also may simply want to exhaust the option of peace talks so as to later gain public support for military action, Sattar said. A stop to drone strikes could give him more space in that process. In its first drone strike in Pakistan after the country's recent election, the U.S. in late May killed Waliur Rehman, deputy leader of the Pakistani Taliban. The Pakistani Taliban, who have killed thousands of people in bombings and other attacks across the country, confirmed Rehman's death and promptly said they would not talk peace with Sharif. Sharif – while not naming Rehman or the Taliban – spoke out against that drone strike, and his party in a statement noted that it was "highly regrettable" that it came after Obama's speech. The drone strike Friday night struck a compound in Mangrothi village in the Shawal area, along the border dividing the North and South Waziristan tribal regions, two Pakistani intelligence officials said, speaking on condition of anonymity because they were not authorized to release the information on the record. The tribal regions are nearly impossible to access for foreign and many Pakistani journalists, so the report could not be independently confirmed. But North and South Waziristan are known to be havens for multiple militant groups, including the Pakistani Taliban. The U.S. has launched hundreds of drone strikes in Pakistan since 2008, though the frequency has fallen significantly in recent years. For all his rhetoric, it remains unclear if Sharif can actually stop the U.S. from using the drones to launch missiles at militants Washington believes are a threat. For one thing, despite his numbers in parliament, Sharif still has to contend with Pakistan's army for influence over security and foreign policies. And If he's unable to end the strikes in Pakistan as the months wear on, that could give more room to opposition politician Imran Khan, the former cricket star, to drain support from Sharif and his party. Khan has been especially strident in campaigning against the drone strikes.

#### Sharif solves Pakistan economic collapse and trading blocs- key to solve multiple scenarios for escalatory great power war

**Younus ‘13** [Uzair, international security studies analyst for the Fletcher Security Review, focusing on international trade in South West Asia, the Middle East, and North Africa, graduated summa cum laude from Bentley University, “PAKISTAN LOOKS TO NAWAZ SHARIF WITH HOPE,” June 10, http://foreignpolicy.com.pk/pakistan-looks-to-nawaz-sharif-with-hope/]

In his first speech as Prime Minister, Nawaz Sharif spoke with a seriousness rarely found in Pakistani politicians. He spoke of the crippling issues facing the country today and expressed the need for consensus in developing cohesive policies needed to rescue Pakistan. Unlike most Pakistani politicians, the PM has shown that he means what he says: he outrightly declined proposals of Maulana Fazlur Rehman to sideline PTI in Khyber-Pakhtunkhwa and made a brave decision in nominating Mr. Baloch as Chief Minister of Baluchistan.¶ REINVIGORATING A CRIPPLING ECONOMY WILL BE A TOUGH TEST¶ Nawaz Sharif’s biggest challenge will lie on the economic and foreign policy front and luckily or unluckily, the two are interconnected. The fact of the matter is that the Pakistani economy is on the brink of collapse: foreign exchange reserve are falling rapidly, the economy is stagnating due to energy shortfalls and poor law and order, and massive government debts and interest payments have left the new government with little room for expansionary policy.¶ The foreign policy of the government will determine whether Pakistan can develop a local environment where investment, development, and trade can flourish again. Popular discourse in Pakistan on foreign policy revolves mainly around drone strikes and the United States. This is a futile exercise and draws attention away from more serious issues. Fact of the matter is that the United States will slowly withdraw from Afghanistan but continue its much-despised drone strikes in the tribal belt. There is simply no alternative to this for the time being. However, Pakistan’s relations with its immediate neighbors in a post-NATO world will be key in determining the country’s future.¶ NAWAZ SHARIF MUST PROMOTE REGIONAL TRADE AND COOPERATION¶ For centuries, the land mass that we now call Pakistan has been used as a trade route connecting the landlocked countries of Central Asia and ancient Persia to the fertile and rich empires of India and China. It was from this region that trade flowed from the East to the West and vice versa, enabling everyone from Pashtun tribes, Punjabi Nobles, and Sindhi bankers to enrich themselves and develop their states. Poor relations between India and Pakistan and the collapse of Afghan society essentially froze this ancient route. This continues to be an issue today: India cannot get its products across Pakistan into Central Asia, Iran cannot sells its oil and gas to China and India, and Afghanistan is unable to use its land mass as a corridor for Central Asian gas and Chinese and Indian goods.¶ Nawaz Sharif has made statements about the need for developing strong and peaceful relations with India and hinted that trade-based solutions would be a good starting point. Afghanistan is also keen on being part of these developments, while the Iranians are watching with interest and would be interested in joining on as well. China has already bought up large chunks of mines in Afghanistan and would be a party to any trade agreements and would be keen on developing energy routes that reduce its dependence on the shipping lanes of the Indian Ocean. China’s continuing interest in Gwadar despite the poor law and order situation in Baluchistan is proof of this interest. Everyone in the region has something to gain from cooperation but so far, no one has been able to bring all parties to the table.¶ It is Pakistan today that holds the key to the reintegration of Central and Southwest Asia and Pakistani policymakers must realize that history can pave way for a prosperous future. For centuries the trading routes connecting Central Asia to China and India brought wealth, trade, and even war to this region. Today, these routes are virtually frozen and the development of a cohesive trading bloc could do wonders. The economic growth generated by just enabling trade between Afghanistan, Pakistan, and India would go a long way in diffusing tensions, militancy, and the current crisis that our region is in the midst of.¶ Nawaz Sharif has emphasized the need to bring all local stakeholders in Pakistan to the table in solving the country’s vast problems. A similar strategy of building rapport and asking all regional stakeholders to come to the table to discuss solutions would do wonders. Luckily for Mr. Sharif, regional and global leaders feel that he is someone that they can work with. Mr. Sharif must use this trust as a means to further Pakistan’s interests and move the region towards greater economic and trade cooperation.¶ REGIONAL INTEGRATION CAN DRAMATICALLY REDUCE TENSIONS¶ In a rapidly globalizing world, our region is one of the few in the world that is not integrated by trade. The animosity amongst all the neighboring countries creates a scenario where no one is better off. It also creates an environment where scarce resources are used to fund an arms-race that leads to further escalation in tensions. Pakistan, India, China, Iran, and now even Afghanistan are locked in a regional battle for supremacy and each government is increasingly more and more aggressive. Fostering greater trade and economic cooperation would reduce this animosity and if Nawaz Sharif really wants to take Pakistan forward, he must seriously develop a means to further trade between Pakistan’s neighbors. If he succeeds, then the Pakistani state would be very different than the one Mr. Sharif is ruling today. A failure to do so would all but guarantee further militancy, instability, and increases in defence spending.

#### Central Asian resource crunch causes war

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Central Asia: where power, politics and economics collide

In an increasingly energy hungry world, Central Asia's resources are attracting growing interest Having been involved with Central Asia since 1998 on both an academic and professional level, I have concluded that the region provides exhaustive case studies of how relations between international interests, the legitimate economy, criminality and political violence collide and/or converge. This view originally resulted from my academic research on the crime-terror nexus – deducing in 2000 that the Islamic Movement of Uzbekistan gained momentum because Juma Namanganiy was able to weave (the façade of) legitimate business dealings with narcotics trafficking. Examples evolved into more sophisticated operations over the years as business, criminal and political interests increasingly converged. For example, evidence in Kyrgyzstan suggests that although key economic sectors are often intertwined with illegal activities, they are given carte blanche access to the banking system and attract foreign investment. Instead of adopting Western espoused and supported democratic ideals and market mechanisms as the a priori ways through which economic growth and political stability could be achieved, Central Asia has found its development constrained by the power amassed by authoritarian regimes, oligarchs, and criminal networks. Furthermore, despite regularly admonishing the region for their lack of democratic progress or their inability to establish control over criminality and rising extremism, the actions of external actors perpetuate autocratic rule and corruption, which subsequently feeds into a climate of economic, political and social instability. Central Asia is part of several struggles that intermittently see external actors compete for attention and ultimately for access to resources Geo-economics as the New Geopolitics Historically, Central Asia has been referred to in the context of its position at the crossroads of East and West, nestled between empires and bordering zones of conflict and insecurity (e.g. Afghanistan, China’s Xinjiang province, and Iran). Although the region was largely ignored throughout the Cold War, its vitality and importance was quickly rediscovered. Central Asia is continuously recognised as an important stakeholder in the Caspian energy game, a conduit to Chinese energy security, a playground of Russian power politics, and a transit area for criminal activity and religious fervour that is played out to its extreme in Afghanistan. Given these regional realities, Central Asia is part of several struggles that intermittently see external actors compete for attention and ultimately for access to resources. The competition for control over regional resources is often exemplified in bilateral and multilateral economic and military agreements that are negotiated with the Central Asian states. Although there is no illusion that external states are in a position to dictate terms of engagement, regional elites have recognised that they can leverage competing interests to their (often personal) advantage. As a result, concepts such as the rule of law, corporate governance, and transparency in commercial operations are often considered to be expendable in the national interest. Plays of power politics are no longer isolated to state actions alone, but incorporate the ability of states to use commercial interests and circumvent criminal control over economic spheres without creating greater short-term instability. Isolating the activities of China, Russia and the U.S., it may be argued that – in doing so - each of these states have helped sustain the status quo of the Central Asian republics. Access to resources and infrastructure have become prioritised as soft power tools through which they perceive to be able to incrementally increase their regional influence. China’s Extended Africa Strategy Involved in the region since the 1990s, the Chinese strategy in Central Asia is undoubtedly multifaceted. A key driver of China’s policy in the region, however, appears to be mirroring its Africa policy. In other words, China is steadily increasing its regional presence through the acquisition of stakes in energy and infrastructure assets, and by providing “no-strings attached” loans. For example, Beijing recently agreed to provide Astana with a U.S. $10 billion loan to be used exclusively for the development of the oil and gas industry: a move likely to be used to expand its energy links in the region. Although several bilateral agreements have been finalised between Beijing and Dushanbe, Tashkent, Almaty and Bishkek respectively and Beijing has attained a balanced position with Russia in the Shanghai Cooperation Organisation, its strongest foothold has been gained through a carefully targeted investment strategy. This is evident in Tajikistan, with Chinese participation in the aluminium industry and in Kazakhstan, with key commercial agreements signed with KazMunaiGaz and Kazatomprom. Europe has begun to note with concern China’s investment patterns, with Chinese foreign direct investment and long-term loans equalling an estimated U.S. $13 billion in the region. © Reuters/POOL New Leaders of countries in the Shanghai Cooperation Organisation (SCO) at a SCO meeting Russia’s Oligarch Power Plays Russia has also successfully managed to use the commercial sphere to consolidate its influence and power in Central Asia. This has been especially evident in Kazakhstan – arguably Russia’s only direct link to the other republics. Russia has made its initial inroads in the Kazakh banking system through state-owned banks – both through the direct and indirect acquisition of shares. In theory, this policy will allow Moscow to exert influence on the Kazakh economy by controlling access to loans, and decisions on commercial debt. Vnesheconombank, for example, gave Astana a U.S. $3.5 billion loan to be used solely to purchase Russian products. It is also likely that Kazakh BTA Bank will follow a restructuring path that involves a possible sale to Russia’s Sberbank. Despite a focus on cornering the financial market, Russia is also gaining influence in the energy and mining sectors. Companies including Polyus Gold and Polymetal have gained considerable leverage over gold and copper deposits; and LUKoil continues to expand its presence. For example, Moscow offered capital at a time of crisis to ensure that LUKoil could purchase BP’s stake in the Caspian Pipeline Consortium project. It is also worth noting that LUKoil was invited to sit on Kazakhstan’s Foreign Investments Council in 2003 by President Nursultan Nazarbayev. Both China and Russia, in following commercial strategies to gain influence in the region, have inadvertently contributed to securing the current political status quo. Investigating various business deals that have included Chinese or Russian interests has confirmed that in many instances the rule of law, corporate governance, and transparency of beneficial ownership are considered to be luxuries and thus dispensable. State involvement in commercial transactions thus has little to do with contributing to the creation of sustainable economic growth. In fact, several commercial transactions have merely worked to sustain the ‘shadow state’, ensuring that income generation is not tied to economic development but to securing regime survival. U.S. Focus on Security Priorities Unlike China and Russia whose engagement with Central Asia has not been constrained or driven by security considerations, much of U.S. involvement in the region post-9/11 has been focused on securing and managing military base agreements. It is in these commercial agreements that the U.S. has mirrored the actions of China and Russia – circumventing market mechanisms cherished in the West to secure its own national priorities. The example of Manas base in Kyrgyzstan is a well-documented case in point. In 2005 the FBI initiated an investigation that uncovered the embezzlement of millions of dollars from fuel contracts the Pentagon awarded to companies controlled by the then-President’s son and son-in-law. This trend merely continued after Bakiev replaced Akayev, with lucrative fuel contracts now going to companies allegedly controlled by the current President’s son. Not only did the U.S. pay a high financial price to secure access (commercial agreements combined with increased aid), but some also accused Washington of turning a blind eye to the many reported anomalies associated with the last Kyrgyz presidential elections. The heightened importance of Central Asia in the post-9/11 environment has created an altered reality Geo-economic Power Plays & Central Asian Security Security in Central Asia has most readily fallen under the rubric of geopolitics, territorially used as a stage upon which external actors could engage in games of power politics. The heightened importance of the region in the post-9/11 environment has created an altered reality; however one in which the fundamental games have not changed, merely the ways in which they are played. Although the immediate impact of this slight twist in context is not obvious, there is a danger that in building an economic house of cards, Central Asia will be in a position to affect regional instability more directly. Dr Tamara Makarenko The emergence of legitimate business interests and investment opportunities will undoubtedly continue to contribute to some form of widespread economic stability, as it has throughout Central Asia since independence. However, at the same time this commercial environment is being built on an unstable foundation – one layered with corruption, competing political interests, civil unrest and disappointment, and criminally induced instability. Affluence is still the domain of the influential, capital continues to be sent to offshore accounts (often facilitating the movement of illicitly gained money), and civil society is left watching internal and external political actors pursue contradictory policies. For as long as the U.S., Russia and China continue to play geo-economic games in the region, there will remain a semblance of stability. It is in their interests to ensure that this is the case. However, one must question the longevity of this policy, and recognise that any slight withdrawal of interests – for whatever reason – may act as the catalyst that leads the region to slide back into more overt instability.

#### Pakistan collapse causes nuclear war

Pitt ‘9 (William, a New York Times and internationally bestselling author of two books: "War on Iraq: What Team Bush Doesn't Want You to Know" and "The Greatest Sedition Is Silence.", “Unstable Pakistan Threatens the World,” <http://www.arabamericannews.com/news/index.php?mod=article&cat=commentary&article=2183>, May 8, 2009)

But a suicide bomber in Pakistan rammed a car packed with explosives into a jeep filled with troops today, killing five and wounding as many as 21, including several children who were waiting for a ride to school. Residents of the region where the attack took place are fleeing in terror as gunfire rings out around them, and government forces have been unable to quell the violence. Two regional government officials were beheaded by militants in retaliation for the killing of other militants by government forces. As familiar as this sounds, it did not take place where we have come to expect such terrible events. This, unfortunately, is a whole new ballgame. It is part of another conflict that is brewing, one which puts what is happening in Iraq and Afghanistan in deep shade, and which represents a grave and growing threat to us all. Pakistan is now trembling on the edge of violent chaos, and is doing so with nuclear weapons in its hip pocket, right in the middle of one of the most dangerous neighborhoods in the world. The situation in brief: Pakistan for years has been a nation in turmoil, run by a shaky government supported by a corrupted system, dominated by a blatantly criminal security service, and threatened by a large fundamentalist Islamic population with deep ties to the Taliban in Afghanistan. All this is piled atop an ongoing standoff with neighboring India that has been the center of political gravity in the region for more than half a century. The fact that Pakistan, and India, and Russia, and China all possess nuclear weapons and share the same space means any ongoing or escalating violence over there has the real potential to crack open the very gates of Hell itself. Recently, the Taliban made a military push into the northwest Pakistani region around the Swat Valley. According to a recent Reuters report: The (Pakistani) army deployed troops in Swat in October 2007 and use d artillery and gunship helicopters to reassert control. But insecurity mounted after a civilian government came to power last year and tried to reach a negotiated settlement. A peace accord fell apart in May 2008. After that, hundreds — including soldiers, militants and civilians — died in battles. Militants unleashed a reign of terror, killing and beheading politicians, singers, soldiers and opponents. They banned female education and destroyed nearly 200 girls' schools. About 1,200 people were killed since late 2007 and 250,000 to 500,000 fled, leaving the militants in virtual control. Pakistan offered on February 16 to introduce Islamic law in the Swat valley and neighboring areas in a bid to take the steam out of the insurgency. The militants announced an indefinite cease-fire after the army said it was halting operations in the region. President Asif Ali Zardari signed a regulation imposing sharia in the area last month. But the Taliban refused to give up their guns and pushed into Buner and another district adjacent to Swat, intent on spreading their rule. The United States, already embroiled in a war against Taliban forces in Afghanistan, must now face the possibility that Pakistan could collapse under the mounting threat of Taliban forces there. Military and diplomatic advisers to President Obama, uncertain how best to proceed, now face one of the great nightmare scenarios of our time. "Recent militant gains in Pakistan," reported The New York Times on Monday, "have so alarmed the White House that the national security adviser, Gen. James L. Jones, described the situation as 'one of the very most serious problems we face.'" "Security was deteriorating rapidly," reported The Washington Post on Monday, "particularly in the mountains along the Afghan border that harbor al-Qaeda and the Taliban, intelligence chiefs reported, and there were signs that those groups were working with indigenous extremists in Pakistan's populous Punjabi heartland. The Pakistani government was mired in political bickering. The army, still fixated on its historical adversary India, remained ill-equipped and unwilling to throw its full weight into the counterinsurgency fight. But despite the threat the intelligence conveyed, Obama has only limited options for dealing with it. Anti-American feeling in Pakistan is high, and a U.S. combat presence is prohibited. The United States is fighting Pakistan-based extremists by proxy, through an army over which it has little control, in alliance with a government in which it has little confidence." It is believed Pakistan is currently in possession of between 60 and 100 nuclear weapons. Because Pakistan's stability is threatened by the wide swath of its population that shares ethnic, cultural and religious connections to the fundamentalist Islamic populace of Afghanistan, fears over what could happen to those nuclear weapons if the Pakistani government collapses are very real. "As the insurgency of the Taliban and Al Qaeda spreads in Pakistan," reported the Times last week, "senior American officials say they are increasingly concerned about new vulnerabilities for Pakistan's nuclear arsenal, including the potential for militants to snatch a weapon in transport or to insert sympathizers into laboratories or fuel-production facilities. In public, the administration has only hinted at those concerns, repeating the formulation that the Bush administration used: that it has faith in the Pakistani Army. But that cooperation, according to officials who would not speak for attribution because of the sensitivity surrounding the exchanges between Washington and Islamabad, has been sharply limited when the subject has turned to the vulnerabilities in the Pakistani nuclear infrastructure." "The prospect of turmoil in Pakistan sends shivers up the spines of those U.S. officials charged with keeping tabs on foreign nuclear weapons," reported Time Magazine last month. "Pakistan is thought to possess about 100 — the U.S. isn't sure of the total, and may not know where all of them are. Still, if Pakistan collapses, the U.S. military is primed to enter the country and secure as many of those weapons as it can, according to U.S. officials. Pakistani officials insist their personnel safeguards are stringent, but a sleeper cell could cause big trouble, U.S. officials say." In other words, a shaky Pakistan spells trouble for everyone, especially if America loses the footrace to secure those weapons in the event of the worst-case scenario. If Pakistani militants ever succeed in toppling the government, several very dangerous events could happen at once. Nuclear-armed India could be galvanized into military action of some kind, as could nuclear-armed China or nuclear-armed Russia. If the Pakistani government does fall, and all those Pakistani nukes are not immediately accounted for and secured, the specter (or reality) of loose nukes falling into the hands of terrorist organizations could place the entire world on a collision course with unimaginable disaster. We have all been paying a great deal of attention to Iraq and Afghanistan, and rightly so. The developing situation in Pakistan, however, needs to be placed immediately on the front burner. The Obama administration appears to be gravely serious about addressing the situation. So should we all.

#### Second Yemen-

#### Instability in Yemen collapses global trade lanes

Yuriditsky ’11 (Associate of the Institute for Gulf Affairs (Lev, “Yemen's Chaos - August 2011,” <http://yuriditsky.blogspot.com/2011/09/yemens-chaos-august-2011.html>, August 28, 2011)

Towards the end of July, the leader of AQAP, Nasir al Wuhayshi, pledged allegiance to Bin Laden’s successor, Ayman al Zawahiri. Wuhayshi vowed to fight until Sharia law is imposed across the globe and that he and the AQAP fighters under his order will “fight the enemies without leniency or surrender until Islam rules.” Wuhayshi’s pledge of allegiance came just a month after Al Shabaab, the Al Qaeda-linked organization in Somalia gave the same oath. The two groups, separated by the strategic Gulf of Aden and the Bab al-Mandab straight, through which millions of barrels of oil and other goods are shipped daily between Asia, Europe and the Americas, make instability in Yemen a tremendous risk to global trade. The groups have cooperated with each other in the past and together can prove to be one of the most deadly terrorist organizations in history. With Al Shabaab’s strong presence in Somalia, all it takes is Al Qaeda strengthening just slightly and the groups will control the horn of Africa, the southwestern peninsula, and the strategic Gulf of Aden. The alliance between Al Shabaab and Al Qaeda is of special significance to the U.S. Al Shabaab has a proven ability to recruit from the U.S. Somali-American population. During a hearing on Muslim radicalization, chair of the House Homeland Security Committee, Peter King discussed Al Shabaab’s “large cadre of American Jihadis” and the groups growing threat in the U.S. He went on to say that AQAP’s resources, such as arms and training (Yemen is the most heavily armed country in the world) with Al Shabaab’s reach can make for a particularly challenging situation.

#### Collapse of trade causes war

Panzner ‘8 (Michael, faculty at the New York Institute of Finance, 25-year veteran of the global stock, bond, and currency markets who has worked in New York and London for HSBC, Soros Funds, ABN Amro, Dresdner Bank, and JPMorgan Chase, “Financial Armageddon: Protect Your Future from Economic Collapse”, Revised and Updated Edition, p. 136-138, googlebooks)

Continuing calls for curbs on the flow of finance and trade will inspire the United States and other nations to spew forth protectionist legislation like the notorious Smoot-Hawley bill. Introduced at the start of the Great Depression, it triggered a series of tit-for-tat economic responses, which many commentators believe helped turn a serious economic downturn into a prolonged and devastating global disaster. But if history is any guide, those lessons will have been long forgotten during the next collapse. Eventually, fed by a mood of desperation and growing public anger, restrictions on trade, finance, investment, and immigration will almost certainly intensify. Authorities and ordinary citizens will likely scrutinize the cross-border movement of Americans and outsiders alike, and lawmakers may even call for a general crackdown on nonessential travel. Meanwhile,many nations will make transporting or sending funds to other countries exceedingly difficult. As desperate officials try to limit the fallout from decades of ill-conceived, corrupt, and reckless policies, they will introduce controls on foreign exchange. Foreign individuals and companies seeking to acquire certain American infrastructure assets, or trying to buy property and other assets on the cheap thanks to a rapidly depreciating dollar, will be stymied by limits on investment by noncitizens. Those efforts will cause spasms to ripple across economies and markets, disrupting global payment, settlement, and clearing mechanisms. All of this will, of course, continue to undermine business confidence and consumer spending. In a world of lockouts and lockdowns, any link that transmits systemic financial pressures across markets through arbitrage or portfolio-based risk management, or that allows diseases to be easily spread from one country to the next by tourists and wildlife, or that otherwise facilitates unwelcome exchanges of any kind will be viewed with suspicion and dealt with accordingly. The rise in isolationism and protectionism will bring about ever more heated arguments and dangerous confrontations over shared sources of oil, gas, and other key commodities as well as factors of production that must, out of necessity, be acquired from less-than-friendly nations. Whether involving raw materials used in strategic industries or basic necessities such as food, water, and energy, efforts to secure adequate supplies will take increasing precedence in a world where demand seems constantly out of kilter with supply. Disputes over the misuse, overuse, and pollution of the environment and natural resources will become more commonplace. Around the world, such tensions will give rise to full-scale military encounters, often with minimal provocation. In some instances, economic conditions will serve as a convenient pretext for conflicts that stem from cultural and religious differences. Alternatively, nations may look to divert attention away from domestic problems by channeling frustration and populist sentiment toward other countries and cultures. Enabled by cheap technology and the waning threat of American retribution, terrorist groups will likely boost the frequency and scale of their horrifying attacks, bringing the threat of random violence to a whole new level. Turbulent conditions will encourage aggressive saber rattling and interdictions by rogue nations running amok. Age-old clashes will also take on a new, more heated sense of urgency. China will likely assume an increasingly belligerent posture toward Taiwan, while Iran may embark on overt colonization of its neighbors in the Mideast. Israel, for its part, maylook to draw a dwindling list of allies from around the world into a growing number of conflicts. Some observers, like John Mearsheimer, a political scientist at the University of Chicago, have even speculated that an “intense confrontation” between the United States and China is “inevitable” at some point. More than a few disputes will turn out to be almost wholly ideological. Growing cultural and religious differences will be transformed from wars of words to battles soaked in blood. Long-simmering resentments could also degenerate quickly, spurring the basest of human instincts and triggering genocidal acts. Terrorists employing biological or nuclear weapons will vie with conventional forces using jets, cruise missiles, and bunker-busting bombs to cause widespread destruction. Many will interpret stepped-up conflicts between Muslims and Western societies as the beginnings of a new world war.

#### The plan is key to a new successful Counterterrorism strategy-

#### Ending drones key to host country cooperation

Streeter ’13 (Devin C. Streeter, Helms School Of Government, Liberty University “Boko Haram, Drone Policy, And Port Security: Issues For Congress”, [http://www.academia.edu/3523639/U.S.\_Drone\_Policy\_Tactical\_Success\_and\_Strategic\_Failure](http://www.academia.edu/3523639/U.S._Drone_Policy_Tactical_Success_and_Strategic_Failure)shaw), April 19, 2013)

A new set of drone operating procedures would help to repair international relations and decrease civilian casualties. Furthermore, nations like Yemen, Somalia, and others, will not feel threatened and will readily accept U.S. assistance in counterterrorism efforts.¶ 78¶ Cooperation with affected nations will ensure that their sovereignty is not violated¶ 79¶ and the use of human intelligence programs will reduce civilian casualties, thus resulting in a sanitary, more effective drone operation.¶ 80¶ While the U.S. drone program has many noteworthy tactical successes, it simultaneously has suffered various strategic failures. Collateral damage has directly strained our relations with Pakistan, and indirectly stressed our relations with Europe, Asia, and South America. However, by increasing joint cooperation and decreasing civilian casualties, the harms inflicted on international relations can be reconciled. If this new system is implemented, not only will United States policy makers see the radical decrease of innocent deaths, but they will also see a decrease in terrorism and the terrorist recruiting pool.¶ 81¶ Confronting this issue and establishing a new set of standard operating procedures should be on the forefront of every elected official’s agenda, for the purpose of improving foreign policy and repairing international relations.

### Advantage {Y}: Sovereignty Violations

#### Unrestrained executive drone policy violates sovereignty claims and undermines rule of law- sends a global signal

Schwartz ’13 (Bernard L. Schwartz, Senior Fellow New America Foundation, Professor of Law, Georgetown University Law Center, “The Constitutional and Counterterrorism Implications of Targeted Killing Testimony Before the Senate Judiciary Subcommittee on the Constitution, Civil Rights, and Human Rights”, April 23, 2013)

Once you take targeted killings outside hot battlefields, it’s a different story . The Obama Administration is currently using drones to strike terror suspects in Pakistan, Somalia, Yemen, and – perhaps — Mali and the Philippines as well. Defenders of the administration's increasing reliance on drone strikes in such places assert that the US is in an armed conflict with “al Qaeda and its associates,” and on that basis, they assert that the law of war is applicable -- in any place and at any time -- with regard to any person the administration deems a combatant. The trouble is, no one outside a very small group within the US executive branch has any ability to evaluate who is and who isn’t a combatant. The war against al Qaeda and its associates is not like World War II, or Libya, or even Afghanistan: it is an open - ended conflict with an inchoate, un defined adversary (who exactly are al Qaeda’s “associates ” ?). What is more, targeting decisions in this nebulous “ war” are based largely on classified intelligence reporting. As a result, Administration assertions about who is a combatant and what constitutes a threat are entirely non - falsifiable, because they're based wholly on undisclosed evidence. Add to this still another problem: most of these strikes are considered covert action, so although the US sometimes takes public credit for the deaths of alleg ed terrorist leaders, most of the time, the US will not even officially acknowledge targeted killings. This leaves all the key rule - of - law questions related to the ongoing war again st al Qaeda and its "associates " unanswered. 36 Based on what criteria might someone be considered a combatant or directly participating in hostilities? What constitutes “ hostil ities” in the context of an armed conflict against a non - state actor, and what does it mean to participate in them? And just where is the war? Does the war (and thus the law of war) somehow "travel" with combatants? Does the US have a “right” to target enemy combatants anywhere on earth, or does it depend on the consent of the state at issue? Who in the United States government is authorized to make such determinations, and what is the precise chain of command for such decisions? I think the rule of law problem here is obvious: when “armed conflict” becomes a term flexible enough to be applied both to World War II and to the relations between the United States and “associates” of al Qaeda such as Somalia’s al Shabaab, the concept of armed conflict is not very useful anymore. And when we lack clarity and consensus on how to re cognize “armed conflict,” we no longer have a clear or principled basis for deciding how to categorize targeted killings. Are they, as the US government argues, legal under the laws of war? Or are they , as some human rights groups have argued, unlawful murder?

#### A hard signal is key- exceptions break the norm- each strike goes loud

**Kels ‘12** [Maj. Charles G. Kels is an attorney for the Department of Homeland Security and an individual mobilization augmentee with the U.S. Air Force Office of the Judge Advocate General, “Mixed messages on drone strikes,” July 16, <https://wiki.nps.edu/display/CRUSER/2012/07/16/Mixed+messages+on+drone+strikes>]

Finally, the administration emphasizes its "rigorous standards and process of review ... when considering and authorizing strikes" outside of "hot" war zones. The State Department's Koh has insinuated that this robust vetting process is integral to validating our legitimate self-defense claim in each and every targeted killing operation. This is a somewhat disconcerting line of argument, because it is seemingly at odds with the government's overall assertion that we are in an armed conflict with al-Qaida. Self-defense is a jus ad bellum principle; once we are at war, the appropriate legal standards for applying force are guided by jus in bello. Applying a self-defense analysis to each individual drone strike - as opposed to the time-honored LOAC principles of war fighters - sends mixed signals about whether we really believe we are in an armed conflict.¶ Given that the lawful imperative of U.S. self-defense in World War II was the unconditional surrender of the Axis powers, we would seem to be on firm ground today by strictly maintaining that our right of self-defense, as triggered by the terrorist attacks of 9/11, is geared toward the much narrower goal of degrading or eliminating al-Qaida's capability to launch another deadly attack against the U.S. homeland. Within that framework, we are guided by LOAC in the conduct of hostilities. Indeed, the U.S. government clearly believes that drone warfare is particularly suited to the task of waging an armed conflict with limited goals, because the new technology enables to us to synergize the campaign's means and ends as never before.¶ At least in the context of an American citizen such as al-Awlaki, the attorney general has stated that on top of traditional LOAC principles, the elaborate "kill list" procedure considers the imminence of the threat posed by the individual, as well as the feasibility of capture in lieu of deadly force. Such robust executive deliberation, Holder argues, satisfies the Fifth Amendment's accordance of due process of law; this provides the context in which he famously said that "the Constitution guarantees due process, not judicial process." The attorney general has taken considerable heat for this statement, in large part because an ultra-secretive executive war-making function is an odd tool with which to safeguard constitutional rights. From an armed conflict perspective, however, law professor Jack Goldsmith is surely correct in his estimation that the current U.S. system, as described in the administration's speeches, "goes far beyond any process given to any target in any war in American history."¶ Does It Hold Water?¶ Taken individually, each of these arguments is reasonable, accurate and perhaps even persuasive. Viewed as a whole, however, the U.S. position suffers from a degree of cognitive dissonance which results from our trying to please everyone at once instead of holding firm to basic, time-tested principles. In the end, this scattershot approach risks undermining our legal authority and - ironically - pleasing no one. The problem emanates from attempting to superimpose legal doctrines on top of one another rather than insisting on their own internal logic. The net effect is to make us appear hesitant about the wisdom and legality of our own actions, which merely emboldens those critics whom we can never hope to satisfy anyway - at least not without compromising our own security.¶ To see why it's so crucial for us to speak boldly and plainly, it's important to understand what entities such as the U.N. Human Rights Council and the Red Cross are really trying to do. At base, these noble organizations - reflective of the international human rights law community as a whole, with a decidedly continental European outlook - believe that "sporadic, low-intensity attacks" from nonstate actors "do not rise to the level of armed attack" that would enable us to invoke the right of self-defense as a basis for resorting to force. As the aforementioned U.N. report approvingly remarks, "the legality of a defensive response must be judged in light of each armed attack, rather than by considering occasional, although perhaps successive, armed attacks in the aggregate."¶ In other words, the human rights community rejects our jus ad bellum argument that we are at war with al-Qaida wherever they may be. Moreover, these institutions deny that we are in an armed conflict at all - at least outside of "hot" war zones - both because al-Qaida is not cohesive enough and because the intensity and duration of the havoc it wreaks is insufficiently destructive. Thus, the applicable standard for applying force in each instance is not LOAC; jus in bello is out the window because there is no war. Rather, the peacetime model of human rights law prevails. This clearly is not a position that the U.S. can abide: first, because it eradicates any realistic deterrent for states to rein in terrorist attacks emanating from their territory; and second, because it effectively neuters our considerable national security apparatus as a counterterrorism asset. Simply put, it is an attempt to hem us in by wedding us to a police paradigm rather than a military one.¶ What To Do¶ This context illustrates precisely why the government has to stop straddling the fence and sending mixed messages about what we are doing. We must emphatically state that any complex vetting process undertaken by the president before targeting an individual terrorist is simply a matter of discretionary policy and grand strategy, not legal obligation. The bizarre "bureaucratic ritual" of White House "Terror Tuesday" meetings attended by high-level political advisers - as reported in a recent, much-publicized New York Times article - bears an unsettling resemblance to President Lyndon Johnson's well-documented "Tuesday lunches" reviewing target lists for Vietnam. Although the conflicts and eras clearly differ, the U.S. must not repeat the mistakes of the Rolling Thunder campaign by allowing overly restrictive and centralized targeting rules to degrade the efficient and lawful application of our military might.

#### Drones outside battlefield specifically causes aggressive arms race based off of US modeling

Bergen and Rowland ’12 [Peter Bergen, director of the National Security Studies Program at the New America Foundation, a research fellow at New York University's Center on Law and Security and CNN's national security analyst, former adjunct lecturer at the Kennedy School of Government at Harvard University and an Adjunct Professor at the Paul H. Nitze School of Advanced International Studies at Johns Hopkins University, CNN National Security analyst, and Jennifer Rowland, research associate at the New America Foundation, “A dangerous new world of drones,” <http://www.cnn.com/2012/10/01/opinion/bergen-world-of-drones/index.html>]

A decade ago, the United States had a virtual monopoly on drones. Not anymore. According to data compiled by the New America Foundation, more than 70 countries now own some type of drone, though just a small number of those nations possess armed drone aircraft. The explosion in drone technology promises to change the way nations conduct war and threatens to begin a new arms race as governments scramble to counterbalance their adversaries. Late last month, China announced that it would use surveillance drones to monitor a group of uninhabited islands in the South China Sea that are controlled by Japan but claimed by China and Taiwan. In August 2010, Iran unveiled what it claimed was its first armed drone. And on Tuesday, the country's military chief, Gen. Amir Ali Hajizadeh, disclosed details of a new long-range drone that he said can fly 2,000 kilometers (1,250 miles), which puts Tel Aviv easily in range. Israel looks to Lebanon after drone shot down But without an international framework governing the use of drone attacks, the United States is setting a dangerous precedent for other nations with its aggressive and secretive drone programs in Pakistan and Yemen, which are aimed at suspected members of al Qaeda and their allies. Just as the U.S. government justifies its drone strikes with the argument that it is at war with al Qaeda and its affiliates, one could imagine that India in the not too distant future might launch such attacks against suspected terrorists in Kashmir, or China might strike Uighur separatists in western China, or Iran might attack Baluchi nationalists along its border with Pakistan. This moment may almost be here. China took the United States by surprise in November 2010 at the Zhuhai Air Show, where it unveiled 25 drone models, some of which were outfitted with the capability to fire missiles. It remains unclear just how many of China's drones are operational and how many of them are still in development, but China is intent on catching up with the United States' rapidly expanding drone arsenal. When President George W. Bush declared a "War on Terror" 11 years ago, the Pentagon had fewer than 50 drones. Now, it has around 7,500. As Bush embarked on that war, the United States had never used armed drones in combat. The first U.S. armed drone attack, which appears to be the first such strike ever, took place in mid-November 2001 and killed the military commander of al Qaeda, Mohammed Atef, in Afghanistan. Since then, the CIA has used drones equipped with bombs and missiles hundreds of times to target suspected militants in Pakistan and Yemen. Only the United States, United Kingdom and Israel are known to have launched drone strikes against their adversaries, although other members of the International Security Assistance Force in Afghanistan, such as Australia, have "borrowed" drones from Israel for use in the war there. Drone technology is proliferating rapidly. A 2011 study estimated that there were around 680 active drone development programs run by governments, companies and research institutes around the world, compared with just 195 in 2005. In 2010, U.S.-based General Atomics received export licenses to sell unarmed versions of the Predator drone to Saudi Arabia, Egypt, Morocco and the United Arab Emirates. And in March, the U.S. government agreed to arm Italy's six Reaper drones but rejected a request from Turkey to purchase armed Predator drones. An official in Turkey's Defense Ministry said in July that Turkey planned to arm its own domestically produced drone, the Anka. Israel is the world's largest exporter of drones and drone technology, and the state-owned Israeli Aerospace Industries has sold to countries as varied as Nigeria, Russia and Mexico. Building drones, particularly armed drones, takes sophisticated technology and specific weaponry, but governments are increasingly willing to invest the necessary time and money to either buy or develop them, as armed drones are increasingly seen as an integral part of modern warfare. Sweden, Greece, Switzerland, Spain, Italy and France are working on a joint project through state-owned aeronautical companies and are in the final stages of developing an advanced armed drone prototype called the Dassault nEURon, from which the France plans to derive armed drones for its air force. And Pakistani authorities have long tried to persuade the United States to give them armed Predator drones, while India owns an armed Israeli drone designed to detect and destroy enemy radar, though it does not yet have drones capable of striking other targets. The Teal Group, a defense consulting firm in Virginia, estimated in June that the global market for the research, development and procurement of armed drones will just about double in the next decade, from $6.6 billion to $11.4 billion. States are not alone in their quest for drones. Insurgent groups, too, are moving to acquire this technology. Last year, Libyan opposition forces trying to overthrow the dictator Moammar Gadhafi bought a sophisticated surveillance drone from a Canadian company for which they paid in the low six figures. You can even buy your own tiny drone on Amazon for $250. (And for an extra $3.99, you can get next-day shipping.) As drone technology becomes more widely accessible, it is only a matter of time before well-financed drug cartels acquire them. And you can imagine a day in the not too distant future where armed drones are used to settle personal vendettas. Given the relatively low costs of drones -- already far cheaper than the costs of a fighter jet and of training a fighter jet pilot -- armed drones will play a key role in future conflicts. While the drone industry thrives and more companies, research institutes and nations jump on board the drone bandwagon, the United States is setting a powerful international norm about the use of armed drones, which it uses for pre-emptive attacks against presumed terrorists in Pakistan and Yemen. It is these kinds of drone strikes that are controversial; the use of drones in a conventional war is not much different than a manned aircraft that drops bombs or fires missiles. According to figures compiled by the New America Foundation, drone attacks aimed at suspected militants are estimated to have killed between 1,900 and 3,200 people in Pakistan over the past eight years. While there has been considerable discussion of the legality of such strikes in a number of U.S. law schools, there has been almost no substantive public discussion about drone attacks among policymakers at the international level. The time has come for some kind of international convention on the legal framework surrounding the uses of such weapons, which promise to shape the warfare of the future as much as tanks and bombers did during the 20th century.

#### Breaks down deterrence

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The emergence of this arms race for drones raises at least five long-term strategic consequences, not all of which are favourable to the United States over the long term. First, it is now obvious that other states will use drones in ways that are inconsistent with US interests. One reason why the US has been so keen to use drone technology in Pakistan and Yemen is that at present it retains a substantial advantage in high-quality attack drones. Many of the other states now capable of employing drones of near-equivalent technology—for example, the UK and Israel—are considered allies. But this situation is quickly changing as other leading geopolitical players, such as Russia and China, are beginning rapidly to develop and deploy drones for their own purposes. While its own technology still lags behind that of the US, Russia has spent huge sums on purchasing drones and has recently sought to buy the Israeli-made Eitan drone capable of surveillance and firing air-to-surface missiles.132 China has begun to develop UAVs for reconnaissance and combat and has several new drones capable of long-range surveillance and attack under development.133 China is also planning to use unmanned surveillance drones to allow it to monitor the disputed East China Sea Islands, which are currently under dispute with Japan and Taiwan.134 Both Russia and China will pursue this technology and develop their own drone suppliers which will sell to the highest bidder, presumably with fewer export controls than those imposed by the US Congress. Once both governments have equivalent or near-equivalent levels of drone technology to the United States, they will be similarly tempted to use it for surveillance or attack in the way the US has done. Thus, through its own over-reliance on drones in places such as Pakistan and Yemen, the US may be hastening the arrival of a world where its qualitative advantages in drone technology are eclipsed and where this technology will be used and sold by rival Great Powers whose interests do not mirror its own. A second consequence of the spread of drones is that many of the traditional concepts which have underwritten stability in the international system will be radically reshaped by drone technology. For example, much of the stability among the Great Powers in the international system is driven by deterrence, specifically nuclear deterrence.135 Deterrence operates with informal rules of the game and tacit bargains that govern what states, particularly those holding nuclear weapons, may and may not do to one another.136 While it is widely understood that nuclear-capable states will conduct aerial surveillance and spy on one another, overt military confrontations between nuclear powers are rare because they are assumed to be costly and prone to escalation. One open question is whether these states will exercise the same level of restraint with drone surveillance, which is unmanned, low cost, and possibly deniable. States may be more willing to engage in drone overflights which test the resolve of their rivals, or engage in ‘salami tactics’ to see what kind of drone-led incursion, if any, will motivate a response.137 This may have been Hezbollah’s logic in sending a drone into Israeli airspace in October 2012, possibly to relay information on Israel’s nuclear capabilities.138 After the incursion, both Hezbollah and Iran boasted that the drone incident demonstrated their military capabilities.139 One could imagine two rival states—for example, India and Pakistan—deploying drones to test each other’s capability and resolve, with untold consequences if such a probe were misinterpreted by the other as an attack. As drones get physically smaller and more precise, and as they develop a greater flying range, the temptation to use them to spy on a rival’s nuclear programme or military installations might prove too strong to resist. If this were to happen, drones might gradually erode the deterrent relationships that exist between nuclear powers, thus magnifying the risks of a spiral of conflict between them. Another dimension of this problem has to do with the risk of accident. Drones are prone to accidents and crashes. By July 2010, the US Air Force had identified approximately 79 drone accidents.140 Recently released documents have revealed that there have been a number of drone accidents and crashes in the Seychelles and Djibouti, some of which happened in close proximity to civilian airports.141 The rapid proliferation of drones worldwide will involve a risk of accident to civilian aircraft, possibly producing an international incident if such an accident were to involve an aircraft affiliated to a state hostile to the owner of the drone. Most of the drone accidents may be innocuous, but some will carry strategic risks. In December 2011, a CIA drone designed for nuclear surveillance crashed in Iran, revealing the existence of the spying programme and leaving sensitive technology in the hands of the Iranian government.142 The expansion of drone technology raises the possibility that some of these surveillance drones will be interpreted as attack drones, or that an accident or crash will spiral out of control and lead to an armed confrontation.143 An accident would be even more dangerous if the US were to pursue its plans for nuclear-powered drones, which can spread radioactive material like a dirty bomb if they crash.144 Third, lethal drones create the possibility that the norms on the use of force will erode, creating a much more dangerous world and pushing the international system back towards the rule of the jungle. To some extent, this world is already being ushered in by the United States, which has set a dangerous precedent that a state may simply kill foreign citizens considered a threat without a declaration of war. Even John Brennan has recognized that the US is ‘establishing a precedent that other nations may follow’.145 Given this precedent, there is nothing to stop other states from following the American lead and using drone strikes to eliminate potential threats. Those ‘threats’ need not be terrorists, but could be others— dissidents, spies, even journalists—whose behaviour threatens a government. One danger is that drone use might undermine the normative prohibition on the assassination of leaders and government officials that most (but not all) states currently respect. A greater danger, however, is that the US will have normalized murder as a tool of statecraft and created a world where states can increasingly take vengeance on individuals outside their borders without the niceties of extradition, due process or trial.146 As some of its critics have noted, the Obama administration may have created a world where states will find it easier to kill terrorists rather than capture them and deal with all of the legal and evidentiary difficulties associated with giving them a fair trial.147

#### Independently- Executive uncertainty of US Drone policy cause accident and escalatory wars

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While there are some justifiable points for the targeted killing program that individuals behind the veil of ignorance may find appealing, there is something to be said for the intuition that the possibility of a superpower state running rogue with a lethal program that has little to no oversight and a high probability for civilian casualties would be unnerving to anyone behind the veil of ignorance. Behind the veil, individual states cannot definitively determine if they would be on the sending or receiving end of a Hellfire missile. This uncertainty alone would pose truly terrifying implications for every state involved. It can be just as reasonably argued behind the veil of ignorance that al-Qaeda could have the drones and the whole of the United States would be under attack. This reality would place the entire American populace at risk. Al-Qaeda has definitively identified the United States as the single greatest threat to Islam. Unlike the United States, which has said repeatedly that it is not at war with Islam or with Muslims in general; al-Qaeda would not discriminate between leaders, military members, and civilians. While flawed, there is still a general attempt by the United States to minimize civilian casualties. Al-Qaeda would not be so kind. Perhaps even more chilling than simply the role reversal of the United States and al-Qaeda, the use of drones by the United States has had a consequence that no one could have predicted. Drones seem to have effectively erased the conventional understanding of “battlefields.” While the United States operates in¶ Pakistan with some semblance of approval from the government, it is generally understood that Pakistan is not approving every single strike that is carried out on its soil. If the President only signs off on a third of ¶ personality ¶ strikes in Pakistan, how many strikes can we reasonably assume that the Pakistani government is informed of? And what of signature strikes? The incessant pursuit of terrorists by the United States has opened up the entire world to the realm of drone strikes. Indeed, although not covered in this paper, the United States has also expanded its use of drones to both Yemen and Somalia, and these three states only constitute the states in which that the international community¶ knows¶ drone strikes are taking place. If the United States is capable of riding roughshod over the world and the general principles of engagement, it has set a dangerous precedent for the future use of drones by other states. The global implications of modern drone warfare would be fully realized if the conditions of the veil of ignorance were simply equalized, meaning that every state, and perhaps even all terrorist organizations, had access to drones. While it can be easily argued that terrorist organizations¶ would never abide by legal rules of “drone engagement,” just as¶ they do not follow military rules of engagement now, the United States has certainly done itself no favors by not regulating itself with respect to drone usage. If states such as Iran, who are openly hostile to the United States, had access to drones (a possibility that is not entirely far-¶ fetched given Iran’s current possession of a downed US drone) it could pose a threat even more terrifying than nuclear proliferation. Drones are silent, precision weapons. In a world where numerous states had obtained drones, they could be utilized covertly without much risk of discovery. It is easy to envision scenarios in which political figures could be assassinated, military instillations targeted, and major civilian population centers attacked without any indication as to who the perpetrator might be. The lack of oversight and accountability championed by the¶ United States in today’s targeted killing program only lends to this horrifying scenario of ¶ globalized drone usage. If the United States cannot regulate itself in its own usage of drones, it cannot reasonably expect that any other state would listen to international cries for oversight once it obtained drones of its own. The view of targeted killings from behind the veil of ignorance should disturb any state or group. In the first place, the equal likelihood that a state could be the exactor or victim of drone strikes should be enough to deter states from any inclination to utilize drone strikes in which there is no definitive oversight program and the possibility to use signature strikes. Secondly, the knowledge that the loose standards for using targeted killings within ones own country could lead to unfettered global drone warfare among a host of different states should be an even greater incentive for states to adopt more egalitarian means by which to utilize drones. This is not to say that the use of drones is outright unjustifiable. More to the point, it can simply be said that certain components and the resulting implications of the program are categorically unfair. The¶ unfairness inherent in the United States’ lack of oversight and accountability,¶ the use of signature strikes, and the hypothetical role reversal between the United States and al-Qaeda, or the expansion of drone strikes to a global model, behind the veil of ignorance indicates¶ a need for profound change within the United States’ targeted killing¶ program. While there seems to be little to object to with regard to the use of strikes against clearly identified senior-level al-Qaeda targets, the targeted killing program has expanded far beyond the bounds of permissibility behind the veil of ignorance. To this end, the United States must recognize that somewhere along its path of pursuing terrorist is has lost the fundamental principles that defined its claim to self-defense. Senseless collateral loss of civilian life, as well as questionable targeting practices by the executive branch, aid only in¶ undermining the United States’ goal of national security. The drone program must be either¶ drastically reformed in order to return it to a state of justifiability, or else it must be ended entirely. It is clear that the program has departed entirely from the realm of fairness, and every day that the United States continues to utilize the current program is one step further down the path of a precedent that will one day come back to haunt not only the executive, but the United States as a whole.

#### Two scenarios

#### First- Armenian and Caucasus conflicts- draws in Israel/Iran/Russia

Clayton ’12 (Nicholas Clayton, “Drone violence along Armenian-Azerbaijani border could lead to war”, <http://www.globalpost.com/dispatch/news/regions/europe/121022/drone-violence-along-armenian-azerbaijani-border-could-lead-war>, October 23, 2012)

Armenia and Azerbaijan could soon be at war if drone proliferation on both sides of the border continues. YEREVAN, Armenia — In a region where a fragile peace holds over three frozen conflicts, the nations of the South Caucasus are buzzing with drones they use to probe one another’s defenses and spy on disputed territories. The region is also host to strategic oil and gas pipelines and a tangled web of alliances and precious resources that observers say threaten to quickly escalate the border skirmishes and airspace violations to a wider regional conflict triggered by Armenia and Azerbaijan that could potentially pull in Israel, Russia and Iran. To some extent, these countries are already being pulled towards conflict. Last September, Armenia shot down an Israeli-made Azerbaijani drone over Nagorno-Karabakh and the government claims that drones have been spotted ahead of recent incursions by Azerbaijani troops into Armenian-held territory. Richard Giragosian, director of the Regional Studies Center in Yerevan, said in a briefing that attacks this summer showed that Azerbaijan is eager to “play with its new toys” and its forces showed “impressive tactical and operational improvement.” The International Crisis Group warned that as the tit-for-tat incidents become more deadly, “there is a growing risk that the increasing frontline tensions could lead to an accidental war.” “Everyone is now saying that the war is coming. We know that it could start at any moment.” ~Grush Agbaryan, mayor of Voskepar With this in mind, the UN and the Organization for Security and Co-operation in Europe (OSCE) have long imposed a non-binding arms embargo on both countries, and both are under a de facto arms ban from the United States. But, according to the Stockholm International Peace Research Institute (SIPRI), this has not stopped Israel and Russia from selling to them. After fighting a bloody war in the early 1990s over the disputed territory of Nagorno-Karabakh, Armenia and Azerbaijan have been locked in a stalemate with an oft-violated ceasefire holding a tenuous peace between them. And drones are the latest addition to the battlefield. In March, Azerbaijan signed a $1.6 billion arms deal with Israel, which consisted largely of advanced drones and an air defense system. Through this and other deals, Azerbaijan is currently amassing a squadron of over 100 drones from all three of Israel’s top defense manufacturers. Armenia, meanwhile, employs only a small number of domestically produced models. Intelligence gathering is just one use for drones, which are also used to spot targets for artillery, and, if armed, strike targets themselves. Armenian and Azerbaijani forces routinely snipe and engage one another along the front, each typically blaming the other for violating the ceasefire. At least 60 people have been killed in ceasefire violations in the last two years, and the Brussels-based International Crisis Group claimed in a report published in February 2011 that the sporadic violence has claimed hundreds of lives. “Each (Armenia and Azerbaijan) is apparently using the clashes and the threat of a new war to pressure its opponent at the negotiations table, while also preparing for the possibility of a full-scale conflict in the event of a complete breakdown in the peace talks,” the report said. Alexander Iskandaryan, director of the Caucasus Institute in the Armenian capital, Yerevan, said that the arms buildup on both sides makes the situation more dangerous but also said that the clashes are calculated actions, with higher death tolls becoming a negotiating tactic. “This isn’t Somalia or Afghanistan. These aren’t independent units. The Armenian, Azerbaijani and Karabakh armed forces have a rigid chain of command so it’s not a question of a sergeant or a lieutenant randomly giving the order to open fire. These are absolutely synchronized political attacks,” Iskandaryan said. The deadliest recent uptick in violence along the Armenian-Azerbaijani border and the line of contact around Karabakh came in early June as US Secretary of State Hillary Clinton was on a visit to the region. While death tolls varied, at least two dozen soldiers were killed or wounded in a series of shootouts along the front. The year before, at least four Armenian soldiers were killed in an alleged border incursion by Azerbaijani troops one day after a peace summit between the Armenian, Azerbaijani and Russian presidents in St. Petersburg, Russia. “No one slept for two or three days [during the June skirmishes],” said Grush Agbaryan, the mayor of the border village of Voskepar for a total of 27 years off and on over the past three decades. Azerbaijan refused to issue accreditation to GlobalPost’s correspondent to enter the country to report on the shootings and Azerbaijan’s military modernization. Flush with cash from energy exports, Azerbaijan has increased its annual defense budget from an estimated $160 million in 2003 to $3.6 billion in 2012. SIPRI said in a report that largely as a result of its blockbuster drone deal with Israel, Azerbaijan’s defense budget jumped 88 percent this year — the biggest military spending increase in the world. Israel has long used arms deals to gain strategic leverage over its rivals in the region. Although difficult to confirm, many security analysts believe Israel’s deals with Russia have played heavily into Moscow’s suspension of a series of contracts with Iran and Syria that would have provided them with more advanced air defense systems and fighter jets. Stephen Blank, a research professor at the United States Army War College, said that preventing arms supplies to Syria and Iran — particularly Russian S-300 air defense systems — has been among Israel’s top goals with the deals. “There’s always a quid pro quo,” Blank said. “Nobody sells arms just for cash.” In Azerbaijan in particular, Israel has traded its highly demanded drone technology for intelligence arrangements and covert footholds against Iran. In a January 2009 US diplomatic cable released by WikiLeaks, a US diplomat reported that in a closed-door conversation, Azerbaijani President Ilham Aliyev compared his country’s relationship with Israel to an iceberg — nine-tenths of it is below the surface. More from GlobalPost: Are Iran's drones coordinating attacks in Syria? Although the Jewish state and Azerbaijan, a conservative Muslim country, may seem like an odd couple, the cable asserts, “Each country finds it easy to identify with the other’s geopolitical difficulties, and both rank Iran as an existential security threat.” Quarrels between Azerbaijan and Iran run the gamut of territorial, religious and geo-political disputes and Tehran has repeatedly threatened to “destroy” the country over its support for secular governance and NATO integration. In the end, “Israel’s main goal is to preserve Azerbaijan as an ally against Iran, a platform for reconnaissance of that country and as a market for military hardware,” the diplomatic cable reads. But, while these ties had indeed remained below the surface for most of the past decade, a series of leaks this year exposed the extent of their cooperation as Israel ramped up its covert war with the Islamic Republic. In February, the Times of London quoted a source the publication said was an active Mossad agent in Azerbaijan as saying the country was “ground zero for intelligence work.” This came amid accusations from Tehran that Azerbaijan had aided Israeli agents in assassinating an Iranian nuclear scientist in January. Then, just as Baku had begun to cool tensions with the Islamic Republic, Foreign Policy magazine published an article citing Washington intelligence officials who claimed that Israel had signed agreements to use Azerbaijani airfields as a part of a potential bombing campaign against Iran’s nuclear sites. Baku strongly denied the claims, but in September, Azerbaijani officials and military sources told Reuters that the country would figure in Israel’s contingencies for a potential attack against Iran. "Israel has a problem in that if it is going to bomb Iran, its nuclear sites, it lacks refueling," Rasim Musabayov, a member of the Azerbiajani parliamentary foreign relations committee told Reuters. “I think their plan includes some use of Azerbaijan access. We have (bases) fully equipped with modern navigation, anti-aircraft defenses and personnel trained by Americans and if necessary they can be used without any preparations." He went on to say that the drones Israel sold to Azerbaijan allow it to “indirectly watch what's happening in Iran.” More from GlobalPost: Despite modern facade, Azerbaijan guilty of rights abuses According to SIPRI, Azerbaijan had acquired about 30 drones from Israeli firms Aeronautics Ltd. and Elbit Systems by the end of 2011, including at least 25 medium-sized Hermes-450 and Aerostar drones. In October 2011, Azerbaijan signed a deal to license and domestically produce an additional 60 Aerostar and Orbiter 2M drones. Its most recent purchase from Israel Aeronautics Industries (IAI) in March reportedly included 10 high altitude Heron-TP drones — the most advanced Israeli drone in service — according to Oxford Analytica. Collectively, these purchases have netted Azerbaijan 50 or more drones that are similar in class, size and capabilities to American Predator and Reaper-type drones, which are the workhorses of the United States’ campaign of drone strikes in Pakistan and Yemen. Although Israel may have sold the drones to Azerbaijan with Iran in mind, Baku has said publicly that it intends to use its new hardware to retake territory it lost to Armenia. So far, Azerbaijan’s drone fleet is not armed, but industry experts say the models it employs could carry munitions and be programmed to strike targets. Drones are a tempting tool to use in frozen conflicts, because, while their presence raises tensions, international law remains vague at best on the legality of using them. In 2008, several Georgian drones were shot down over its rebel region of Abkhazia. A UN investigation found that at least one of the drones was downed by a fighter jet from Russia, which maintained a peacekeeping presence in the territory. While it was ruled that Russia violated the terms of the ceasefire by entering aircraft into the conflict zone, Georgia also violated the ceasefire for sending the drone on a “military operation” into the conflict zone. The incident spiked tensions between Russia and Georgia, both of which saw it as evidence the other was preparing to attack. Three months later, they fought a brief, but destructive war that killed hundreds. The legality of drones in Nagorno-Karabakh is even less clear because the conflict was stopped in 1994 by a simple ceasefire that halted hostilities but did not stipulate a withdrawal of military forces from the area. Furthermore, analysts believe that all-out war between Armenia and Azerbaijan would be longer and more difficult to contain than the five-day Russian-Georgian conflict. While Russia was able to quickly rout the Georgian army with a much superior force, analysts say that Armenia and Azerbaijan are much more evenly matched and therefore the conflict would be prolonged and costly in lives and resources. Blank said that renewed war would be “a very catastrophic event” with “a recipe for a very quick escalation to the international level.” Armenia is militarily allied with Russia and hosts a base of 5,000 Russian troops on its territory. After the summer’s border clashes, Russia announced it was stepping up its patrols of Armenian airspace by 20 percent. Iran also supports Armenia and has important business ties in the country, which analysts say Tehran uses as a “proxy” to circumvent international sanctions. Blank said Israel has made a risky move by supplying Azerbaijan with drones and other high tech equipment, given the tenuous balance of power between the heavily fortified Armenian positions and the more numerous and technologically superior Azerbaijani forces. If ignited, he said, “[an Armenian-Azerbaijani war] will not be small. That’s the one thing I’m sure of.”

#### Israel-Iran conflict escalates

Russell ‘9 (James, Senior lecturer in the Department of National Security Affairs at NPS, Strategic Stability Reconsidered: Prospects for Escalation and Nuclear War in the Middle East. Proliferation Papers, 2009)

America’s disapproval of Israeli pre-emption may reflect a reduced national appetite for military action in general, and for unilateral strategic action. However, the intensity of U.S.-Israeli bilateral relations places the United States in an extremely awkward position: on the one hand, a cherished ally could openly be calling for the fulfillment of security commitments77 for its protection and security in response to an external threat; on the other hand, U.S. security commitment to its allies include deterrence and defense, but are widely regarded as excluding preventative actions. To summarize, systemic weaknesses in the coercive bargaining framework induce the prospect of strategic instability in which escalation could unfold in a number of scenarios leading to the use of nuclear weapons by either the United States, Israel, or Iran. For purposes of this paper, escalation means an expansion of the intensity and scope of the conflict.78 The common denominator for the proposed scenarios is that nuclear use occurs in the context of conflict escalation – a conflict that could be initiated by a variety of different parties and in a variety of different circumstances.79 It is extremely unlikely that either the United States or Israel would initiate the use of nuclear weapons as part of a pre-emptive attack on Iran’s nuclear sites.80 However, there are escalation scenarios involving state and non-state actors in the coercive bargaining framework that could conceivably lead to nuclear weapons use by Israel and/or the United States. Iran’s response to what would initially start as a sustained stand-off bombardment (Desert Fox Heavy) could take a number of different forms that might lead to escalation by the United States and Israel, surrounding states, and non-state actors. Once the strikes commenced, it is difficult to imagine Iran remaining in a Saddam-like quiescent mode and hunkering down to wait out the attacks. Iranian leaders have unequivocally stated that any attack on its nuclear sites will result in a wider war 81 – a war that could involve regional states on both sides as well as non-state actors like Hamas and Hezbollah. While a wider regional war need not lead to escalation and nuclear use by either Israel or the United States, wartime circumstances and domestic political pressures could combine to shape decision-making in ways that present nuclear use as an option to achieve military and political objectives. For both the United States and Israel, Iranian or proxy use of chemical, biological or radiological weapons represent the most serious potential escalation triggers. For Israel, a sustained conventional bombardment of its urban centers by Hezbollah rockets in Southern Lebanon could also trigger an escalation spiral.

#### Russia war causes extinction

**Barrett et al. 1/6** (Anthony M. Barrett- Global Catastrophic Risk Institute, Seth D. Baum- Center for Research on Environmental Decisions, Columbia University, Kelly R. Hostetler- Department of Geography, Pennsylvania State University, 2013, “Analyzing and Reducing the Risks of Inadvertent Nuclear War Between the United States and Russia”, http://sethbaum.com/ac/fc\_NuclearWar.pdf)

War involving significant fractions of the U.S. and Russian nuclear arsenals, which are by far the largest of any nations, could have globally catastrophic effects such as severely reducing food production for years, 1,2,3,4,5,6 potentially leading to collapse of modern civilization worldwide and even the extinction of humanity. 7,8,9,10 Nuclear war between the US and Russia could occur by various routes, including accidental or unauthorized launch; deliberate first attack by one nation; and inadvertent attack. In an accidental or unauthorized launch or detonation, system safeguards or procedures to maintain control over nuclear weapons fail in such a way that a nuclear weapon or missile launches or explodes without direction from leaders. In a deliberate first attack, the attacking nation decides to attack based on accurate information about the state of affairs. In an inadvertent attack, the attacking nation mistakenly concludes that it is under attack and launches nuclear weapons in what it believes is a counterattack. 11,12 (Brinkmanship strategies incorporate elements of all of the above, in that they involve deliberate manipulation of the risk of otherwise unauthorized or inadvertent attack as part of coercive threats that “leave something to chance,” i.e., “taking steps that raise the risk that the crisis will go out of control and end in a general nuclear exchange.” 13,14 ) Over the years, nuclear strategy was aimed primarily at minimizing risks of intentional attack through development of deterrence capabilities, though numerous measures were also taken to reduce probabilities of accidents, unauthorized attack, and inadvertent war. 15,16,17 For purposes of deterrence, both U.S. and Soviet/Russian forces have maintained significant capabilities to have some forces survive a first attack by the other side and to launch a subsequent counter-attack. However, concerns about the extreme disruptions that a first attack would cause in the other side’s forces and command-and-control capabilities led to both sides’development of capabilities to detect a first attack and launch a counter-attack before suffering damage from the first attack. 18,19,20 Many people believe that with the end of the Cold War and with improved relations between the United States and Russia, the risk of East-West nuclear war was significantly reduced. 21,22 However, it has also been argued that inadvertent nuclear war between the United States and Russia has continued to present a substantial risk. 23,24,25,26,27,28,29,30,31,32,33 While the United States and Russia are not actively threatening each other with war, they have remained ready to launch nuclear missiles in response to indications of attack. 34,35,36,37,38 False indicators of nuclear attack could be caused in several ways. First, a wide range of events have already been mistakenly interpreted as indicators of attack, including weather phenomena, a faulty computer chip, wild animal activity, and control-room training tapes loaded at the wrong time. 39 Second, terrorist groups or other actors might cause attacks on either the United States or Russia that resemble some kind of nuclear attack by the other nation by actions such as exploding a stolen or improvised nuclear bomb, 40,41,42 especially if such an event occurs during a crisis between the United States and Russia. 43 A variety of nuclear terrorism scenarios are possible. 44 Al Qaeda has sought to obtain or construct nuclear weapons and to use them against the United States. 45,46,47 Other methods could involve attempts to circumvent nuclear weapon launch control safeguards or exploit holes in their security. 48,49 It has long been argued that the probability of inadvertent nuclear war is significantly higher during U.S.-Russian crisis conditions, 50,51,52,53 with the Cuban Missile Crisis being a prime historical example of such a crisis. 54,55,56,57,58 It is possible that U.S.-Russian relations will significantly deteriorate in the future, increasing nuclear tensions. 59 There are a variety of ways for a third party to raise tensions between the United States and Russia, making one or both nations more likely to misinterpret events as attacks. 60,61,62,63

#### Second- China and Asian drone wars

Brimley et al 9/17 (Shawn Brimley, Ben Fitzgerald, Ely Ratner, Shawn Brimley, Ben FitzGerald, and Ely Ratner are, respectively, vice president, director of the Technology and National Security Program, and deputy director of the Asia Program at the Center for a New American Security, Foreign Policy, “The Drone War Comes to Asia”, <http://www.foreignpolicy.com/articles/2013/09/17/the_drone_war_comes_to_asia>, September 17, 2013)

How China sparked a dangerous unmanned arms race. It's now been a year since Japan's previously ruling liberal government purchased three of the Senkaku Islands to prevent a nationalist and provocative Tokyo mayor from doing so himself. The move was designed to dodge a potential crisis with China, which claims "indisputable sovereignty" over the islands it calls the Diaoyus. Disregarding the Japanese government's intent, Beijing has reacted to the "nationalization" of the islands by flooding the surrounding waters and airspace with Chinese vessels in an effort to undermine Japan's de facto administration, which has persisted since the reversion of Okinawa from American control in 1971. Chinese incursions have become so frequent that the Japanese Air Self-Defense Forces (JASDF) are now scrambling jet fighters on a near-daily basis in response. In the midst of this heightened tension, you could be forgiven for overlooking the news early in September that Japanese F-15s had again taken flight after Beijing graciously commemorated the one-year anniversary of Tokyo's purchase by sending an unmanned aerial vehicle (UAV) toward the islands. But this wasn't just another day at the office in the contested East China Sea: this was the first known case of a Chinese drone approaching the Senkakus. Without a doubt, China's drone adventure 100-miles north of the Senkakus was significant because it aggravated already abysmal relations between Tokyo and Beijing. Japanese officials responded to the incident by suggesting that Japan might have to place government personnel on the islands, a red line for Beijing that would have been unthinkable prior to the past few years of Chinese assertiveness. But there's a much bigger and more pernicious cycle in motion. The introduction of indigenous drones into Asia's strategic environment -- now made official by China's maiden unmanned provocation -- will bring with it additional sources of instability and escalation to the fiercely contested South and East China Seas. Even though no government in the region wants to participate in major power war, there is widespread and growing concern that military conflict could result from a minor incident that spirals out of control. Unmanned systems could be just this trigger. They are less costly to produce and operate than their manned counterparts, meaning that we're likely to see more crowded skies and seas in the years ahead. UAVs also tend to encourage greater risk-taking, given that a pilot's life is not at risk. But being unmanned has its dangers: any number of software or communications failures could lead a mission awry. Combine all that with inexperienced operators and you have a perfect recipe for a mistake or miscalculation in an already tense strategic environment. The underlying problem is not just the drones themselves. Asia is in the midst of transitioning to a new warfighting regime with serious escalatory potential. China's military modernization is designed to deny adversaries freedom of maneuver over, on, and under the East and South China Seas. Although China argues that its strategy is primarily defensive, the capabilities it is choosing to acquire to create a "defensive" perimeter -- long-range ballistic and cruise missiles, aircraft carriers, submarines -- are acutely offensive in nature. During a serious crisis when tensions are high, China would have powerful incentives to use these capabilities, particularly missiles, before they were targeted by the United States or another adversary. The problem is that U.S. military plans and posture have the potential to be equally escalatory, as they would reportedly aim to "blind" an adversary -- disrupting or destroying command and control nodes at the beginning of a conflict. At the same time, the increasingly unstable balance of military power in the Pacific is exacerbated by the (re)emergence of other regional actors with their own advanced military capabilities. Countries that have the ability and resources to embark on rapid modernization campaigns (e.g., Japan, South Korea, Indonesia) are well on the way. This means that in addition to two great powers vying for military advantage, the region features an increasingly complex set of overlapping military-technical competitions that are accelerating tensions, adding to uncertainty and undermining stability. This dangerous military dynamic will only get worse as more disruptive military technologies appear, including the rapid diffusion of unmanned and increasingly autonomous aerial and submersible vehicles coupled with increasingly effective offensive cyberspace capabilities. Of particular concern is not only the novelty of these new technologies, but the lack of well-established norms for their use in conflict. Thankfully, the first interaction between a Chinese UAV and manned Japanese fighters passed without major incident. But it did raise serious questions that neither nation has likely considered in detail. What will constrain China's UAV incursions from becoming increasingly assertive and provocative? How will either nation respond in a scenario where an adversary downs a UAV? And what happens politically when a drone invariably falls out of the sky or "drifts off course" with both sides pointing fingers at one another? Of most concern, how would these matters be addressed during a crisis, with no precedents, in the context of a regional military regime in which actors have powerful incentives to strike first? These are not just theoretical questions: Japan's Defense Ministry is reportedly looking into options for shooting down any unmanned drones that enter its territorial airspace. Resolving these issues in a fraught strategic environment between two potential adversaries is difficult enough; the United States and China remain at loggerheads about U.S. Sensitive Reconnaissance Operations along China's periphery. But the problem is multiplying rapidly. The Chinese are running one of the most significant UAV programs in the world, a program that includes Reaper- style UAVs and Unmanned Combat Aerial Vehicles (UCAVs); Japan is seeking to acquire Global Hawks; the Republic of Korea is acquiring Global Hawks while also building their own indigenous UAV capabilities; Taiwan is choosing to develop indigenous UAVs instead of importing from abroad; Indonesia is seeking to build a UAV squadron; and Vietnam is planning to build an entire UAV factory. One could take solace in Asia's ability to manage these gnarly sources of insecurity if the region had demonstrated similar competencies elsewhere. But nothing could be further from the case. It has now been more than a decade since the Association of Southeast Asian Nations (ASEAN) and China signed a declaration "to promote a peaceful, friendly and harmonious environment in the South China Sea," which was meant to be a precursor to a code of conduct for managing potential incidents, accidents, and crises at sea. But the parties are as far apart as ever, and that's on well-trodden issues of maritime security with decades of legal and operational precedent to build upon. It's hard to be optimistic that the region will do better in an unmanned domain in which governments and militaries have little experience and where there remains a dearth of international norms, rules, and institutions from which to draw. The rapid diffusion of advanced military technology is not a future trend. These capabilities are being fielded -- right now -- in perhaps the most geopolitically dangerous area in the world, over (and soon under) the contested seas of East and Southeast Asia. These risks will only increase with time as more disruptive capabilities emerge. In the absence of political leadership, these technologies could very well lead the region into war.

#### That goes nuclear

Lowther ‘13 (William Lowther, Staff Rreporter in Washington, “Taiwan could spark nuclear war: report”, <http://www.taipeitimes.com/News/taiwan/archives/2013/03/16/2003557211>, March 16, 2013)

Taiwan is the most likely potential crisis that could trigger a nuclear war between China and the US, a new academic report concludes. “Taiwan remains the single most plausible and dangerous source of tension and conflict between the US and China,” says the 42-page report by the Washington-based Center for Strategic and International Studies (CSIS). Prepared by the CSIS’ Project on Nuclear Issues and resulting from a year-long study, the report emphasizes that Beijing continues to be set on a policy to prevent Taiwan’s independence, while at the same time the US maintains the capability to come to Taiwan’s defense. “Although tensions across the Taiwan Strait have subsided since both Taipei and Beijing embraced a policy of engagement in 2008, the situation remains combustible, complicated by rapidly diverging cross-strait military capabilities and persistent political disagreements,” the report says. In a footnote, it quotes senior fellow at the US Council on Foreign Relations Richard Betts describing Taiwan as “the main potential flashpoint for the US in East Asia.” The report also quotes Betts as saying that neither Beijing nor Washington can fully control developments that might ignite a Taiwan crisis. “This is a classic recipe for surprise, miscalculation and uncontrolled escalation,” Betts wrote in a separate study of his own. The CSIS study says: “For the foreseeable future Taiwan is the contingency in which nuclear weapons would most likely become a major factor, because the fate of the island is intertwined both with the legitimacy of the Chinese Communist Party and the reliability of US defense commitments in the Asia-Pacific region.” Titled Nuclear Weapons and US-China Relations, the study says disputes in the East and South China seas appear unlikely to lead to major conflict between China and the US, but they do “provide kindling” for potential conflict between the two nations because the disputes implicate a number of important regional interests, including the interests of treaty allies of the US. The danger posed by flashpoints such as Taiwan, the Korean Peninsula and maritime demarcation disputes is magnified by the potential for mistakes, the study says. “Although Beijing and Washington have agreed to a range of crisis management mechanisms, such as the Military Maritime Consultative Agreement and the establishment of a direct hotline between the Pentagon and the Ministry of Defense, the bases for miscommunication and misunderstanding remain and draw on deep historical reservoirs of suspicion,” the report says. For example, it says, it is unclear whether either side understands what kinds of actions would result in a military or even nuclear response by the other party. To make things worse, “neither side seems to believe the other’s declared policies and intentions, suggesting that escalation management, already a very uncertain endeavor, could be especially difficult in any conflict,” it says.

#### Law is key to modeling- only statutory restrictions scale-up

Maxwell ’12 (Mark David Maxwell, Colonel, Judge Advocate with the U.S. Army, TARGETED KILLING, THE LAW, AND TERRORISTS, Joint Force Quarterly, <http://www.ndu.edu/press/targeted-killing.html>, Winter 2012)

The weakness of this theory is that it is not codified in U.S. law; it is merely the extrapolation of international theorists and organizations. The only entity under the Constitution that can frame and settle Presidential power regarding the enforcement of international norms is Congress. As the check on executive power, Congress must amend the AUMF to give the executive a statutory roadmap that articulates when force is appropriate and under what circumstances the President can use targeted killing. This would be the needed endorsement from Congress, the other political branch of government, to clarify the U.S. position on its use of force regarding targeted killing. For example, it would spell out the limits of American lethality once an individual takes the status of being a member of an organized group. Additionally, statutory clarification will give other states a roadmap for the contours of what constitutes anticipatory self-defense and the proper conduct of the military under the law of war. Congress should also require that the President brief it on the decision matrix of articulated guidelines before a targeted killing mission is ordered. As Kenneth Anderson notes, “[t]he point about briefings to Congress is partly to allow it to exercise its democratic role as the people’s representative.”74 The desire to feel safe is understandable. The consumers who buy SUVs are not buying them to be less safe. Likewise, the champions of targeted killings want the feeling of safety achieved by the elimination of those who would do the United States harm. But allowing the President to order targeted killing without congressional limits means the President can manipulate force in the name of national security without tethering it to the law advanced by international norms. The potential consequence of such unilateral executive action is that it gives other states, such as North Korea and Iran, the customary precedent to do the same. Targeted killing might be required in certain circumstances, but if the guidelines are debated and understood, the decision can be executed with the full faith of the people’s representative, Congress. When the decision is made without Congress, the result might make the United States feel safer, but the process eschews what gives a state its greatest safety: the rule of law.

### Contention {Z}: Solvency

#### Congress should restrict the use of remote controlled aerial vehicle targeted killings outside of geographic locations housing active American combat troops.

#### That solves- the executive branch being the arbiter is the problem

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Here is an additional reason to worry about the U.S. overreliance on drone strikes: Other states will follow America's example, and the results are not likely to be pretty. Consider once again the Letelier murder, which was an international scandal in 1976: If the Letelier assassination took place today, the Chilean authorities would presumably insist on their national right to engage in “targeted killings” of individuals deemed to pose imminent threats to Chilean national security -- and they would justify such killings using precisely the same legal theories the U.S. currently uses to justify targeted killings in Yemen or Somalia. We should assume that governments around the world—including those with less than stellar human rights records, such as Russia and China—are taking notice. Right now, the United States has a decided technological advantage when it comes to armed drones, but that will not last long. We should use this window to advance a robust legal and normative framework that will help protect against abuses by those states whose leaders can rarely be trusted. Unfortunately, we are doing the exact opposite: Instead of articulating norms about transparency and accountability, the United States is effectively handing China, Russia, and every other repressive state a playbook for how to foment instability and –literally -- get away with murder. Take the issue of sovereignty. Sovereignty has long been a core concept of the Westphalian international legal order.79 In the international arena, all sovereign states are formally considered equal and possessed of the right to control their own internal affairs free of interference from other states. That's what we call the principle of non-intervention -- and it means, among other things, that it is generally prohibited for one state to use force inside the borders of another sovereign state. There are some well-established exceptions, but they are few in number. A state can lawfully use force inside another sovereign state with that state's invitation or consent, or when force is authorized by the U.N. Security Council, pursuant to the U.N. Charter, 80 or in self-defense "in the event of an armed attack." The 2011 Justice Department White Paper asserts that targeted killings carried out by the United States don't violate another state's sovereignty as long as that state either consents or is "unwilling or unable to suppress the threat posed by the individual being targeted." That sounds superficially plausible, but since the United States views itself as the sole arbiter of whether a state is "unwilling or unable" to suppress that threat, the logic is in fact circular. It goes like this: The United States -- using its own malleable definition of "imminent" -- decides that Person X, residing in sovereign State Y, poses a threat to the United States and requires killing. Once the United States decides that Person X can be targeted, the principle of sovereignty presents no barriers, because either 1) State Y will consent to the U.S. use of force inside its borders, in which case the use of force presents no sovereignty problems or 2) State Y will not consent to the U.S. use of force inside its borders, in which case, by definition, the United States will deem State Y to be "unwilling or unable to suppress the threat" posed by Person X and the use of force again presents no problem. This is a legal theory that more or less eviscerates traditional notions of sovereignty, and has the potential to significantly destabilize the already shaky collective security regime created by the U.N. Charter.81 If the U.S. is the sole arbiter of whether and when it can use force inside the borders of another state, any other state strong enough to get away with it is likely to claim similar prerogatives. And, of course, if the U.S. executive branch is the sole arbiter of what constitutes an imminent threat and who constitutes a targetable enemy combatant in an illdefined war, why shouldn’t other states make identical arguments—and use them to justify the killing of dissidents, rivals, or unwanted minorities?

#### Legislative restrictions prevent circumvention

Barron ‘8 (Professor of Law at Harvard Law School and Martin S. Lederman, Visiting Professor of Law at the Georgetown University Law Center (David J. Barron, “The Commander in Chief at the Lowest Ebb -- A Constitutional History”, Harvard Law Review, February, 121 Harv. L. Rev. 941, Lexis)

In addition to offering important guidance concerning the congressional role, our historical review also illuminates the practices of the President in creating the constitutional law of war powers at the "lowest ebb." Given the apparent advantages to the Executive of possessing preclusive powers in this area, it is tempting to think that Commanders in Chief would always have claimed a unilateral and unregulable authority to determine the conduct of military operations. And yet, as we show, for most of our history, the presidential practice was otherwise. Several of our most esteemed Presidents - Washington, Lincoln, and both Roosevelts, among others - never invoked the sort of preclusive claims of authority that some modern Presidents appear to embrace without pause. In fact, no Chief Executive did so in any clear way until the onset of the Korean War, even when they confronted problematic restrictions, some of which could not be fully interpreted away and some of which even purported to regulate troop deployments and the actions of troops already deployed. Even since claims of preclusive power emerged in full, the practice within the executive branch has waxed and waned. No consensus among modern Presidents has crystallized. Indeed, rather than denying the authority of Congress to act in this area, some modern Presidents, like their predecessors, have acknowledged the constitutionality of legislative regulation. They have therefore concentrated their efforts on making effective use of other presidential authorities and institutional [\*949] advantages to shape military matters to their preferred design. n11 In sum, there has been much less executive assertion of an inviolate power over the conduct of military campaigns than one might think. And, perhaps most importantly, until recently there has been almost no actual defiance of statutory limitations predicated on such a constitutional theory. This repeated, though not unbroken, deferential executive branch stance is not, we think, best understood as evidence of the timidity of prior Commanders in Chief. Nor do we think it is the accidental result of political conditions that just happened to make it expedient for all of these Executives to refrain from lodging such a constitutional objection. This consistent pattern of executive behavior is more accurately viewed as reflecting deeply rooted norms and understandings of how the Constitution structures conflict between the branches over war. In particular, this well-developed executive branch practice appears to be premised on the assumption that the constitutional plan requires the nation's chief commander to guard his supervisory powers over the military chain of command jealously, to be willing to act in times of exigency if Congress is not available for consultation, and to use the very powerful weapon of the veto to forestall unacceptable limits proposed in the midst of military conflict - but that otherwise, the Constitution compels the Commander in Chief to comply with legislative restrictions. In this way, the founding legal charter itself exhorts the President to justify controversial military judgments to a sympathetic but sometimes skeptical or demanding legislature and nation, not only for the sake of liberty, but also for effective and prudent conduct of military operations. Justice Jackson's famous instruction that "with all its defects, delays and inconveniences, men have discovered no technique for long preserving free government except that the Executive be under the law, and that the law be made by parliamentary deliberations" n12 continues to have a strong pull on the constitutional imagination. n13 What emerges from our analysis is how much pull it seemed to [\*950] have on the executive branch itself for most of our history of war powers development.

#### Congress key --- self-restraint HURTS Obama’s credibility- seen as continuing to circumvent Congress

Goldsmith ’13 (Jack Goldsmith, Henry L. Shattuck Professor at Harvard Law School, where he teaches and writes about national security law, presidential power, cybersecurity, international law, internet law, foreign relations law, and conflict of laws. Before coming to Harvard, Professor Goldsmith served as Assistant Attorney General, Office of Legal Counsel from 2003-2004, and Special Counsel to the Department of Defense from 2002-2003, “How Obama Undermined the War on Terror The President promised not to undercut the rule of law for expedience's sake. He did. Now we face the consequences”, <http://www.newrepublic.com/article/112964/obamas-secrecy-destroying-american-support-counterterrorism>, May 1, 2013)

Questions grew when the administration continued to withhold legal memos from Congress, and when John Brennan danced around the issue during his confirmation hearings to be director of the CIA. Senator Rand Paul then cleverly asked Brennan whether the president could order a drone to kill a terrorist suspect inside the United States. When Brennan and Attorney General Eric Holder seemed to prevaricate, Paul conducted his now-famous filibuster. "I cannot sit at my desk quietly and let the president say that he will kill Americans on American soil who are not actively attacking the country," Paul proclaimed. The president never said, or suggested, any such thing. But with trust in Obama falling fast, Paul was remarkably successful in painting the secret wars abroad as a Constitution-defying threat to American citizens at home. Paul's filibuster attracted attention to the issue of drone attacks on Americans in the homeland. A more serious challenge to the president comes from growing concerns, including within his own party, about the legal integrity of his secret wars abroad. Anne-Marie Slaughter, a former senior official in Obama's State Department, recently gainsaid "the idea that this president would leave office having dramatically expanded the use of drones—including [against] American citizens—without any public standards and no checks and balances." Many in Congress want to increase the transparency of the processes and legal standards for placing a suspect (especially an American) on a targeting list, to tighten those legal standards (perhaps by recourse to a "drone court"), and to establish a more open accounting of the consequences (including civilian casualties) from the strikes. "This is now out in the public arena, and now it has to be addressed," Senator Dianne Feinstein, a Democrat, recently said. Others in Congress worry about the obsolescence of the legal foundation for the way of the knife: the congressional authorization, in 2001, of force against Al Qaeda. "I don't believe many, if any, of us believed when we voted for [the authorization] that we were voting for the longest war in the history of the United States and putting a stamp of approval on a war policy against terrorism that, 10 years plus later, we're still using," said Senator Richard Durbin, also a Democrat, in a Wall Street Journal interview. "What are the checks and balances of the system?" he asked. Senator John McCain, who led bipartisan efforts against what he saw as Bush-era legal excesses, is now focusing similar attention on Obama. "I believe that we need to revisit this whole issue of the use of drones, who uses them, whether the CIA should become their own air force, what the oversight is, [and] what the legal and political foundations [are] for this kind of conflict," he said last month. These are unhappy developments for the president who in his first inaugural address pledged with supercilious confidence that, unlike his predecessor, he would not expend the "rule of law" for "expedience's sake." Obama reportedly bristles at the legal and political questions about his secret war, and the lack of presidential trust that they imply. "This is not Dick Cheney we're talking about here," he recently pleaded to Democratic senators who complained about his administration's excessive secrecy on drones, according to Politico. And yet the president has ended up in this position because he committed the same sins that led Cheney and the administration in which he served to a similar place. The first sin is an extraordinary institutional secrecy that Obama has long promised to reduce but has failed to. In part this results from any White House's inevitable tendency to seek maximum protection for its institutional privileges and prerogatives. The administration's disappointing resistance to sharing secret legal opinions about the secret war with even a small subset of Congress falls into this category. But the point goes deeper, for secrecy is the essence of the type of war that Obama has chosen to fight. The intelligence-gathering in foreign countries needed for successful drone strikes there cannot be conducted openly. Nor can lethal operations in foreign countries easily be acknowledged. Foreign leaders usually insist on non-acknowledgment as a condition of allowing American operations in their territories. And in any event, an official American confirmation of the operations might spark controversies in those countries that would render the operations infeasible. The impossible-to-deny bin Laden raid was a necessary exception to these principles, and the United States is still living with the fallout in Pakistan. For official secrecy abroad to work, the secrets must be kept at home as well. In speeches, interviews, and leaks, Obama's team has tried to explain why its operations abroad are lawful and prudent. But to comply with rules of classified information and covert action, the explanations are conveyed in limited, abstract, and often awkward terms. They usually raise more questions than they answer—and secrecy rules often preclude the administration from responding to follow-up questions, criticisms, and charges. As a result, much of what the administration says about its secret war—about civilian casualties, or the validity of its legal analysis, or the quality of its internal deliberations—seems incomplete, self-serving, and ultimately non-credible. These trust-destroying tendencies are exacerbated by its persistent resistance to transparency demands from Congress, from the press, and from organizations such as the aclu that have sought to know more about the way of the knife through Freedom of Information Act requests. A related sin is the Obama administration's surprising failure to secure formal congressional support. Nearly every element of Obama's secret war rests on laws—especially the congressional authorization of force (2001) and the covert action statute (1991)—designed for different tasks. The administration could have worked with Congress to update these laws, thereby forcing members of Congress to accept responsibility and take a stand, and putting the secret war on a firmer political and legal foundation. But doing so would have required extended political efforts, public argument, and the possibility that Congress might not give the president precisely what he wants. The administration that embraced the way of the knife in order to lower the political costs of counterterrorism abroad found it easier to avoid political costs at home as well. But this choice deprived it of the many benefits of public argumentation and congressional support. What Donald Rumsfeld said self-critically of Bush-era unilateralism applies to Obama's unilateralism as well: it fails to "take fully into account the broader picture—the complete set of strategic considerations of a president fighting a protracted, unprecedented and unfamiliar war for which he would need sustained domestic and international support." Instead of seeking contemporary congressional support, the administration has relied mostly on government lawyers' secret interpretive extensions of the old laws to authorize new operations against new enemies in more and more countries. The administration has great self-confidence in the quality of its stealth legal judgments. But as the Bush administration learned, secret legal interpretations are invariably more persuasive within the dark circle of executive branch secrecy than when exposed to public sunlight. On issues ranging from proper targeting standards, to the legality of killing American citizens, to what counts as an "imminent" attack warranting self-defensive measures, these secret legal interpretations—so reminiscent of the Bushian sin of unilateral legalism—have been less convincing in public, further contributing to presidential mistrust. Feeling the heat from these developments, President Obama promised in his recent State of the Union address "to engage with Congress to ensure not only that our targeting, detention, and prosecution of terrorists remains consistent with our laws and system of checks and balances, but that our efforts are even more transparent to the American people and to the world." So far, this promise, like similar previous ones, remains unfulfilled. The administration has floated the idea of "[shifting] the CIA's lethal targeting program to the Defense Department," as The Daily Beast reported last month. Among other potential virtues, this move might allow greater public transparency about the way of the knife to the extent that it would eliminate the covert action bar to public discussion. But JSOC's non-covert targeted killing program is no less secretive than the CIA's, and its congressional oversight is, if anything, less robust. A bigger problem with this proposed fix is that it contemplates executive branch reorganization followed, in a best-case scenario, by more executive branch speeches and testimony about what it is doing in its stealth war. The proposal fails to grapple altogether with the growing mistrust of the administration's oblique representations about secret war. The president cannot establish trust in the way of the knife through internal moves and more words. Rather, he must take advantage of the separation of powers. Military detention, military commissions, and warrantless surveillance became more legitimate and less controversial during the Bush era because adversarial branches of government assessed the president's policies before altering and then approving them. President Obama should ask Congress to do the same with the way of the knife, even if it means that secret war abroad is harder to conduct. Administration officials resist this route because they worry about the outcome of the public debate, and because the president is, as The Washington Post recently reported, "seen as reluctant to have the legislative expansion of another [war] added to his legacy." But the administration can influence the outcome of the debate only by engaging it. And as Mazzetti makes plain, the president's legacy already includes the dramatic and unprecedented unilateral expansion of secret war. What the president should be worried about for legacy purposes is that this form of warfare, for which he alone is today responsible, is increasingly viewed as illegitimate.

## 2AC

## Case

### AT: Drone Proliferation Inevitable

#### Even if prolif is inevitable, the plan sends a signal of norms of restraint that solve war

Roberts ’13 (Kirstin Roberts, News Editor for National Journal and was news editor and deputy bureau chief for Reuters’ Washington bureau, “When the Whole World Has Drones”, <http://www.nationaljournal.com/magazine/when-the-whole-world-has-drones-20130321>, March 23, 2013)

A slim aircraft glided through Israeli airspace, maintaining low altitude and taking a winding path to avoid detection. It flew over sensitive military installations and was beginning its approach to the Dimona nuclear reactor when it was blown from the sky by the Israel Defense Forces. The plane was pilotless, directed by agents elsewhere, and had been attempting to relay images back home. Whether they were successfully transmitted, Israelis won’t say, perhaps because they don’t know. But here’s what’s certain: It wasn’t American. It wasn’t Russian or Chinese. It was an Iranian drone, assembled in Lebanon and flown by Hezbollah. The proliferation of drone technology has moved well beyond the control of the United States government and its closest allies. The aircraft are too easy to obtain, with barriers to entry on the production side crumbling too quickly to place limits on the spread of a technology that promises to transform warfare on a global scale. Already, more than 75 countries have remote piloted aircraft. More than 50 nations are building a total of nearly a thousand types. At its last display at a trade show in Beijing, China showed off 25 different unmanned aerial vehicles. Not toys or models, but real flying machines. It’s a classic and common phase in the life cycle of a military innovation: An advanced country and its weapons developers create a tool, and then others learn how to make their own. But what makes this case rare, and dangerous, is the powerful combination of efficiency and lethality spreading in an environment lacking internationally accepted guidelines on legitimate use. This technology is snowballing through a global arena where the main precedent for its application is the one set by the United States; it’s a precedent Washington does not want anyone following. America, the world’s leading democracy and a country built on a legal and moral framework unlike any other, has adopted a war-making process that too often bypasses its traditional, regimented, and rigorously overseen military in favor of a secret program never publicly discussed, based on legal advice never properly vetted. The Obama administration has used its executive power to refuse or outright ignore requests by congressional overseers, and it has resisted monitoring by federal courts. To implement this covert program, the administration has adopted a tool that lowers the threshold for lethal force by reducing the cost and risk of combat. This still-expanding counterterrorism use of drones to kill people, including its own citizens, outside of traditionally defined battlefields and established protocols for warfare, has given friends and foes a green light to employ these aircraft in extraterritorial operations that could not only affect relations between the nation-states involved but also destabilize entire regions and potentially upset geopolitical order. “I don’t think there is enough transparency and justification so that we remove not the secrecy, but the mystery of these things.”—Dennis Blair, former director of national intelligence Hyperbole? Consider this: Iran, with the approval of Damascus, carries out a lethal strike on anti-Syrian forces inside Syria; Russia picks off militants tampering with oil and gas lines in Ukraine or Georgia; Turkey arms a U.S.-provided Predator to kill Kurdish militants in northern Iraq who it believes are planning attacks along the border. Label the targets as terrorists, and in each case, Tehran, Moscow, and Ankara may point toward Washington and say, we learned it by watching you. In Pakistan, Yemen, and Afghanistan. This is the unintended consequence of American drone warfare. For all of the attention paid to the drone program in recent weeks—about Americans on the target list (there are none at this writing) and the executive branch’s legal authority to kill by drone outside war zones (thin, by officials’ own private admission)—what goes undiscussed is Washington’s deliberate failure to establish clear and demonstrable rules for itself that would at minimum create a globally relevant standard for delineating between legitimate and rogue uses of one of the most awesome military robotics capabilities of this generation. THE WRONG QUESTION The United States is the indisputable leader in drone technology and long-range strike. Remote-piloted aircraft have given Washington an extraordinary ability to wage war with far greater precision, improved effect, and fewer unintended casualties than conventional warfare. The drones allow U.S. forces to establish ever greater control over combat areas, and the Pentagon sees the technology as an efficient and judicious force of the future. And it should, given the billions of dollars that have gone into establishing and maintaining such a capability. That level of superiority leads some national security officials to downplay concerns about other nations’ unmanned systems and to too narrowly define potential threats to the homeland. As proof, they argue that American dominance in drone warfare is due only in part to the aircraft itself, which offers the ability to travel great distances and loiter for long periods, not to mention carry and launch Hellfire missiles. The drone itself, they argue, is just a tool and, yes, one that is being copied aggressively by allies and adversaries alike. The real edge, they say, is in the unparalleled intelligence-collection and data-analysis underpinning the aircraft’s mission. “There is what I think is just an unconstrained focus on a tool as opposed to the subject of the issue, the tool of remotely piloted aircraft that in fact provide for greater degrees of surety before you employ force than anything else we use,” said retired Lt. Gen. David Deptula, the Air Force’s first deputy chief of staff for intelligence, surveillance, and reconnaissance. “I think people don’t realize that for the medium altitude aircraft—the MQ-1 [Predator] and MQ-9 [Reaper] that are generally written about in the press—there are over 200 people involved in just one orbit of those aircraft.… The majority of those people are analysts who are interpreting the information that’s coming off the sensors on the aircraft.” The analysts are part of the global architecture that makes precision strikes, and targeted killing, possible. At the front end, obviously, intelligence—military, CIA, and local—inform target decisions. But in as near-real time as technologically possible, intel analysts in Nevada, Texas, Virginia, and other locations watch the data flood in from the aircraft and make calls on what’s happening on target. They monitor the footage, listen to audio, and analyze signals, giving decision-makers time to adjust an operation if the risks (often counted in potential civilian deaths) outweigh the reward (judged by the value of the threat eliminated). “Is that a shovel or a rifle? Is that a Taliban member or is this a farmer? The way that warfare has advanced is that we are much more exquisite in our ability to discern,” Maj. Gen. Robert Otto, commander of the Air Force Intelligence, Surveillance, and Reconnaissance Agency, told National Journal at Nellis Air Force Base in Nevada. “We’re not overhead for 15 minutes with a fighter that’s about to run out of gas, and we have to make a decision. We can orbit long enough to be pretty sure about our target.” Other countries, groups, and even individuals can and do fly drones. But no state or group has nearly the sophisticated network of intelligence and data analysis that gives the United States its strategic advantage. Although it would be foolish to dismiss the notion that potential U.S. adversaries aspire to attain that type of war-from-afar, pinpoint-strike capability, they have neither the income nor the perceived need to do so. That’s true, at least today. It’s also irrelevant. Others who employ drones are likely to carry a different agenda, one more concerned with employing a relatively inexpensive and ruthlessly efficient tool to dispatch an enemy close at hand. “It would be very difficult for them to create the global-strike architecture we have, to have a control cell in Nevada flying a plane over Afghanistan. The reality is that most nations don’t want or need that,” said Peter Singer, director of the Brookings Institution’s Center for 21st Century Security and Intelligence and one of the foremost experts in advanced military technology. “Turkey’s not looking to conduct strikes into the Philippines.... But Turkey is looking to be able to carry out long-duration surveillance and potentially strike inside and right on its border.” And that’s a NATO ally seeking the capability to conduct missions that would run afoul of U.S. interests in Iraq and the broader Middle East. Already, Beijing says it considered a strike in Myanmar to kill a drug lord wanted in the deaths of Chinese sailors. What happens if China arms one of its remote-piloted planes and strikes Philippine or Indian trawlers in the South China Sea? Or if India uses the aircraft to strike Lashkar-e-Taiba militants near Kashmir? “We don’t like other states using lethal force outside their borders. It’s destabilizing. It can lead to a sort of wider escalation of violence between two states,” said Micah Zenko, a security policy and drone expert at the Council on Foreign Relations. “So the proliferation of drones is not just about the protection of the United States. It’s primarily about the likelihood that other states will increasingly use lethal force outside of their borders.” LOWERING THE BAR Governments have covertly killed for ages, whether they maintained an official hit list or not. Before the Obama administration’s “disposition matrix,” Israel was among the best-known examples of a state that engaged, and continues to engage, in strikes to eliminate people identified by its intelligence as plotting attacks against it. But Israel certainly is not alone. Turkey has killed Kurds in Northern Iraq. Some American security experts point to Russia as well, although Moscow disputes this. In the 1960s, the U.S. government was involved to differing levels in plots to assassinate leaders in Congo and the Dominican Republic, and, famously, Fidel Castro in Cuba. The Church Committee’s investigation and subsequent 1975 report on those and other suspected plots led to the standing U.S. ban on assassination. So, from 1976 until the start of President George W. Bush’s “war on terror,” the United States did not conduct targeted killings, because it was considered anathema to American foreign policy. (In fact, until as late as 2001, Washington’s stated policy was to oppose Israel’s targeted killings.) When America adopted targeted killing again—first under the Bush administration after the September 11 attacks and then expanded by President Obama—the tools of the trade had changed. No longer was the CIA sending poison, pistols, and toxic cigars to assets overseas to kill enemy leaders. Now it could target people throughout al-Qaida’s hierarchy with accuracy, deliver lethal ordnance literally around the world, and watch the mission’s completion in real time. The United States is smartly using technology to improve combat efficacy, and to make war-fighting more efficient, both in money and manpower. It has been able to conduct more than 400 lethal strikes, killing more than 3,500 people, in Afghanistan, Pakistan, Yemen, Somalia, and North Africa using drones; reducing risk to U.S. personnel; and giving the Pentagon flexibility to use special-forces units elsewhere. And, no matter what human-rights groups say, it’s clear that drone use has reduced the number of civilians killed in combat relative to earlier conflicts. Washington would be foolish not to exploit unmanned aircraft in its long fight against terrorism. In fact, defense hawks and spendthrifts alike would criticize it if it did not. “If you believe that these folks are legitimate terrorists who are committing acts of aggressive, potential violent acts against the United States or our allies or our citizens overseas, should it matter how we choose to engage in the self-defense of the United States?” asked Rep. Mike Rogers, R-Mich., chairman of the House Intelligence Committee. “Do we have that debate when a special-forces team goes in? Do we have that debate if a tank round does it? Do we have the debate if an aircraft pilot drops a particular bomb?” But defense analysts argue—and military officials concede—there is a qualitative difference between dropping a team of men into Yemen and green-lighting a Predator flight from Nevada. Drones lower the threshold for military action. That’s why, according to the Council on Foreign Relations, unmanned aircraft have conducted 95 percent of all U.S. targeted killings. Almost certainly, if drones were unavailable, the United States would not have pursued an equivalent number of manned strikes in Pakistan. And what’s true for the United States will be true as well for other countries that own and arm remote piloted aircraft. “The drones—the responsiveness, the persistence, and without putting your personnel at risk—is what makes it a different technology,” Zenko said. “When other states have this technology, if they follow U.S. practice, it will lower the threshold for their uses of lethal force outside their borders. So they will be more likely to conduct targeted killings than they have in the past.” The Obama administration appears to be aware of and concerned about setting precedents through its targeted-strike program. When the development of a disposition matrix to catalog both targets and resources marshaled against the United States was first reported in 2012, officials spoke about it in part as an effort to create a standardized process that would live beyond the current administration, underscoring the long duration of the counterterrorism challenge. Indeed, the president’s legal and security advisers have put considerable effort into establishing rules to govern the program. Most members of the House and Senate Intelligence committees say they are confident the defense and intelligence communities have set an adequate evidentiary bar for determining when a member of al-Qaida or an affiliated group may be added to the target list, for example, and say that the rigor of the process gives them comfort in the level of program oversight within the executive branch. “They’re not drawing names out of a hat here,” Rogers said. “It is very specific intel-gathering and other things that would lead somebody to be subject for an engagement by the United States government.” BEHIND CLOSED DOORS The argument against public debate is easy enough to understand: Operational secrecy is necessary, and total opacity is easier. “I don’t think there is enough transparency and justification so that we remove not the secrecy, but the mystery of these things,” said Dennis Blair, Obama’s former director of national intelligence. “The reason it’s not been undertaken by the administration is that they just make a cold-blooded calculation that it’s better to hunker down and take the criticism than it is to get into the public debate, which is going to be a hard one to win.” “Consistently, nations have gone down the pathway of first only surveillance and then arming.”—Peter Singer, Brookings Institution But by keeping legal and policy positions secret, only partially sharing information even with congressional oversight committees, and declining to open a public discussion about drone use, the president and his team are asking the world to just trust that America is getting this right. While some will, many people, especially outside the United States, will see that approach as hypocritical, coming from a government that calls for transparency and the rule of law elsewhere. “I know these people, and I know how much they really, really attend to the most important details of the job,” said Barry Pavel, a former defense and security official in the Bush and Obama administrations who is director of the Brent Scowcroft Center on International Security at the Atlantic Council. “If I didn’t have that personal knowledge and because there isn’t that much really in the press, then I would be giving you a different rendering, and much more uncertain rendering.” That’s only part of the problem with the White House’s trust-us approach. The other resides in the vast distance between the criteria and authorization the administration says it uses in the combat drone program and the reality on the ground. For example, according to administration officials, before a person is added to the targeted strike list, specific criteria should be met. The target should be a 1) senior, 2) operational 3) leader of al-Qaida or an affiliated group who presents 4) an imminent threat of violent attack 5) against the United States. But that’s not who is being targeted. Setting aside the administration’s redefining of “imminence” beyond all recognition, the majority of the 3,500-plus people killed by U.S. drones worldwide were not leaders of al-Qaida or the Taliban; they were low- or mid-level foot soldiers. Most were not plotting attacks against the United States. In Yemen and North Africa, the Obama administration is deploying weaponized drones to take out targets who are more of a threat to local governments than to Washington, according to defense and regional security experts who closely track unrest in those areas. In some cases, Washington appears to be in the business of using its drone capabilities mostly to assist other countries, not to deter strikes against the United States (another precedent that might be eagerly seized upon in the future). U.S. defense and intelligence officials reject any suggestion that the targets are not legitimate. One thing they do not contest, however, is that the administration’s reliance on the post-9/11 Authorization for Use of Military Force as legal cover for a drone-strike program that has extended well beyond al-Qaida in Afghanistan or Pakistan is dodgy. The threat that the United States is trying to deal with today has an ever more tenuous connection to Sept. 11. (None of the intelligence officials reached for this article would speak on the record.) But instead of asking Congress to consider extending its authorization, as some officials have mulled, the administration’s legal counsel has chosen instead to rely on Nixon administration adviser John Stevenson’s 1970 justification of the bombing of Cambodia during the Vietnam War, an action new Secretary of State John Kerry criticized during his confirmation hearing this year. Human-rights groups might be loudest in their criticism of both the program and the opaque policy surrounding it, but even the few lawmakers who have access to the intelligence the administration shares have a hard time coping with the dearth of information. “We can’t always assume we’re going to have responsible people with whom we agree and trust in these positions,” said Sen. Angus King, I-Maine, who sits on the Senate Intelligence Committee. “The essence of the Constitution is, it shouldn’t matter who is in charge; they’re still constrained by principles and rules of the Constitution and of the Bill of Rights.” PEER PRESSURE Obama promised in his 2013 State of the Union to increase the drone program’s transparency. “In the months ahead, I will continue to engage Congress to ensure not only that our targeting, detention, and prosecution of terrorists remains consistent with our laws and system of checks and balances, but that our efforts are even more transparent to the American people and to the world,” the president said on Feb. 12. Since then, the administration, under pressure from allies on Senate Intelligence, agreed to release all of the legal memos the Justice Department drafted in support of targeted killing. But, beyond that, it’s not certain Obama will do anything more to shine light on this program. Except in situations where leaks help it tell a politically expedient story of its skill at killing bad guys, the administration has done little to make a case to the public and the world at large for its use of armed drones. Already, what’s become apparent is that the White House is not interested in changing much about the way it communicates strike policy. (It took Sen. Rand Paul’s 13-hour filibuster of CIA Director John Brennan’s nomination to force the administration to concede that it doesn’t have the right to use drones to kill noncombatant Americans on U.S. soil.) And government officials, as well as their surrogates on security issues, are actively trying to squash expectations that the administration would agree to bring the judicial branch into the oversight mix. Indeed, judicial review of any piece of the program is largely off the table now, according to intelligence officials and committee members. Under discussion within the administration and on Capitol Hill is a potential program takeover by the Pentagon, removing the CIA from its post-9/11 role of executing military-like strikes. Ostensibly, that shift could help lift the secret-by-association-with-CIA attribute of the program that some officials say has kept them from more freely talking about the legitimate military use of drones for counterterrorism operations. But such a fix would provide no guarantee of greater transparency for the public, or even Congress. And if the administration is not willing to share with lawmakers who are security-cleared to know, it certainly is not prepared to engage in a sensitive discussion, even among allies, that might begin to set the rules on use for a technology that could upend stability in already fragile and strategically significant places around the globe. Time is running out to do so. “They’re not drawing names out of a hat here.”—Mike Rogers, chairman, House Intelligence Committee “The history of technology development like this is, you never maintain your lead very long. Somebody always gets it,” said David Berteau, director of the International Security Program at the Center for Strategic and International Studies. “They’re going to become cheaper. They’re going to become easier. They’re going to become interoperable,” he said. “The destabilizing effects are very, very serious.” Berteau is not alone. Zenko, of the Council on Foreign Relations, has urged officials to quickly establish norms. Singer, at Brookings, argues that the window of opportunity for the United States to create stability-supporting precedent is quickly closing. The problem is, the administration is not thinking far enough down the line, according to a Senate Intelligence aide. Administration officials “are thinking about the next four years, and we’re thinking about the next 40 years. And those two different angles on this question are why you see them in conflict right now.” That’s in part a symptom of the “technological optimism” that often plagues the U.S. security community when it establishes a lead over its competitors, noted Georgetown University’s Kai-Henrik Barth. After the 1945 bombing of Hiroshima and Nagasaki, the United States was sure it would be decades before the Soviets developed a nuclear-weapon capability. It took four years. With drones, the question is how long before the dozens of states with the aircraft can arm and then operate a weaponized version. “Pretty much every nation has gone down the pathway of, ‘This is science fiction; we don’t want this stuff,’ to, ‘OK, we want them, but we’ll just use them for surveillance,’ to, ‘Hmm, they’re really useful when you see the bad guy and can do something about it, so we’ll arm them,’ ” Singer said. He listed the countries that have gone that route: the United States, Britain, Italy, Germany, China. “Consistently, nations have gone down the pathway of first only surveillance and then arming.” The opportunity to write rules that might at least guide, if not restrain, the world’s view of acceptable drone use remains, not least because this is in essence a conventional arms-control issue. The international Missile Technology Control Regime attempts to restrict exports of unmanned vehicles capable of carrying weapons of mass destruction, but it is voluntary and nonbinding, and it’s under attack by the drone industry as a drag on business. Further, the technology itself, especially when coupled with data and real-time analytics, offers the luxury of time and distance that could allow officials to raise the evidentiary bar for strikes—to be closer to certain that their target is the right one. But even without raising standards, tightening up drone-specific restrictions in the standing control regime, or creating a new control agreement (which is never easy to pull off absent a bad-state actor threatening attack), just the process of lining up U.S. policy with U.S. practice would go a long way toward establishing the kind of precedent on use of this technology that America—in five, 10, or 15 years—might find helpful in arguing against another’s actions. A not-insignificant faction of U.S. defense and intelligence experts, Dennis Blair among them, thinks norms play little to no role in global security. And they have evidence in support. The missile-technology regime, for example, might be credited with slowing some program development, but it certainly has not stopped non-signatories—North Korea and Iran—from buying, building, and selling missile systems. But norms established by technology-leading countries, even when not written into legal agreements among nations, have shown success in containing the use and spread of some weapons, including land mines, blinding lasers, and nuclear bombs. Arguably more significant than spotty legal regimes, however, is the behavior of the United States. “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,” Zenko argued. Despite the legal and policy complexity of this issue, it is something the American people have, if slowly, come to care about. Given the attention that Rand Paul’s filibuster garnered, it is not inconceivable that public pressure on drone operations could force the kind of unforeseen change to U.S. policy that it did most recently on “enhanced interrogation” of terrorists. The case against open, transparent rule-making is that it might only hamstring American options while doing little good elsewhere—as if other countries aren’t closely watching this debate and taking notes for their own future policymaking. But the White House’s refusal to answer questions about its drone use with anything but “no comment” ensures that the rest of the world is free to fill in the blanks where and when it chooses. And the United States will have already surrendered the moment in which it could have provided not just a technical operations manual for other nations but a legal and moral one as well.

### Drone Prolif- Erickson

#### Their ev actually says that China’s opacity and incentives makes it more likely they’ll use it ---- non-state actors prove that the US is key to solve (blue = wake mq, yellow = other people’s highlighting)

**Erickson 13** 5/23 – associate professor at the Naval War College and an Associate in Research at Harvard University’s Fairbank Center (Andrew, and Austin Strange, researcher at the Naval War College’s China Maritime Studies Institute and a graduate student at Zhejiang University, “China Has Drones. Now What?”, 2013, <http://www.foreignaffairs.com/articles/139405/andrew-erickson-and-austin-strange/china-has-drones-now-what?page=show>, CMR)

Indeed, the time to fret about when China and other authoritarian countries will acquire drones is over: they have them. The question now is when and how they will use them. But as with its other, less exotic military capabilities, Beijing has cleared only a technological hurdle -- and its behavior will continue to be constrained by politics.¶ China has been developing a drone capacity for over half a century, starting with its reverse engineering of Soviet Lavochkin La-17C target drones that it had received from Moscow in the late 1950s. Today, Beijing’s opacity makes it difficult to gauge the exact scale of the program, but according to Ian Easton, an analyst at the Project 2049 Institute, by 2011 China’s air force alone had over 280 combat drones. In other words, its fleet of unmanned aerial vehicles is already bigger and more sophisticated than all but the United States’; in this relatively new field Beijing is less of a newcomer and more of a fast follower. And the force will only become more effective: the Lijian (“sharp sword” in Chinese), a combat drone in the final stages of development, will make China one of the very few states that have or are building a stealth drone capacity.¶ This impressive arsenal may tempt China to pull the trigger. The fact that a(n) Chinese official acknowledged that Beijing had considered using drones to eliminate the Burmese drug trafficker, Naw Kham, made clear that it would not be out of the question for China to launch a drone strike in a security operation against a nonstate actor. Meanwhile, as China’s territorial disputes with its neighbors have escalated, there is a chance that Beijing would introduce unmanned aircraft, especially since India, the Philippines, and Vietnam distantly trail China in drone funding and capacity, and would find it difficult to compete. Beijing is already using drones to photograph the Senkaku/Diaoyu Islands it disputes with Japan, as the retired Chinese Major General Peng Guangqian revealed earlier this year, and to keep an eye on movements near the North Korean border.¶ Beijing, however, is unlikely to use its drones lightly. It already faces tremendous criticism from much of the international community for its perceived brazenness in continental and maritime sovereignty disputes. With its leaders attempting to allay notions that China’s rise poses a threat to the region, injecting drones conspicuously into these disputes would prove counterproductive. China also fears setting a precedent for the use of drones in East Asian hotspots that the United States could eventually exploit. For now, Beijing is showing that it understands these risks, and to date it has limited its use of drones in these areas to surveillance, according to recent public statements from China’s Defense Ministry.¶ What about using drones outside of Chinese-claimed areas? That China did not, in fact, launch a drone strike on the Burmese drug criminal underscores its caution. According to Liu Yuejin, the director of the antidrug bureau in China’s Ministry of Public Security, Beijing considered using a drone carrying a 20-kilogram TNT payload to bomb Kham’s mountain redoubt in northeast Myanmar. Kham had already evaded capture three times, so a drone strike may have seemed to be the best option. The authorities apparently had at least two plans for capturing Kham. The method they ultimately chose was to send Chinese police forces to lead a transnational investigation that ended in April 2012 with Kham’s capture near the Myanmar-Laos border. The ultimate decision to refrain from the strike may reflect both a fear of political reproach and a lack of confidence in untested drones, systems, and operators.¶ The restrictive position that Beijing takes on sovereignty in international forums will further constrain its use of drones. China is not likely to publicly deploy drones for precision strikes or in other military assignments without first having been granted a credible mandate to do so. The gold standard of such an authorization is a resolution passed by the UN Security Council, the stamp of approval that has permitted Chinese humanitarian interventions in Africa and antipiracy operations in the Gulf of Aden. China might consider using drones abroad with some sort of regional authorization, such as a country giving Beijing explicit permission to launch a drone strike within its territory. But even with the endorsement of the international community or specific states, China would have to weigh any benefits of a drone strike abroad against the potential for mishaps and perceptions that it was infringing on other countries’ sovereignty -- something Beijing regularly decries when others do it.¶ The limitations on China’s drone use are reflected in the country’s academic literature on the topic. The bulk of Chinese drone research is dedicated to scientific and technological topics related to design and performance. The articles that do discuss potential applications primarily point to major combat scenarios -- such as a conflagration with Taiwan or the need to attack a U.S. aircraft carrier -- which would presumably involve far more than just drones. Chinese researchers have thought a great deal about the utility of drones for domestic surveillance and law enforcement, as well as for non-combat-related tasks near China’s contentious borders. Few scholars, however, have publicly considered the use of drone strikes overseas.¶ Yet there is a reason why the United States has employed drones extensively despite domestic and international criticism: it is much easier and cheaper to kill terrorists from above than to try to root them out through long and expensive counterinsurgency campaigns. Some similar challenges loom on China’s horizon. Within China, Beijing often considers protests and violence in the restive border regions, such as Xinjiang and Tibet, to constitute terrorism. It would presumably consider ordering precision strikes to suppress any future violence there. Even if such strikes are operationally prudent, China’s leaders understand that they would damage the country’s image abroad, but they prioritize internal stability above all else. Domestic surveillance by drones is a different issue; there should be few barriers to its application in what is already one of the world’s most heavily policed societies. China might also be willing to use stealth drones in foreign airspace without authorization if the risk of detection were low enough; it already deploys intelligence-gathering ships in the exclusive economic zones of Japan and the United States, as well as in the Indian Ocean.¶ Still, although China enjoys a rapidly expanding and cutting-edge drone fleet, it is bound by the same rules of the game as the rest of the military’s tools. Beyond surveillance, the other non-lethal military actions that China can take with its drones are to facilitate communications within the Chinese military, support electronic warfare by intercepting electronic communications and jamming enemy systems, and help identify targets for Chinese precision strike weapons, such as missiles. Beijing’s overarching approach remains one of caution -- something Washington must bear in mind with its own drone program.

## Terror

### AT: Drone Good

#### No drone strike in Pakistan in months- strike in Yemen causing backlash

Schlein 3/12 (Lisa Schlein, VOA, “US Drone Strikes, Civilian Casualties Drop in Pakistan Last Year”, <http://www.voanews.com/content/us-drone-strikes-civilian-casualties-drop-in-pakistan-last-year/1870012.html>, March 12, 2014)

Ben Emmerson, a British lawyer and special investigator on counterterrorism and human rights, said there were 27 recorded drone strikes in Pakistan’s Federally Administered Tribal Areas last year. That's down from a peak of 128 in 2010. “But perhaps most significantly, for the first time in nine years there were no reports of civilian casualties during 2013 in the FATA area of Pakistan," he said. "The diplomatic and political efforts of Pakistan to bring these strikes to a halt, so as to enable peace talks with the Tehrik-i-Taliban to take place, appear to have borne fruit.” Emmerson said that so far this year, no drone strikes have taken place in Pakistan. “But perhaps most significantly, for the first time in nine years there were no reports of civilian casualties during 2013 in the FATA area of Pakistan," he said. "The diplomatic and political efforts of Pakistan to bring these strikes to a halt, so as to enable peace talks with the Tehrik-i-Taliban to take place, appear to have borne fruit.” Emmerson said that so far this year, no drone strikes have taken place in Pakistan. As for Afghanistan, the United Nations reported a three-fold increase in the number of civilian casualties last year compared to 2012. Emmerson said drones accounted for almost 40 percent of civilian casualties as a result of aerial attacks by pro-government forces. In Yemen, he said the frequency of armed drone strikes intensified during the closing months of 2013, and it resulted in a sharp escalation in the number of reported civilian casualties.

#### Backlash causes allied kickout

**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)

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.

#### Drones are the worst

**Boyle ‘13** [Michael J. Boyle, PhD, is an Assistant Professor of Political Science at La Salle University in Philadelphia. He was previously a Lecturer in International Relations and Research Fellow at the Centre for the Study of Terrorism and Political Violence at the University of St. Andrews. He is also an alumnus of the Political Science Department at La Salle, research interests are on terrorism and political violence, with particular reference to the strategic use of violence in insurgencies and civil wars, “The costs and consequences of drone warfare,” International Affairs 89: 1 (2013) 1–29, <http://www.chathamhouse.org/sites/default/files/public/International%20Affairs/2013/89_1/89_1Boyle.pdf>, 2013]

On this point, the distinction between drone strikes inside and outside a theatre of active combat becomes relevant. One could plausibly argue that drone strikes are a more humane option for active theatres of war, where the alternatives— such as air strikes or ground operations—may kill more civilians.70 In this respect, the Pentagon-run drone programme in Afghanistan might be morally justifiable if the alternatives—such as US air strikes or Afghan ground operations—were worse from the vantage point of non-combatant casualties. At least in the first instance, this is an empirical question. If it is true that drones kill fewer Afghan civilians than NATO air strikes, it would be hard to argue that air strikes should be employed in preference to drones in active theatres of war, although hard questions would remain about the procedures and standards for selecting targets for those strikes.71 Yet this comparison breaks down when applied to the CIA-run drone programme operating in countries where the United States is not at war. In these cases, the comparison to normal war-fighting is fallacious: the alternative to drones in Pakistan, Yemen, Somalia and elsewhere is not American-led ground operations or air strikes. The US is not formally at war with any of these states and is not legally entitled to use ground forces or air strikes on their territory (though this has not stopped the US from launching periodic air strikes in the past). The realistic alternatives to drones in these cases range from diplomatic pressure to capacity-building to even covert operations, all of which were employed to some benefit prior to the Obama administration’s escalation of drone strikes in 2009. In countries such as Pakistan, Yemen and Somalia, a cost–benefit analysis of drones has to be measured against these plausible alternatives, not against options that are neither realistic nor legally permitted outside a war zone. In these cases, drones are likely to be found wanting. It is hard to argue, for example, that drone strikes will consistently be more effective and kill fewer civilians than carefully constructed covert operations against HVTs. It is also hard to argue that drone strikes constitute a durable or long-term strategy in countries where there is a pressing need for capacity-building, especially in policing and intelligence work. The cost–benefit analysis for drones in these cases needs to be measured against these less violent alternatives, not against extreme examples from wartime like the firebombing of Dresden.

### 1NC/ 2AC- Terrorism

#### No risk of terrorism

Mearsheimer ‘14 (John J. Mearsheimer, Does he need quals?, “America Unhinged”, <http://nationalinterest.org/article/america-unhinged-9639>, January-February 2014)

Am I overlooking the obvious threat that strikes fear into the hearts of so many Americans, which is terrorism? Not at all. Sure, the United States has a terrorism problem. But it is a minor threat. There is no question we fell victim to a spectacular attack on September 11, but it did not cripple the United States in any meaningful way and another attack of that magnitude is highly unlikely in the foreseeable future. Indeed, there has not been a single instance over the past twelve years of a terrorist organization exploding a primitive bomb on American soil, much less striking a major blow. Terrorism—most of it arising from domestic groups—was a much bigger problem in the United States during the 1970s than it has been since the Twin Towers were toppled. What about the possibility that a terrorist group might obtain a nuclear weapon? Such an occurrence would be a game changer, but the chances of that happening are virtually nil. No nuclear-armed state is going to supply terrorists with a nuclear weapon because it would have no control over how the recipients might use that weapon. Political turmoil in a nuclear-armed state could in theory allow terrorists to grab a loose nuclear weapon, but the United States already has detailed plans to deal with that highly unlikely contingency. Terrorists might also try to acquire fissile material and build their own bomb. But that scenario is extremely unlikely as well: there are significant obstacles to getting enough material and even bigger obstacles to building a bomb and then delivering it. More generally, virtually every country has a profound interest in making sure no terrorist group acquires a nuclear weapon, because they cannot be sure they will not be the target of a nuclear attack, either by the terrorists or another country the terrorists strike. Nuclear terrorism, in short, is not a serious threat. And to the extent that we should worry about it, the main remedy is to encourage and help other states to place nuclear materials in highly secure custody.

### Pakistan War

#### Independently- that kickout causes US-Pakistan war

Chussodovsky ’11 (Prof Michel Chossudovsky, Michel Chossudovsky is an award-winning author, Professor of Economics (emeritus) at the University of Ottawa, Founder and Director of the Centre for Research on Globalization (CRG), Montreal and Editor of the globalresearch.ca website. He is the author of The Globalization of Poverty and The New World Order (2003) and America’s “War on Terrorism”(2005). His most recent book is entitled Towards a World War III Scenario: The Dangers of Nuclear War (2011), “Pakistan’s Decision to Shoot Down America’s Drones: Prelude to an All Out US-Pak War?”, http://www.globalresearch.ca/pakistan-s-decision-to-shoot-down-america-s-drones-prelude-to-an-all-out-us-pak-war/28162, Global Research, December 12, 2011)

Pakistan's Decision to Shoot Down America's Drones: Prelude to an All Out US-Pak War? Remember Pearl Harbor, remember the Gulf of Tonkin… Throughout history, America has sought to provoke its enemies into ‘initiating a war”, with a view to justifying the launching of an all out out war using the pretext of “self defense”. America’s war on Pakistan is already de facto. It is a war of stealth. The “war on terrorism” allegedly directed against Al Qaeda, the illusive “outside enemy” (created by the CIA) is is an obvious smokescreen. What is required is to portray Pakistan as “the aggressor” rather than the victim of US military aggression. US military planners have examined all possible scenarios. Military escalation is on the drawing board of the Pentagon. US “counter-terrorism” operations are carried out with a view to inciting the enemy as well as triggering a process of military escalation. Is the objective of the drone attacks to provoke a response by the Pakistani military, thereby justifying a formal declaration of war by the US and its allies? In this regard, the recent decision taken by Pakistan to “shoot down any US drone that intrudes its airspace as per new directives”, could be the prelude to an all out war between Pakistan and US-NATO forces. Pakistan’s defence policy states that: “Any object entering into our airspace, including US drones, will be treated as hostile and be shot down,” “The policy change comes just weeks after a deadly NATO attack on Pakistani military checkpoints killed 24 Pakistani soldiers, prompting Pakistani officials to order all US personnel out of a remote airfield in Pakistan. The government had told the United States to vacate the Shamsi airbase by December 11. The Frontier Corps took control of the Shamsi airbase on Saturday evening after most US military personnel left, sources said. Chief of the Army Staff Gen Ashfaq Pervaiz Kayani had issued multiple directives since the November 26 NATO attack, which included orders to shoot down US drones, senior military officials confirmed to NBC News. It was unclear whether orders to fire upon incoming US drones were part of the initial orders. The Pakistani airbase had been used by US forces, including the CIA, to stage elements of a clandestine US counter-terrorism operation to attack militants linked to al Qaeda, the Taliban and Haqqani network, using unmanned drone aircraft armed with missiles. Since 2004, US drones have carried out more than 300 attacks inside Pakistan. (See dailytimes.com.pk/default.asp?page=2011\12\12\story\_12-12-2011\_pg1\_5) In the wake of this incident, ”Pakistan has closed supply routes that allow U.S. and coalition military convoys to cross into Afghanistan”. Also of significance, on December 11, Pakistan took possession of the Shamsi air base in Balochistan on the the border with Iran. While the base was leased to the United Arab Emirates (UAE), it had been used by US air force personnel. The downing of a US drone would be used by Washington as a propaganda ploy. It would contribute to triggering a “useful wave of indignation” across America. It would be heralded by the US Congress as an act of aggression, as an encroachment in the conduct of America’s “War on Terrorism”. Pakistan would be accused of “siding with the terrorists”, thereby providing Washington with a justification to intervene. The broader repercussions of this staged confrontation between the US and Pakistan must be understood. US-NATO military deployments in Afghanistan and Pakistan are coordinated with ongoing war plans and covert operations directed against Iran. They also have a bearing on relations between the US and China. It should be noted that in a recent meeting of the Shanghai Cooperation Organization (SCO), Moscow called for Pakistan to become a full member of the SCO. Pakistan has the status of an Obsever in the SCO. Military confrontation in Pakistan could contribute to a process of military escalation in the broader Middle East Central Asia South Asia region.

### Egypt/ Israel

#### Norms solve Israel strikes in the Sinai which causes conflict with Egypt

Schenker 13 (David Schenker is director of the Program on Arab Politics at the Washington Institute for Near East Policy., 8/13/2013, "How the Israeli Drone Strike in the Sinai Might Backfire", www.theatlantic.com/international/archive/2013/08/how-the-israeli-drone-strike-in-the-sinai-might-backfire/278628/)

In April 1982, Israel withdrew the last of its military forces from Egypt's Sinai Peninsula. On Friday, for the first time in more than 30 years, Israeli military assets reportedly reentered Egyptian territory. On August 9, an Israeli drone operating in Sinai airspace with Egyptian approval killed five militants preparing to launch a rocket into Israel. The proactive Israeli action may herald a positive new dynamic in Israeli-Egyptian relations. But for the Egyptian military--which depends on popular goodwill to govern post-coup Egypt--enhanced security coordination with Israel might not be politically sustainable. Already, this unprecedented move has provoked a backlash against the generals. Ever since the toppling of Egypt's longtime President Hosni Mubarak in 2011, security in the Sinai--a region long underserved by Cairo--has become precarious. During the revolution, Egyptian intelligence, which had previously been responsible for securing the Sinai, was routed, leaving the task to the military -- the country's sole remaining, functioning national institution. Unenthusiastic about and ill-equipped for the mission, the military did little and security in the Sinai rapidly deteriorated. In a matter of months, Al-Qaeda and other dangerous Islamist elements started to take root among the increasingly radicalized local Bedouins. Over the past two years, Egyptian and foreign jihadis--as well as Palestinian terrorists entering the Sinai via tunnels from Gaza-- have launched dozens of attacks in the Peninsula. While most of the operations have targeted Egyptian police and border guards, on occasion soldiers have been killed and kidnapped and tourists abducted. Militants have also assaulted and snatched troops in the Multinational Force Observers or MFO, which are deployed in the Sinai to monitor the terms of the Israeli-Egyptian peace treaty. More potentially destabilizing, these terrorists have infiltrated Israel--killing six civilians and two soldiers in one August 2011 operation--and fired rockets across the border. Friday's drone strike came just one day after an unprecedented temporary closure of Israel's Eilat airport. At the time, militants in the Sinai were believed to be preparing to target Israeli civilian aircraft with rockets or shoulder fired missiles procured from post-Qaddafi's Libya. On the positive side, the Israeli strike suggests extremely close security and intelligence coordination between the Israeli Defense Force (IDF) and the Egyptian military. The cooperation comes as little surprise: both sides quietly say that mil-to-mil cooperation has never been better. Confidence is so high that just last month Israel authorized Egypt to deploy two addition infantry battalions to the Sinai to counter the terrorist threat. This comes after the militaries negotiated more than two dozen Egyptian requests since 2011 to move supplemental troops and equipment, including tanks, into the desert. In the past month, the Egyptian military has engaged in a crackdown on Sinai terrorism that reportedly killed some 60 militants. This is great news, particularly given that since the revolution, official civilian government-to-government contact has practically ceased to exist. At the same time, however, the high level of cooperation poses some potential challenges for Egypt's military. The Egyptian military--and especially its commanding General Abdul Fattah al Sisi--currently enjoys great popularity and a level of legitimacy that will be required to navigate this sensitive period of political transition following last month's coup that removed the democratically elected Islamist president. A majority of the population appears to support the president's ouster, but many people clearly do not. While Egyptians remain divided about the coup, however, Israel remains a consensus issue: most Egyptians loathe Israel and find the notion of ongoing security cooperation with the Jewish state to be extremely distasteful. Since the revolution, one of the more resonant tropes of populist politicians in Egypt has been the call to "renegotiate" the Camp David treaty with Israel --and particularly the Sinai security provisions, which many Egyptians consider to be an unacceptable legal surrender of national sovereignty. News of the Israeli drone strike has reignited anger over perceived slights to Egyptian self-determination in the Sinai. Muslim Brotherhood spokesman Ahmed Arif, for example, described the Israeli attack as "a national disaster and a flagrant violation of all the principals and traditions of the military." Meanwhile, the Foreign Affairs committee of the now-defunct upper house of parliament known as the Shura Council has condemned the "Zionist violation of Egyptian territory." These statements were echoed by Ansar Beit Muqaddas, the terrorist organization targeted in the attack, which issued a statement asking "What is greater treason than the Egyptian army allowing the Zionist drones to violate Egyptian airspace now and then?" In addition to raising questions about Egyptian authority over the Sinai, the Israeli drone attack will foster the unflattering perception that the Egyptian military is unable alone to contain the terrorist threat on its soil. To date, Egyptian supporters of the military's ouster of the Islamist president have refrained from criticizing the Israeli action in the Sinai. The prominent author Alaa Al-Aswany, a leading voice in this camp, has even gone so far as to accuse the Muslim Brotherhood of "exploiting" the strike for political gain. But it's not clear how long this cohort will continue to tolerate the collaboration. Al-Aswany's Twitter account is replete with condemnations of Israel and Zionists. The Egyptian military is no doubt aware that its leading supporters will not abide Israeli drones over Sinai airspace indefinitely. Clearly concerned about the impact of the reports, the military denied Israeli involvement in the Sinai incident in a statement on its Facebook page on Friday afternoon--just hours after the reports of the drone strike appeared. Highlighting this sensitivity, shortly after the bombing, mobile phone service in the Sinai was interrupted--most likely by the military--to limit further damaging reporting of the story. While this one incident may not have a lasting impact on the Egyptian military's popularity or local legitimacy, should Israeli strikes in the Sinai be sustained, it could erode some of the institution's luster. It could also undermine Sisi's popularity, and if he indeed harbors them, his hopes of becoming Egypt's next president. More troubling, though, if Israel continues to act as Egypt's proxy terrorist hunters, it could have the unintended effect of drawing even more militants looking to wage a jihad against Israel from this lawless desert expanse.

Extinction

Zitun 9/5/11

<http://www.ynetnews.com/articles/0,7340,L-4118220,00.html>

staff writer, quoting Senior IDF officer

IDF general: Likelihood of regional war growing Senior IDF officer warns of 'radical Islamic winter' that may lead to regional war, could prompt use of WMDs; new, more lethal weapons discovered in hands of terrorists during latest round of fighting in Gaza, Major General Eisenberg says Recent revolutions in the Arab world and the deteriorating ties with Turkey are raising the likelihood of a regional war in the Middle East, IDF Home Front Command Chief, Major General Eyal Eisenberg warned Monday. "It looks like the Arab Spring, but it can also be a radical Islamic winter," he said in a speech at the Institute for National Security Studies in Tel Aviv. "This leads us to the conclusion that through a long-term process, the likelihood of an all-out war is increasingly growing," the IDF general said. "Iran has not abandoned its nuclear program. The opposite it true; it continues full steam ahead," he said. "In Egypt, the army is collapsing under the burden of regular security operations, and this is reflected in the loss of control in the Sinai and the turning of the border with Israel into a terror border, with the possibility that Sinai will fall under the control of an Islamic entity." IDF general: Likelihood of regional war growing Senior IDF officer warns of 'radical Islamic winter' that may lead to regional war, could prompt use of WMDs; new, more lethal weapons discovered in hands of terrorists during latest round of fighting in Gaza, Major General Eisenberg says Recent revolutions in the Arab world and the deteriorating ties with Turkey are raising the likelihood of a regional war in the Middle East, IDF Home Front Command Chief, Major General Eyal Eisenberg warned Monday. In Lebanon, Hezbollah is growing stronger within government arms, but it has not lost its desire to harm Israel, and the ties with Turkey aren't at their best," Major General Eisenberg added. Weapons of mass destruction? Referring to what he characterized as the possibility of a "radical Islamic winter," Major-General Eisenberg said: "This raises the likelihood of an all-out, total war, with the possibility of weapons of mass destruction being used." During his address, the senior IDF official revealed that new, more lethal arms surfaced in the hands of Gaza terror groups during the latest round of fighting in the area. As result of the disturbing development, Israeli civilians were instructed to adopt greater precautions, he said. "We discovered a new weapon, and as result of this we instructed the public to hide under two roofs, rather than only one," he said. Eisenberg added that some 25% of local authorities in Israel are ill prepared to face emergency situations. However, Major General Eisenberg's words infuriated some security and defense officials, who slammed the senior IDF officer for revealing classified information and provoking regional tensions. "It's unclear why an IDF general heats up tensions in the region and why he exposes secret intelligence information about new Palestinian capabilities," one official said. Notably, Eisenberg's remarks were approved for publication by censorship officials.

## Flex

### 2AC

### AT: Warfighting

#### Ukraine disproves terminal impact

Crowley 3/1 (Michael Crowley, senior correspondent for TIME. He previously covered domestic politics and foreign policy for The New Republic, and was also a reporter at the Boston Globe. He has also written for such publications as New York magazine, GQ, Slate, and the New York Times magazine, “Ukraine Just The Latest Example of Obama’s Limited Global Influence”, <http://swampland.time.com/2014/03/01/ukraine-obama-influence-russia/>, March 1, 2014)

Russia’s escalating intervention in Ukraine once again confronts Barack Obama with a foreign policy crisis over which his options are painfully limited, forcing him into a reactive posture that relies on tough, but largely hollow rhetoric. Appearing on short notice in the White House briefing room yesterday, Obama warned Russian president Vladimir Putin that “there will be costs for any military intervention in Ukraine.” Within hours, Putin had requested and received from Russia’s parliament the authority to use force in its western neighbor, whose capital city Kiev saw an uprising against Moscow last month. Putin appears to have calculated that the benefits of maintaining control of Ukraine’s Crimean peninsula, home to a large ethnic Russian population and a major naval base, would outweigh any costs that Obama and the West can impose. He’s probably right. The prospect of a U.S. or NATO military response is roughly nil. The West has limited, if any, economic leverage over Russia. In fact, the leverage may work in the opposite direction as Russia is a major oil exporter at a time of already-high crude prices. Rhetorical shaming? Putin has endured months of it over his support of Syrian dictator Bashar al-Assad, without budging from his position. Western support for Putin’s domestic opposition would likely undermine its recipients and allow Putin to dismiss all protest as foreign intervention. So Obama is left to issue tough statements and place overseas phone calls, to little likely effect. By now it’s a familiar story—and a particularly frustrating one, given the American public’s unrealistically high expectations for presidential problem-solving. Consider several other crises that have left him stumped: In Syria, Obama stubbornly refuses to wade more than ankle-deep into the bloody fight against al-Assad’s regime. He doubts whether the U.S. can influence the course of the war and worries that the risks of action—including an Iraq-style quagmire—outweigh the costs of inaction. His critics argue that he’s wrong about that, a debatable proposition. But the practical result is Obama’s pursuit a diplomatic solution that has gone nowhere, along with rhetorical condemnations of Putin, who supports Assad, that achieve nothing. In Afghanistan, president Hamid Karzai refused to sign a carefully negotiated agreement that would allow a residual U.S. military force in his country after 2014, saying he would leave that decision to his successor, who will be chosen in elections this spring. Obama has threatened that such a delay might require scrapping plans for a residual force. But with the stability of the Afghan government uncertain and al-Qaeda operatives just across the border in Pakistan, he wants to avoid a total withdrawal. Lacking any real leverage over an Afghan leader who seems willing to let the Americans exit for good, Obama endures Karzai’s bluster and false accusations, while letting his deadline slide for deciding on a full withdrawal. And in Egypt, Obama has largely been a spectator to that country’s ongoing political turmoil. His condemnations of a July 2013 coup—though he won’t actually use the word—hasn’t rattled the generals in Cairo, whose military aid he can’t bring himself to sever. Meanwhile, bolstered by financial and political support from wealthy Arab neighbors, Egypt’s military regime has ignored U.S. pleas for restraint and waged a brutal crackdown. Libya, Iraq, Sudan — all are places where terrible things happen that the U.S. can do little about. Obama’s critics say he’s been risk-averse, reactive and lacking vision. But even they would have to concede that American power is not what it was before two costly foreign wars and a budget-wrecking economic crisis. The result is a frustrated president whose foreign policy often amounts to tough statements which fall on deaf ears.

#### No link- drones don’t trade off with other forms of conventional powers- no snowball

#### C- No link to *speed*- FIAT /

#### Their evidence is all in the context of Cong. deliberation in the face of crisis- but there is no crisis that Congress needs to act on

#### They’re irrelevant

Ingersoll ‘12 (Geoffrey Ingersoll, “Today's Unmanned Aerial Vehicles Will Be Totally Useless In The Pacific Theater”, December 7, 2012)

The vast fleet of military drones the Pentagon has at its disposal will likely be worth very little in the Pacific, against more advanced, capable enemies, according to a report by Dave Majumdar of the site Flight Global. "We are now shifting to a theatre where there is an adversary out there who is going to have a vote on whether I have that staring eye over the battlefield 24[hours], seven [days a week], 365 [days a year], and pretty certain they are not going to allow that to happen," says Gen Mike Hostage, commander of Air Combat Command, speaking at the Center for Strategic and International Studies (CSIS). That "vote" is a reference to the capabilities of potential enemies in that area of operations. Majumdar notes that "a drawdown is all but inevitable" and that these unused drones will have "to be parked" somewhere — in all likelihood here at home, parked in the skies.

#### The president himself is inept- doesn’t act alone to begin with

Wehner ’13 (Peter Wehner, “Barack Obama’s Staggering Incompetence”, <http://www.commentarymagazine.com/2013/09/02/barack-obamas-staggering-incompetence/>, September 2, 2013)

It’s reported that President Obama was ready to order a military strike against Syria, with or without Congress’s blessing, but “on Friday night, he suddenly changed his mind.” According to the Huffington Post: Senior administration officials describing Obama’s about-face Saturday offered a portrait of a president who began to wrestle with his own decision – at first internally, then confiding his views to his chief of staff, and finally summoning his aides for an evening session in the Oval Office to say he’d had a change of heart. In light of all this, it’s worth posing a few questions: 1. Why didn’t the president seek congressional authority before the administration began to beat the war drums this past week? Did the idea not occur to him? It’s not as if this is an obscure issue. When you’re in the White House and preparing to launch military force against a sovereign nation, whether or not to seek the approval of Congress is usually somewhere near the top of the to-do list. And why has the urgency to act that we saw from the administration during the last week–when Assad’s use of chemical weapons was referred to by the secretary of state as a “moral obscenity”–given way to an air of casualness, with Obama not even calling Congress back into session to debate his military strike against Syria? 2. The president didn’t seek congressional approval for his military strike in Libya. Why does he believe he needs it in Syria? 3. Mr. Obama, in his Rose Garden statement on Saturday, still insisted he has the authority to strike Syria without congressional approval. So what happens if Congress votes down a use-of-force resolution? Does the president strike Syria anyway? If so, will it be an evanescent bombing, intended to be limited in scope and duration, while doing nothing to change the war’s balance of power? Or does the president completely back down? Does he even know? Has he thought through in advance anything related to Syria? Or is this a case of Obama simply making it up as he goes along? This latest volte-face by the president is evidence of a man who is completely overmatched by events, weak and confused, and deeply ambivalent about using force. Yet he’s also desperate to get out of the corner he painted himself into by declaring that the use of chemical weapons by the Assad regime would constitute a “red line.” As a result he’s gone all Hamlet on us. Not surprisingly, Obama’s actions are being mocked by America’s enemies and sowing doubt among our allies. (Read this New York Times story for more.) What explains this debacle? It’s impossible for us to know all the reasons, but one explanation appears to be a CYA operation. According to Politico, “At the very least, Obama clearly wants lawmakers to co-own a decision that he can’t back away from after having declared last year that Assad would cross a ‘red line’ if he used chemical weapons against his own people.” And the Washington Post reports: Obama’s proposal to invite Congress dominated the Friday discussion in the Oval Office. He had consulted almost no one about his idea. In the end, the president made clear he wanted Congress to share in the responsibility for what happens in Syria. As one aide put it, “We don’t want them to have their cake and eat it, too.” Get it? The president of the United States is preparing in advance to shift the blame if his strike on Syria proves to be unpopular and ineffective. He’s furious about the box he’s placed himself in, he hates the ridicule he’s (rightly) incurring, but he doesn’t see any way out. What he does see is a political (and geopolitical) disaster in the making. And so what is emerging is what comes most naturally to Mr. Obama: Blame shifting and blame sharing. Remember: the president doesn’t believe he needs congressional authorization to act. He’s ignored it before. He wants it now. For reasons of political survival. To put it another way: He wants the fingerprints of others on the failure in Syria. Rarely has an American president joined so much cynicism with so much ineptitude.

#### 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.

#### Causes nuclear war

Symonds ‘13 [Peter, leading staff writer for the World Socialist Web Site and a member of its International Editorial Board. He has written extensively on Middle Eastern and Asian politics, contributing articles on developments in a wide range of countries, “Obama’s “playbook” and the threat of nuclear war in Asia,” <http://www.wsws.org/en/articles/2013/04/05/pers-a05.html>, April 5, 2013]

The Obama administration has engaged in reckless provocations against North Korea over the past month, inflaming tensions in North East Asia and heightening the risks of war. Its campaign has been accompanied by the relentless demonising of the North Korean regime and claims that the US military build-up was purely “defensive”. However, the Wall Street Journal and CNN revealed yesterday that the Pentagon was following a step-by-step plan, dubbed “the playbook”, drawn up months in advance and approved by the Obama administration earlier in the year. The flights to South Korea by nuclear capable B-52 bombers on March 8 and March 26, by B-2 bombers on March 28, and by advanced F-22 Raptor fighters on March 31 were all part of the script.¶ There is of course nothing “defensive” about B-52 and B-2 nuclear strategic bombers. The flights were designed to demonstrate, to North Korea in the first instance, the ability of the US military to conduct nuclear strikes at will anywhere in North East Asia. The Pentagon also exploited the opportunity to announce the boosting of anti-ballistic missile systems in the Asia Pacific and to station two US anti-missile destroyers off the Korean coast.¶ According to CNN, the “playbook” was drawn up by former defence secretary Leon Panetta and “supported strongly” by his replacement, Chuck Hagel. The plan was based on US intelligence assessments that “there was a low probability of a North Korean military response”—in other words, that Pyongyang posed no serious threat. Unnamed American officials claimed that Washington was now stepping back, amid concerns that the US provocations “could lead to miscalculations” by North Korea.¶ However, having deliberately ignited one of the most dangerous flashpoints in Asia, there are no signs that the Obama administration is backing off. Indeed, on Wednesday, Defence Secretary Hagel emphasised the military threat posed by North Korea, declaring that it presented “a real and clear danger”. The choice of words was deliberate and menacing—an echo of the phrase “a clear and present danger” used to justify past US wars of aggression.¶ The unstable and divided North Korean regime has played directly into the hands of Washington. Its bellicose statements and empty military threats have nothing to do with a genuine struggle against imperialism and are inimical to the interests of the international working class. Far from opposing imperialism, its Stalinist leaders are looking for a deal with the US and its allies to end their decades-long economic blockade and open up the country as a new cheap labour platform for global corporations.¶ As the present standoff shows, Pyongyang’s acquisition of a few crude nuclear weapons has in no way enhanced its defence against an American attack. The two B-2 stealth bombers that flew to South Korea could unleash enough nuclear weapons to destroy the country’s entire industrial and military capacity and murder even more than the estimated 2 million North Korean civilians killed by the three years of US war in Korea in the 1950s.¶ North Korea’s wild threats to attack American, Japanese and South Korean cities only compound the climate of fear used by the ruling classes to divide the international working class—the only social force capable of preventing war.¶ Commentators in the international media speculate endlessly on the reasons for the North Korean regime’s behaviour. But the real question, which is never asked, should be: why is the Obama administration engaged in the dangerous escalation of tensions in North East Asia? The latest US military moves go well beyond the steps taken in December 2010, when the US and South Korean navies held provocative joint exercises in water adjacent to both North Korea and China.¶ Obama’s North Korea “playbook” is just one aspect of his so-called “pivot to Asia”—a comprehensive diplomatic, economic and military strategy aimed at ensuring the continued US domination of Asia. The US has stirred up flashpoints throughout the region and created new ones, such as the conflict between Japan and China over the disputed Senkaku/Diaoyu islands in the East China Sea. Obama’s chief target is not economically bankrupt North Korea, but its ally China, which Washington regards as a dangerous potential rival. Driven by the deepening global economic crisis, US imperialism is using its military might to assert its hegemony over Asia and the entire planet.¶ The US has declared that its military moves against North Korea are designed to “reassure” its allies, Japan and South Korea, that it will protect them. Prominent figures in both countries have called for the development of their own nuclear weapons. US “reassurances” are aimed at heading off a nuclear arms race in North East Asia—not to secure peace, but to reinforce the American nuclear monopoly.¶ The ratcheting-up of tensions over North Korea places enormous pressures on China and the newly-selected leadership of the Chinese Communist Party. An unprecedented public debate has opened up in Beijing over whether or not to continue to support Pyongyang. The Chinese leadership has always regarded the North Korean regime as an important buffer on its northeastern borders, but now fears that the constant tension on the Korean peninsula will be exploited by the US and its allies to launch a huge military build-up.¶ Indeed, all of the Pentagon’s steps over the past month—the boosting of anti-missile systems and practice runs of nuclear capable bombers—have enhanced the ability of the US to fight a nuclear war against China. Moreover, the US may not want to provoke a war, but its provocations always run the risk of escalating dangerously out of control. Undoubtedly, Obama’s “playbook” for war in Asia contains many more steps beyond the handful leaked to the media. The Pentagon plans for all eventualities, including the possibility that a Korean crisis could bring the US and China head to head in a catastrophic nuclear conflict.

## Circumvention

### 2AC

#### Obama asked for the plan

Baker ’13 (Peter Baker, NY Times, “Pivoting From a War Footing, Obama Acts to Curtail Drones”, <http://www.nytimes.com/2013/05/24/us/politics/pivoting-from-a-war-footing-obama-acts-to-curtail-drones.html?pagewanted=all&_r=0>, May 23, 2013)

WASHINGTON — Nearly a dozen years after the hijackings that transformed America, President Obama said Thursday that it was time to narrow the scope of the grinding battle against terrorists and begin the transition to a day when the country will no longer be on a war footing. Declaring that “America is at a crossroads,” the president called for redefining what has been a global war into a more targeted assault on terrorist groups threatening the United States. As part of a realignment of counterterrorism policy, he said he would curtail the use of drones, recommit to closing the prison at Guantánamo Bay, Cuba, and seek new limits on his own war power. In a much-anticipated speech at the National Defense University, Mr. Obama sought to turn the page on the era that began on Sept. 11, 2001, when the imperative of preventing terrorist attacks became both the priority and the preoccupation. Instead, the president suggested that the United States had returned to the state of affairs that existed before Al Qaeda toppled the World Trade Center, when terrorism was a persistent but not existential danger. With Al Qaeda’s core now “on the path to defeat,” he argued, the nation must adapt. “Our systematic effort to dismantle terrorist organizations must continue,” Mr. Obama said. “But this war, like all wars, must end. That’s what history advises. It’s what our democracy demands.” The president’s speech reignited a debate over how to respond to the threat of terrorism that has polarized the capital for years. Republicans contended that Mr. Obama was declaring victory prematurely and underestimating an enduring danger, while liberals complained that he had not gone far enough in ending what they see as the excesses of the Bush era. The precise ramifications of his shift were less clear than the lines of argument, however, because the new policy guidance he signed remains classified, and other changes he embraced require Congressional approval. Mr. Obama, for instance, did not directly mention in his speech that his new order would shift responsibility for drones more toward the military and away from the Central Intelligence Agency. But the combination of his words and deeds foreshadowed the course he hopes to take in the remaining three and a half years of his presidency so that he leaves his successor a profoundly different national security landscape than the one he inherited in 2009. While President George W. Bush saw the fight against terrorism as the defining mission of his presidency, Mr. Obama has always viewed it as one priority among many at a time of wrenching economic and domestic challenges. “Beyond Afghanistan, we must define our effort not as a boundless ‘global war on terror,’ ” he said, using Mr. Bush’s term, “but rather as a series of persistent, targeted efforts to dismantle specific networks of violent extremists that threaten America.” “Neither I, nor any president, can promise the total defeat of terror,” he added. “We will never erase the evil that lies in the hearts of some human beings, nor stamp out every danger to our open society. But what we can do — what we must do — is dismantle networks that pose a direct danger to us, and make it less likely for new groups to gain a foothold, all the while maintaining the freedoms and ideals that we defend.” Some Republicans expressed alarm about Mr. Obama’s shift, saying it was a mistake to go back to the days when terrorism was seen as a manageable law enforcement problem rather than a dire threat. “The president’s speech today will be viewed by terrorists as a victory,” said Senator Saxby Chambliss of Georgia, the top Republican on the Senate Intelligence Committee. “Rather than continuing successful counterterrorism activities, we are changing course with no clear operational benefit.” Senator John McCain, Republican of Arizona, said he still agreed with Mr. Obama about closing the Guantánamo prison, but he called the president’s assertion that Al Qaeda was on the run “a degree of unreality that to me is really incredible.” Mr. McCain said the president had been too passive in the Arab world, particularly in Syria’s civil war. “American leadership is absent in the Middle East,” he said. The liberal discontent with Mr. Obama was on display even before his speech ended. Medea Benjamin, a co-founder of the antiwar group Code Pink, who was in the audience, shouted at the president to release prisoners from Guantánamo, halt C.I.A. drone strikes and apologize to Muslims for killing so many of them. “Abide by the rule of law!” she yelled as security personnel removed her from the auditorium. “You’re a constitutional lawyer!” Col. Morris D. Davis, a former chief prosecutor at Guantánamo who has become a leading critic of the prison, waited until after the speech to express disappointment that Mr. Obama was not more proactive. “It’s great rhetoric,” he said. “But now is the reality going to live up to the rhetoric?” Still, some counterterrorism experts saw it as the natural evolution of the conflict after more than a decade. “This is both a promise to an end to the war on terror, while being a further declaration of war, constrained and proportional in its scope,” said Juan Carlos Zarate, a counterterrorism adviser to Mr. Bush. The new classified policy guidance imposes tougher standards for when drone strikes can be authorized, limiting them to targets who pose “a continuing, imminent threat to Americans” and cannot feasibly be captured, according to government officials. The guidance also begins a process of phasing the C.I.A. out of the drone war and shifting operations to the Pentagon. The guidance expresses the principle that the military should be in the lead and responsible for taking direct action even outside traditional war zones like Afghanistan, officials said. But Pakistan, where the C.I.A. has waged a robust campaign of air assaults on terrorism suspects in the tribal areas, will be grandfathered in for a transition period and remain under C.I.A. control. That exception will be reviewed every six months as the government decides whether Al Qaeda has been neutralized enough in Pakistan and whether troops in Afghanistan can be protected. Officials said they anticipated that the eventual transfer of the C.I.A. drone program in Pakistan to the military would probably coincide with the withdrawal of combat units from Afghanistan at the end of 2014. Even as he envisions scaling back the targeted killing, Mr. Obama embraced ideas to limit his own authority. He expressed openness to the idea of a secret court to oversee drone strikes, much like the intelligence court that authorizes secret wiretaps, or instead perhaps some sort of independent body within the executive branch. He did not outline a specific proposal, leaving it to Congress to consider something along those lines. He also called on Congress to “refine and ultimately repeal” the authorization of force it passed in the aftermath of Sept. 11. Aides said he wanted it limited more clearly to combating Al Qaeda and affiliated groups so it could not be used to justify action against other terrorist or extremist organizations. In renewing his vow to close the Guantánamo prison, Mr. Obama highlighted one of his most prominent unkept promises from the 2008 presidential campaign. He came into office vowing to shutter the prison, which has become a symbol around the world of American excesses, within a year, but Congress moved to block him, and then he largely dropped the effort. With 166 detainees still at the prison, Mr. Obama said he would reduce the population even without action by Congress. About half of the detainees have been cleared for return to their home countries, mostly Yemen. Mr. Obama said he was lifting a moratorium he imposed on sending detainees to Yemen, where a new president has inspired more faith in the White House that he would not allow recidivism. The policy changes have been in the works for months as Mr. Obama has sought to reorient his national security strategy. The speech was his most comprehensive public discussion of counterterrorism since he took office, and at times he was almost ruminative, articulating both sides of the argument and weighing trade-offs out loud in a way presidents rarely do. He said that the United States remained in danger from terrorists, as the attacks in Boston and Benghazi, Libya, have demonstrated, but that the nature of the threat “has shifted and evolved.” He noted that terrorists, including some radicalized at home, had carried out attacks, but less ambitious than the ones on Sept. 11. “We have to take these threats seriously and do all that we can to confront them,” he said. “But as we shape our response, we have to recognize that the scale of this threat closely resembles the types of attacks we faced before 9/11.”

#### This is the only card specific about targeted killing

**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,” 3-19-12, <http://www.foreignpolicy.com/articles/2012/03/19/fire_when_ready?page=full>, March 19, 2012]

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. But it has shown no inclination to do so, and it appears to support the current arrangement.

#### The president himself is inept- doesn’t act alone to begin with

Wehner ’13 (Peter Wehner, “Barack Obama’s Staggering Incompetence”, <http://www.commentarymagazine.com/2013/09/02/barack-obamas-staggering-incompetence/>, September 2, 2013)

It’s reported that President Obama was ready to order a military strike against Syria, with or without Congress’s blessing, but “on Friday night, he suddenly changed his mind.” According to the Huffington Post: Senior administration officials describing Obama’s about-face Saturday offered a portrait of a president who began to wrestle with his own decision – at first internally, then confiding his views to his chief of staff, and finally summoning his aides for an evening session in the Oval Office to say he’d had a change of heart. In light of all this, it’s worth posing a few questions: 1. Why didn’t the president seek congressional authority before the administration began to beat the war drums this past week? Did the idea not occur to him? It’s not as if this is an obscure issue. When you’re in the White House and preparing to launch military force against a sovereign nation, whether or not to seek the approval of Congress is usually somewhere near the top of the to-do list. And why has the urgency to act that we saw from the administration during the last week–when Assad’s use of chemical weapons was referred to by the secretary of state as a “moral obscenity”–given way to an air of casualness, with Obama not even calling Congress back into session to debate his military strike against Syria? 2. The president didn’t seek congressional approval for his military strike in Libya. Why does he believe he needs it in Syria? 3. Mr. Obama, in his Rose Garden statement on Saturday, still insisted he has the authority to strike Syria without congressional approval. So what happens if Congress votes down a use-of-force resolution? Does the president strike Syria anyway? If so, will it be an evanescent bombing, intended to be limited in scope and duration, while doing nothing to change the war’s balance of power? Or does the president completely back down? Does he even know? Has he thought through in advance anything related to Syria? Or is this a case of Obama simply making it up as he goes along? This latest volte-face by the president is evidence of a man who is completely overmatched by events, weak and confused, and deeply ambivalent about using force. Yet he’s also desperate to get out of the corner he painted himself into by declaring that the use of chemical weapons by the Assad regime would constitute a “red line.” As a result he’s gone all Hamlet on us. Not surprisingly, Obama’s actions are being mocked by America’s enemies and sowing doubt among our allies. (Read this New York Times story for more.) What explains this debacle? It’s impossible for us to know all the reasons, but one explanation appears to be a CYA operation. According to Politico, “At the very least, Obama clearly wants lawmakers to co-own a decision that he can’t back away from after having declared last year that Assad would cross a ‘red line’ if he used chemical weapons against his own people.” And the Washington Post reports: Obama’s proposal to invite Congress dominated the Friday discussion in the Oval Office. He had consulted almost no one about his idea. In the end, the president made clear he wanted Congress to share in the responsibility for what happens in Syria. As one aide put it, “We don’t want them to have their cake and eat it, too.” Get it? The president of the United States is preparing in advance to shift the blame if his strike on Syria proves to be unpopular and ineffective. He’s furious about the box he’s placed himself in, he hates the ridicule he’s (rightly) incurring, but he doesn’t see any way out. What he does see is a political (and geopolitical) disaster in the making. And so what is emerging is what comes most naturally to Mr. Obama: Blame shifting and blame sharing. Remember: the president doesn’t believe he needs congressional authorization to act. He’s ignored it before. He wants it now. For reasons of political survival. To put it another way: He wants the fingerprints of others on the failure in Syria. Rarely has an American president joined so much cynicism with so much ineptitude.

#### Syria was the litmus test for all their links

Alterman 9/4 (Jon B. Alterman holds the Zbigniew Brzezinski Chair in Global Security and Geostrategy and directs the Middle East program at the Center for Strategic and International Studies (CSIS). Prior to joining CSIS in 2002, he served as a member of the Policy Planning staff at the US Department of State and as a special assistant to the assistant secretary of state for Near Eastern affairs. In addition to his policy work, he teaches Middle Eastern studies at the Johns Hopkins School of Advanced International Studies and George Washington University, ‘US-Iran Nuclear Deal Hinges”, <http://www.al-monitor.com/pulse/originals/2013/09/us-iran-nuclear-deal-hinges-on-syria-vote.html>, September 4, 2013)

Many have pointed out that the Iranian government is watching closely what the Barack Obama administration does in Syria. With the president having declared a year ago that the Syrian government’s use of chemical weapons “would be a game changer,” the Iranian government wonders what the new game will be. It does so not only out of interest in its clients in Syria, but more important, to judge what Obama’s reaction might be if Iran acquires a nuclear weapons capability, which the president has declared as another red line. Focusing solely on events in Syria, however, misses a large part of the Iranian calculus, if not the largest. What really matters to Iran is how successful Obama is in winning congressional support for his Syria policy. If he fails, it will deal a double blow to the president. Not only will the Iranian government dismiss the possibility of negotiations with his administration, it will also conclude that Obama can be defied with impunity. The international cost of domestic political failure would be profound. To start, it is worth noting the extent to which foreign governments are sophisticated consumers of American political information. Decades of international cable news broadcasts and newspaper websites have brought intimate details of US politics into global capitals. Foreign ministers in the Middle East and beyond are US news junkies, and they seem increasingly distrustful of their embassies. For key US allies, the foreign minister often seems to have made him- or herself the US desk officer. Most can have a quite sophisticated discussion on congressional politics and their impact on US foreign relations. The Iranian government is no exception. While former president Mahmoud Ahmedinejad was emotional and shrill in his opposition to the United States, there remains in Iran a cadre of Western-trained technocrats, fluent in English and nuanced in their understanding of the world. President Hassan Rouhani has surrounded himself with such people, and Supreme Leader Ayatollah Ali Khamenei has charged them with investigating a different relationship between Iran and the United States. As they do so, they cannot help but be aware that on the eve of Rouhani’s inauguration, the US House of Representatives voted 400–20 to impose stiff additional sanctions on Iran. The House saw Rouhani’s electoral victory as a call for toughness, not potential compromise. If Iran were to make concessions in a negotiation with the United States, they would surely seek sanctions relief and other actions requiring congressional approval. To make such concessions to Obama, they would need some confidence that he can deliver. A president who cannot bring around a hostile Congress is not a president with whom it is worth negotiating. In this respect, Syria is a dry run for Obama's lobbying ability on foreign policy. Until now, his record with Congress has been checkered. Congressional representatives complain that the White House has given them the cold shoulder time after time, and there seems to be little warmth between the president and his former colleagues in the legislature. Persuading Congress to back a military action that the majority of the public opposes will require presidential charm, pressure, and a good measure of buttonholing and jawboning. Based on his past performance, Obama appears to be neither a joyful nor an especially skillful practitioner of these political arts. As difficult as it is for Obama to persuade Congress to fight another battle in the Middle East, it would be even more difficult to persuade it to accept a negotiated deal with Iran. Suspicions about Iran run deep in the United States, as well as among many US allies in the Middle East. Should the White House decide to focus principally on the president’s domestic legacy, it may seem less costly to deter Iran and maintain that no clear nuclear threshold has been crossed than to sell a deal to a skeptical Congress. That would then put the onus on Iran to make any approach to the United States sufficiently attractive to gain the president’s attention. Iranians will surely view a demonstration of the president’s inability to bring Congress along on Syria as a sign that there is no hope of his delivering Congress on Iran. US-Iranian negotiations, surely in the offing for later this year, would be stillborn. There is, however, an even more stark consequence of Obama losing the Syria vote in Congress. Should the White House, with its immense power and prestige, fail to build sufficient support, leaders around the world will conclude that this president can be defied with impunity. If he cannot win the support of those close to him, what hope does he have of winning over those at a distance? The consequence here would be a combination of much more difficult diplomacy and even more bad behavior around the world that requires diplomacy to address. Hard-liners in Iran and their allies around the Middle East would certainly be emboldened, and regional states would be far less likely to rely on US cues in managing their own issues. Arab-Israeli negotiations, as well, would be dealt a fundamental blow, as each party would retreat to its own maximal position. China, Russia and a host of other countries are watching closely as well. Whether seeking congressional approval for military action against Syria was the right decision, it is a gambit President Obama cannot afford to lose. What he has done is raise the stakes, not only for the remaining years of his presidency, but also for the US role in the world. For a president who has sought to end unnecessary US entanglements in the Middle East, his entire foreign policy legacy hinges on persuading Congress that one more entanglement is necessary. If he cannot do that, the results will resound for years to come.

## ESR

### AT: ESR

#### Links to politics – immense opposition to bypassing debate

Hallowell ’13 [Billy Hallowell, writer for The Blaze, B.A. in journalism and broadcasting from the College of Mount Saint Vincent in Riverdale, New York and an M.S. in social research from Hunter College in Manhattan, “HERE’S HOW OBAMA IS USING EXECUTIVE POWER TO BYPASS LEGISLATIVE PROCESS” Feb. 11, 2013, <http://www.theblaze.com/stories/2013/02/11/heres-how-obamas-using-executive-power-to-bylass-legislative-process-plus-a-brief-history-of-executive-orders/>, KB]

“In an era of polarized parties and a fragmented Congress, the opportunities to legislate are few and far between,” Howell said. “So presidents have powerful incentive to go it alone. And they do.”¶ And the political opposition howls.¶ Sen. Marco Rubio, R-Fla., a possible contender for the Republican presidential nomination in 2016, said that on the gun-control front in particular, Obama is “abusing his power by imposing his policies via executive fiat instead of allowing them to be debated in Congress.”¶ The Republican reaction is to be expected, said John Woolley, co-director of the American Presidency Project at the University of California in Santa Barbara.¶ “For years there has been a growing concern about unchecked executive power,” Woolley said. “It tends to have a partisan content, with contemporary complaints coming from the incumbent president’s opponents.”

#### Congress key

#### The *risk and fear* of Obama reneging on the CP means it doesn’t solve signal

Groll 8/8 (Elias Groll, “The Sudden and Unexpected Return of the Drone War”, <http://blog.foreignpolicy.com/posts/2013/08/08/the_sudden_and_unexpected_return_of_the_drone_war_yemen>, August 8, 2013)

The drone war is back. Amid fears that al Qaeda-affiliated terrorists in Yemen are plotting a major attack, U.S. drones reportedly launched three strikes in the country on Thursday alone, killing 12 suspected al Qaeda militants. In fact, the Obama administration is arguably waging its most intense drone campaign ever in Yemen, with nine suspected drone strikes in the last 13 days and six in the last three. The concentrated bombing is all the more striking considering that just days ago the State Department was shuttering nearly two dozen embassies around the world in response to what seemed an amorphous terrorist threat. The fierce campaign comes on the heels of the White House announcing a major overhaul of its use of drones. With his speech in May outlining a plan to take the United States off its "perpetual wartime footing," the president gave hope to critics of his surprisingly robust drone policy that the strikes would soon be curtailed. But according to Josh Begley, a web developer who tracks drone strikes and runs Dronestream, U.S. drones have struck five times in Pakistan and 11 times in Yemen since Obama's speech. Not since January -- when, during a five-day period, Washington carried out eight suspected strikes -- have U.S. missiles rained down on Yemen with such frequency. While three-strike days are not unprecedented in Yemen, they are far more common in Pakistan. According to Begley's analysis, there have been three likely instances in which U.S. drones struck Yemen three times in one day. In Pakistan, that has occurred 13 times. The interactive map below, courtesy of Begley, shows strikes in Yemen before (yellow dots) and after (red dots) Obama's speech (the first U.S. drone strike in Yemen took place way back in 2002). Some dots below are obscured because of multiple strikes in the same location. The flurry of strikes raises questions about the Obama administration's stated commitment to dial back its aggressive wartime tactics. In a major speech earlier this year, President Obama announced to much fanfare that he hoped to wind down the war on terror and that stricter guidelines would be put in place to govern the use of drone strikes, though those rules largely remain classified and unreleased. "America does not take strikes to punish individuals; we 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," Obama said. "And before any strike is taken, there must be near-certainty that no civilians will be killed or injured -- the highest standard we can set." In a letter to Congress in May, Attorney General Eric Holder hinted at this new, stricter policy. "When capture is not feasible, the policy provides that lethal force may be used only when a terrorist target poses a continuing, imminent threat to Americans, and when certain other preconditions, including a requirement that no other reasonable alternatives exist to effectively address the threat, are satisfied." What those "other preconditions" amount to remains shrouded in mystery. But as articulated in the letter, the administration's new critieria for drone strikes turn on the presence of a "continuing, imminent threat" directed at Americans. Administration officials explain that the prior guidance allowed drone strikes against groups or individuals threatening "U.S. interests" whereas the new policy tightens that guideline to require "U.S. persons" to be threatened by those targeted by drones. This time around, the U.S. government has been making an elaborate, dramatic argument that the latest threat out of Yemen poses imminent danger to Americans. The administration's decision to close and evacuate a slew of diplomatic posts served as a highly visible signal of the perceived seriousness of this threat -- and, most importantly, its implications for U.S. persons. While Obama's speech in May and subsequent policy guidance has been interpreted as an effort by the president to avoid having his legacy defined by the aggressive use of drones, the address itself was notable for its defense of the administration's tactics, which Obama argued have not only undermined terrorist groups but also saved civilian lives. That conviction has been on manifest display in the administration's response this week to the threat emanating from Yemen. Beyond vague hints, apocalyptic warnings, and bizarre leaks, however, U.S. officials have released little information about the nature of that threat. As a result, it remains difficult to evaluate Obama's commitment to his new policy. "There has been an awful lot of chatter out there. Chatter means conversation about terrorists, about the planning that's going on, very reminiscent of what we saw pre-9/11," Sen. Saxby Chambliss, the Georgia Republican, said on NBC's Meet the Press. Later in the week, administration officials revealed that the source of the warning came from an intercepted communication between the head of al Qaeda, Ayman al-Zawahiri, and the chief of the Yemen-based al Qaeda in the Arabian Peninsula. Given the murky nature of the threat, it remains unclear whether, in repeatedly striking targets in Yemen in recent days, the Obama administration is ramping up the pressure on al Qaeda in the Arabian Peninsula in general or simply responding to a specific intelligence threat. The White House's secret legal guidelines would appear to require that the strikes be tied to a specific threat to U.S. persons, but that's a legal standard for which there is no outside oversight or determination. If the U.S. government wants to up the pressure and return to the 2009-2010 heyday of the decade-long drone war, there is nothing stopping it. Meanwhile, for observers of the U.S. national security establishment, the strikes in Yemen upset a commonly accepted wisdom in Washington: that the accession of John Brennan as CIA director heralded the end of aggressive drone strikes. Brennan reportedly favors moving the drone program from the the CIA to the Pentagon, where it will theoretically be subject to greater oversight and transparency. With the transfer of the program, it was also thought that drone strikes would gradually decrease as they moved out of the shadowy world of the CIA and into the, comparatively speaking, more open world of the Defense Department. But events this week in Yemen represent a profound challenge to that line of thinking. And until the White House offers a clear explanation for how it is targeting terrorists and why, prickly questions about the administration's commitment to dialing back the war on terror are likely to persist.

### Congress Addon- Groupthink

Checks on the executive key to solve groupthink

Chehab, 12 [Ahmad, Georgetown University Law Center, Retrieving the Role of Accountability in the Targeted Killings Context: A Proposal for Judicial Review]

The practical, pragmatic justification for the COAACC derives largely from considering social psychological findings regarding the skewed potential associated with limiting unchecked decision-making in a group of individuals. As an initial point, psychologists have long pointed out how individuals frequently fall prey to cognitive illusions that produce systematic errors in judgment.137 People simply do not make decisions by choosing the optimal outcome from available alternatives, but instead employ shortcuts (i.e., heuristics) for convenience.138 Cognitive biases like groupthink can hamper effective policy deliberations and formulations.139 Groupthink largely arises when a group of decision-makers seek conformity and agreement, thereby avoiding alternative points of view that are critical of the consensus position.140 This theory suggests that some groups—particularly those characterized by a strong leader, considerable internal cohesion, internal loyalty, overconfidence, and a shared world view or value system—suffer from a deterioration in their capacity to engage in critical analysis.141 Many factors can affect such judgment, including a lack of crucial information, insufficient timing for decision-making, poor judgment, pure luck, and/or unexpected actions by adversaries.142 Moreover, decision-makers inevitably tend to become influenced by irrelevant information,143 seek out data and assessments that confirm their beliefs and personal hypotheses notwithstanding contradictory evidence,144 and “[i]rrationally avoid choices that represent extremes when a decision involves a trade-off between two incommensurable values.”145 Self-serving biases can also hamper judgment given as it has been shown to induce well-intentioned people to rationalize virtually any behavior, judgment or action after the fact.146 The confirmation and overconfidence bias, both conceptually related to groupthink, also result in large part from neglecting to consider contradictory evidence coupled with an irrational persistence in pursuing ideological positions divorced from concern of alternative viewpoints.147 Professor Cass Sunstein has described situations in which groupthink produced poor results precisely because consensus resulted from the failure to consider alternative sources of information.148 The failures of past presidents to consider alternative sources of information, critically question risk assessments, ensure neutral-free ideological sentiment among those deliberating,149 and/or generally ensure properly deliberated national security policy has produced prominent and devastating blunders,150 including the Iraq War of 2003,151 the Bay of Pigs debacle in the 1960’s,152 and the controversial decision to wage war against Vietnam.153 Professor Sunstein also has described the related phenomenon of “group polarization,” which includes the tendency to push group members toward a “more extreme position.”154 Given that both groupthink and group polarization can lead to erroneous and ideologically tainted policy positions, the notion of giving the President unchecked authority in determining who is eligible for assassination can only serve to increase the likelihood for committing significant errors.155 The reality is that psychological mistakes, organizational ineptitude, lack of structural coherence and other associated deficiencies are inevitable features in Executive Branch decision-making. D. THE NEED FOR ACCOUNTABILITY CHECKS To check the vices of groupthink and shortcomings of human judgment, the psychology literature emphasizes a focus on accountability mechanisms in which a better reasoned decision-making process can flourish.156 By serving as a constraint on behavior, “accountability functions as a critical norm-enforcement mechanism—the social psychological link between individual decision makers on the one hand and social systems on the other.”157 Such institutional review can channel recognition for the need by government decision-makers to be more self-critical in policy targeted killing designations, more willing to consider alternative points of view, and more willing to anticipate possible objections.158 Findings have also shown that ex ante awareness can lead to more reasoned judgment while also preventing tendentious and ideological inclinations (and political motivations incentivized and exploited by popular hysteria and fear).159 Requiring accounting in a formalized way prior to engaging in a targeted killing—by providing, for example, in camera review, limited declassification of information, explaining threat assessments outside the immediate circle of policy advisors, and securing meaningful judicial review via a COAACC-like tribunal—can promote a more reliable and informed deliberation in the executive branch. With process-based judicial review, the COAACC could effectively reorient the decision to target individuals abroad by examining key procedural aspects—particularly assessing the reliability of the “terrorist” designation—and can further incentivize national security policy-makers to engage in more carefully reasoned choices and evaluate available alternatives than when subject to little to no review.

#### **Key to solve war**

Jervis, 4(Robert, political science and international politics professor at Columbia University and a consultant to the CIA, The Record, 7/14, lexis)

But was that indeed what happened? "Groupthink" - identified in the early 1970s by the late Yale psychologist Irving Janis - refers to a process by which conformity grows out of deliberations in small groups. It can indeed be quite powerful. The way Janis explained it, groupthink operates when individuals work closely together over a sustained period. It isn't merely that members of the group come to think alike but that they come to overvalue the harmonious functioning of the group. In their eagerness to reach consensus, they become inhibited from questioning established assumptions or from raising questions that might disturb their colleagues and friends. A vicious circle begins as the group feels good about itself because it has discovered the truth, and this truth is accepted by each person because it is believed by the others. In this way, a group of intelligent individuals can confidently arrive at conclusions that are wildly removed from reality. Most social scientists agree that groupthink has contributed to many disastrous decisions in business, families, and foreign policy. President Kennedy and his top advisers, for instance, fell into a groupthink trap, believing that the landings of the Cuban exiles at the Bay of Pigs in April 1961 might overthrow Fidel Castro. Intense face-to-face meetings among the president's top foreign policy planners formed strong bonds that no one wanted to loosen. In hindsight, their plans were so badly flawed that it is hard to understand how such world-wise leaders could have endorsed them. But apparently each individual grew confident because the others were - each was reassured because the group was functioning so well and without discord; no one felt the need, or had the nerve, to insist they consider the possibility that the group was on the totally wrong track. Richard Nixon's Watergate cover-up was in part maintained by the same dynamic. To many outsiders even at the time, it was obvious that the only way for Nixon to survive was to air the full truth early on. But the Nixon White House was a small group, closed-mouthed and predisposed to keeping everything secret.

## Politics

### 2AC – Ukraine

#### Ukraine is top of the docket and trades-off with the domestic agenda

Galston, 3-4 – Brookings Governance Studies chair and senior fellow

[William, PhD from University of Chicago, former Saul Stern Professor and Dean at the School of Public Policy at the University of Maryland, "A Russian Test for Obama," Wall Street Journal, 3-4-14, online.wsj.com/news/articles/SB10001424052702304360704579419381478116294, accessed 3-12-14]

So let's get to the real discussion. President Obama's first task in the coming weeks is to coordinate the strongest possible global response to what Vladimir Putin has done in Crimea. This won't be easy. Many European nations have deep economic ties to Russia that they will be reluctant to jeopardize. Russian vetoes would paralyze the United Nations Security Council. And important U.S. objectives—such as completing the elimination of Syrian chemical weapons and thwarting Iran from acquiring nuclear weapons—will be even harder to achieve without Russian cooperation, which President Putin is fully capable of halting. Still, Mr. Obama must do what it takes to forge a united response—especially from NATO and the European Union—that goes far beyond the lowest common denominator. This includes suspending economic and diplomatic ties that Mr. Putin values, even if we and our allies do as well. We must convince Mr. Putin that the consequence of his policies will be the isolation of his country. Equally important, we must convince the rich and powerful Russians around the Russian president that they, their businesses and their families have a lot to lose if he doesn't change course. This challenge surely comes as an unwelcome diversion to a White House that prefers to focus on domestic economic and political objectives. But there is no choice. Events always shape, and often control, presidential agendas. As former deputy secretary of state Strobe Talbott (now my boss at the Brookings Institution) told Politico on March 3: "Much as he would like to spend his time and his remaining capital on other things," Mr. Obama will have to spend "quite a bit of his time and quite a bit of his political capital making it clear to the American people and the international community that we're not just going to roll over on this."

### 2AC – CIA

#### CIA thumps the link

Bolton 3/11 – The Hill staff (Alexander Bolton, “CIA fallout reaches Obama”, <http://thehill.com/homenews/senate/200524-obama-will-have-to-deal-with-the-fallout>, March 11, 2014)

President Obama is caught in the middle of an increasingly bitter feud between the Central Intelligence Agency and Democratic allies on Capitol Hill. Sen. Dianne Feinstein’s (D-Calif.) stunning accusation that the CIA spied on her panel plunged the president into a controversy over the separation of powers that threatens to become a major headache for his administration. The White House did its best to steer clear of the storm on Tuesday, but Obama could soon be forced to take sides. Democrats are pushing to release their investigation into interrogation techniques used during the George W. Bush administration and have been fighting for months with the CIA over declassifying its contents. Obama backs releasing the interrogation report but has made clear he wants to move past the controversy over the Bush-era interrogations. Now Senate Democrats are demanding that Brennan apologize for what Feinstein alleges is the obstruction and intimidation of her committee’s work. Brennan on Tuesday rejected Feinstein’s allegations as false. Senate Majority Leader Harry Reid (D-Nev.) and Senate Judiciary Committee Chairman Patrick Leahy (Vt.), the Senate’s most senior Democrat, both backed Feinstein on Tuesday. Asked if Brennan should apologize, Reid said, “I support Dianne Feinstein, and the answer is yes.” Attorney General Eric Holder must decide how to handle conflicting complaints from Feinstein and the CIA. Feinstein on Tuesday charged the agency may have violated the Fourth Amendment, the Computer Fraud and Abuse Act and an executive order prohibiting domestic searches and surveillance by searching computers that contained records of the committee’s internal deliberations. The CIA’s acting general counsel has filed a countervailing report with the Justice Department accusing Intelligence Committee staff of removing a classified document from the agency without permission. Feinstein cited the general counsel’s complaint in her floor speech. If Obama sides with Feinstein, Republicans could accuse him of undermining the intelligence community. Republican senators, with the notable exception of Sen. John McCain (R-Ariz.) and his ally, Sen. Lindsey Graham (R-S.C.), declined to support Feinstein in her battle with the CIA. Adding to the tension, only one Republican on the Intelligence Committee — former Sen. Olympia Snowe (Maine) — endorsed the findings of the interrogation report, which Democrats say will reveal that the CIA’s techniques were ineffective and far harsher than previously known. “We have some disagreements as to what the actual facts are,” said Sen. Saxby Chambliss (Ga.), the ranking Republican on the Select Committee on Intelligence. Chambliss said “improving the relationship” between his committee and the CIA “is not going to happen if we throw rocks at each other.” Sen. Richard Burr (N.C.), the second-most senior Republican on the panel, said, “I personally don’t believe anything that goes on in the Intelligence Committee should ever be discussed publicly.” But there is growing sentiment among Democrats that Obama needs to rein in his intelligence agencies. “To me this goes precisely to the question of whether Congress can effectively oversee the modern intelligence apparatus,” said Sen. Ron Wyden (D-Ore.), a senior member of the Intelligence panel. Wyden noted that a CIA official acknowledged at a recent public hearing that the agency was subject to the Computer Fraud Act. “We’ve got to be able to independently do oversight and find the facts and, as Sen. Feinstein laid out this morning, this raises a very troubling set of questions with respect to separation of powers,” he said. Adding to the pressure, groups on the left are demanding Obama step in and ensure that the interrogation report is released.

### 2AC – Minimum Wage

#### Obama pushing minimum wage- top of the docket

Lander 3/5 (Mark Landler, White House correspondent for The New York Times and writes a weekly foreign affairs column, Listening Post. Prior to moving to the White House in March 2011, he was the newspaper’s diplomatic correspondent. He has reported for The Times from 67 countries on six continents, from Afghanistan to Yemen, Before moving to Washington in 2008, Mark was a foreign correspondent for 10 years, serving as European economic correspondent in Frankfurt, from 2002 to 2008, and as Hong Kong bureau chief, from 1998 to 2002. He won an Overseas Press Club award in 2007, “With Eye on Midterms, Obama Pushes Rise in Minimum Wage”, <http://www.nytimes.com/2014/03/06/us/politics/obama-presses-case-for-higher-minimum-wage.html>, March 5, 2014)

NEW BRITAIN, Conn. — Flanked by four like-minded New England governors, President Obama took his campaign for a higher federal minimum wage to this rough-hewed city on Wednesday, declaring that “nobody who works full time should ever have to raise a family in poverty.” “It’s time to give America a raise,” Mr. Obama said to a rowdy crowd of 3,000 students at Central Connecticut State University. “It’s not bad business to do right by your workers; it’s good business.” Saying that even in a high-tech economy there will always be hospital workers and servers at fast-food restaurants — “people who work their tails off every day” — Mr. Obama said a higher minimum wage would lift millions out of poverty and stimulate the broader economy. Raising the minimum wage from the current $7.25 an hour to $10.10 is both a legislative priority for the president and the kind of liberal policy proposal that could help the White House hold on to Democratic seats in Congress in a difficult midterm election year. Mr. Obama praised the governors — Dannel P. Malloy of Connecticut, Deval Patrick of Massachusetts, Peter Shumlin of Vermont and Lincoln Chafee of Rhode Island — all Democrats who have pushed to raise the minimum wage in their states. Mr. Chafee has proposed raising it to $10.10 an hour over three years. Earlier, Mr. Obama ate a Korean-beef sandwich and chili during lunch with the four men at Cafe Beauregard, a diner in the heart of New Britain, a hard-hit town that is the home of the Stanley tool company. The cafe’s owners, Rob Chiovoloni and Alice Bruno, said they paid their workers a minimum of $10 an hour. “As the owner put it,” Mr. Obama said to reporters, “he knows what’s it like to work all his life and he understands that if people are working hard, they shouldn’t be in poverty, and that we should be able to do everything we can to make sure that happens.” Twenty-two states and the District of Columbia have moved to raise their minimum wage above the federally mandated level, ranging from $7.40 to $9.32 an hour. The town of SeaTac, Wash., has been more aggressive, voting to raise it to $15 an hour. Last month, through an executive order, Mr. Obama raised the minimum wage for federal workers on new contracts to $10.10, effective in 2015. But raising the overall federal minimum wage would require Congressional action, a far-fetched prospect in a Republican-controlled House during an election year. Republicans say lifting the wage would cost jobs, pointing to a report last month by the Congressional Budget Office, which asserted that raising the federal minimum to $10.10 an hour would result in a loss of 500,000 jobs. A smaller increase, it said, would cost fewer jobs. But the White House disputes that analysis, saying a higher wage would lift the middle class and generate jobs by giving people more money to spend on goods and services. Mr. Obama had initially proposed raising the rate to $9 an hour, but in his State of the Union address in January, he threw his support behind a bill, sponsored by Senator Tom Harkin, Democrat of Iowa, and Representative George Miller, Democrat of California, that would raise it to $10.10, and index the wage to the rate of inflation thereafter. After discussing his wage proposal two weeks ago with members of the National Governors Association at the White House, Gov. Bobby Jindal, Republican of Louisiana, emerged to criticize Mr. Obama’s proposal as evidence that his economic policies had failed, declaring that the president “was waving the white flag of surrender.” His comment drew a sharp retort from Mr. Malloy, who told the crowd on Wednesday, “I don’t see anybody waving a white flag. Bobby Jindal didn’t make it to Connecticut.” Just 5 percent of the nation’s work force currently earns the minimum of $7.25 an hour, but moving that up to $10.10 an hour would affect 21.4 percent of workers, White House officials said, because everyone earning between $7.25 and $10.10 would get raises. “It’s an appropriate correction; it’s not a half step,” Gene Sperling, the director of the White House’s National Economic Council, said to reporters on Tuesday. He said the increase “would not have any negative job impacts whatsoever.” With Mr. Obama’s domestic agenda stymied in Congress, he is devoting a growing amount of time to fund-raising on behalf of Democrats. After speaking in Connecticut, the president flew to Boston, where he spoke at two fund-raising events, the first in Cambridge. Speaking later to about 70 supporters at a candlelight dinner at the Artists for Humanity EpiCenter in South Boston, Mr. Obama warned them about the dangers of complacency in the coming elections. “In the midterms, Democrats too often don’t vote,” he said. “Too often, when there’s not a presidential election, we don’t think it’s sexy, we don’t think it’s interesting. People tune out. And because the electorate has changed, we get walloped.”

### 2AC

#### Won’t pass- campaign money and backlash on the merits

Wild, 2-23 -- IAM Magazine staff

[Joff, "Concerns in Senate and approaching election could stymie patent litigation reform moves," Intellectual Asset Management Magazine, 2-23-14, www.iam-magazine.com/blog/detail.aspx?g=0fe92d4e-915d-4f15-925e-60b452f2e093, accessed 3-13-14]

Concerns in Senate and approaching election could stymie patent litigation reform moves The window of opportunity for the passing of a federal patent litigation reform law in the US is slowly beginning to close and could soon be shut tight, according to sources that IAM has spoken to over the last few days. The head of steam for change that culminated in the House of Representatives’ overwhelming, bipartisan approval of the Goodlatte Innovation Act has now begun to dissipate in the face of growing concerns among some senators that there is not enough evidence to justify wide-ranging reforms and that the potential for unintended harms has not been properly explored. What’s more, in what is an election year, plans for much wider application of loser pays are beginning to cause significant concerns among Democrat lawmakers, who have traditionally raised significant amounts of campaign money from trial lawyers, a constituency that is overwhelmingly opposed to the move. If the legislation is not agreed during the 113th Congress, the whole process will have to start from scratch during the 114th Congress, which begins sitting in January 2015.

### AT: Politics

#### Obama asked for the plan- won’t fight it

Baker ’13 (Peter Baker, NY Times, “Pivoting From a War Footing, Obama Acts to Curtail Drones”, <http://www.nytimes.com/2013/05/24/us/politics/pivoting-from-a-war-footing-obama-acts-to-curtail-drones.html?pagewanted=all&_r=0>, May 23, 2013)

WASHINGTON — Nearly a dozen years after the hijackings that transformed America, President Obama said Thursday that it was time to narrow the scope of the grinding battle against terrorists and begin the transition to a day when the country will no longer be on a war footing. Declaring that “America is at a crossroads,” the president called for redefining what has been a global war into a more targeted assault on terrorist groups threatening the United States. As part of a realignment of counterterrorism policy, he said he would curtail the use of drones, recommit to closing the prison at Guantánamo Bay, Cuba, and seek new limits on his own war power. In a much-anticipated speech at the National Defense University, Mr. Obama sought to turn the page on the era that began on Sept. 11, 2001, when the imperative of preventing terrorist attacks became both the priority and the preoccupation. Instead, the president suggested that the United States had returned to the state of affairs that existed before Al Qaeda toppled the World Trade Center, when terrorism was a persistent but not existential danger. With Al Qaeda’s core now “on the path to defeat,” he argued, the nation must adapt. “Our systematic effort to dismantle terrorist organizations must continue,” Mr. Obama said. “But this war, like all wars, must end. That’s what history advises. It’s what our democracy demands.” The president’s speech reignited a debate over how to respond to the threat of terrorism that has polarized the capital for years. Republicans contended that Mr. Obama was declaring victory prematurely and underestimating an enduring danger, while liberals complained that he had not gone far enough in ending what they see as the excesses of the Bush era. The precise ramifications of his shift were less clear than the lines of argument, however, because the new policy guidance he signed remains classified, and other changes he embraced require Congressional approval. Mr. Obama, for instance, did not directly mention in his speech that his new order would shift responsibility for drones more toward the military and away from the Central Intelligence Agency. But the combination of his words and deeds foreshadowed the course he hopes to take in the remaining three and a half years of his presidency so that he leaves his successor a profoundly different national security landscape than the one he inherited in 2009. While President George W. Bush saw the fight against terrorism as the defining mission of his presidency, Mr. Obama has always viewed it as one priority among many at a time of wrenching economic and domestic challenges. “Beyond Afghanistan, we must define our effort not as a boundless ‘global war on terror,’ ” he said, using Mr. Bush’s term, “but rather as a series of persistent, targeted efforts to dismantle specific networks of violent extremists that threaten America.” “Neither I, nor any president, can promise the total defeat of terror,” he added. “We will never erase the evil that lies in the hearts of some human beings, nor stamp out every danger to our open society. But what we can do — what we must do — is dismantle networks that pose a direct danger to us, and make it less likely for new groups to gain a foothold, all the while maintaining the freedoms and ideals that we defend.” Some Republicans expressed alarm about Mr. Obama’s shift, saying it was a mistake to go back to the days when terrorism was seen as a manageable law enforcement problem rather than a dire threat. “The president’s speech today will be viewed by terrorists as a victory,” said Senator Saxby Chambliss of Georgia, the top Republican on the Senate Intelligence Committee. “Rather than continuing successful counterterrorism activities, we are changing course with no clear operational benefit.” Senator John McCain, Republican of Arizona, said he still agreed with Mr. Obama about closing the Guantánamo prison, but he called the president’s assertion that Al Qaeda was on the run “a degree of unreality that to me is really incredible.” Mr. McCain said the president had been too passive in the Arab world, particularly in Syria’s civil war. “American leadership is absent in the Middle East,” he said. The liberal discontent with Mr. Obama was on display even before his speech ended. Medea Benjamin, a co-founder of the antiwar group Code Pink, who was in the audience, shouted at the president to release prisoners from Guantánamo, halt C.I.A. drone strikes and apologize to Muslims for killing so many of them. “Abide by the rule of law!” she yelled as security personnel removed her from the auditorium. “You’re a constitutional lawyer!” Col. Morris D. Davis, a former chief prosecutor at Guantánamo who has become a leading critic of the prison, waited until after the speech to express disappointment that Mr. Obama was not more proactive. “It’s great rhetoric,” he said. “But now is the reality going to live up to the rhetoric?” Still, some counterterrorism experts saw it as the natural evolution of the conflict after more than a decade. “This is both a promise to an end to the war on terror, while being a further declaration of war, constrained and proportional in its scope,” said Juan Carlos Zarate, a counterterrorism adviser to Mr. Bush. The new classified policy guidance imposes tougher standards for when drone strikes can be authorized, limiting them to targets who pose “a continuing, imminent threat to Americans” and cannot feasibly be captured, according to government officials. The guidance also begins a process of phasing the C.I.A. out of the drone war and shifting operations to the Pentagon. The guidance expresses the principle that the military should be in the lead and responsible for taking direct action even outside traditional war zones like Afghanistan, officials said. But Pakistan, where the C.I.A. has waged a robust campaign of air assaults on terrorism suspects in the tribal areas, will be grandfathered in for a transition period and remain under C.I.A. control. That exception will be reviewed every six months as the government decides whether Al Qaeda has been neutralized enough in Pakistan and whether troops in Afghanistan can be protected. Officials said they anticipated that the eventual transfer of the C.I.A. drone program in Pakistan to the military would probably coincide with the withdrawal of combat units from Afghanistan at the end of 2014. Even as he envisions scaling back the targeted killing, Mr. Obama embraced ideas to limit his own authority. He expressed openness to the idea of a secret court to oversee drone strikes, much like the intelligence court that authorizes secret wiretaps, or instead perhaps some sort of independent body within the executive branch. He did not outline a specific proposal, leaving it to Congress to consider something along those lines. He also called on Congress to “refine and ultimately repeal” the authorization of force it passed in the aftermath of Sept. 11. Aides said he wanted it limited more clearly to combating Al Qaeda and affiliated groups so it could not be used to justify action against other terrorist or extremist organizations. In renewing his vow to close the Guantánamo prison, Mr. Obama highlighted one of his most prominent unkept promises from the 2008 presidential campaign. He came into office vowing to shutter the prison, which has become a symbol around the world of American excesses, within a year, but Congress moved to block him, and then he largely dropped the effort. With 166 detainees still at the prison, Mr. Obama said he would reduce the population even without action by Congress. About half of the detainees have been cleared for return to their home countries, mostly Yemen. Mr. Obama said he was lifting a moratorium he imposed on sending detainees to Yemen, where a new president has inspired more faith in the White House that he would not allow recidivism. The policy changes have been in the works for months as Mr. Obama has sought to reorient his national security strategy. The speech was his most comprehensive public discussion of counterterrorism since he took office, and at times he was almost ruminative, articulating both sides of the argument and weighing trade-offs out loud in a way presidents rarely do. He said that the United States remained in danger from terrorists, as the attacks in Boston and Benghazi, Libya, have demonstrated, but that the nature of the threat “has shifted and evolved.” He noted that terrorists, including some radicalized at home, had carried out attacks, but less ambitious than the ones on Sept. 11. “We have to take these threats seriously and do all that we can to confront them,” he said. “But as we shape our response, we have to recognize that the scale of this threat closely resembles the types of attacks we faced before 9/11.”

#### PC Wrong

Hirsh ’13 (National Journal chief correspondent, citing various political scientists, Michael, former Newsweek senior correspondent, "There’s No Such Thing as Political Capital," National Journal, 2-9-13, www.nationaljournal.com/magazine/there-s-no-such-thing-as-political-capital-20130207, accessed 2-8-13, mss]

The idea of political capital—or mandates, or momentum—is so poorly defined that presidents and pundits often get it wrong. On Tuesday, in his State of the Union address, President Obama will do what every president does this time of year. For about 60 minutes, he will lay out a sprawling and ambitious wish list highlighted by gun control and immigration reform, climate change and debt reduction. In response, the pundits will do what they always do this time of year: They will talk about how unrealistic most of the proposals are, discussions often informed by sagacious reckonings of how much “political capital” Obama possesses to push his program through. Most of this talk will have no bearing on what actually happens over the next four years. Consider this: Three months ago, just before the November election, if someone had talked seriously about Obama having enough political capital to oversee passage of both immigration reform and gun-control legislation at the beginning of his second term—even after winning the election by 4 percentage points and 5 million votes (the actual final tally)—this person would have been called crazy and stripped of his pundit’s license. (It doesn’t exist, but it ought to.) In his first term, in a starkly polarized country, the president had been so frustrated by GOP resistance that he finally issued a limited executive order last August permitting immigrants who entered the country illegally as children to work without fear of deportation for at least two years. Obama didn’t dare to even bring up gun control, a Democratic “third rail” that has cost the party elections and that actually might have been even less popular on the right than the president’s health care law. And yet, for reasons that have very little to do with Obama’s personal prestige or popularity—variously put in terms of a “mandate” or “political capital”—chances are fair that both will now happen. What changed? In the case of gun control, of course, it wasn’t the election. It was the horror of the 20 first-graders who were slaughtered in Newtown, Conn., in mid-December. The sickening reality of little girls and boys riddled with bullets from a high-capacity assault weapon seemed to precipitate a sudden tipping point in the national conscience. One thing changed after another. Wayne LaPierre of the National Rifle Association marginalized himself with poorly chosen comments soon after the massacre. The pro-gun lobby, once a phalanx of opposition, began to fissure into reasonables and crazies. Former Rep. Gabrielle Giffords, D-Ariz., who was shot in the head two years ago and is still struggling to speak and walk, started a PAC with her husband to appeal to the moderate middle of gun owners. Then she gave riveting and poignant testimony to the Senate, challenging lawmakers: “Be bold.” As a result, momentum has appeared to build around some kind of a plan to curtail sales of the most dangerous weapons and ammunition and the way people are permitted to buy them. It’s impossible to say now whether such a bill will pass and, if it does, whether it will make anything more than cosmetic changes to gun laws. But one thing is clear: The political tectonics have shifted dramatically in very little time. Whole new possibilities exist now that didn’t a few weeks ago. Meanwhile, the Republican members of the Senate’s so-called Gang of Eight are pushing hard for a new spirit of compromise on immigration reform, a sharp change after an election year in which the GOP standard-bearer declared he would make life so miserable for the 11 million illegal immigrants in the U.S. that they would “self-deport.” But this turnaround has very little to do with Obama’s personal influence—his political mandate, as it were. It has almost entirely to do with just two numbers: 71 and 27. That’s 71 percent for Obama, 27 percent for Mitt Romney, the breakdown of the Hispanic vote in the 2012 presidential election. Obama drove home his advantage by giving a speech on immigration reform on Jan. 29 at a Hispanic-dominated high school in Nevada, a swing state he won by a surprising 8 percentage points in November. But the movement on immigration has mainly come out of the Republican Party’s recent introspection, and the realization by its more thoughtful members, such as Sen. Marco Rubio of Florida and Gov. Bobby Jindal of Louisiana, that without such a shift the party may be facing demographic death in a country where the 2010 census showed, for the first time, that white births have fallen into the minority. It’s got nothing to do with Obama’s political capital or, indeed, Obama at all. The point is not that “political capital” is a meaningless term. Often it is a synonym for “mandate” or “momentum” in the aftermath of a decisive election—and just about every politician ever elected has tried to claim more of a mandate than he actually has. Certainly, Obama can say that because he was elected and Romney wasn’t, he has a better claim on the country’s mood and direction. Many pundits still defend political capital as a useful metaphor at least. “It’s an unquantifiable but meaningful concept,” says Norman Ornstein of the American Enterprise Institute. “You can’t really look at a president and say he’s got 37 ounces of political capital. But the fact is, it’s a concept that matters, if you have popularity and some momentum on your side.” The real problem is that the idea of political capital—or mandates, or momentum—is so poorly defined that presidents and pundits often get it wrong. “Presidents usually over-estimate it,” says George Edwards, a presidential scholar at Texas A&M University. “The best kind of political capital—some sense of an electoral mandate to do something—is very rare. It almost never happens. In 1964, maybe. And to some degree in 1980.” For that reason, political capital is a concept that misleads far more than it enlightens. It is distortionary. It conveys the idea that we know more than we really do about the ever-elusive concept of political power, and it discounts the way unforeseen events can suddenly change everything. Instead, it suggests, erroneously, that a political figure has a concrete amount of political capital to invest, just as someone might have real investment capital—that a particular leader can bank his gains, and the size of his account determines what he can do at any given moment in history. Naturally, any president has practical and electoral limits. Does he have a majority in both chambers of Congress and a cohesive coalition behind him? Obama has neither at present. And unless a surge in the economy—at the moment, still stuck—or some other great victory gives him more momentum, it is inevitable that the closer Obama gets to the 2014 election, the less he will be able to get done. Going into the midterms, Republicans will increasingly avoid any concessions that make him (and the Democrats) stronger. But the abrupt emergence of the immigration and gun-control issues illustrates how suddenly shifts in mood can occur and how political interests can align in new ways just as suddenly. Indeed, the pseudo-concept of political capital masks a larger truth about Washington that is kindergarten simple: You just don’t know what you can do until you try. Or as Ornstein himself once wrote years ago, “Winning wins.” In theory, and in practice, depending on Obama’s handling of any particular issue, even in a polarized time, he could still deliver on a lot of his second-term goals, depending on his skill and the breaks. Unforeseen catalysts can appear, like Newtown. Epiphanies can dawn, such as when many Republican Party leaders suddenly woke up in panic to the huge disparity in the Hispanic vote. Some political scientists who study the elusive calculus of how to pass legislation and run successful presidencies say that political capital is, at best, an empty concept, and that almost nothing in the academic literature successfully quantifies or even defines it. “It can refer to a very abstract thing, like a president’s popularity, but there’s no mechanism there. That makes it kind of useless,” says Richard Bensel, a government professor at Cornell University. Even Ornstein concedes that the calculus is far more complex than the term suggests. Winning on one issue often changes the calculation for the next issue; there is never any known amount of capital. “The idea here is, if an issue comes up where the conventional wisdom is that president is not going to get what he wants, and [they]he gets it, then each time that happens, it changes the calculus of the other actors” Ornstein says. “If they think he’s going to win, they may change positions to get on the winning side. It’s a bandwagon effect.” ALL THE WAY WITH LBJ Sometimes, a clever practitioner of power can get more done just because [they’re]he’s aggressive and knows the hallways of Congress well. Texas A&M’s Edwards is right to say that the outcome of the 1964 election, Lyndon Johnson’s landslide victory over Barry Goldwater, was one of the few that conveyed a mandate. But one of the main reasons for that mandate (in addition to Goldwater’s ineptitude as a candidate) was President Johnson’s masterful use of power leading up to that election, and his ability to get far more done than anyone thought possible, given his limited political capital. In the newest volume in his exhaustive study of LBJ, The Passage of Power, historian Robert Caro recalls Johnson getting cautionary advice after he assumed the presidency from the assassinated John F. Kennedy in late 1963. Don’t focus on a long-stalled civil-rights bill, advisers told him, because it might jeopardize Southern lawmakers’ support for a tax cut and appropriations bills the president needed. “One of the wise, practical people around the table [said that] the presidency has only a certain amount of coinage to expend, and you oughtn’t to expend it on this,” Caro writes. (Coinage, of course, was what political capital was called in those days.) Johnson replied, “Well, what the hell’s the presidency for?” Johnson didn’t worry about coinage, and he got the Civil Rights Act enacted, along with much else: Medicare, a tax cut, antipoverty programs. He appeared to understand not just the ways of Congress but also the way to maximize the momentum he possessed in the lingering mood of national grief and determination by picking the right issues, as Caro records. “Momentum is not a mysterious mistress,” LBJ said. “It is a controllable fact of political life.” Johnson had the skill and wherewithal to realize that, at that moment of history, he could have unlimited coinage if he handled the politics right. He did. (At least until Vietnam, that is.)

### 2AC- Patent Reform Bad

#### Patent bill kills small inventors- key to economy- ‘patent troll’ risk hyped

Nash-Hoff 2/19 (Michele Nash-Hoff, Michele is founder and president of ElectroFab Sales, a sales agency specializing in helping manufacturers select the right processes for their products. In 1998, she also served as manager of the San Diego Enterprise Center, a new business incubator for start-up companies, while also running ElectroFab. The National Business Incubation Association published Michele’s first book, For Profit Business Incubators, that same year. Michele has been president of the San Diego Electronics Network, the San Diego Chapter of the Electronics Representatives Association, and The High Technology Foundation, as well as several professional and non-profit organizations. She is an active member of the Soroptimist International of San Diego club. She has a certificate in Total Quality Management and is a 1994 graduate of San Diego’s leadership program (LEAD San Diego.), Author of 'Can American Manufacturing be Saved? Why We Should and How We Can', “The Innovation Act Would Squash American Innovation”, February 19, 2014)

Sometimes well-meaning legislation is passed that has unintended consequences that are harmful. This is the case for the Innovation Act, H.R. 3309, passed by a 325 - 91 vote in the House of Representatives on December 5, 2013, The next step is consideration by the U.S. Senate of four similar bills that have been proposed: S. 1720 (Leahy D-VT), S. 866 (Schumer D-NY), S. 1013 (Comyn R-TX), and S. 1612 (Hatch R-UT). What is the purpose of this new Act and how would it have harmful unintended consequences? The intended purpose of the Innovation Act is to curb frivolous lawsuits for patent infringement by so-called "patent trolls," a derogatory term defined by Wikipedia as "a person or company who enforces patent rights against accused infringers in an attempt to collect licensing fees, but does not manufacture products or supply services based upon the patents in question, thus engaging in economic rent-seeking. Related, less pejorative terms include patent holding company (PHC) and non-practicing entity (NPE)." However, the Patent Freedom organization states, "NPEs are not all cut from the same cloth. Some inventors choose not to pursue the development, manufacturing, and sales of their inventions. They may lack the resources to do so, or the interest, passion, and commitment that such an effort requires. Instead, they may seek to license their inventions to others who can use them to deliver better products and services, often with the assistance of those with experience in this area. Or they may choose to sell the patents outright.... some entities buy patents with the express purpose of licensing them aggressively. For instance, about 25% of "parent" NPEs tracked by Patent Freedom are enforcing only patents that they had acquired. Another 60% are asserting patents originally assigned to them, and the remaining 15% are asserting a blend of originally assigned and acquired patents" The Innovation Act would create additional requirements as part of the legal process associated with patent infringement under United States law. Some of the provisions are paraphrased below: • Requires specificity in patent lawsuits - requires specified details concerning each claim of each patent was allegedly infringed. • Makes patent ownership more transparent with a "Joinder" clause requiring patent plaintiffs to name anyone who has a financial interest in the patent being litigated. • Makes the loser pay - "if a losing plaintiff cannot pay, the bill would allow a judge to order others who had a financial stake in the plaintiff's lawsuit to join the lawsuit and pay the costs of an unsuccessful patent lawsuit." • Delay discovery to keep costs down - gives time to allow the courts to address legal questions about the meaning of patent claims with the goal of reducing legal costs and allow more frivolous lawsuits to be resolved before defendants have incurred large legal bills. • Protect end users - allows technology vendors to step into the shoes of their customers and fight lawsuits against trolls on their customers' behalf in cases where restaurants, supermarkets, airlines, casinos, real estate agents and other brick-and-mortar businesses are being sued for using technology such as Wi-Fi instead of the manufacturers of the equipment. Proponents say that "in the two years since the AIA was enacted, patent litigation has exploded. More and more firms are acquiring broad patents not to use the technology but rather to extract licensing fees from companies that infringe the patents accidentally...so a number of industry groups that weren't traditionally involved in patent debates have begun agitating for patent reform." The proposal enjoys broad support from some in the technology sector. Internet companies such as Google have been a driving force behind the bill. Microsoft had opposed one of the provisions of the Bill, but is now expressing support for the legislation after that provision was removed. Opposition to Innovation ACT Opponents say that the Innovation Act as currently written weakens our patent system and will have unintended consequences on U.S. inventors. These additional changes to the patent system will result in a shift in the balance of patent ownership, favoring large and better financed companies over startups, investors and inventors who have been responsible for some of the most historic and groundbreaking discoveries in our nation's history. The Biotechnology Industry Group (BIO) did not support the Innovation Act because it believed that it would undermine biotech research and innovation. Daniel Seaton noted on BIO's Patently Biotech blog, "the Act would ultimately make it more difficult for patent holders with legitimate claims to protect their intellectual property...Provisions in the legislation would erect unreasonable barriers to access justice for innovators, especially small start-ups that must be able to defend their businesses against patent infringement in a timely and cost-effective manner, and without needless and numerous procedural hurdles or other obstacles." Joe Panetta, President and CEO of Biocom, San Diego's biotechnology organization, expressed similar sentiments, stating, "Not only does H.R.3309 fail to adequately address the abusive litigation practices it aims to curb, but it would place burdensome and unnecessary requirements and penalties on all patent holders. The bill is likely to inadvertently harm the world's greatest innovation system by limiting legitimate patent holders' ability to assert their rights." The Independent Inventors of America against Current Patent Legislation, representing independent inventors and small patent-based businesses across the country disputes the claim that patent infringement litigation has escalated. Their January 2014 petition states "The Government Accounting Office Report required by the America Invents Act finds that there is no 'patent troll' problem. Data supporting the claim of billions of dollars of reported cost cannot be verified and actually represent primarily voluntary and court directed license agreements for valid patents. In addition, analysis of patent litigation shows that the number of patent suits relative to the number of patents issued today remains consistent over the 200 plus year history of the patent system with the exception of a short period prior to the Civil War when the rate was higher than it is today. The reports supporting this latest round of legislation are simply not valid." They argue that "what is being characterized as a "patent troll," and the target of the proposed legislation, is really an investor. As individual inventors and small patent-based businesses, we need investors to practice and protect our inventions. A patent is sometimes the sole asset we can leverage to attract that investment. Damaging investors therefore damages inventors." Their main reasons for objecting to the Act are: Loser Pays - would significantly increase the risk and cost of defending a patent and "could be fatal to a large percentage of inventions." "Joinder" clause - allows investors to be personally liable for legal fees if inventor loses lawsuit, so this would severely limit investment in new technologies. Patent Term Adjustment - eliminates a patent adjustment for a delay in patent issuance caused by the U. S. Patent Office (Note: Patents are granted for 17 years, but if it takes five years to get a patent, the patent term would be only 12 years instead of 17.) The petition states, "This legislation will levy grave harm upon independent inventors and small patent-based businesses, as well as the investors we need to help commercialize new technologies and to protect our inventions." They "stand firmly against the proposed legislation and any future legislation that would weaken the American Patent System." Members of the governing body of the San Diego Inventors Forum, of which I am a member, signed the petition. Adrian Pelkus, SDIF President, stated, "The Innovation Act (H.R. 3309) horrifies me with the path that allows corporations to beat up on small inventors...Financial ruin for inventors will be extremely easy due to the nature of startups, meaning most inventors could lose their fledgling businesses disputing challenges to issued Intellectual Property. To dissuade investors by increasing risk that the IP in the project they are investing in will be challenged (perhaps even frivolously just to stop them from progressing to market) will grind innovation to a standstill. At a time when we need American ingenuity and investors to rebuild our economy, taking steps to diminish our rights as inventors is un-American, economically dumb and intellectually suicidal. Stifling innovation in a technologically based society is a sure path to economic ruin which is why the USPTO system was originally designed to reward not punish the inventor. We must not allow big multinational corporations the ability to squash. Any and all actions to stop this bill must be enacted." Gary Klein, V. P. Public Policy, of San Diego's CONNECT organization, stated why they oppose the Act: "A startup company's main asset is its intellectual property. Most investors' first question to startups is about how their technology is protected. The Innovation Act that passed the House has several provisions - fee shifting, covered business methods, joinder rules, discovery and customer stay - that will have some very serious adverse consequences for small/startup companies, universities and research institutions, as well as companies who use licensing as a business model."

### 1NC/ 2AC- Econ Thumper

#### Collapse inevitable- fiscal/regulatory policies, export market crashes, market speculation

Epoch Times 3/11 (Interview conducted by Valentin Schmid, Epoch Times. Peter Schiff is the CEO of investment firm Euro Pacific Capital. He correctly predicted the subprime crash and the ensuing financial crisis of 2008. Peter Schiff: US Economy ‘Screwed Up,’ Stock Market a ‘Bubble’ (+Video) http://www.theepochtimes.com/n3/553225-peter-schiff-us-economy-screwed-up-stock-market-a-bubble-video/)

Epoch Times: Mr. Schiff, what’s your view on the U.S. economy at this moment? Peter Schiff: I think it’s a disaster. Very few people perceive just how big a disaster it is. Most people think the U.S. economy is recovering, maybe a bit more sluggish than they would like. People talk about a jobless recovery. But the reality is it’s not a recovery at all. We are not recovering from anything. The country is getting sicker. The U.S. economy is really all screwed up. It’s the result of mainly monetary policy, but fiscal and regulatory policies are part of the problem. I think the major part of the problem is the central bank. The central bank is basically trying to accommodate bad fiscal policy, bad regulatory policy. They are trying to provide a stimulus to the economy to negate the sedative that is being applied by the government. But it’s actually making the problem worse. Epoch Times: So what’s the problem? Mr. Schiff: One of the problems we have in America is that interest rates are too low. We don’t save enough, we spend too much, we borrow too much, we don’t produce enough. So we have these huge external imbalances where we borrow from the rest of the world. We have to import goods, because we don’t invest in productivity. We are not producing the goods. But all this is done to try to maintain the illusion of health, so Americans can keep on spending. So politicians can actually pretend the economy is getting better. But all we are doing is actually covering up the symptoms. Beneath the surface, the economy is actually deteriorating. Eventually it’s going to collapse. Epoch Times: Why? Mr. Schiff: There is a limit to how much artificial stimulus we can have. There is a limit to how much money the world is willing to lend. Because once they are coming to terms with the fact that we are never going to pay the money back, they are not going to want to send us their savings and send us their production if we can’t pay for it. But we got this phony bubble economy that gets bigger and bigger. People focus on the stock market. They say, “Well the stock market is going up that must mean the economy is getting better.” No it doesn’t. There is just a lot of cash, a lot of inflation created by the central banks. So they are able to inflate a bubble in stocks or in real estate, but they are not able to generate legitimate economic growth. Epoch Times: So that’s why people feel different about the recovery? Mr. Schiff: It doesn’t feel like an economic recovery to the average American, because it’s not. We are not getting the type of prosperity that would come from real economic growth; we are just getting a bubble. And when people are speculating in the stock market, it doesn’t create real wealth. On paper for some. But we are not building factories, we are not producing more consumer goods, we are not creating good jobs, we are just inflating a bubble. And we are delaying the day of reckoning, which is relatively close at this point. Epoch Times: What does the day of reckoning look like? Mr. Schiff: Right now we are consuming what other people produce. So somebody has to do the production. The question is: Why is the world so willing to let America enjoy the fruits of their labor? When are the people producing those goods going to want to consume the goods themselves? Now right now, they are content to accept our IOUs [debt], because they figure “well we are going to spend them in the future.” They think they are building their future; they are saving dollars that they can spend in the future. Of course they don’t realize that the dollar is not going to have much value in the future, so there will be almost nothing to buy. But I also think that most of these developing economies are under the false impression that their economic growth, the success of it, lies in their ability to export—it doesn’t. The key is production. And people forget that nations don’t export just to export. They don’t export to create jobs. You export to pay for your imports. And if you are not importing anything, then there is no reason to export. Because what people want are consumer goods. So you either produce them yourself or you trade for them. But to send your consumer goods out and have nothing in return, except Treasury bonds, our trading partners aren’t benefiting. We are benefiting because we get to consume things; we did not produce anything to pay for it. Epoch Times: That can’t go on forever right? Mr. Schiff: When the world figures out that we conned them and they are holding a bunch of worthless IOUs, they are going to stop exporting. It doesn’t mean that they are going to stop producing goods. It just means that their own citizens will consume them. Which will be better for them, but that’s when the party ends in the U.S. Because without the world to supply us with the goods that we don’t produce, there is almost nothing to buy. If there is almost nothing to buy, it doesn’t matter how much money consumers will spend. There is nothing there, it’s just inflation. All our policies are about putting money in the pockets of consumers. But money doesn’t do you any good if there is almost nothing to buy. And where is this stuff coming from? It’s coming from the productive efforts of people outside of America.

#### No impact to economy

Drezner ’14 (Daniel Drezner, IR prof at Tufts, The System Worked: Global Economic Governance during the Great Recession, World Politics, Volume 66. Number 1, January 2014, pp. 123-164)

The final significant outcome addresses a dog that hasn't barked: the effect of the Great Recession on cross-border conflict and violence. During the initial stages of the crisis, multiple analysts asserted that the financial crisis would lead states to increase their use of force as a tool for staying in power.42 They voiced genuine concern that the global economic downturn would lead to an increase in conflict—whether through greater internal repression, diversionary wars, arms races, or a ratcheting up of great power conflict. Violence in the Middle East, border disputes in the South China Sea, and even the disruptions of the Occupy movement fueled impressions of a surge in global public disorder. The aggregate data suggest otherwise, however. The Institute for Economics and Peace has concluded that "the average level of peacefulness in 2012 is approximately the same as it was in 2007."43 Interstate violence in particular has declined since the start of the financial crisis, as have military expenditures in most sampled countries. Other studies confirm that the Great Recession has not triggered any increase in violent conflict, as Lotta Themner and Peter Wallensteen conclude: "[T]he pattern is one of relative stability when we consider the trend for the past five years."44 The secular decline in violence that started with the end of the Cold War has not been reversed. Rogers Brubaker observes that "the crisis has not to date generated the surge in protectionist nationalism or ethnic exclusion that might have been expected."43

## 1AR

### Circumvention

#### Fights now over drones

Jakes ’13 (Lara Jakes, Associated Press, “Some in Congress back limits on drone strikes”, <http://www.airforcetimes.com/article/20130205/NEWS/302050314/Some-Congress-back-limits-drone-strikes>, February 5, 2013)

WASHINGTON — Uncomfortable with the Obama administration's use of deadly drones, a growing number in Congress is looking to limit America's authority to kill suspected terrorists, even U.S. citizens. The Democratic-led outcry was emboldened by the revelation in a newly surfaced Justice Department memo that shows drones can strike against a wider range of threats, with less evidence, than previously believed. The drone program, which has been used from Pakistan across the Middle East and into North Africa to find and kill an unknown number of suspected terrorists, is expected to be a top topic of debate when the Senate Intelligence Committee grills John Brennan, the White House's pick for CIA chief, at a hearing Thursday. The White House on Tuesday defended its lethal drone program by citing the very laws that some in Congress once believed were appropriate in the years immediately after the Sept. 11 attacks but now think may be too broad. "It has to be in the agenda of this Congress to reconsider the scope of action of drones and use of deadly force by the United States around the world because the original authorization of use of force, I think, is being strained to its limits," Sen. Chris Coons, D-Del., said in a recent interview. Rep. Steny Hoyer of Maryland, the No. 2 Democrat in the House, said Tuesday that "it deserves a serious look at how we make the decisions in government to take out, kill, eliminate, whatever word you want to use, not just American citizens but other citizens as well." Hoyer added: "We ought to carefully review our policies as a country." The Senate Foreign Relations Committee likely will hold hearings on U.S. drone policy, an aide said Tuesday, and chairman Robert Menendez, D-N.J., and the panel's top Republican, Sen. Bob Corker, both have quietly expressed concerns about the deadly operations. And earlier this week, a group of 11 Democratic and Republican senators urged President Obama to release a classified Justice Department legal opinion justifying when U.S. counterterrorism missions, including drone strikes, can be used to kill American citizens abroad. Without those documents, it's impossible for Congress and the public to decide "whether this authority has been properly defined, and whether the president's power to deliberately kill Americans is subject to appropriate limitations and safeguards," the senators wrote. It was a repeated request after receiving last June an unclassified Justice Department memo, which fell short of giving the senators all the information they requested. First detailed publicly by NBC News late Monday, the memo for the first time outlines the Obama administration's decision to kill al-Qaida terrorist suspects without any evidence that specific and imminent plots are being planned against the United States. "The threat posed by al-Qaida and its associated forces demands a broader concept of imminence in judging when a person continually planning terror attacks presents an imminent threat," concluded the document. The memo was immediately decried by civil liberties groups as "flawed" and "profoundly disturbing" — especially in light of 2011 U.S. drone strikes in Yemen that killed three American citizens: Anwar al-Awlaki, his 16-year-old-son and Samir Khan. Al-Awlaki was linked to the planning and execution of several attacks targeting U.S. and Western interests, including the attempt to down a Detroit-bound airliner in 2009 and the plot to bomb cargo planes in 2010. His son was killed in a separate strike on a suspected al-Qaida den. Khan was an al-Qaida propagandist. White House spokesman Jay Carney, echoing comments Brennan made in a speech last April, called the strikes "legal, ethical and wise" and said they are covered by a law that Congress approved allowing the use of military force against al-Qaida. "And certainly, under that authority, the president acts in the United States' interest to protect the United States and its citizens from al-Qaida," Carney said Tuesday. "It is a matter of fact that Congress authorized the use of military force against al-Qaida," Carney said. "It is a matter of fact that al-Qaida is in a state of war against us and that senior leaders, operational leaders of al-Qaida are continually plotting to attack the United States, plotting to kill American citizens as they did most horrifically on September 11th of 2001." Three days after 9/11, Congress approved a law authorizing the military to use "all necessary and appropriate force" against al-Qaida and other groups believed to be helping or harboring the global terror network, including the use of drone strikes. In the decade since the attacks, U.S. intelligence officials say, al-Qaida has splintered into a number of affiliates and allied sympathizers. That means the current laws could allow military force against thousands of extremists across the Mideast and North Africa who have limited or no ability to strike the United States. Currently, both the CIA and the U.S. military are authorized to remotely pilot unmanned, missile-carrying drones against terror suspects. It's unknown exactly how many strikes have been carried out, but experts say that drone attacks in Pakistan are conducted by the CIA, while those in Yemen and Somalia, for example, are by military forces. The drones have strained diplomacy between the U.S. and the nations where the strikes are carried out, as civilians have been killed alongside the targeted terrorists, even though most nations have given Washington at least tacit agreement to carry out the attacks. A Middle Eastern diplomat said that in Yemen, for example, an uptick of U.S. drone strikes last month have killed dozens of people and upset the local public, leading some leaders in Sanaa to reconsider how often they should be used. The diplomat spoke Tuesday on condition of anonymity to avoid political retribution from the Obama administration. The Pentagon is also considering basing surveillance drones in Niger to monitor on burgeoning extremist violence in North Africa, but it's not clear if they will be armed. Scaling back the use of drones also would hamper war plans in Afghanistan after combat troops are scheduled to withdraw in 2014. Drones represent a major thrust of the post-troops campaign to help the limited number of special forces units that remain there keep the Taliban from regrouping. Brennan, who currently serves as the White House counterterrorism czar, has signaled he is prepared to turn the CIA from carrying out lethal drone strikes and hand over those missions to the U.S. military. Sen. Ron Wyden, a senior Democratic member of the Senate Intelligence panel, declared himself unsatisfied Tuesday with the Justice memo and said he will press Brennan at the confirmation hearing about the administration's current policy. The drone debate puts Obama, a former civil rights lawyer, in the awkward position of carrying out lethal attacks in secret and bucking his political allies in the Democratic Party. Democratic lawmakers were incensed by the refusal of the Republican administration of President George W. Bush to hand over classified Justice Department opinions justifying the use of waterboarding, the harsh interrogation tactic that critics call a form of torture. Obama repudiated those methods — and released those opinions — when he took office in 2009. The use of drones proved to have no political cost to Obama in his re-election campaign. House Intelligence Chairman Mike Rogers, R-Mich., defended the use of deadly drones, calling it "a lawful act of national self-defense." "When an individual has joined al-Qaida — the organization responsible for the murder of thousands of Americans — and actively plots future attacks against U.S. citizens, soldiers, and interests around the world, the U.S. government has both the authority and the obligation to defend the country against that threat," Rogers said in a statement. But Rep. Keith Ellison, said the new Justice memo could spur lawmakers into taking a fresh look at deadly drones, and what he called an outdated policy guiding them. "We are sort of running on the steam that we acquired right after our country was attacked in the most horrific act of terror in U.S. history," said Ellison, D-Minn. "We have learned much since 9/11, and now it's time to take a more sober look at where we should be with use of force."

#### Boumediene thumps

LAKHDAR BOUMEDIENE, et al., 2008

v. GEORGE W. BUSH, PRESIDENT of the UNITED STATES, et al. KHALED A. F. AL ODAH, next friend of FAWZI KHALID ABDULLAH FAHAD AL ODAH, et al. v. UNITED STATES et al., (No. 06-1195), (No. 06-1196), SUPREME COURT OF THE UNITED STATES, 553 U.S. 723; 128 S. Ct. 2229; 171 L. Ed. 2d 41; 2008 U.S. LEXIS 4887; 76 U.S.L.W. 4406; 21 Fla. L. Weekly Fed. S 329, December 5, 2007, Argued, June 12, 2008 \*

Although we make no judgment whether the CSRTs, as currently constituted, satisfy due process standards, we agree with petitioners that, even when all the parties involved in this process act with diligence and in good faith, there is considerable risk of error in the tribunal's findings of fact. This is a risk inherent in any process that, in the words of the former Chief Judge of the Court of Appeals, is "closed and accusatorial." See Bismullah III, 514 F.3d at 1296 (Ginsburg, C. J., concurring in denial of rehearing en banc). And given that the consequence of error may be detention of persons for the duration of hostilities that may last a generation or more, this is a risk too significant to ignore. [\*786] HN24Go to this Headnote in the case. [\*\*\*LEdHR24] LEdHR(24)[24] For the writ of habeas corpus, or its substitute, to function as an effective and proper remedy in this context, the court that conducts the habeas proceeding must have the means to correct errors that occurred during the CSRT proceedings. This [\*\*\*90] includes some authority to assess the sufficiency of the Government's evidence against the detainee. It also must have the authority to admit and consider relevant exculpatory evidence that was not introduced during the earlier proceeding. Federal habeas petitioners long have had the means to supplement the record on review, even in the postconviction habeas setting. See Townsend v. Sain, 372 U.S. 293, 313, 83 S. Ct. 745, 9 L. Ed. 2d 770 (1963), overruled in part by Keeney v. Tamayo-Reyes, 504 U.S. 1, 5, 112 S. Ct. 1715, 118 L. Ed. 2d 318 (1992). Here that opportunity is constitutionally required. HN25Go to this Headnote in the case. [\*\*\*LEdHR25] LEdHR(25)[25] Consistent with the historic function and province of the writ, habeas corpus review may be more circumscribed if the underlying detention proceedings are more thorough than they were here. In two habeas cases involving enemy aliens tried for war crimes, In re Yamashita, 327 U.S. 1, 66 S. Ct. 340, 90 L. Ed. 499 (1946), and Ex parte Quirin, 317 U.S. 1, 63 S. Ct. [\*\*2271] 2, 87 L. Ed. 3 (1942), for example, this Court limited its review to determining whether the Executive had legal authority to try the petitioners by military commission. See Yamashita, supra, at 8, 66 S. Ct. 340, 90 L. Ed. 499 ("[O]n application for habeas corpus we are not concerned with the guilt or innocence of the petitioners. We consider here only the lawful power of the commission to try the petitioner for the offense charged"); Quirin, supra, at 25, 63 S. Ct. 2, 87 L. Ed. 3 ("We are not here concerned with any question of the guilt or innocence of petitioners"). Military courts are not courts of record. See Watkins, 3 Pet., at 209; Church 513. And the procedures used to try General Yamashita have been sharply criticized by Members of this Court. See Hamdan, 548 U.S., at 617, 126 S. Ct. 2749, 165 L. Ed. 2d 723; Yamashita, supra, at 41-81, 66 S. Ct. 340, 90 L. Ed. 499 (Rutledge, J., dissenting). We need not revisit these cases, however. For on their own terms, the proceedings in Yamashita and Quirin, like those in Eisentrager, had an adversarial structure that is lacking here. See Yamashita, [\*787] supra, at 5, 66 S. Ct. 340, 90 L. Ed. 499 (noting that General Yamashita was represented by six military lawyers and that "[t]hroughout the proceedings . . . defense counsel . . . demonstrated their professional skill and resourcefulness and their proper zeal for the defense with which they were charged"); Quirin, supra, at 23-24, 63 S. Ct. 2, 87 L. Ed. 3; Exec. Order No. 9185, 7 Fed. Reg. 5103 (1942) (appointing counsel to represent the German saboteurs). The extent of the showing required of the Government in these cases is a matter to be determined. We need not explore it further at this stage. We do hold that HN26Go to this Headnote in the case. [\*\*\*LEdHR26] LEdHR(26)[26] when the judicial power to issue habeas corpus properly is invoked the judicial officer must have adequate authority to make a determination in light of the relevant law and facts and to formulate and issue appropriate orders for relief, including, if necessary, an order directing the prisoner's release. C We now consider whether the DTA allows the Court of Appeals to conduct a proceeding meeting these standards. HN27Go to this Headnote in the case. [\*\*\*LEdHR27] LEdHR(27)[27] "[W]e are obligated to construe the statute to avoid [constitutional] problems" if it is "'fairly possible'" to do so. St. Cyr, 533 U.S., at 299-300, 121 S. Ct. 2271, 150 L. Ed. 2d 347 (quoting Crowell v. Benson, 285 U.S. 22, 62, 52 S. Ct. 285, [\*\*\*91] 76 L. Ed. 598 (1932)). There are limits to this principle, however. The canon of constitutional avoidance does not supplant traditional modes of statutory interpretation. See Clark v. Martinez, 543 U.S. 371, 385, 125 S. Ct. 716, 160 L. Ed. 2d 734 (2005) ("The canon of constitutional avoidance comes into play only when, after the application of ordinary textual analysis, the statute is found to be susceptible of more than one construction; and the canon functions as a means of choosing between them"). We cannot ignore the text and purpose of a statute in order to save it. The DTA does not explicitly empower the Court of Appeals to order the applicant in a DTA review proceeding released should the court find that the standards and procedures used at his CSRT hearing were insufficient to justify [\*788] detention. This is troubling. Yet, for present purposes, we can assume congressional silence permits a constitutionally required remedy. In that case it would be possible to hold that a remedy of release is impliedly provided for. The DTA might be read, furthermore, to allow petitioners to assert most, if not all, of the legal claims they seek to advance, including their most basic claim: that the President has no authority under the AUMF to detain them indefinitely. (Whether the President has such authority turns on whether the AUMF [\*\*2272] authorizes--and the Constitution permits--the indefinite detention of "enemy combatants" as the Department of Defense defines that term. Thus a challenge to the President's authority to detain is, in essence, a challenge to the Department's definition of enemy combatant, a "standard" used by the CSRTs in petitioners' cases.) At oral argument, the Solicitor General urged us to adopt both these constructions, if doing so would allow MCA § 7 to remain intact. See Tr. of Oral Arg. 37, 53.

### Terror d

#### The worst case scenario happened – no extinction

**Dove 12** [Alan Dove, PhD in Microbiology, science journalist and former Adjunct Professor at New York University, “Who’s Afraid of the Big, Bad Bioterrorist?” Jan 24 2012, http://alandove.com/content/2012/01/whos-afraid-of-the-big-bad-bioterrorist/]

The second problem is much more serious. Eliminating the toxins, we’re left with a list of infectious bacteria and viruses. With a single exception, these organisms are probably near-useless as weapons, and history proves it.¶ There have been at least three well-documented military-style deployments of infectious agents from the list, plus one deployment of an agent that’s not on the list. I’m focusing entirely on the modern era, by the way. There are historical reports of armies catapulting plague-ridden corpses over city walls and conquistadors trying to inoculate blankets with Variola (smallpox), but it’s not clear those “attacks” were effective. Those diseases tended to spread like, well, plagues, so there’s no telling whether the targets really caught the diseases from the bodies and blankets, or simply picked them up through casual contact with their enemies.¶ Of the four modern biowarfare incidents, two have been fatal. The first was the 1979 Sverdlovsk anthrax incident, which killed an estimated 100 people. In that case, a Soviet-built biological weapons lab accidentally released a large plume of weaponized Bacillus anthracis (anthrax) over a major city. Soviet authorities tried to blame the resulting fatalities on “bad meat,” but in the 1990s Western investigators were finally able to piece together the real story. The second fatal incident also involved anthrax from a government-run lab: the 2001 “Amerithrax” attacks. That time, a rogue employee (or perhaps employees) of the government’s main bioweapons lab sent weaponized, powdered anthrax through the US postal service. Five people died.¶ That gives us a grand total of around 105 deaths, entirely from agents that were grown and weaponized in officially-sanctioned and funded bioweapons research labs. Remember that.¶ Terrorist groups have also deployed biological weapons twice,

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and these cases are very instructive. The first was the 1984 Rajneeshee bioterror attack, in which members of a cult in Oregon inoculated restaurant salad bars with Salmonella bacteria (an agent that’s not on the “select” list). 751 people got sick, but nobody died. Public health authorities handled it as a conventional foodborne Salmonella outbreak, identified the sources and contained them. Nobody even would have known it was a deliberate attack if a member of the cult hadn’t come forward afterward with a confession. Lesson: our existing public health infrastructure was entirely adequate to respond to a major bioterrorist attack.¶ The second genuine bioterrorist attack took place in 1993. Members of the Aum Shinrikyo cult successfully isolated and grew a large stock of anthrax bacteria, then sprayed it as an aerosol from the roof of a building in downtown Tokyo. The cult was well-financed, and had many highly educated members, so **this** release over the world’s largest city really **represented a worst-case scenario**.¶ **Nobody got sick** or died. From the cult’s perspective, it was a complete and utter failure. Again, the only reason we even found out about it was a post-hoc confession. Aum members later demonstrated their lab skills by producing Sarin nerve gas, with far deadlier results. Lesson: one of the top “select agents” is extremely hard to grow and deploy even for relatively skilled non-state groups. It’s a really crappy bioterrorist weapon.¶ Taken together, these events point to an uncomfortable but inevitable conclusion: our biodefense industry is a far greater threat to us than any actual bioterrorists.

#### Terrorists strategy has shifted- new attacks will be small scale and local

**Schofield ’12** (McClatchy Washington Bureau Print This Article Posted on Thu, Apr. 26, 2012 After Osama bin Laden, al Qaida still a many-headed threat By Matthew Schofield | McClatchy Newspapers last updated: April 29, 2012 08:55:55 AM WASHINGTON -- ]

“What we’re facing today is a much, much larger global threat,” said Seth Jones, an expert at the RAND Corp. who’s advised the Pentagon on Afghanistan and Pakistan. “It’s a more dispersed threat. **The threat is decentralizing** to a broad network of groups. Al Qaida inspires, but doesn’t control, and they work with locals.” The meaning of that threat: **Massive attacks such as those on 9/11 are unlikely to be repeated.** But **expect smaller-scale attacks — the “strategy of a thousand cuts,”** it was called in AQAP’s slick online propaganda magazine Inspire. A deadly example came in 2009 with the rampage at Fort Hood, Texas, where Army psychiatrist Maj. Nidal Malik Hasan, allegedly radicalized online by AQAP, is accused of shooting dead 13 soldiers. His trial is scheduled to begin in August. **Experts note that these groups have largely localized agendas.** Generally, they’re looking to impose Islamic Sharia law and, if not overthrow a local government, carve out a space in which to operate in their home country.

### Terror

#### No drone strike in Pakistan in months- strike in Yemen causing backlash

Schlein 3/12 (Lisa Schlein, VOA, “US Drone Strikes, Civilian Casualties Drop in Pakistan Last Year”, <http://www.voanews.com/content/us-drone-strikes-civilian-casualties-drop-in-pakistan-last-year/1870012.html>, March 12, 2014)

Ben Emmerson, a British lawyer and special investigator on counterterrorism and human rights, said there were 27 recorded drone strikes in Pakistan’s Federally Administered Tribal Areas last year. That's down from a peak of 128 in 2010. “But perhaps most significantly, for the first time in nine years there were no reports of civilian casualties during 2013 in the FATA area of Pakistan," he said. "The diplomatic and political efforts of Pakistan to bring these strikes to a halt, so as to enable peace talks with the Tehrik-i-Taliban to take place, appear to have borne fruit.” Emmerson said that so far this year, no drone strikes have taken place in Pakistan. “But perhaps most significantly, for the first time in nine years there were no reports of civilian casualties during 2013 in the FATA area of Pakistan," he said. "The diplomatic and political efforts of Pakistan to bring these strikes to a halt, so as to enable peace talks with the Tehrik-i-Taliban to take place, appear to have borne fruit.” Emmerson said that so far this year, no drone strikes have taken place in Pakistan. As for Afghanistan, the United Nations reported a three-fold increase in the number of civilian casualties last year compared to 2012. Emmerson said drones accounted for almost 40 percent of civilian casualties as a result of aerial attacks by pro-government forces. In Yemen, he said the frequency of armed drone strikes intensified during the closing months of 2013, and it resulted in a sharp escalation in the number of reported civilian casualties.