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### Geography Aff

### Advantage {X}: Drone Failure

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

Rohde ’12 (David Rohde, American author and investigative journalist for Thomson Reuters. While a reporter for The Christian Science Monitor, he won the Pulitzer Prize for International Reporting in 1996 for his coverage of the Srebrenica massacre. From July 2002 until December 2004, he was co-chief of The New York Times' South Asia bureau, based in New Delhi, India. He shared a second Pulitzer Prize for Times 2008 team coverage of Afghanistan and Pakistan, While in Afghanistan, Rohde was kidnapped by members of the Taliban in November 2008, but managed to escape in June 2009 after seven months in captivity, “How Obama’s drone war is backfiring”, <http://blogs.reuters.com/david-rohde/2012/03/01/how-obamas-drone-war-is-backfiring/>, March/April issue of Foreign Policy, March 1, 2012)

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.”

**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.

**And Pakistan nukes are not secure**

Gregory ’11 (Shaun, Director of the Pakistan Security Research Unit at the University of Bradford, UK, a professor who published widely on nuclear and security issues in Pakistan and advises many governments, their agencies, and international organizations, “Terrorist Tactics in Pakistan Threaten Nuclear Weapons Safety,” CTC Sentinel, Vol. 4.6, <http://kms1.isn.ethz.ch/serviceengine/Files/ISN/131002/ichaptersection_singledocument/aa282522-4971-4513-a7ca-ec3afcd259be/en/Art+2.pdf>, accessed 10-26-11, June 2011)

Two high-profile attacks by terrorists on highly secure military bases in Pakistan, the first on the General Headquarters of the Pakistan Army in Rawalpindi in October 2009 and the second on the naval aviation base at PNS Mehran near Karachi in May 2011, have renewed international anxiety about the safety and security of Pakistan’s nuclear arsenal. This article addresses several worrying trends in Pakistan that are coming together to suggest that the safety and security of nuclear weapons materials in Pakistan may very well be compromised at some point in the future. The Growing Challenge of Securing Pakistan’s Nuclear Arsenal In recent months, a variety of media sources have reported a significant escalation of nuclear weapons production by Pakistan. According to some of these sources, Pakistan has been building between 12 and 15 nuclear weapons a year, effectively doubling the size of its nuclear arsenal during the past three to four years to around 100 nuclear weapons.1 More disconcerting, Pakistan is engaged in a rapid expansion of its fissile material production through two new reactors, the Khushab II, thought to be operating in some form since 2009, and Khushab III, which has been under construction since 2005-2006 and is likely to come on-stream around 2013- 2014. There is further evidence from the respected Washington-based Institute for Science and International Security that a fourth Khushab reactor may also be under early phase construction.2 Intended primarily to offset rival India’s conventional military advantage, the open-ended escalation of Pakistan’s nuclear weapons production explains why Pakistan has led the opposition to the international Fissile Material Cut-Off Treaty (FMCT), a treaty which would cap fissile material stockpiles. Aside from the intricate politics of international arms control, the steady rise in the size of Pakistan’s nuclear arsenal presents the rather more prosaic, though arguably more serious, challenge of ensuring the physical security of an ever increasing number of nuclear assets. This is not a simple matter. Safeguarding 100 weapons is a significantly greater challenge than safeguarding 50 weapons because strategic and operational realities require that those weapons are dispersed and that dispersal locations are adapted to the complex requirements of safely and securely storing nuclear weapons in various degrees of operational readiness.3 As Pakistan’s nuclear arsenal grows in the years ahead, these challenges will multiply. As many as 70,000 people in Pakistan reportedly have access to, or knowledge of, some element of the Pakistani nuclear weapons production, storage, maintenance, and deployment cycle, from those involved in the manufacture of fissile material, through those engaging in nuclear weapons design, assembly and maintenance, to those who transport and safeguard the weapons in storage and would deploy the weapons in crises.4 That number will also rise steadily as the size of the nuclear arsenal grows. This figure is important because of the complex and highly polarized debates about nuclear weapons safety and security in Pakistan. All sides of that debate agree that Pakistan has, with considerable U.S. assistance, put in place a range of robust measures to seek to assure the safety and security of its nuclear weapons. The consensus breaks down, however, on the issue of whether these measures provide adequate safety and security for Pakistan’s nuclear arsenal. The Pakistan Army, which has overall control of the weapons, and Pakistan’s government argue forcefully that they do, although even they have recently moderated their statements of reassurance.5 Critics point to a number of vulnerabilities that place these reassurances in some doubt. These vulnerabilities boil down to three core concerns: a) that the physical security of nuclear weapons—across the weapons cycle—may not be robust enough to withstand determined terrorist assault; b) that among the estimated 70,000 people with access to the nuclear weapons cycle, some may be willing to collude in various ways with terrorists;6 c) that the threat extends beyond terrorists gaining access to complete and viable nuclear weapons, and include the immense political and security implications of terrorists gaining access to fissile material, nuclear weapons components, or penetrating nuclear weapons facilities. A July 2009 article in the CTC Sentinel explained in detail the robust measures Pakistan has established to assure the safety and security of its nuclear weapons. It argued that terrorists have shown themselves able to carry out violent attacks at facilities that were reliably identified as having a nuclear weapons role. These facilities include the military complex at Wah, suspected to be involved in the manufacture of nuclear weapons parts; Kamra, suspected to be the designated base for the dispersal of nuclear assets in a crisis; and Sargodha, suspected to be a storage facility for nuclear delivery systems.7 In none of these cases, however, were the terrorist attacks themselves aimed at penetrating the bases or at seizing nuclear assets; rather, they were mass casualty bomb attacks that took advantage of the fact that Pakistani security personnel were concentrated and relatively static at base entry points as they waited to go through security barriers.8 Some analysts criticized the article, arguing that: a) terrorists in Pakistan had never shown themselves capable of penetrating high security bases; b) that the secrecy of Pakistan’s nuclear weapons sites would ensure that terrorists could not know the locations of the weapons. Within a few months, the validity of both these counterarguments would be seriously undermined when Pakistani militants penetrated the Pakistan Army’s General Headquarters (GHQ) in Rawalpindi. The Attack on Pakistan’s Army Headquarters On October 10, 2009, Tehrik-i-Taliban Pakistan (TTP) and Lashkar-i-Jhangvi militants staged an audacious attack on the Pakistan Army’s GHQ in Rawalpindi, arguably one of the most secure military complexes in Pakistan, housing within its sprawling campus not only the chief of army staff, but also many of Pakistan’s most senior military commanders, including the director-general of the Strategic Plans Division (SPD) and the director-general of Strategic Forces Command (SFC)— Pakistan’s two most senior operational nuclear commanders. The modalities of this attack add up to a virtual blueprint for a successful attack on a nuclear weapons facility: - the penetration of layers of security checkpoints, barriers, and obstacles on the approach to the sensitive military site; - the terrorist use of army uniforms and—according to some reports—a military vehicle with appropriate license plates, and forged ID cards, to deceive checkpoint personnel; - the use of a safe house relatively close to the target site for several weeks before the operation to allow the buildup of a detailed intelligence picture; - the use of a “sensitive” map (or maps) of the GHQ to allow detailed operational planning. The use of this map (or maps) point to one of two main possibilities: either that the attack had inside help, or that this kind of sensitive information is poorly controlled by the Pakistan Army/ISI; - use of the kind of weaponry—smallarms, grenades and suicide vests— which allow final tier barrier defenses to be penetrated; - use of tactics that allow final tier barriers to be penetrated: grenades and/ or suicide detonations at entry points which then allow penetration by followup commando-style groups; - use of diversionary tactics: attacking one gate first to draw off and weaken the defenses at a secondary entry point, perhaps closer to the main objective.9 In all, at least 10 terrorists were involved in the operation, with four attacking the first gate, and a further six attacking the second gate. The terrorists gained entry to the complex where they took at least 40 people hostage. It took the Pakistan Army’s elite commandos, the Special Service Group (SSG), more than 20 hours to kill or capture all of the militants and free most of the hostages. Two civilians, seven Pakistani soldiers and five SSG commandos were killed in the raid. In the months that followed the assault, several other disturbing aspects about the attack emerged. Among these was the assertion that intelligence about the attacks had been known to Pakistan’s Punjab government well before October 10 and that this intelligence had even been published in two Pakistani newspapers, The News International and The Daily Jhang, four days before the attack, but had been ignored by the Pakistan Army and ISI.10 It also emerged that the terrorists had, ironically, almost certainly learned their tactics from the SSG, which had trained earlier generations of Pakistani/Kashmiri militants in similar tactics for operations against India. In addition, there was a concerted effort by the Pakistan Army and ISI to manipulate the media reporting of the attacks, forcing several private TV channels temporarily off the air, contradicting or retracting certain details, and seeking to play down the significance of the assault.11 The second set of features of the attack relate to secrecy, and they weaken the argument that Pakistan can ultimately rely on concealment to protect its nuclear assets. The use of “sensitive” maps in the attack, the time and proximity to conduct intelligence gathering, the level of knowledge of details such as uniforms, military plates, and possibly ID cards, point to a high level of terrorist knowledge of sensitive military information and protocols, whether through insider help or not. Furthermore, detailed knowledge of Pakistan’s security force movements and modus operandi has been a consistent feature of terrorist actions in Pakistan for many years, from the repeated assassination attempts against former President Pervez Musharraf, at least one of which included the insider involvement of Pakistani military officers,12 through the targeting of the ISI headquarters and vehicles,13 to the murders of senior military figures.14 Pakistan’s Nuclear Security at Risk In this context, given that nuclear weapons and delivery systems demand construction and other visible physical necessities (such as road widening, unusual levels of security, and bunker construction), and given that the growth of the Pakistani nuclear arsenal will significantly expand the construction of nuclear weapons infrastructure and the number of individuals with nuclearrelated roles, it is simply not possible that the location of all of Pakistan’s nuclear weapons can remain unknown to terrorists in perpetuity.15 As evidence of this, on August 28, 2009, the U.S. Federation of American Scientists published the first open source satellite imagery of a suspected Pakistani nuclear weapons storage facility near Masroor airbase outside Karachi.16 Within its perimeter walls, the satellite image shows three potential storage bunkers linked by looping roads.17 The fact that this image is available online, and that the unusual configuration of the base is clear, argues strongly that knowledge of the location of at least some nuclear weapons storage and other related facilities has reached terrorists in Pakistan. As the number of nuclear weapons facilities grows, and the number of those with access to nuclear weapons or related components rises, the complex challenge of assuring the security of nuclear weapons and nuclear weapons components will become ever more difficult. Terrorist groups have now shown themselves capable of penetrating even the most securely defended of Pakistan’s military bases and of holding space within those bases for many hours even against the elite SSG, more than enough time with the right equipment and sufficient numbers to carry out terrorist acts with enormous political or destructive pay-off, from video broadcasts with the attention of the world’s media, through potentially destroying by explosions nuclear weapons or materials and the creation of a radiological hazard, to the possibility of the theft of nuclear weapons components or materials for subsequent terrorist use. Indeed, on May 22-23, 2011, only about 15 miles from the suspected nuclear weapons storage facility near Masroor, a major terrorist attack targeted the naval aviation base at PNS Mehran in Karachi. Early reports suggest that between six and ten terrorists stormed the high security base from several entry points, that they had knowledge of the location of intruder detection cameras that they were able to bypass, and that they penetrated deep inside the base before using rocket-propelled grenades, explosives and small-arms to destroy several aircraft and take hostages. It took the base security and additional Pakistan Army rangers and commandos more than 18 hours to end the siege. At least 13 people were killed. A frontal assault of this kind on nuclear weapons storage facilities, which are the most robustly defended elements of Pakistan’s nuclear weapons cycle, is no longer an implausible event. The successful location and penetration of such a site by terrorists, even if they were ultimately unsuccessful in accessing nuclear assets, would itself be a transformative event both in terms of the U.S.-Pakistani nuclear relationship and in terms of international anxiety about the security of Pakistan’s nuclear weapons. Such an assault would also critically undermine Pakistan’s reassurances about the security of nuclear weapons elsewhere in the weapons cycle, particularly in transit. As the number of Pakistani nuclear weapons inexorably continues to rise, and as the nuclear weapons security challenges thereby steadily multiply, the odds that Pakistan’s nuclear weapons security will eventually be compromised continue to rise.

**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-**

**1) Host Country-**

**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.

**Host country cooperation key**

Cordesman ’13 (Anthony Cordesman, Arleigh A. Burke Chair in Strategy at CSIS, “The Common Lessons of Benghazi, Algeria, Mali, Tunisia, Egypt, Syria, Iraq, Yemen, Afghanistan, Pakistan, and the Arab Spring”, <http://csis.org/publication/common-lessons-benghazi-algeria-mali-tunisia-egypt-syria-iraq-yemen-afghanistan-pakistan>, January 28, 2013)

Working with Regional and Host Country Partners The third lesson is that in most cases the United States will find that **the key partner will** not be a European ally but either a regional partner or **the host country itself**. The internal dynamics of the host country that will determine what real world opportunities exist at what mix of costs and benefits. If the host country lacks the willingness and absorption capability to use U.S. and allied aid, the default setting should be containment not intervention. It is a grim reality that regardless of the humanitarian cost, there is little point in trying to help countries that cannot help themselves and creating a culture of dependence that shifts that responsibility to the United States or some outside power. More broadly, the United States should learn that it needs to work through local governments on their terms and rely on local allies that share a common religion and value system with the host or target country. This is particularly true because much of the reason for the rebirth of religious values throughout the Islamic world has come from the failure of secular governance. U.S. strengths consist of helping nations and nonstate actors deal with secular problems and needs, but the United States will always face major obstacles when it comes to dealing with Islam and different cultural values. This is why allies like the southern Gulf states, Arab states, Turkey and other states with largely Islamic populations will be key partners at both the regional and national level. They can act in ways the United States and other outside powers cannot. They do not bring the burden of western secularism, ties to Israel, or the history of European colonialism to a given problem. They also do not bring the baggage of intervention in Iraq and Afghanistan or the war on terrorism. Moreover, **such partnerships are necessary** because the United States must also work with its regional allies to help them to maintain or achieve their own internal stability and to limit the risk of the political upheavals that are underway in so many states. Patient diplomatic and advisory **efforts** to help allied and friendly countries **make their own reforms in** areas like **economics and governance will be key sources of stability** and evolutionary change. So will assistance in creating effective counterterrorism forces and internal security efforts, as will support to regional security structures like the Gulf Cooperation Council.

**2) The plan shifts the CIA to focus to intel – solves better**

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

Washington Post national security reporter Greg Miller has an excellent story in Sunday’s paper on the operational role of the CIA in drone warfare. Back at the time of the Brennan confirmation hearings, and even before, there had been discussion that the CIA would be pulled – even if only gradually – out of drone warfare and this form of using lethal force would be turned over the military. The CIA would re-focus itself on intelligence gathering and analysis, which many commentators inside and outside government said had taken a backseat to operational roles. Brennan himself urged this re-configuring of CIA priorities – including a shift away from counterterrorism to re-emphasize other intelligence missions; and the administration has said similar things in recent weeks. Focusing on drone warfare in Yemen, however, Miller’s report suggests this is easier said than done – whether in Yemen (or, it might be added, in Pakistan). A fundamental reason seems to be something noted many times here at Lawfare – the firing of a missile from a drone is the last kinetic step in a long chain of intelligence-gathering that includes surveillance over time from drones, signals intelligence and, crucially, on-ground human intelligence networks that give the US reason to be focusing on certain people as possible targets. Whether in Pakistan or Yemen, the effectiveness of drone warfare has been a function of the quality of the front-end intelligence that finally might lead to a strike. The drone’s contribution to the intelligence is far from being entirely tactical, of course – the drone’s surveillance has far more utility than just the preparation of a strike and that surveillance is crucial for reducing collateral harm from the strike itself. But drones are not quite so useful if one has no prior idea who one is searching for or where he might be or even why him – and much of this intelligence is gathered at the front end of the process in reliance on human intelligence networks. Although in principle the functions of intelligence gathering at the front end might be separated out from the intelligence involved in the preparation of a strike and from the actual strike itself, with the CIA engaged in the intelligence side and the military serving as the trigger pullers, the experience in Yemen raises some cautions about how easy it is to create this division of labor.

**3) Over-reliance on drones causes failed policy**

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)

3. The true costs of current US drone policy When we come to rely excessively on drone strikes as a counterterrorism tool, this has potential costs of its own. Drones strikes enable a "short-term fix" approach to counterterrorism, one that relies excessively on eliminating specific individuals deemed to be a threat, without much discussion of whether this strategy is likely to produce long-term security gains. Most counter-terrorism experts agree that in the long-term, terrorist organizations are rarely defeated militarily. Instead, terrorist groups fade away when they lose the support of the populations within which they work. They die out when their ideological underpinnings come undone – when new recruits stop appearing—when the communities in which they work stop providing active or passive forms of assistance—when local leaders speak out against them and residents report their activities and identities to the authorities. A comprehensive counterterrorist strategy recognizes this, and therefore relies heavily on activities intended to undermine terrorist credibility within populations, as well as on activities designed to disrupt terrorist communications and financing. Much of the time, these are the traditional tools of intelligence and law enforcement. Kinetic force undeniably has a role to play in counterterrorism in certain circumstances, but it is rarely a magic bullet. In addition, overreliance on kinetic tools at the expense of other approaches can be dangerous. Drone strikes -- lawful or not, justifiable or not – can have the unintended consequence of increasing both regional instability and anti-American sentiment. Drone strikes sow fear among the "guilty" and the innocent alike, 24 and the use of drones in Pakistan and Yemen has increasingly been met with both popular and diplomatic protests. Indeed, drone strikes are increasingly causing dismay and concern within the US population. As the Obama administration increases its reliance on drone strikes as the counterterrorism tool of choice, it is hard not to wonder whether we have begun to trade tactical gains for strategic losses. What impact will US drone strikes ultimately have on the stability of Pakistan, Yemen, or Somalia? 25 To what degree -- especially as we reach further and further down the terrorist food chain, killing small fish who may be motivated less by ideology than economic desperation -- are we actually creating new grievances within the local population – or even within diaspora populations here in the United States? 26 As Defense Secretary Donald Rumsfeld asked during the Iraq war, are we creating terrorists faster than we kill them? 27 At the moment, there is little evidence that US drone policy – or individual drone strikes—result from a comprehensive assessment of strategic costs and benefits, as opposed to a shortsighted determination to strike targets of opportunity, regardless of long-term impact. As a military acquaintance of mine memorably put it, drone strikes remain “a tactic in search of a strategy.”

**4) International and Alliance Blowback**

Streeter ‘13 (Devin C, Director of Activities, Public Relations, and Recruitment at Liberty University Strategic Intelligence Society, “US Drone Policy: Tactical Success and Strategic Failure,” [http://www.academia.edu/3523639/U.S.\_Drone\_Policy\_Tactical\_Success\_and\_Strategic\_Failure, April 19](http://www.academia.edu/3523639/U.S._Drone_Policy_Tactical_Success_and_Strategic_Failure,%20April%2019), 2013)

The first category of nations, while not targeted by drone strikes, is intimidated by their capabilities. India, Iran, Pakistan, Russia, Japan, South Korea, and over 40 other nations have announced intentions to acquire drones. 27 The main producers of unmanned aerial vehicles are the United States, Israel, and China. 28 The United States, while the leader in drone use and production 29 , must deal with “American export controls.” 30 Israel, however, has fewer restrictions, considering China’s acquisition of drone technology by buying an “anti-radar attack drone” 31 from the small nation. China in turn has offered to sell lower grade drones to the international community. 32 It is unlikely that drone technology will go unshared for long. 33 In essence, the United States has sparked a miniature arms race and has intimidated nations with the threat of a new, superior technology. Governments that have begun pursuing their own UAV programs have shown a notable bitterness to the United States for its unchecked use of drones. 34 Nations such as China, Japan, Russia, and Brazil all disapprove of United States drone policies by over 30 percentage points. 35 To them, the United States seems heavy handed and brutish; holding back technology while indiscriminately using it against our enemies. The lack of consideration and cooperation is a negative influence on world leaders. At the same time, other nations feel that drones violate their airspace and are used without approval from the international community. 36 The majority of these nations fall within the boundaries of the European Union, and while their disapproval is not as notable as the first group, it often reaches the double digits rate. 37 Germany, Great Britain, Poland, and other European Union members do not understand the ‘fire from the hip’ mentality of drone strikes. 38 The European Council on Foreign Relations noted “it [United States] seems to interpret the concept of imminence in a rather more permissive way than most Europeans would be comfortable with.” 39 The European Union fully supports drones in combat support and reconnaissance roles, but has issues with the concept of targeted killings, which often result in collateral damage. 40 European leaders desire an international consensus on how drones should be operated, before more civilians become casualties. 41 The European Council on Foreign Relations further notes: The Obama administration has so far chosen to operate by analogy with inter-state war, but in an era marked by the individualization of conflict, this seems like an outdated approach. 42 Europe does not share the mentality of drone strikes with "acceptable" collateral damage and apolicy that is not accountable to the international community. As a result, relations with Europe have reached a critical point. 43 European nations, alienated by the Obama administration’s progressive dialogue but aggressive drone policy, 44 are ready to try and take the lead in international relations. 45 Germany in particular will be a key nation as it increases in prominence among European states. 46 Hans Kundnani, a well-known journalist and political pundit, notes, “Obama is extremely popular in Germany, but Berlin’s deeply-held views on the use of military force… have the potential to create a Europe-America split.” 47 Kundnani also states, “A ‘special relationship’ is developing between China and Germany.” 48 Because of anti-drone sentiment, long-time U.S. allies grow increasingly distant, to the point of forming new relationships with China. This is a direct threat to the United States’ place in international relations and a direct challenge to its hegemony. If the relations with Europe are to be fixed, a change in drone protocol is needed.

### 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**

Brooks ‘13 (Rosa Brooks is a law professor at Georgetown University and a Schwartz senior fellow at the New America Foundation. She served as a counselor to the U.S. defense undersecretary for policy from 2009 to 2011 and previously served as a senior advisor at the U.S. State Department, 2013, “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”, <http://www.lawfareblog.com/wp-content/uploads/2013/05/Brooks_05-16-13.pdf-> see the Appendix)

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.

### Advantage {X}: Jus ad Bellum

**Obama is justifying drones with jus ad bellum in the squo and violating sovereignty claims- causing aggressive modeling**

ACLU et al. ’13 (American Civil Liberties Union Amnesty, International Center for Human Rights & Global Justice, NYU School of Law\* Center for Civilians in Conflict Center for Constitutional Rights Global Justice Clinic, NYU School of Law\* Human Rights First Human Rights Institute, Columbia Law School, Human Rights Watch, Open Society Foundations, “Joint Letter to President Obama on US Drone Strikes and Targeted Killings”, April 11, 2013

Senior officials have claimed that the administration applies international humanitarian law to its targeted killing program.[14] However, unlike international human rights law, the circumstances under which international humanitarian law applies are narrow and exceptional. There must be an armed conflict: hostilities must be between the United Statesanda group that is sufficiently organized and must reach a level of intensity that is distinct from sporadic acts of violence.[15] Outside of an armed conflict, where international human rights law applies, the United States can only target an individual if he poses an imminent threat to life and lethal force is the last resort.[16] A key preliminary issue is thus whether or not the United States is using lethal force as part of hostilities in an armed conflict. Even when the United States uses force as part of hostilities in an armed conflict, there are important legal constraints on its targeting operations. The administration’s statements have raised fundamental concerns about whether it recognizes these constraints and complies with international law. We describe three of these concerns below, although they are not exhaustive. The first two involve concerns pertaining to how the U.S. chooses particular targets; the third involves concerns pertaining to the legality of U.S. use of force in other states. A. The administration’s criteria for determining that it can lawfully engage in lethal targeting of a particular individual or groups of individuals. The administration should ensure that its standards and criteria for determining that it can directly target a particular individual using lethal force are consistent with international law. It should also disclose those standards so that Congress, the public, and other nations can assess them. Because of the impact that U.S. policy will have on global standard setting on the use of drones in targeted killings, it is critically important that U.S. legal standards be fully disclosed. There are troubling indications that the U.S. regards an individual’s affiliation with a group as making him or her lawfully subject to direct attack.[17] This raises serious questions about whether the U.S. is operating in accordance with international law. Under international humanitarian law, applicable in the narrow and exceptional circumstance of armed conflict, the U.S. can directly target only members of the armed forces of an enemy, military objectives, or civilians directly participating in hostilities.[18] U.S. standards should reflect a presumption that unidentified individuals are civilians with protection from direct attack, unless and for such time as they take a direct part in hostilities.[19] Outside of an armed conflict, where international human rights law applies, any use of force must be both necessary and proportionate. Intentional lethal force may only be used where strictly necessary to prevent an imminent threat to life.[20] To assess “imminence” under human rights law and in the context of determining how force can be used outside an armed conflict, the U.S. should look only to human rights law sources. Some administration statements imply that the U.S. government may be attempting to borrow interpretations of “imminence” from the law regarding resort to the use of force (jus ad bellum), which involves a wholly separate inquiry into whether a state can lawfully use force in violation of another state’s sovereignty, to defend itself against an imminent threat (see Section V.C infra). B. The administration’s criteria for determining that a group is an “associated force” of Al Qaeda, and the implications of that determination. The administration has stated that it is in an armed conflict with Al Qaeda and “associated forces,” which it defines as organized armed groups that have “entered the fight alongside al Qaeda” and are “co-belligerent[s] with al Qaeda in hostilities against the United States or its coalition partners.”[21] The administration’s failure to define what specific organizational features or conduct would lead a group to be classified as an associated force raises concerns that this results in an aggressive and indefinitely expansive scope of targeting authority. The administration should disclose the groups it believes to currently constitute associated forces and the criteria for determining whether a group is an associated force. It should set forth the legal basis for considering the United States to be at war with “associated forces” of Al Qaeda that did not participate in the September 11, 2001 terrorist attacks. Moreover, it should clarify who it believes is lawfully targetable with lethal force within such “associated forces.” C. The administration’s concept of imminence, in justifying its resort to the use of force in self-defense. Some of the undersigned groups are concerned that the administration’s statements appear improperly to conflate the question of sovereignty with the question of whether use of force against a particular individual is lawful.[22] International law prohibits the use of force in the territory of other states, except in narrow circumstances, including self-defense and consent. The use of force may be a lawful act of self-defense in response to an armed attack or imminent threat of armed attack. Some scholars believe a state may use force in these circumstances even without a host state’s consent, for so long as the host state is unwilling or unable to take appropriate action. The resort to the use of force in self-defense (jus ad bellum) relates to issues of state sovereignty; any U.S. operations would still need to satisfy the applicable requirements of humanitarian law (jus in bello) and human rights law. Moreover, John Brennan has implied that the “imminent threat” threshold “should be broadened in light of the modern-day capabilities, techniques, and technological innovations of terrorist organizations.”[23] This and other statements by administration officials, and a leaked Department of Justice white paper regarding the legality of targeting a U.S. citizen,[24] imply that the broadening of the term “imminent threat” could expand the situations in which lethal force would be justified based on a perceived danger that may be realized at an undefined point in the future; or based on a group’s generalized intent to use force against the United States, even if the U.S. government is not aware of that group’s planning toward a specific attack against the United States.[25] These interpretations of imminence would be inconsistent with international law regarding resort to the use of force. \*\*\*\*\* As senior administration officials have recognized, U.S. targeted killing policies and practices will set a precedent for other nations, particularly as weaponized drone technology becomes more widely available. Lowering the threshold for the use of force outside armed conflicts could be in breach of international law, set a dangerous precedent, and weaken the U.S. government’s ability to argue for constraints on lethal targeting operations of other states.

**This self-defense justification for drones is undermining US legitimacy – a hard signal is crucial- exceptions break the rule**

**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.

**Expanded jus ad bellum collapses global firebreak on use-of-force- US signal**

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[Beau, “Reauthorizing the ‘War on Terror’: The Legal and Policy Implications of the AUMF’s Coming Obsolescence,” Military Law Review, Vol 211, 2012, http://papers.ssrn.com/sol3/papers.cfm?abstract\_id=2150874, accessed 9-19-13, mss]

144 This approach also would inevitably lead to dangerous “slippery slopes.” Once the President authorizes a targeted killing of an individual who does not pose an imminent threat in the strict law enforcement sense of “imminence,”145 there are few potential targets that would be off-limits to the Executive Branch. Overly malleable concepts are not the proper bases for the consistent use of military force in a democracy. Although the Obama Administration has disclaimed this manner of broad authority because the AUMF “does not authorize military force against anyone the Executive labels a ‘terrorist,’”146 relying solely on the international law of self defense would likely lead to precisely such a result. The slippery slope problem, however, is not just limited to the United States’s military actions and the issue of domestic control. The creation of international norms is an iterative process, one to which the United States makes significant contributions. Because of this outsized influence, the United States should not claim international legal rights that it is not prepared to see proliferate around the globe. Scholars have observed that the Obama Administration’s “expansive and open-ended interpretation of the right to self-defence threatens to destroy the prohibition on the use of armed force . . . .”147 Indeed, “[i]f other states were to claim the broad-based authority that the United States does, to kill people anywhere, anytime, the result would be chaos.”148

**Causes global hotspots to go nuclear**

Obayemi, 6 -- East Bay Law School professor

[Olumide, admitted to the Bars of Federal Republic of Nigeria and the State of California, Golden Gate University School of Law, "Article: Legal Standards Governing Pre-Emptive Strikes and Forcible Measures of Anticipatory Self-Defense Under the U.N. Charter and General International Law," 12 Ann. Surv. Int'l & Comp. L. 19, l/n, accessed 9-19-13, mss]

The United States must abide by the rigorous standards set out above that are meant to govern the use of preemptive strikes, because today's international system is characterized by a relative infrequency of interstate war. It has been noted that developing doctrines that lower the threshold for preemptive action could put that accomplishment at risk, and exacerbate regional crises already on the brink of open conflict. n100 This is important as O'Hanlon, Rice, and Steinberg have rightly noted: ...countries already on the brink of war, and leaning strongly towards war, might use the doctrine to justify an action they already wished to take, and the effect of the U.S. posture may make it harder for the international community in general, and the U.S. in particular, to counsel delay and diplomacy. Potential examples abound, ranging from Ethiopia and Eritrea, to China and Taiwan, to the Middle East. But perhaps the clearest case is the India-Pakistan crisis. n101 The world must be a safe place to live in. We cannot be ruled by bandits and rogue states. There must be law and order not only in the books but in enforcement as well. No nation is better suited to enforce international law than the United States. The Bush Doctrine will stand the test [\*42] of time and survive. Again, we submit that nothing more would protect the world and its citizens from **nuclear weapons**, terrorists and rogue states than an able and willing nation like the United States, acting as a policeman of the world within all legal boundaries. This is the essence of the preamble to the United Nations Charter.

**Independently, there are 3 external scenarios: First, India-Pakistan**

Starr ’11 (Consequences of a Single Failure of Nuclear Deterrence by Steven Starr February 07, 2011 \* Associate member of the Nuclear Age Peace Foundation \* Senior Scientist for PSR)

Only a single failure of nuclear deterrence is required to start a nuclear war, and the consequences of such a failure would be profound. **Peer-reviewed studies** predict that less than 1% of the nuclear weapons now deployed in the arsenals of the Nuclear Weapon States, if detonated in urban areas, would immediately kill tens of millions of people, and cause long-term, catastrophic disruptions of the global climate and massive destruction of Earth’s protective ozone layer. The result would be a global nuclear famine that could kill up to one billion people. A full-scale war, fought with the strategic nuclear arsenals of the United States and Russia, would so utterly devastate Earth’s environment that most humans and other complex forms of life would not survive. Yet no Nuclear Weapon State has ever evaluated the environmental, ecological or agricultural consequences of the detonation of its nuclear arsenals in conflict. Military and political leaders in these nations thus remain dangerously unaware of the existential danger which their weapons present to the entire human race. Consequently, nuclear weapons remain as the cornerstone of the military arsenals in the Nuclear Weapon States, where nuclear deterrence guides political and military strategy. Those who actively support nuclear deterrence are trained to believe that deterrence cannot fail, so long as their doctrines are observed, and their weapons systems are maintained and continuously modernized. They insist that their nuclear forces will remain forever under their complete control, immune from cyberwarfare, sabotage, terrorism, human or technical error. They deny that the short 12-to-30 minute flight times of nuclear missiles would not leave a President enough time to make rational decisions following a tactical, electronic warning of nuclear attack. The U.S. and Russia continue to keep a total of 2000 strategic nuclear weapons at launch-ready status – ready to launch with only a few minutes warning. Yet both nations are remarkably unable to acknowledge that this high-alert status in any way increases the probability that these weapons will someday be used in conflict. How can strategic nuclear arsenals truly be “safe” from accidental or unauthorized use, when they can be launched literally at a moment’s notice? A cocked and loaded weapon is infinitely easier to fire than one which is unloaded and stored in a locked safe. The mere existence of immense nuclear arsenals, in whatever status they are maintained, makes possible their eventual use in a nuclear war. Our **best** scientists now tell us that **such a war would mean the end of human history**. We need to ask our leaders: Exactly what political or national goals could possibly justify risking a nuclear war that would likely cause the extinction of the human race? However, in order to pose this question, we must first make the fact known that existing nuclear arsenals – through their capacity to utterly devastate the Earth’s environment and ecosystems – threaten continued **human existence**. Otherwise, military and political leaders will continue to cling to their nuclear arsenals and will remain both unwilling and unable to discuss the real consequences of failure of deterrence. We can and must end the silence, and awaken the peoples of all nations to the realization that “nuclear war” means “global nuclear suicide”. A Single Failure of Nuclear Deterrence could lead to: \* A nuclear war **between India and Pakistan**; \* 50 Hiroshima-size (15 kiloton) weapons detonated in the mega-cities of both India and Pakistan (there are now 130-190 operational nuclear weapons which exist in the combined arsenals of these nations); \* The deaths of 20 to 50 million people as a result of the prompt effects of these nuclear detonations (blast, fire and radioactive fallout); \* Massive firestorms covering many hundreds of square miles/kilometers (created by nuclear detonations that produce temperatures hotter than those believed to exist at the center of the sun), that would engulf these cities and produce 6 to 7 million tons of thick, black smoke; \* About 5 million tons of smoke that would quickly rise above cloud level into the stratosphere, where strong winds would carry it around the Earth in 10 days; \* A stratospheric smoke layer surrounding the Earth, which would remain in place for 10 years; \* The dense smoke would heat the upper atmosphere, destroy Earth’s protective ozone layer, and block 7-10% of warming sunlight from reaching Earth’s surface; \* 25% to 40% of the protective ozone layer would be destroyed at the mid-latitudes, and 50-70% would be destroyed at northern and southern high latitudes; \* Ozone destruction would cause the average UV Index to increase to 16-22 in the U.S, Europe, Eurasia and China, with even higher readings towards the poles (readings of 11 or higher are classified as “extreme” by the U.S. EPA). It would take 7-8 minutes for a fair skinned person to receive a painful sunburn at mid-day; \* Loss of warming sunlight would quickly produce average surface temperatures in the Northern Hemisphere colder than any experienced in the last 1000 years; \* Hemispheric drops in temperature would be about twice as large and last ten times longer then those which followed the largest volcanic eruption in the last 500 years, Mt. Tambora in 1816. The following year, 1817, was called “The Year Without Summer”, which saw famine in Europe from massive crop failures; \* Growing seasons in the Northern Hemisphere would be significantly shortened. It would be too cold to grow wheat in most of Canada for at least several years; \* World grain stocks, which already are at historically low levels, would be completely depleted; grain exporting nations would likely cease exports in order to meet their own food needs; \* The one billion already hungry people, who currently depend upon grain imports, would likely starve to death in the years following this nuclear war; \* The total explosive power in these 100 Hiroshima-size weapons is less than 1% of the total explosive power contained in the currently operational and deployed U.S. and Russian nuclear forces.

**China-Taiwan wars go 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.

**Middle East instability causes global warfare and superdisease**

Stirling 11 - hereditary Governor & Lord Lieutenant of Canada, Lord High Admiral of Nova Scotia, M.A. in European Studies [The Earl of Stirling 11, “General Middle East War Nears - Syrian events more dangerous than even nuclear nightmare in Japan”,http://europebusines.blogspot.com/2011/03/general-middle-east-war-nears-syrian.html]

Any Third Lebanon War/General Middle East War is apt to involve WMD on both side quickly as both sides know the stakes and that the Israelis are determined to end, once and for all, any Iranian opposition to a 'Greater Israel' domination of the entire Middle East. It will be a case of 'use your WMD or lose them' to enemy strikes. Any massive WMD usage against Israel will result in the usage of Israeli thermonuclear warheads against Arab and Persian populations centers in large parts of the Middle East, with the resulting spread of radioactive fallout over large parts of the Northern Hemisphere. However, the first use of nukes is apt to be lower yield warheads directed against Iranian underground facilities including both nuclear sites and governmental command and control and leadership bunkers, with some limited strikes also likely early-on in Syrian territory. The Iranians are well prepared to launch a global Advanced Biological Warfare terrorism based strike against not only Israel and American and allied forces in the Middle East but also against the American, Canadian, British, French, German, Italian, etc., homelands. This will utilize DNA recombination based genetically engineered 'super killer viruses' that are designed to spread themselves **throughout the world** using humans as vectors. There are very few defenses against such warfare, other than total quarantine of the population until all of the different man-made viruses (and there could be dozens or even over a hundred different viruses released at the same time) have 'burned themselves out'. This could kill a third of the world's total population. Such a result from an Israeli triggered war would almost certainly cause a Russian-Chinese response that would eventually **finish off what is left** of Israel and begin a **truly global** war/WWIII with multiple war theaters around the world. It is highly unlikely that a Third World War, fought with 21st Century weaponry will be anything but the Biblical Armageddon.

**Spreads globally- China, Indo-Pak, and Iran escalate**

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- means self-restrained is not credible**

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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.

## Conceded Negative Cards

### Indo/Pak

#### 1NR Card- No Indo/Pak Pakistan collapse card

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

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

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

University political science Prof. Ashutosh Varshney becomes animated when asked about the likelihood of nuclear war between India and Pakistan.¶ "Odds are close to zero," Varshney said forcefully, standing up to pace a little bit in his office. "The assumption that India and Pakistan cannot manage their nuclear arsenals as well as the U.S.S.R. and U.S. or Russia and China concedes less to the intellect of leaders in both India and Pakistan than would be warranted."¶ The worlds two youngest nuclear powers first tested weapons in 1998, sparking fear of subcontinental nuclear war a fear Varshney finds ridiculous.¶ "The decision makers are aware of what nuclear weapons are, even if the masses are not," he said.¶ "Watching the evening news, CNN, I think they have vastly overstated the threat of nuclear war," political science Prof. Paul Huth said.¶ Varshney added that there are numerous factors working against the possibility of nuclear war.¶ "India is committed to a no-first-strike policy," Varshney said. "It is virtually impossible for Pakistan to go for a first strike, because the retaliation would be gravely dangerous."¶ Political science Prof. Kenneth Lieberthal, a former special assistant to President Clinton at the National Security Council, agreed. "Usually a country that is in the position that Pakistan is in would not shift to a level that would ensure their total destruction," Lieberthal said, making note of India"s considerably larger nuclear arsenal.¶ "American intervention is another reason not to expect nuclear war," Varshney said. "If anything has happened since September 11, it is that the command control system has strengthened. The trigger is in very safe hands."

### Politics

#### Alt causes to low relations – Venezula anti-Americanism

Maass 3/7/13 (Harold, The Week, “Will US Relations With Venezuela Improve after Hugo Chavez’s Death”)

Others suggest it's wishful thinking to expect a diplomatic thaw. Case in point: In his first press conference, Chavez's hand-picked interim successor, Vice President Nicolas Maduro, accused the U.S. of trying to capitalize on Chavez's illness to destabilize Venezuela, and expelled two American military attaches. He even went so far as to accuse the U.S. of somehow causingChavez's illness. Maduro hopes to win the coming election to replace Chavez, and, if his recent "railing against the United States" is any indication, [says Elise Labott at CNN](http://security.blogs.cnn.com/2013/03/06/u-s-venezuela-relations-likely-to-remain-tense-after-chavez/), he's going to be unleashing plenty more anti-American rhetoric to shore up his base.

#### Relations are key to solve a laundry list of existential threats

Shifter 12 Michael is the President of Inter-American Dialogue. “Remaking the Relationship: The United States and Latin America,” April, IAD Policy Report, http://www.thedialogue.org/PublicationFiles/IAD2012PolicyReportFINAL.pdf

There are compelling reasons for the United States and Latin America to pursue more robust ties. Every country in the Americas would benefit from strengthened and expanded economic relations, with improved access to each other’s markets, investment capital, and energy resources. Even with its current economic problems, the United States’ $16-trillion economy is a vital market and source of capital (including remittances) and technology for Latin America, and it could contribute more to the region’s economic performance. For its part, Latin America’s rising economies will inevitably become more and more crucial to the United States’ economic future. The United States and many nations of Latin America and the Caribbean would also gain a great deal by more cooperation on such global matters as climate change, nuclear non-proliferation, and democracy and human rights.With a rapidly expanding US Hispanic population of more than 50 million, the cultural and demographic integration of the United States and Latin America is proceeding at an accelerating pace, setting a firmer basis for hemispheric partnership Despite the multiple opportunities and potential benefits, relations between the United States and Latin America remain disappointing . If new opportunities are not seized, relations will likely continue to drift apart . The longer the current situation persists, the harder it will be to reverse course and rebuild vigorous cooperation . Hemispheric affairs require urgent attention—both from the United States and from Latin America and the Caribbean.

## 2AC

### 2AC- Laundry List/ Terror

#### They fail- hydra effect

Blum and Heymann ‘10 (Gabriella Blum\* and Philip Heymann\*\*, \*Assistant Professor of Law, Harvard Law School, \*\* James Barr Ames Professor of Law, Harvard Law School, “ Law and Policy of Targeted killing” ebsco, 2010)

An immediate consequence of eliminating leaders of terrorist organizations will sometimes be what may be called the Hydra effect, the rise of more—and more resolute—leaders to replace them. The decapitating of the organization may also invite retaliation by the other members and followers of the organization. Thus, when Israel assassinated Abbas Mussawi, Hezbollah‘s leader in Lebanon, in 1992, a more charismatic and successful leader, Hassan Nassrallah, succeeded Mussawi. The armed group then avenged the assassination of its former leader in two separate attacks, blowing up Israeli and Jewish targets in Buenos Aires, killing over a hundred people and injuring hundreds more.

#### Intel gathering

Blum and Heymann ‘10 (Gabriella Blum\* and Philip Heymann\*\*, \*Assistant Professor of Law, Harvard Law School, \*\* James Barr Ames Professor of Law, Harvard Law School, “ Law and Policy of Targeted killing” ebsco, 2010)

Targeted killing may also interfere with important gathering of critical intelligence. The threat of being targeted will drive current leaders into hiding, making the monitoring of their movements and activities by the counterterrorist forces more difficult. Moreover, if these leaders are found and killed, instead of captured, the counterterrorism forces lose the ability to interrogate them to obtain potentially valuable information about plans, capabilities, or organizational structure.

#### Increase terrorist legitimacy

Blum and Heymann ‘10 (Gabriella Blum\* and Philip Heymann\*\*, \*Assistant Professor of Law, Harvard Law School, \*\* James Barr Ames Professor of Law, Harvard Law School, “ Law and Policy of Targeted killing” ebsco, 2010)

The political message flowing from the use of targeted killings may be harmful to the attacking country’s interest, as it emphasizes the disparity in power between the parties and reinforces popular support for the terrorists, who are seen as a David fighting Goliath. Moreover, by resorting to military force rather than to law enforcement, targeted killings might strengthen the sense of legitimacy of terrorist operations, which are sometimes viewed as the only viable option for the weak to fight against a powerful empire. If collateral damage to civilians accompanies targeted killings, this, too, may bolster support for what seems like the just cause of the terrorists, at the same time as it weakens domestic support for fighting the terrorists.

#### Blowback

Blum and Heymann ‘10 (Gabriella Blum\* and Philip Heymann\*\*, \*Assistant Professor of Law, Harvard Law School, \*\* James Barr Ames Professor of Law, Harvard Law School, “ Law and Policy of Targeted killing” ebsco, 2010)

When targeted killing operations are conducted on foreign territory, they run the risk of heightening international tensions between the targeting government and the government in whose territory the operation is conducted. Israel’s relations with Jordan became dangerously strained following the failed attempt in September 1997 in Jordan to assassinate Khaled Mashaal, the leader of Hamas. Indeed, international relations may suffer even where the local government acquiesces in the operation, but the operation fails or harms innocent civilians, bringing the local government under political attack from domestic constituencies (recall the failed attack in Pakistan on Al-Zawahiri that left eighteen civilians dead). Even if there is no collateral damage, targeted killings in another country’s territory threatens to draw criticism from local domestic constituencies against the government, which either acquiesced or was too weak to stop the operation in its territory. Such is the case now in both Pakistan and Yemen, where opposition forces criticize the governments for permitting American armed intervention in their countries. The aggression of targeted killings also runs the risk of spiraling hatred and violence, numbing both sides to the effects of killing and thus continuing the cycle of violence. Each attack invites revenge, each revenge invites further retaliation. Innocent civilians suffer whether they are the intended target of attack or its unintentional collateral consequences. Last but not least, exceptional measures tend to exceed their logic. As in the case of extraordinary detention or interrogation methods, there is a danger of over-using targeted killings, both within and outside of the war on terrorism. A particular danger in this context arises as the killing of a terrorist often proves a simpler operation than protracted legal battles over detention, trial, extradition, and release.

#### Turn- drones destroy key evidence

Cronin ‘13 (Audrey, Professor of Public Policy at George Mason University, “Why Drones Fai”, Foreign Affairs, July/ August 2013)

Another main problem with Washington's overreliance on drones is that it destroys valuable evidence that could make U.S. counter-terrorism smarter and more effective. Whenever the United States kills a suspected terrorist, it loses the chance to find out what he was planning, how, and with whom -- or whether he was even a terrorist to begin with. Drone attacks eliminate the possibility of arresting and interrogating those whom they target, precluding one of the most effective means of undermining a terrorist group. It is worth noting that the most dramatic recent decapitation of a terrorist organization -- the killing of bin Laden -- was performed by humans, not drones. As a result, the most important outcome of the operation was not the death of bin Laden himself but the treasure trove of intelligence it yielded. Drones do not capture hard drives, organizational charts, strategic plans, or secret correspondence, and their tactical effectiveness is entirely dependent on the caliber of human intelligence on the ground. And if the unpopularity of drones makes it harder to persuade locals to work with U.S. intelligence services, then Washington will have less access to the kind of intelligence it needs for effective targeting. Yes, killing would-be terrorists saves American lives. But so does interrogating them, and drone strikes make that impossible.

### AT: High-Value Targets

#### Drones don’t kill high-value targets

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The second major claim for the effectiveness of drone strikes is based on their ability to kill HVTs, defined as key operational and political leaders of Al-Qaeda and related groups. From the campaign trail to his time in office, President Obama has consistently maintained that he would not hesitate to use lethal force to remove leading figures in Al-Qaeda.44 Yet the actual record of drone strikes suggests that forces under his command have killed far more lower-ranked operatives associated with other Islamist movements and civilians than HVTs from Al-Qaeda. Peter Bergen has estimated that the drone strikes have killed 49 high-ranking ‘militant’ leaders since 2004, only 2 per cent of the total number of deaths from drone strikes.45 The remaining 98 per cent of drone strikes have been directed against lower-ranking operatives, only some of whom are engaged in direct hostilities against the United States, and civilians. Many of these actors pose no direct or imminent threats, but rather speculative ones, such as individuals who might some day attack the US or its interests abroad.46 Even as President Obama has increased the number of drone strikes, the number of HVTs killed has ‘slipped or barely increased’.47 In 2010, a mid-ranking Haqqani network fighter concluded that ‘it seems they really want to kill everyone, not just the leaders’.48 The decision to expand targeted killing to this scale and take aim at even low-ranking ‘foot soldiers’ is unprecedented and sets the Obama administration’s drone programme apart in both scale and character from targeted killing operations elsewhere.49

### 2AC- Evidence Indict

#### Dismiss their statistics

**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]

None of these claims should be taken at face value. The evidence behind each is often less compelling than is assumed, in part because reliable data on the drone strikes and their effects are difficult to obtain. Some of these arguments are based on dubious counterfactuals that try to measure the costs of drone strikes against the effects of prevented, and entirely hypothetical, enemy attacks.17 Others conflate efficiency—that is, an advantageous ratio of inputs to outputs in executing an activity—with the effectiveness of a particular action in achieving a wider goal. Still others operate with an attenuated notion of effectiveness which focuses exclusively at the tactical level without considering the wider strategic costs of drone warfare. The position of the American foreign policy establishment on drones— that they are an effective tool which minimizes civilian casualties—is based on a highly selective and partial reading of the evidence.

### 2AC- Alternative Worse

#### 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.

### 2AC- Pilot Shortage Thumper

#### Pilot shortage thumps

RT ’13 (RT Network, “US drone pilot demand outstrips supply”, <http://rt.com/usa/us-running-out-drone-pilots-765/>, August 21, 2013)

The US Air Force is now facing a shortage in the number of pilots able to operate the military’s quickly expanding drone fleet, according to a new report published by a top Washington, DC, think tank. According to Air Force Colonel Bradley Hoagland, who contributed to a recent report on the Air Force’s drone program prepared by the Brookings Institution, it is quickly hitting a wall in the number of operators for its 159 Predators, 96 Reapers and 23 Global Hawks. Although the US military aimed to train 1,120 ‘traditional’ pilots along with 150 specialized drone pilots in 2012, it proved unable to meet the latter, owing to a lack of RPA (or remotely piloted aircraft) volunteers. A recent report by AFP placed the Air Force’s current drone pilot wing at 1,300, about 8.5 percent of the air corps’ pilots. Still, an increasing number of uses for America’s drone fleet, including recently-revealed plans by the Defense Advanced Research Projects Agency (DARPA) for drones able to operate from naval vessels, have quickly exceeded the Air Force’s ability to train personnel to train and pilot unmanned aerial vehicles (UAVs).

### 2AC- Yemen

#### Huge amount of drone blowback in Yemen – prefer our evidence its from high level officials

RT 10/24/13 (Online News Source, "Each drone strike creates at least 40 new militants -ex State Dept. Official", <http://rt.com/usa/drone-strikes-create-militants-678/>, October 24, 2013)

Nabeel Khoury, the deputy chief of mission in Yemen for the State Department from 2004 to 2007, writes in the Cairo Review this week that the use of unmanned aerial vehicles against alleged Al-Qaeda operatives is breeding anti-American sentiment overseas.¶ The [editorial](http://www.aucegypt.edu/gapp/cairoreview/Pages/articleDetails.aspx?aid=443), published Wednesday, comes as the United States’ use of drones is dominating discussions in Washington and around the world. Two leading human rights organizations condemned drones in a [pair of reports](http://rt.com/news/yemen-drone-strikes-report-538/) released earlier this week, and on Wednesday the prime minister of Pakistan [urged](http://rt.com/news/pakistan-pm-end-drone-strikes-642/) US President Barack Obama to cease drone strikes in his country and essentially halt an operation that has involved hundreds of attacks since 2004.¶ According to Khoury, similar attacks conducted in Yemen during the last few years have spawned a hatred that could immensely hurt America’s efforts.¶ “Drone strikes take out a few bad guys to be sure, but they also kill a large number of innocent civilians. Given Yemen’s tribal structure, the US generates roughly forty to sixty new enemies for every AQAP operative killed by drones,” Khoury wrote, referring to Al-Qaeda in the Arabian Peninsula.¶ “In war, unmanned aircraft may be a necessary part of a comprehensive military strategy. In a country where we are not at war, however, drones become part of our foreign policy, dominating it altogether, to the detriment of both our security and political goals,” he added.

#### Alt causes overwhelm Yemen instability and drone turn instability

Longley ’10 (April Longley, Published by the UAE-based THE NATIONAL on Dec. 20, 2009. Dr. April Longley Alley is a former Fulbright Fellow in Yemen, and a research associate at the National Defense University in Washington, “To fight al-Qaeda, cure the cancer at the heart of Yemen”, <http://www.alarabiya.net/views/2010/01/21/97988.html>, January 21, 2010)

Yemen has exploded on to the political scene as a central front in the battle against al-Qaeda. Long a stomping ground for al Qaeda affiliates, the country has witnessed the organization’s revival in the past few years under a new leadership. In response, the Obama administration in Washington appears to be emphatically throwing its weight behind the unpopular Saleh regime in Sana’a. The U.S. president has made it “a priority to strengthen partnership with the Yemeni government”, and the U.S. Central Command chief, General David Petraeus, has announced that security assistance to the country will more than double, from $70 million to $150 million. So for now it seems that Washington and Sana’a have renewed their troubled counter-terrorism cooperation at a time when the Yemeni state is buckling under the weight of multiple, converging socio-economic and political crises. An aggressive counter-terrorism campaign against al-Qaeda in Yemen will certainly answer the U.S. public’s demand for immediate action after the failed Christmas bombing of a plane over Detroit; but it risks further destabilizing the country, providing recruitment propaganda for al-Qaeda, and ultimately undermining U.S. national security interests. In fact, a narrow counter-terrorism approach will fail to address the underlying causes of instability in Yemen that are supporting al-Qaeda in the first place. Al-Qaeda is a symptom, not the cause, of instability in Yemen. The organization finds room to operate in part because of Yemen’s chronic poverty, weak central government and expanding pockets of domestic unrest. While the Saleh regime is a necessary partner in the struggle against al Qaeda, its policies perpetuate the very political and economic conditions that support al Qaeda expansion. Mr. Saleh has repeatedly avoided the political and economic reforms that would address local grievances, salvage the economy and buttress his domestic legitimacy. Endemic corruption, underdevelopment, divide-and-rule politics and the manipulation of regional and sectarian identities for tactical gain are undermining the authority of the central government, both in the northern province of Sa’adaa, where Mr. Saleh has been fighting a domestic insurgency for five years, and in the south where demands for secession are on the rise. Mr. Saleh’s mode of rule has also perpetuated tense relations between the regime and tribal factions, providing room for al-Qaeda to align with disgruntled tribal groups. Though combating al-Qaeda is the U.S. government’s priority, it is not Mr. Saleh’s. He is focused on the narrow target of staying in power, and at the moment that means fighting the Houthi rebellion in the north and the secessionist movement in the south. Some elements of al-Qaeda are perceived as a threat, but not on the level of these rebellions. As such, despite current co-operation, persuading Mr. Saleh to sustain an aggressive campaign against al-Qaeda will be difficult for the United States. Yemen’s political and economic climate provides fertile ground for al-Qaeda. As such, addressing the challenge will require more than hi-tech satellite imagery, drones and missiles. While capture-and-kill operations are necessary in some cases, they are woefully inadequate in the long term. In addition to neglecting root causes, a strategy based primarily on counter-terrorism could play into al-Qaeda’s hands, strengthening its recruitment potential and support base. Already, U.S.-assisted operations against suspected al-Qaeda operatives have drawn the ire of local tribes fiercely opposed to outside interference, and a wide array of citizens who resent the death of innocent civilians. While in some cases the strikes eliminate al-Qaeda leadership, ultimately the cost is at the narrative level, where al-Qaeda seems to be gaining strength. An al-Qaeda safe haven in Yemen poses a grave threat that must be addressed. It is critical, however, for the Obama administration to avoid pursuing an approach dominated by capture-and-kil. This will not address the root causes of the problem and it could actually aggravate the situation, especially if the U.S. is perceived as actively supporting military actions that kill Yemeni civilians.

### 2AC- Pakistan

#### Pakistan won’t help- turns drone solvency in Pakistan

Roggio and Radin ’11 (Bill Roggio and Chris Radin, “US cannot rely on Pakistan for counterterrorism operations”, <http://www.longwarjournal.org/threat-matrix/archives/2011/12/us_cannot_rely_on_pakistan_for.php>, December 24, 2011)

In CJ Radin's recent Threat Matrix report on US counterterrorism (CT) strategy, one area that stood out was the Obama administration's emphasis on partnering with Pakistan to defeat al Qaeda and allied terror groups, as set forth below in the "National Strategy for Counterterrorism": Our CT efforts in Pakistan have far-reaching implications for our global CT efforts. Al-Qa'ida continues to capitalize on its safe haven to maintain communications with its affiliates and adherents and to call on them to use violence in pursuit of its ideological goals. Therefore, the operational dismantlement of Pakistan-based al-Qa'ida will not eliminate the threat to the United States, as we are likely to face a lingering threat from operatives already trained as well as from the group's affiliates and adherents in South Asia and in other parts of the world. Disrupted terrorist attacks in 2009 and 2010--including al-Qa'ida in the Arabian Peninsula's role in the failed December 25, 2009 aviation bombing and the Tehrik-e Taliban Pakistan's involvement in the May 1, 2010 failed attack in Times Square--suggest that the determination of an expanded and more diverse network of terrorist groups to focus beyond their local environments may persist even with the ultimate defeat of al-Qa'ida in the Afghanistan-Pakistan theater. In Pakistan our efforts will continue to focus on a range of activities that are pursued in conjunction with the Government of Pakistan to increase the pace and scope of success against key al-Qa'ida and affiliated targets. It is unlikely that any single event--even the death of Usama bin Laden, the only leader al-Qa'ida has ever known--will bring about its operational dismantlement. Therefore, a sustained level of intensified pressure against the group is necessary. As such, U.S. CT activities are focused on working with our partners to ensure the rapid degradation of al-Qa'ida's leadership structure, command and control, organizational capabilities, support networks, and infrastructure at a pace faster than the group is able to recover as well as on further shrinking its safe haven and limiting access to fallback locations elsewhere in Pakistan. There is one major weakness in this strategy, and that is its reliance on Pakistan "to increase the pace and scope of success against key al-Qa'ida and affiliated targets." The reality is that the Pakistani government has reached the limits of its cooperation with the US, and the relationship is only going to get worse in the near term. For years, the Pakistanis have rebuffed US pleas to attack the terror camps in North Waziristan; and in the wake of the US strike in Mohmand on Nov. 26 that killed 24 Pakistani soldiers, it is safe to say that option is now off the table. In fact, the US gave up pressuring Pakistan on North Waziristan months ago after years of unrealistic declarations by US policymakers that Pakistan would move against terror groups in the tribal area. While some US policymakers have believed that Pakistan would eventually 'come around' and see the wisdom of eradicating terrorist sanctuaries in North Waziristan, we at The Long War Journal take a less sanguine view, and find it unrealistic to think that the incentives the US can provide to Pakistan, such as money, will sufficiently influence the fundamental ideological component of the Pakistani establishment to convince it to withdraw its support for jihadi groups.

### Sharif Addon

Drones will ruin Sharif’s political leadership in the squo- this risk total kickout and backlash

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 failure causes laundry list of impacts- collapse of Pakistan, Indo-Pak relations, and nuclear terrorism

BBC ’13 (BBC, “Viewpoints: The impact of elections in Pakistan”, <http://www.bbc.co.uk/news/world-us-canada-22476174>, May 13, 2013)

Nawaz Sharif appears on course to lead Pakistan's government. Experts look at how the result will affect US-Pakistani relations. The Pakistani people spoke on 11 May. What they resoundingly said was they are more comfortable with status quo in politics than revolution. As a result, the Punjab-based Pakistan Muslim League-Nawaz (PML-N) will lead the next government and party leader Nawaz Sharif is slated to become Prime Minister for a third time. There are three positive implications of a Sharif-led government for the United States and its primary interest in Pakistan, which is to ensure the country's political and economic instability do not impede American efforts associated with the war in Afghanistan and the fight against Al Qaeda. First, PML-N's strong parliamentary representation ensures that the United States has to worry less about the government in Pakistan collapsing from a vote of no confidence. Second, Mr Sharif brings with him the backing of the Saudi royal family, which has closely engaged the Sharif clan during its periods of governance and exile. This helps the US by potentially stabilizing Pakistan's economy and removing some burden of responsibility from the US as it makes plans to decrease its own aid to Pakistan. Third, Mr Sharif is a businessman who supports the free market. This complements the vision of regional co-operation and collaboration the United States is trying to push in South Asia as it prepares its departure from Afghanistan. However, mutual interests do not automatically translate into partnership. This is where the hard work begins for policymakers on both sides, but at least they have some positive ground to stand on despite the flimsy foundations of the overall relationship. Fast-forward 14 years. Mr Sharif is poised to return to power following Saturday's election. As he forms his government and seeks to achieve what he failed to do in two previous tries - finish his term in office - a number of questions loom that will shape US-Pakistani relations over the next few years. Can Mr Sharif work with the Pakistani military? Under the current army chief, Gen Ashfaq Kayani, the military has stepped back from politics, at least in the open. Gen Kayani retires later this year. The choice of his successor and how they work together will say a lot about whether Mr Sharif's third term will be charmed or turbulent. What can he do with India? During Mr Sharif's prior tenure, he showed a willingness to engage India and increase trade, a key to constructing a stable if not normal relationship. The military remains obsessed with India, but any political progress Mr Sharif can manage will be an important counterbalance. While Mr Sharif is cordial with American leaders, the US will want him to answer the same question posed to Mr Musharraf in 2001: Are you with us or against us? The US will watch what Mr Sharif does about extremists who threatened the election and Pakistan's overall security, about the not-so-secret US drone campaign that the military tolerates and the Pakistani people despise, and whether he will plays a constructive role in a political resolution in Afghanistan. The answers will say a lot about whether US-Pakistani relations under Mr Sharif will resemble a genuine partnership, a business relationship or a failed marriage. Despite disarray at home and obstacles to regional integration, Mr Sharif has the opportunity to make Pakistan a safe, pluralistic and prosperous trading hub and shun the path of becoming Asia's second North Korea. But before he can rewrite Pakistan's foreign policy, Mr Sharif will have to push back the military and unite his fractured country. Mr Sharif's party has won without a national mandate, causing many in the smaller provinces to call his victory the tyranny of the majority. Most Pakistanis agree on two major threats - terrorism and a plunging economy. A free market entrepreneur, Mr Sharif is known for reducing regulations, building infrastructure and encouraging foreign investment. Yet without nation-wide security build on diplomacy and the use of force against the Pakistani Taliban and secessionists, Mr Sharif will fail. Peace with strength will require unity of effort between Mr Sharif and his generals, which is in short supply. Moreover, Mr Sharif's heated rhetoric against US drone strikes has galvanized most Pakistanis against the US-funded Pakistani military. Even if Mr Sharif unites the country and reins in the generals, he will have to fight and cajole insurgents, giving the Pakistani military the one thing it desperately needs: public support. Hoping that jihadi and secessionist insurgents will disappear once the United States leaves Afghanistan is a fool's paradise. Washington should closely watch Mr Sharif's attempts at uniting and securing his country. Any hope of increasing US civilian and military aid should depend on concrete steps by Pakistan to facilitate American withdrawal from Afghanistan and, more importantly, become a regional conduit of commerce and not a hotbed of nuclear-protected terrorism. Nawaz Sharif's victory will pose new challenges for the United States. The centre-right leader has little affection for Washington or its post-9/11 counter-terror campaign in South Asia. And unless Sharif and Pakistan's army can quickly move past old vendettas to forge a stable working relationship, US officials will find it tricky to navigate between Mr Sharif and the generals. That will complicate already sensitive dealings on issues like drones and reconciliation talks with the Afghan Taliban. But the story is not entirely gloomy. Mr Sharif's pro-business rhetoric is music to many American ears. If the PML-N government follows through on campaign promises and delivers a few quick and convincing policy reforms on taxes, power or infrastructure, it would translate into more jobs, profits and government revenues. These are all essential components of national stability. Good governance will not be brought to Pakistan overnight, yet US officials would welcome even modest improvements after years of dysfunction in a country of nearly 200 million people that frequently ranks near the top of global "failing state" indexes. The other appealing component of Mr Sharif's message has to do with India. Islamabad and New Delhi have been inching forward on a trade deal that Sharif can reasonably be expected to push over the goal line. Normalised relations between South Asia's two nuclear-armed states would help US officials sleep more soundly at night. Thus, Washington and Islamabad will have their differences, but Sharif's core agenda - economic reform and improved ties with India - is one the United States should cheer.

### Clarke

#### No nuke terror- can’t use, steal, or transfer bombs

**Clarke 4-17**-13 [Michael, PhD, Senior Research Fellow at Griffith Asia Institute with a special focus in terrorism, Griffith University, Bachelor of Arts (Honors) in Asian and International Studies, “Pakistan and Nuclear Terrorism: How Real is the Threat?” Comparative Strategy, 32:2, 98-114, online]

Although the acquisition of an intact nuclear weapon would be “the most difﬁcult¶ challenge for any terrorist organization,” there remain a number of scenarios that involve¶ a terrorist organization acquiring an intact nuclear weapon,5¶ such as the deliberate transfer¶ of a warhead by a national government, “insider” collusion from senior ofﬁcials, seizure or¶ theft without collusion, and political instability or state failure/collapse. The direct transfer¶ scenario is difﬁcult to imagine as it is almost impossible to conceive of any national¶ government voluntarily gifting their “crown jewels” to a terrorist group due to the likely¶ reprisals they would incur if the weapon were used and the probability that the weapon¶ would be traced back to the state of origin.6¶ The scenario of “insider” collusion in the¶ diversion or transfer of nuclear materials has also been perceived as a major threat. To¶ cope with this threat, most advanced nuclear weapons states such as the United States,¶ France, the United Kingdom, the Russian Federation, and the People’s Republic of China¶ have instituted Personnel Reliability Programs (PRP), which establishes a centralized set of¶ procedures designed to ensure that individuals developing, managing, and guarding nuclear¶ weapons and related facilities are trustworthy.7¶ It has been asserted that theft of “weapons-usable materials” is “a proven and recurring¶ fact.”8¶ However, such a claim tends to refer to instances when small quantities of nuclear¶ material have been stolen. For example. Zimmerman and Lewis noted in 2006 that they¶ were aware of “only one particularly disturbing instance in which smugglers obtained a¶ signiﬁcant quality of highly enriched uranium: a 1994 case in Prague . . . involving Czech,¶ Slovak and Russian nationals.”9¶ In addition, in June 2011, authorities also interdicted¶ a smuggling gang in Moldova attempting to smuggle a small quantity of non–weapons¶ usable uranium-238 (U-238).10¶ The collapse or failure of a state with a nuclear arsenal would raise the potential¶ for nuclear weapons and materials to be diverted or stolen. However, even if a terrorist¶ organization did manage to acquire an intact weapon through one of these scenarios, there¶ would remain a variety of obstacles to be overcome in order to be able to detonate it. In¶ particular, there are a variety of safety and security measures/procedures that protect nuclear¶ weapons against accidents or unauthorized use, such as environmental sensing devices¶ (ESD) that block arming systems until a prescribed environment is achieved (e.g., missile¶ launch acceleration); insensitive high explosives (IHE) that make the weapon resistant to being detonated by mechanical shock; and permissive action links (PALs), which is an¶ electronic device that prevents arming of the weapon unless correct codes are inserted.11¶ To produce an IND, terrorists would need to acquire signiﬁcant quantities of ﬁssile¶ material, either HEU or plutonium.12 Two types of INDs are considered to be theoretically¶ possible for a terrorist organisation to construct—the gun-type weapon and the implosiontype weapon.13The former consists of a gun barrel in which a projectile of subcritical HEU¶ is ﬁred into a stationary piece of subcritical HEU, producing a supercritical mass leading to a¶ nuclear explosion. Bunn and Wier note that the gun type is “simple and robust” and “allows¶ the builder high conﬁdence that it will perform properly without the trouble, expense and¶ exposure of a test explosion.”14 However, as only a small amount of the HEU ﬁssions in a¶ gun-type weapon, a signiﬁcant quantity—between 50 and 60 kilograms (kg)—of HEU is¶ required.15¶ An implosion device, in contrast, “uses a set of shaped explosives arranged around a¶ less-than-critical mass of HEU or plutonium to crush the atoms of material closer together”¶ to produce a nuclear explosion.16Weapons-grade plutonium (plutonium that contains more¶ than 90% of plutonium isotope 239) is the desired type of plutonium for production of¶ such a device as it is most readily detonated, although, reactor-grade plutonium (containing¶ between 50 to 70% plutonium 239) could also produce a nuclear explosion.17 A much¶ smaller amount of plutonium—between 6 and 8 kg—is also required for an implosion device¶ compared to the HEU required for a gun-type device. Unlike uranium, however, plutonium is¶ not a naturally occurring element and is produced when U-238 absorbs neutrons in a nuclear¶ reactor where it is intimately mixed with the U-238. The plutonium must then be separated¶ or “reprocessed” from the U-238 before it can be used for either weapons applications¶ or for reactor fuel.18 Plutonium separation is technically easier than uranium enrichment¶ as it is affected by chemical means rather than isotopic mass in the case of uranium¶ enrichment. The production of plutonium, however, “is made greatly more difﬁcult by the¶ intense radiation emanating from the commingled ﬁssion products.”19 The complexity of an implosion device also poses additional challenges in terms of manufacture/acquisition¶ and testing of components, which could also increase the likelihood of detection.20¶ The acquisition of the required quantity of ﬁssile material remains the major obstacle¶ to terrorists fabricating a nuclear device. Acquisition of ﬁssile material could be achieved in¶ two ways: through terrorists undertaking the process of enrichment or through purchase or¶ theft of weapons grade HEU or plutonium. A terrorist organization is unlikely to attempt the¶ enrichment of natural uranium as this is a technically demanding process, the technologies¶ for which are tightly controlled.21 The theft of a sufﬁcient quantity and quality of HEU is¶ the more likely option due not only to technical requirements but also to the amount of¶ HEU stockpiled around the world. According to the International Panel on Fissile Materials (IPFM), there exists approximately 1,700 metric tons of HEU worldwide in various¶ locations, and 99% is estimated to be in possession of the nuclear weapons states.22 The¶ bulk of this HEU is accounted for by acknowledged military uses, although it is estimated¶ that between 50 and 100 metric tons is in the civilian sector, where it is primarily used in¶ research reactors, the production of medical isotopes, and to fuel Russian icebreakers.23

### Drone Prolif- Norms Solve

#### 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.

### 2AC- Prohibition

“Restrictions” are on time, place, and manner – this includes geography

Lobel, professor of law at the University of Pittsburgh, 2008

(Jules, “Conflicts Between the Commander in Chief and Congress: Concurrent Power over the Conduct of War,” Ohio State Law Journal, http://moritzlaw.osu.edu/students/groups/oslj/files/2012/04/69.3.lobel\_.pdf)

Throughout American history, Congress has placed restrictions on the President’s power as Commander in Chief to conduct warfare. On numerous occasions, **Congress has authorized the President to conduct warfare but placed significant restrictions on the time**, **place and manner of warfare**. Congress has regulated the tactics the President could employ, the armed forces he could deploy, the geographical area in which those forces could be utilized, and the time period and specific purposes for which the President was authorized to use force. Its regulations have both swept broadly and set forth detailed instructions and procedures for the President to follow. This historical practice is consistent with the Constitution’s text and Framers’ intent, which made clear that the President was not to have the broad powers of the British King, but was subject to the control and oversight of Congress in the conduct of warfare.

“War powers authority” includes national self-defense

Manget, law professor at Florida State and formerly in the Office of the General Counsel at the CIA, No Date

(Fred, “Presidential War Powers,” http://media.nara.gov/dc-metro/rg-263/6922330/Box-10-114-7/263-a1-27-box-10-114-7.pdf)

**The President has constitutional authority to order defensive military action in response to aggression without congressional approval**. This theory of self-defense has justified many military actions, from the Barbary Coast to the Mexican-American War to the Tonkin Gul£. 29 The Supreme Court has agreed. In The Prize Cases, it found that President Lincoln had the right to blockade southern states without a congressional declaration of war: "If a war be made by invasion of a foreign nation, the President is not only authorized but bound to resist force by force. He does not initiate the war, but is bound to accept the challenge without waiting for any special legislative authority. " 30 In a case arising out of the Vietnam war, the defendant claimed that draft law was unconstitutionally applied to him because Congress had not declared war. The court rejected that claim, stating that on the basis of the Commander in Chief power, "Unquestionably the President can start the gun at home or abroad to meet force with force. " 3 1 **When the President acts in defense of the nation**, **he acts under war powers authority**.

### K

#### No risk of genocidal wars

Gray 7—Director of the Centre for Strategic Studies and Professor of International Relations and Strategic Studies at the University of Reading, graduate of the Universities of Manchester and Oxford, Founder and Senior Associate to the National Institute for Public Policy, formerly with the International Institute for Strategic Studies and the Hudson Institute (Colin, July, “The Implications of Preemptive and Preventive War Doctrines: A Reconsideration”, <http://www.ciaonet.org/wps/ssi10561/ssi10561.pdf>)

7. A policy that favors preventive warfare expresses a futile quest for absolute security. It could do so. Most controversial policies contain within them the possibility of misuse. In the hands of a paranoid or boundlessly ambitious political leader, prevention could be a policy for endless warfare. However, the American political system, with its checks and balances, was designed explicitly for the purpose of constraining the executive from excessive folly. Both the Vietnam and the contemporary Iraqi experiences reveal clearly that although the conduct of war is an executive prerogative, in practice that authority is disciplined by public attitudes.

Clausewitz made this point superbly with his designation of the passion, the sentiments, of the people as a vital component of his trinitarian theory of war. 51 It is true to claim that power can be, and indeed is often, abused, both personally and nationally. It is possible that a state could acquire a taste for the apparent swift decisiveness of preventive warfare and overuse the option. One might argue that the easy success achieved against Taliban Afghanistan in 2001, provided fuel for the urge to seek a similarly rapid success against Saddam Hussein’s Iraq. In other words, the delights of military success can be habit forming. On balance, claim seven is not persuasive, though it certainly contains a germ of truth. A country with unmatched wealth and power, unused to physical insecurity at home—notwithstanding 42 years of nuclear danger, and a high level of gun crime—is vulnerable to demands for policies that supposedly can restore security. But we ought not to endorse the argument that the United States should eschew the preventive war option because it could lead to a futile, endless search for absolute security. One might as well argue that the United States should adopt a defense policy and develop capabilities shaped strictly for homeland security approached in a narrowly geographical sense. Since a president might misuse a military instrument that had a global reach, why not deny the White House even the possibility of such misuse? In other words, constrain policy ends by limiting policy’s military means. This argument has circulated for many decades and, it must be admitted, it does have a certain elementary logic. It is the opinion of this enquiry, however, that the claim that a policy which includes the preventive option might lead to a search for total security is **not at all convincing**. Of course, folly in high places is always possible, which is one of the many reasons why popular democracy is the superior form of government. It would be absurd to permit the fear of a futile and dangerous quest for absolute security to preclude prevention as a policy option. Despite its absurdity, this rhetorical charge against prevention is a stock favorite among prevention’s critics. It should be recognized and dismissed for what it is, a debating point with little pragmatic merit. And strategy, though not always policy, **must be nothing if not pragmatic**.

#### Their (epistemology/ontology) arguments don’t disprove our advantages—pragmatic reasoning and specificity prove our aff is good—the alt devolves into failure

Kratochwil, IR Prof @ Columbia, 8 [Friedrich Kratochwil is Assistant Professor of International Relations at Columbia University, Pragmatism in International Relations “Ten points to ponder about pragmatism” p11-25]

First, a pragmatic approach does not begin with objects or ‘things’ (ontology), or with reason and method (epistemology), but with ‘acting’ (prattein), thereby preventing some false starts. Since, as historical beings placed in a specific situations, we do not have the luxury of deferring decisions until we have found the ‘truth’ we have to act and must do so always under time pressures and in the face of incomplete information. Precisely because the social world is characterized by strategic interactions, what a situation ‘is’, is hardly ever clear ex ante, since it is being ‘produced’ by the actors and their interactions, and the multiple possibilities are rife with incentives for (dis)information. This puts a premium on quick diagnostic and cognitive shortcuts informing actors about the relevant features of the situation, and on leaving an alternative open (‘plan B’) in case of unexpected difficulties. Instead of relying on certainty and universal validity gained through abstraction and controlled experiments, we know that completeness and attentiveness to detail, rather than to generality, matter. To that extent, likening practical choices to simple ‘discoveries’ of an already independently existing ‘reality’ disclosing itself to an ‘observer’–or relying on optimal strategies – is somewhat heroic. These points have been made vividly by ‘realists’ such as Clausewitz in his controversy with von Buelow, in which he criticized the latter’s obsession with a strategic ‘science’ (Paret et al. 1986). While Clausewitz has become anicon for realists, a few of them (usually dubbed ‘old’ realists) have taken seriously his warnings against the misplaced belief in the reliability and usefulness of a ‘scientific’ study of strategy. Instead, most of them, especially ‘neorealists’ of various stripes, have embraced the ‘theory’-building based on the epistemological project as the via regia to the creation of knowledge. A pragmatist orientation would most certainly not endorse such a position. Second, since acting in the social world often involves acting ‘for’ someone, special responsibilities arise that aggravate both the incompleteness of knowledge as well as its generality problem. Since we owe special care to those entrusted to us, for example, as teachers, doctors or lawyers, we cannot just rely on what is generally true, but have to pay special attention to the particular case.

Aside from avoiding the foreclosure of options, we cannot refuse to act on the basis of incomplete information or insufficient knowledge, and the necessary diagnostic will involve typification and comparison, reasoning by analogy rather than generalization or deduction. Leaving out the particularities of a case, be it a legal or medical one, in a mistaken effort to become ‘scientific’ would be a fatal flaw. Moreover, there still remains the crucial element of ‘timing’ – of knowing when to act. Students of crises have always pointed out the importance of this factor but, in attempts at building a general ‘theory’ of international politics analogously to the natural sciences, such elements are neglected on the basis of the ‘continuity of nature’ and the ‘large number’ assumptions. Besides, ‘timing’ seems to be quite recalcitrant to analytical treatment. Third, the cure for anxiety induced by Cartesian radical doubt does not consist in the discovery of a ‘foundation’ guaranteeing absolute certainty. This is a phantasmagorical undertaking engendered by a fantastic starting point, since nobody begins with universal doubt! (Peirce 1868). Rather, the remedy for this anxiety consists in the recognition of the unproductive nature of universal doubt on the one hand, and of the fetishization of ‘rigour’ on the other. Letting go of unrealizable plans and notions that lead us to delusional projects, and acquiring instead the ability to ‘go on’ despite uncertainties and the unknown, is probably the most valuable lesson to learn. Beginning somewhere, and reflecting critically on the limitations of the starting point and the perspective it opened, is likely to lead to a more fruitful research agenda than starting with some preconceived notions of the nature of things, or of ‘science’, and then testing the presumably different (but usually quite similar) theories (such as liberalism and realism). After all, ‘progress’ in the sciences occurred only after practitioners had finally given up on the idea that in order to say something about the phenomena of the world (ta onta), one had to grasp first ‘being’ itself (to ontos on). Fourth, by giving up on the idea that warranted knowledge is generated either through logical demonstration or through the representation of the world ‘out there’, a pragmatic starting point not only takes seriously the always preliminary character of knowledge, it also promises that we will learn to follow a course of action that represents a good bet.7 Thus, it accounts for changes in knowledge in a more coherent fashion. If the world were ‘out there’, ready-made, only to be discovered, scientific knowledge would have to be a simple accumulation of more and more true facts, leading us virtually automatically closer and closer to ‘the TRUTH’. Yet, if we have learned anything from the studies of various disciplines, it is the fact that progress consists in being able to formulate new questions that could not even be asked previously. Hence, whatever we think of Kuhn’s argument about ‘paradigms’, we have to recognize that in times of revolutionary change the bounds of sense are being redrawn, and thus the newly generated knowledge is not simply a larger sector of the encircled area (Kratochwil 2000). Fifth, pragmatism recognizes that science is social practice, which is determined by rules and in which scientists not only are constitutive for the definitions of problems (rather than simply lifting the veil from nature), but they also debate seemingly ‘undecidable’ questions and weigh the evidence, instead of relying on the bivalence principle of logic as an automatic truth-finder (Ziman 1991; Kratochwil 2007a). To that extent, the critical element of the epistemological project is retained, but the ‘court’, which Kant believed to be reason itself, now consists of the practitioners themselves. Instead of applying free-standing epistemological standards, each science provides its own court, judging the appropriateness of its methods and practices. Staying with the metaphor of a court, we also have to correct an implausible Kantian interpretation of law – that it has to yield determinate and unique decisions. We know from jurisprudence and case law that cases can be decided quite differently without justifying the inference that this proves the arbitrariness of law. Determinacy need not coincide with uniqueness, either in logic (multiple equilibria), science (equifinality) or law – Ronald Dworkin (1978) notwithstanding! Sixth, despite the fact that it is no longer a function of bivalent truth conditions, or anchored neither in the things themselves (as in classical ontology) nor in reason itself, ‘truth’ has not been abolished or supplanted by an ‘anything goes’ attitude. Rather, it has become a procedural notion of rule-following according to community practices, since nobody can simply make the rules as she or he goes along. These rules do not ‘determine’ outcomes, as the classical logic of deductions or truth conditions suggest, but they do constrain and enable us in our activities. Furthermore, since rule-following does not simply result in producing multiple copies of a fixed template, rules provide orientation in new situations, allowing us to ‘go on’, making for both consistency and change. Validity no longer assumes historical universality, and change is no more conceived of as temporal reversibility, as in differential equations, where time can be added and multiplied, compared with infinity, and run towards the past or the future. Thus ‘History’ is able to enter the picture, and it matters because, differently from the old ontology, change can now be conceived of as a ‘path-dependent’ development, as a (cognitive) evolution or even as radical historicity, instead of contingency or decay impairing true knowledge. Consequently, time-bound rather than universal generalizations figure prominently in social analysis, and as Diesing, a philosopher of science, reminds us, this is no embarrassment. Being critical of the logical positivists’ search for ‘laws’ does not mean that only single cases exist and that no general statements are possible. It does mean, however, that in research: there are other goals as well and that generality is a matter of degree. Generalizations about US voting behaviour can be valid though they apply only between 1948–72 and only to Americans. Truth does not have to be timeless. Logical empiricists have a derogatory name for such changing truths (relativism); but such truths are real, while the absolute, fully axiomatized truth is imaginary. (Diesing 1991:91) Seventh, the above points show their importance when applied not only to the practices of knowledge generation but also to the larger problem of the reproduction of the social world. Luhmann (1983) suggested how rule-following solves the problem of the ‘double contingency’ of choices that allows interacting parties to relate their actions meaningfully to each other. ‘Learning’ from past experience on the basis of a ‘tit for tat’ strategy represents one possibility for solving what, since Parsons, has been called the ‘Hobbesian problem of order’. This solution, however, is highly unstable, and thus it cannot account for institutionalized behaviour. The alternative to learning is to forgo ‘learning’. Actors must abstract from their own experiences by trusting in a ‘system of expectations’ which is held to be counterfactually valid. ‘Institutionalization’ occurs in this way, especially when dispute-settling instances emerge that are based on shared expectations about the system of expectations. Thus, people must form expectations about what types of arguments and reasons are upheld by ‘courts’ in case of a conflict (Luhmann 1983). Eighth, a pragmatic approach, although sensitive to the social conditions of cognition, is not simply another version of the old ‘sociology of knowledge’, let alone of utilitarianism by accepting ‘what works’ or what seems reasonable to most people. It differs from the old sociology of knowledge that hinged on the cui bono question of knowledge (Mannheim 1936), since no argument about a link between social stratification and knowledge is implied, not to mention the further-reaching Marxist claims of false consciousness. A pragmatist approach, however, is compatible with such approaches as Bourdieu’s (1977) or more constructivist accounts of knowledge production, such as Fuller’s (1991) social epistemology, because it highlights the interdependence of semantics and social structures. Ninth, as the brief discussion of ‘science studies’ above has shown, it is problematic to limit the problem of knowledge production to ‘demonstrations’ (even if loosely understood in terms of the arguments within the scientific community), thus neglecting the factors that are conducive to (or inhibitive of) innovation in the definition of problems. To start with, antecedent to any demonstration, there has to be the step of ‘invention’, as the classical tradition already suggested. In addition, although it might well be true that ‘invention’ does not follow the same ‘logic’ as ‘testing’ or demonstrating, this does not mean that these considerations are irrelevant or can be left outside the reflection on how knowledge is generated. To attribute originality solely to a residual category of a rather naively conceived individual ‘psychology of discovery’, as logical positivism does, will simply not do. After all, ‘ideas’ are not representations and properties of the individual mind, but do their work because they are shared; innovation is crucially influenced by the formal and informal channels of communication within a (scientific) community. While the logical form of refutability in principle is, for logical positivists, a necessary element of their ‘theoretical’ enterprise, it does not address issues of creativity and innovation, which are a crucial part of the search for knowledge. Corroborating what we already suspected is interesting only if such inquiries also lead to novel discoveries, since nobody is served by ‘true’ but trivial results. Quite clearly, the traditional epistemological focus is much too narrow to account for and direct innovative research, while pragmatic approaches have notoriously emphasized the creativity of action (Rochberg-Halton 1986). Tenth, the above discussion should have demonstrated that a pragmatic approach to knowledge generation is not some form of ‘instrumentalism’ á la Friedman (1968), perhaps at basement prices, or that it endorses old wives’ tales if they generated ‘useful predictions’, even though for rather unexplainable reasons. Thus, buying several lottery tickets on the advice of an acquaintance to rid oneself of debts and subsequently hitting the jackpot neither qualifies as a pragmatically generated solution to a problem nor does it make the acquaintance a financial advisor. Although ‘usefulness’ is a pragmatic standard, not every employment of it satisfies the exacting criteria of knowledge production. As suggested throughout this chapter, a coherent pragmatic approach emphasizes the intersubjective and critical nature of knowledge generation based on rules, and it cannot be reduced to the de facto existing (or fabricated) consensus of a concrete group of scientists or to the utility of results, the presuppositions of which are obscure because they remained unexamined. Conclusions No long summary of argument is necessary here. Simply, a pragmatic turn shows itself to be consistent with the trajectory of a number of debates in the epistemology of social sciences; it also ties in with and feeds into the linguistic, constructivist and ‘historical’ turns that preceded it; and finally, it is promising for the ten reasons listed above. While these insights might be useful correctives, they do not by themselves generate viable research projects. This gain might have been the false promise of the epistemological project and its claim that simply following the path of a ‘method’ will inevitably lead to secure knowledge. Disabusing us of this idea might be useful in itself because it would redirect our efforts at formulating and conceptualizing problems that are antecedent to any ‘operationalization’ of our crucial terms (Sartori 1970), or of any ‘tests’ concerning which ‘theory’ allegedly explains best a phenomenon under investigation.

#### The world is complex- pragmatic realism key- one-size models fail

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THE **URGE** to apply era-defining labels to global affairs is strong and enduring. A label and a few easy-to-understand attributes associated with it can impart a reassuring simplicity to what is actually a complex and often-intractable reality. While the disadvantages of era labeling, including oversimplification, are probably as great as the advantages, the practice is here to stay. Indeed, American analysts and commentators have struggled with this era-defining business ever since the collapse of the Soviet Union and of Communism in Eastern Europe. The Cold War between the United States and the USSR was such a dominant backdrop for U.S. foreign policy for so long that it overshadowed every attempt to characterize international affairs in any other terms during those years. The strength of the Cold War paradigm was demonstrated during the first decade after the Cold War, when the defining term most often heard was “the post–Cold War era.” That inherently unsatisfying nomenclature described what the era wasn’t but not what it was. Some attempted to encapsulate the times some other way, usually with an emphasis on economically oriented nonstate actors, but no one formula seemed to catch on. Then, with the terrorist attacks of September 2001, after which the administration of George W. Bush declared a global “war on terror,” many thought we finally had a new defining theme. Some saw in this struggle nothing less than a looming “World War IV,” to be waged against radical Islam (with the Cold War viewed as the third world war after the two hot global conflicts of the twentieth century). This notion persists in many minds, but neither terrorism nor radical Islam provides a valid basis for understanding and characterizing current international affairs as a whole. Terrorism is only a tactic, and one that has been around for millennia. Radical Islamists are a fringe of a larger phenomenon in world politics, hardly of sufficient worldwide weight to reshape global affairs. Hence, much of this reasoning represents in large part an overreaction to a single terrorist incident. And therein lies a problem with the era-defining enterprise. Most such efforts use too short a time frame and attempt to extract too broad a theme from single episodes, such as the breakup of the Soviet Union or Al Qaeda’s 9/11 attacks on American soil. But an understanding of the present requires that we look much further into the past, not to stretch the time frame of various eras but rather to get a sufficient sweep of political, social and technological developments to truly understand how the present has flowed from what came before. By looking far back into history, we can see in the past two decades the long-in-coming consequences of that phenomenon known as nationalism but now in full and unfettered form. It took three and a half centuries for the basic components—the sovereign state, popular attachment to the state and worldwide spread of this popular attachment—to emerge in full force. It took two centuries to shake off the occluding and delaying effects of empire and of Left-Right competition that culminated in the dominating East-West conflict known as the Cold War. The ingredients of nationalism may be centuries old, but the combined result, viewed globally, is new. We are living today in the nationalist era. THIS REALITY of our time has been obscured in recent years by the intellectual struggles of the early post–Cold War period to define the era and then by the impact of the 9/11 attacks on the American consciousness. In some instances, the two together have generated an added layer of muddle. Some of the ideas about World War IV, for example, reflect the concept of clashing civilizations developed by the late Samuel P. Huntington, who argued that among the many dimensions of civilizations, as he defined them, the most important is religion. Huntington was on to something, as demonstrated by the role of religion in many armed conflicts, large and small, in recent times. Yet there is plenty of evidence to support the chief legitimate criticism of Huntington’s concept, which is that there is at least as much conflict within civilizations as between them. We are seeing that in spades today with conflicts within Islam, one of Huntington’s civilizations. More generally, ask any group of reasonably well-informed observers to name the principal characteristics of the current global system, and you are likely to get agreement on a few essentials. The United States is still the preeminent military power. China is the most conspicuous and important rising power, with its strength manifesting itself so far more on the economic than the military front. Demographic trends underlie decline in Russia and Japan. And so forth. All true, but the essentials do not add up to a single, clear, era-defining concept. The polarity of the international system—the number of major powers or blocs of powers that have disproportionate weight in world affairs—is a favorite basis for trying to distinguish one era from another. A generation of students of international relations has been taught that the world of the Cold War was bipolar and the world since the Cold War is something else. Exactly what that something else is, however, has been a matter of disagreement. Some say we live in a unipolar world, with the United States being the single pole. What commentator Charles Krauthammer termed the “unipolar moment” in 1990 continues in some eyes as much more than a moment. This view is held not only by those who share Krauthammer’s neoconservative objectives but also by analysts who look at how far the United States is still ahead of all other countries, based on several measures of strength. An alternative concept is multipolarity, with different possible formulations of who exactly, besides the United States, qualifies as a pole. China surely is one, and another is the European Union—which contains most of what were once the great powers in an earlier period of multipolarity and whose economy today, considered as a unit, is the world’s largest. Some focus on a duopoly of China and the United States, with talk of a G-2 as being more important than the G-8 or G-20. Even with this focus, how should one characterize the relationship of the Big Two, which cannot simply be equated with the U.S.-Soviet relationship during the Cold War? Harvard Law School’s Noah Feldman suggests the term “Cool War” to capture both a traditional struggle for power and deep economic interdependence. Clever, though probably not catchy enough to come into general use. In any event, this and other possible descriptions of the U.S.-Chinese relationship—which does not have the kind of globally preoccupying impact, including proxy wars in far-flung places, that the Cold War did—do little to characterize contemporary world affairs as a whole. Richard Haass, president of the Council on Foreign Relations, advances another option by saying that we live in a time of “nonpolarity,” in which power is diffused among many different state and nonstate actors. This idea, along with ongoing disagreements among others about how many poles the current international system has, suggests that the whole concept of polarity doesn’t really help define the current era of global affairs. One problem is the multiplicity of dimensions by which to measure national power and thus to assess who qualifies as a major power. Another is that a large portion of what matters, and what is troubling or challenging, in world affairs today does not have much to do with the number, relative strength or relationships of major powers, important as they are. Haass’s idea of nonpolarity reflects this reality, but like “the post–Cold War era,” it says more about what today’s world isn’t than about what it is. ALL THIS debate over how best to define our time brings us back to the nation-state. Over the entire history of human organization, from bands of hunter-gatherers to the international institutions of today, its emergence is one of the most important developments of humankind. Those international-relations courses that drill into students the concept of Cold War bipolarity also teach them that the modern nation-state was born in the mid-seventeenth century. The birth certificate was the Peace of Westphalia of 1648, which marked the end of the religion-driven Thirty Years’ War and codified the concept of state sovereignty. What is sometimes called the Westphalian system is reflected in the clean lines drawn between states on today’s world map. During the first century and a half of that system in Europe, it provided the board on which monarchs and their ministers competed in a multiplayer chess game. This was classical European balance-of-power politics, history’s most pristine example of multipolarity in action, in which the number and relative strength of major powers mattered much more than ideologies or internal politics. Rulers formed alliances, occasionally fought restrained wars with small armies, and otherwise maneuvered to try to add more land and people to their realms. The masses were not players in this game other than as part of the booty that occasionally was won by one ruler and lost by another. This elegant game was upset by the French Revolution, in which the masses first made themselves heard in a big way. They did so not only in internal affairs but also in conflicts between France and the other European powers, with the levy en masse becoming for the first time a major part of international wars and the increasingly large armies that would fight them. Large citizen armies, even if formally an output of conscription, were made politically possible by a strong sense of loyalty and attachment of the general population to its nation-state—a sense that had been missing during the earlier monarchical chess game. The combination of the Westphalian state and popular, emotional identification with it produced true nationalism, in which both statehood (actual or aspirational) and mass sentiment based on the nation are the key ingredients. The full impact of nationalism on world affairs and even European affairs would be delayed, however, by other developments. One was the force of empire. Napoleon Bonaparte’s attempt at empire was short lived, but Russian, Prussian and Austrian power expanded to subsume much of Europe, while the Ottomans clung to earlier conquests in the southeastern part of the Continent. State sovereignty was divorced from many nationalities other than the few that were at the top of an imperial heap. Many others were repressed or divided, such as the Poles, or co-opted, such as the Magyars in what became the dual monarchy of Austria-Hungary. Although this remained the political structure of Europe into the twentieth century, other processes were percolating that would add to the strength of future nationalism. The historian E. H. Carr, in a short book entitled Nationalism and After, describes some of these, which he calls the “socialization of the nation.” Relevant trends during the last third of the nineteenth century, seen especially in Germany, included extension of the franchise and an increased economic role of the state. Together, these factors further increased the sense among ordinary citizens not only that their primary loyalty belonged to their own nation-state but also that their own fortunes were wrapped up with the nation-state’s fortunes. These trends continued into the great nationalism-fueled European bloodletting known as World War I. That war did not reverse the increase in nationalism, and not only because revanchism left from the war was at least as strong as revulsion over the bloodshed. Carr points to a couple of other reasons: autarkic policies that further identified citizens’ economic prospects with those of only their own state and not others; and the large increase in the number of European nation-states as empires were broken up. There was plenty of nationalist sentiment left to fuel a second round of carnage two decades later. Carr wrote during the closing days of that World War II bloodletting. Showing tinges of the Marxism that would characterize some of his later work, he believed that after this war nationalism would finally subside—hence the “and after” part of his title. Some of his predictions turned out to be rather good. He expected that advances in military technology, especially air power, would render national frontiers strategically less significant than before. He anticipated the establishment of multiple regional organizations and what would become United Nations peacekeeping forces. He foresaw that Great Britain would have to establish closer ties with Western Europe. He advocated humanitarian exceptions to state sovereignty—a posture that today is called the “responsibility to protect” doctrine. And he foreshadowed Huntington in talking about civilizations as “great multinational units in which power will be concentrated.” On his basic prognosis for nationalism, however, Carr was badly mistaken. Given his firm conviction that the end of World War II would mark the end “of the old fissiparous nationalism, of the ideology of the small nation as the ultimate political and economic unit,” it seems reasonable to suspect he would be taken aback in our time to see nations as small as Kosovo gaining independence. And he would be chagrined to find that in his native Britain, even though it did get closer to the Continent in the postwar years, there is more talk today about getting out of Europe than about getting more deeply in. THE FULL extent to which strong and inexorable nationalism would prove Carr wrong would not become visible until after a couple of other developments. One was decolonization in the less developed world, which peaked around 1960 but continued well after that. This process has added new nation-states whose numbers dwarf the new European states that were created after World War I and that Carr identified as part of what propelled nationalism in the interwar years. The Westphalian state has been sold successfully worldwide, despite its made-in-Europe label. The other development harks back again to the French Revolution, which began two centuries in which competition between ideologies of the Left and the Right was a dominant theme of global politics and conflict. Between the fall of the Bastille in 1789 and the fall of the Berlin Wall in 1989, Left-Right conflict had many manifestations, from the Holy Alliance and Three Emperors’ League on the right to the Comintern and Socialist International on the left. Whatever the exact form it took, the Left-Right dimension was so dominant for so long—more than half the lifetime of the modern nation-state—that it preempted, disguised or diverted much of what would have been consequences of the growth of nation-states and popular attachment to them. Left-Right conflict intruded in significant ways even in the nationalism-fueled conflict of the first part of the twentieth century, exemplified by the Bolsheviks’ quick relinquishment at Brest-Litovsk of large amounts of the Russian empire to get out of World War I and by the role that fear of Communism played in the rise of European fascism. The final phase of these two centuries was the Cold War, in which competition between the Left and the Right became competition between East and West. This phase, too, delayed or disguised many of the consequences of nationalism, subordinating them to the East-West conflict. Suppression of German nationalism, for example, was inextricably linked to the West’s confrontation with the East, as rearmament of West Germany was permitted only within the context of the Western alliance’s integrated military command. Britain’s willingness to tiptoe into European integration, as a founding member of the Western Union Defence Organization in 1948, was all about the need for cohesion in the West to stand up to a new Soviet threat. Soviet domination of Eastern Europe also delayed completion of the process, begun at Versailles after World War I, of giving postimperial European nationalities their own states. It was only after that domination ended that Germany was made whole and the southern Slavs of Yugoslavia and northern Slavs of Czechoslovakia got their own states. As did, of course, the national republics of the Soviet Union, which became the biggest recent class of entrants into the Westphalian club. And so we see the **emergence of the nation-state** as the defining reality of our time, surpassing in significance all the recent preoccupations over civilizational clash, globalization, history’s end and great-power polarity. Indeed, it could be argued that the age of nationalism actually is a product of the human condition. That the nation-state should be the primary focus of loyalties and conflicts flows directly from human nature and how it evolved. Possession (or hoped-for possession) of a well-defined patch of the earth’s surface is a manifestation of the “territorial imperative” that author and screenwriter Robert Ardrey popularized in a book of that name almost fifty years ago and that is a dominant trait of many species

most closely related to humans. Attachment to a nationality whose home is more or less coterminous with that patch is also a deeply rooted, birds-of-a-feather trait. Once established, a nation-state adds institutional imperatives to the biological and evolutionary ones to make it even more the focus of attention. The state becomes the source of both obligations and, as Carr notes of the late nineteenth century, benefits. National myths, which help to achieve cohesion and cement loyalty within nationalities, often exacerbate suspicions and resentment between nationalities; think, for example, of how some Serbian national mythology centers on memories of a military defeat by the Turks more than seven centuries ago. Perhaps nation-states, including small ones, are not, as Carr puts it, the “ultimate” type of economic and political unit, but it should not be surprising that the intense attachments to them that constitute nationalism underlie a large proportion of the policies, conflicts and problems prevalent in today’s world. NATIONALISM INFUSES and drives many of the most salient and active confrontations around the globe. The object of the Obama administration’s foreign-policy pivot—East Asia and the western Pacific—is a prime example. The most visible conflicts there largely take the classic nationalist form of territorial disputes. This is chiefly true of unresolved differences between China and its neighbors over islands in the East and South China Seas and over the land border in the Himalayas with India. Some of the disputes involve economic interests such as hoped-for undersea hydrocarbons, but all of them involve more visceral sentiments of competing nationalities, exhibiting their individual territorial imperatives, that a given piece of real estate is historically and rightfully theirs. Nationalism in China, as in most other nations, is a combination of natural sentiment bubbling up from below and exploitation of that sentiment from above. President Xi Jinping voices nationalist themes, and needs to voice them, not only to preserve national unity but also to sustain political support for necessary reforms and to claim legitimacy for the regime now that Communist ideology no longer does the trick. China, which owes its growth and prosperity to its three-decade capitalist trek, epitomizes how the receding of the great Left-Right struggle of the past has opened the way to more unreserved expressions of nationalism. China also illustrates how some of the globalizing forces such as border-hopping information technology, which often have been seen as eroding the role of the nation-state, can actually enhance that role and increase popular identification with the nation. In a country as large and previously undeveloped as China, modern mass communications have expanded the exposure and perspective of millions from village or district to the nation as a whole. In general, modern electronic communications enhance the symbols and affinities of a nation (as well as the powers of a national government) more than they do those of a tribe or subnational region. The role of nationalism is just as apparent on the non-Chinese side of those East Asian territorial disputes. In Japan, the resurgent nationalism that is identified most often with Prime Minister Shinzo Abe reflects the broader yearning of an exceptionally homogeneous population that has taken decades to find a capacity for the kind of assertiveness that was crushed by the disaster of World War II. In Vietnam, the nationalism that the United States failed to recognize as its actual adversary during the Vietnam War, when it was obsessed with Communist ideology, is now expressed so clearly and strongly that even the most obtuse could not miss it. Amid the disputes over islands in the South China Sea, demonstrators in the streets of Hanoi shout, “Down with the henchmen of China.” The Vietnamese regime knows that suppressing rather than identifying with such feelings toward China would risk turning the demonstrations squarely against the government. The magnificent supranational experiment in Europe is an obvious challenge to the proposition that identification with the nation-state is the dominant pattern in world politics today. That experiment has indeed solidified an apparently irreversible shift in which war is now unthinkable between some states that have warred often in the past. But a reassertion of nationalism is a major part of the European Union’s current troubles, in ways that go beyond the economic issues conventionally viewed as the main problems. Efforts to deal with debt problems in the euro zone have been plagued as much by national stereotypes, in which northern Europeans see southerners as lazy and southerners see the northerners as arrogant, as they have by the technical problems of having a common monetary policy without a common fiscal policy. The growing strength of nation-based sentiment in Europe shows up in many endeavors that are still organized along national lines, from soccer tournaments to the Eurovision Song Contest. Britain’s shaky involvement with European integration illustrates some of the larger trends involved. When Britain was first negotiating for entry into what was then the European Economic Community, most of the issues were narrowly defined economic ones, such as what would happen to imports of butter from New Zealand. Today the issue of Britain’s relationship with the Continent is addressed in broader terms centered on the meaning and importance of British nationality. This trend coincides with the rise of the United Kingdom Independence Party (UKIP), which calls for British withdrawal from the European Union. Prime Minister David Cameron once dismissed the party as “a bunch of fruitcakes, loonies and closet racists,” but the UKIP’s electoral success—it garnered a quarter of the vote in local council elections this May—has forced opponents to take it seriously. The Cameron government’s toughened stance on immigration and commitment to hold a referendum on British membership in the EU are some of the results. Cameron also has agreed with Scottish nationalists to hold a referendum on independence. This is an example of how the transfer of some powers from national capitals to Brussels, far from diminishing nationalist sentiment, has provided a supranational umbrella under which some nationalities, especially ones unhappy with the arrangements within their current states, have become more assertive. These include Flemings and Catalonians as well as Scots. However successful the European experiment will ultimately be economically and in forever banishing intra-European war, it has far to go in establishing a sense of continent-wide identity that can displace national identities grounded in language and culture. Even greater cultural and linguistic commonality may, as the example of Latin America suggests, be insufficient to overshadow the histories and identities of nation-states. The Liberator, Simón Bolívar, thought a shared Hispanic culture could be the basis for a region-wide federation, but it was not to be. Today the Andean country named after Bolívar does not even have full diplomatic relations with its neighbor Chile, due to a territorial dispute left over from a nineteenth-century war. Africa continues to be a monument to the strength of the nation-state as a point of reference and object of competition, no matter how arbitrarily drawn its boundaries or deficient its central governments’ control over their territories. The secession of South Sudan was a rare exception to a continent-wide resistance to tampering with the colonial boundaries left by European powers. A similar pattern has prevailed since the breakup of the Soviet Union in Central Asia, where arbitrary boundaries are the product of Stalin’s divide-and-rule line drawing. The arbitrariness underlies some intrastate ethnic tensions such as those between Uzbeks and Kyrgyz, but nationalist themes also have helped such figures as Nursultan Nazarbayev of Kazakhstan to transition successfully from a provincial Communist Party boss to a national leader with a secure hold on power. The USSR’s principal successor state, Russia, has exhibited a surge of nationalism since the Communist regime’s dissolution. The process partly parallels the one in China, in which the old Communist ideology could no longer serve as a unifier and legitimizer. But in Russia there is also popular anger over economic dislocation and the lack of growth, as well as perceived threats to ethnic Russians from minorities that are still part of the Russian Federation. The term “Russian nationalist” is thus most closely associated with a xenophobic and extreme-right sensibility, although the nationalist resurgence in Russia extends far beyond that. Some of the intensified Russian nationalism has in effect been exported in the form of migrants to Israel. The migrants shared with all Soviet citizens the illiberal and undemocratic political culture of the Communist era, along with racially tinged attitudes toward nationalities of the Caucasus. But Russian Jews did not have their own national republic to cling to when the union broke up. Today, immigrants from Russia constitute one of the most fervidly nationalist segments of Israel’s population. The region surrounding Israel would appear to constitute another challenge to the idea of the dominance of nationalism, given the conspicuous attention to religion rather than nationality and especially to what is commonly perceived as a region-wide conflict between Sunni and Shia. That attention is a reminder that no one way of labeling the world explains everything, and religious conflict certainly explains a lot in the Middle East. Many of the recent and ongoing conflicts in that region, however, can properly be characterized, at least in part, as struggles to liberate nation-states from the yoke of particular clans, ruling families or religious sects, or from the influence of foreign powers. That certainly is true, for example, of the wars in Iraq and Syria. Nationality has trumped religion when the two have directly conflicted, as when Iraqi Shia fought for Sunni-controlled Iraq during the eight-year war against Shia Iran. Identification with individual nation-states has been more durable even than region-wide “Arab nationalism,” including the Arab nationalism of Pan-Arabism’s leading champion, Gamal Abdel Nasser, whose political union between Egypt and Syria was short lived. The boundary lines drawn during World War I by Mark Sykes and Francois Georges-Picot have lasted, just like the colonial boundaries in Africa. The leading challenge to those lines, in northern Iraq, has come from the biggest unrealized nationalist aspiration left over from the post–World War I treaties: that of the Kurds. Likewise, the most salient long-running conflict with the broadest repercussions in the Middle East is a clash between two nationalist ambitions: those of Israeli Jews and Palestinian Arabs. THE FACT that nationalism in the Middle East has not yet gotten completely out from the shadow of religious conflict, as nation-states in Europe did in the seventeenth century, is part of a larger regional historical lag in which the Middle East also has been slower to get out from the shadow of empire. Historian Niall Ferguson, explaining why the twenty-first century is likely to be less bloody in most of the world than the twentieth, cites as one reason the fact that the messy dissolution of empires is now mostly behind us. But he names one major, conflict-ridden regional exception—the Middle East—where an empire is troubled but not yet dissolved, by which he means the American empire. Troubled empire or not, the United States exhibits as much nationalism as anyone else—even though Americans do not call it nationalism. More often it is termed “American exceptionalism,” which carries the connotation not just of assertion of national identity and values but also of being something bigger and better than anyone else’s nationalism. Exceptionalism is what the citizens of a superpower get to call their own nationalism. The United States also is part of the worldwide trend of increased and intensified nationalism during the past quarter century. Politically, this has partly taken the form of one of the two major U.S. parties moving away from the internationalism and realism of Eisenhower and Nixon in favor of a foreign policy of neoconservatism, the most muscular expression of American exceptionalism. A perceptive analyst of American nationalism, Anatol Lieven, suggests that this party can now most appropriately be called the American Nationalist Party. The trends involved are not limited to one side of the political spectrum, however; they are reflected in prevailing American habits and attitudes ranging from the wearing of flag pins on lapels to unquestioningly imputing goodness to a wide range of U.S. actions overseas simply because it is the United States that is doing them. The intensity of American nationalism points to the chief prescriptive implications of living in the nationalist era, which come under the heading of knowing oneself. Americans should understand how much their own first inclinations for interacting with the rest of the world stem from the same kind of nationalist urges that underlie inclinations in other countries, however much the American version is portrayed differently by affixing the label of exceptionalism. They should bear in mind that first inclinations and urges are not always in the best interest of the nation that is the object of their affection and attachment. U.S. policy makers should be continually conscious of how U.S. actions may step on someone else’s nationalist sentiments, eliciting the sort of counteractions that almost always are elicited when competing nationalist perspectives confront each other. In assessing sundry problems overseas and how to deal with them, one of the first questions that should be asked is how a problem reflects nationalist sensibilities and ambitions, of masses as well as elites, in other countries. The resulting perspective is more apt to yield sound, policy-relevant insights than is a vision of transnational contests between good and evil, between moderates and extremists, or between democrats and autocrats. Sometimes the policy implication may be for the United States to do less; other times it may be to do more—as perhaps, for example, with the Israeli-Palestinian conflict, where a two-state solution appears increasingly out of reach but where a one-state formula seems inconsistent with the strong nationalist aspirations of both sides. No single model of the world can generate an all-purpose grand strategy. But the best fit for the nationalist era is a pragmatic realism that takes as the basic ingredient of global affairs the sometimes conflicting and sometimes parallel interests of individual nation-states—while recognizing the power that can be generated by nationalist sentiments within nation-states.

#### Alt doesn’t generate political movements

O'Callaghan ‘2 ( Lecturer in IR, 02 (Terry , lecturer in the school of International Relations at the University of South Australia, International Relations and the third debate, ed: Jarvis, 2002, p. 80-81)

#### Threats aren’t psychological projections and the alt fails

Hoffman, 86 [Stanley, Center for European Studies at Harvard,  “On the Political Psychology of Peace and War: A Critique and an Agenda,” Political Psychology 7.1 JSTOR]

The traditionalists, even when, in their own work, they try scrupulous-ly to transcend national prejudices and to seek scientific truth, believe that it is unrealistic to expect statesmen to stand above the fray: By definition, the statesmen are there to worry not only about planetary survival, but — first of all—about national survival and safety. To be sure, they ought to be able to see how certain policies, aimed at enhancing security, actually increase in-security all around. But there are sharp limits to how far they can go in their mutual empathy or in their acts (unlike intellectuals in their advice), as long as the states' antagonisms persist, as long as uncertainty about each other's intentions prevails, and as long as there is reason to fear that one side's wise restraint, or unilateral moves toward "sanity," will be met, not by the rival's similar restraint or moves, but either by swift or skillful political or military exploitation of the opportunity created for unilateral gain, or by a for-midable domestic backlash if national self-restraint appears to result in ex-ternal losses, humiliations or perceptions of weakness. There is little point in saying that the state of affairs which imposes such limits is "anachronistic" or "unrational." To traditionalists, the radicals' stance — condemnation from the top of Mount Olympus — can only impede understanding of the limits and possibilities of reform. To be sure, the fragmentation of mankind is a formidable obstacle to the solution of many problems that cannot be handled well in a national framework, and a deadly peril insofar as the use of force, the very distinctive feature of world politics, now entails the risk of nuclear war. But one can hardly call anachronistic a phenomenon—the assertion of national identity — that, to the bulk of [HU]mankind, appears not only as a necessity but also as a positive good, since humanity's fragmentation results from the very aspiration to self-determination. Many people have only recently emerged from foreign mastery, and have reason to fear that the alternative to national self-mastery is not a world government of assured fairness and efficiency, but alien domination. As for "unrationality," the drama lies in the contrast between the ra-tionality of the whole, which scholars are concerned about—the greatest good of the greatest number, in utilitarian terms — and the rationality or greatest good of the part, which is what statesmen worry about and are responsible for. What the radicals denounce as irrational and irresponsible from the viewpoint of mankind is what Weber called the statesman's ethic of responsibility. What keeps ordinary "competitive conflict processes" (Deutsch, 1983)— the very stuff of society — from becoming "unrational" or destructive, isprecisely what the nature of world politics excludes: the restraint of the partners either because of the ties of affection or responsibility that mitigate the conflict, or because of the existence of an outsider — marriage counselor, arbitrator, judge, policeman or legislator— capable of inducing or imposing restraints. Here we come to a third point of difference. The very absence of such safeguards of rationality, the obvious discrepancy between what each part intends, and what it (and the whole world) ends with, the crudeness of some of the psychological mechanisms at work in international affairs—as one can see from the statements of leaders, or from the media, or from inflamed publics—have led many radicals, especially among those whose training or profession is in psychoanalysis or mental health, to treat the age-old contests of states in terms, not of the psychology of politics, but of individual psychology and pathology. There are two manifestations of this. One is the tendency to look at nations or states as individuals writ large, stuck at an early stage of development (similarly, John Mack (1985) in a recent paper talks of political ideologies as carrying "forward the dichotomized structures of childhood"). One of my predecessors writes about "the correspondence between development of the individual self and that of the group or nation," and concludes "that intergroup or international conflict contains the basic elements of the conflict each individual experiences psychologically" (Volkan, 1985). Robert Holt, from the viewpoint of cognitive psychology, finds "the largest part of the American public" immature, in a "phase of development below the Conscientious" (Holt, 1984). The second related aspect is the tendency to look at the notions statesmen or publics have of "the enemy," not only as residues of childhood or adolescent phases of development, but as images that express "disavowed aspects of the self" (Stein, 1985), reveal truths about our own fears and hatreds, and amount to masks we put on the "enemy," because of our own psychological needs. Here is where the clash between traditionalists and radicals is strongest. Traditionalists do not accept a view of group life derived from the study of individual development or family relations, or a view of modern society derived from the simplistic Freudian model of regressed followers identifying with a leader. They don't see in ideologies just irra-tional constructs, but often rationally selected maps allowing individuals to cope with reality. They don't see national identification as pathological, as an appeal to the people's baser instincts, more aggressive impulses or un-sophisticated mental defenses; it is, as Jean-Jacques Rousseau so well understood, the competition of sovereign states that frequently pushes people from "sane" patriotism to "insane" nationalism (Rousseau's way of preventing the former from veering into the latter was, to say the least, im-practical: to remain poor in isolation). Nor do they see anything "primitive" in the nation's concern for survival: It is a moral and structural requirement. Traditionalists also believe that the "intra-psychic" approach distorts reality. Enemies are not mere projections of negative identities; they are often quite real

. To be sure, the Nazis' view of the Jews fits the metaphor of the mask put on the enemy for one's own needs. But were, in return, those Jews who understood what enemies they had in the Nazis, doing the same? Is the Soviet domination of Eastern Europe, is the Soviet regime's treatment of dissidents, was the Gulag merely a convenient projection of our intrapsychic battles? Clichés such as the one about how our enemy "understands only force" may tell us a great deal about ourselves; but sometimes they contain half-truths about him, and not just revelations about us. Our fears flow not only from our private fantasies but also from concrete realities and from the fantasies which the international state of nature generates. In other words, the psychology of politics which traditionalists deem adequate is not derived from theories of psychic development and health; it is derived from the logic of the international milieu, which breeds the kind of vocabulary found in the historians and theorists of the state of nature: fear and power, pride and honor, survival and security, self-interest and reputation, distrust and misunderstanding, commitment and credibility. It is also derived from the social psychology of small or large groups, which resorts to the standard psychological vocabulary that describes mental mechanisms or maneuvers and cognitive processes: denial, projection, guilt, repression, closure, rigidity, etc.... But using this vocabulary does not imply that a group whose style of politics is paranoid is therefore composed of people who, as private individuals, are paranoid. Nor does it relieve us of the duty to look at the objective reasons and functions of these mental moves, and of the duty to make explicit our assumptions about what constitutes a "healthy," wise, or proper social process. Altogether, traditionalists find the mental health approach to world affairs unhelpful. Decisions about war and peace are usually taken by small groups of people; the temptation of analyzing their behavior either, literal-ly, in terms of their personalities, or, metaphysically, in terms borrowed from the study of human development, rather than in those of group dynamics or principles of international politics is understandable. But it is misleading. What is pathological in couples, or in a well-ordered community, is, alas, frequent, indeed normal, among states, or in a troubled state. What is malignant or crazy is usually not the actors or the social process in which they are engaged: it is the possible results. The grammar of motives which the mental health approach brands as primitive or immature is actually rational for the actors. to the substitution of labels for explanations, to bad analysis and fanciful prescriptions. Bad analysis: the tendency to see in group coherence a regressive response to a threat, whereas it often is a rational response to the "existential" threats entailed by the very nature of the international milieu. Or the tendency to see in the effacement or minimization of individual differences in a group a release of unconscious instincts, rather than a phenomenon that can be perfectly adaptive—in response to stress or threats—or result from governmental manipulation or originate in the code of conduct inculcated by the educational system, etc.. . The habit of comparing the state, or modern society, with the Church or the army, and to analyze human relations in these institutions in ways that stress the libidinal more than the cognitive and superego factors, or equate libidinal bonds and the desire for a leader. The view that enemies are above all products of mental drives, rather than inevitable concomitants of social strife at every level. Or the view that the contest with the rival fulfills inter-nal needs, which may be true, but requires careful examination of the nature of these needs (psychological? bureaucratic? economic?), obscures the objective reasons of the contest, and risks confusing cause and function. Indeed, such analysis is particularly misleading in dealing with the pre-sent scene. The radicals are so (justifiably) concerned with the nuclear peril that the traditional ways in which statesmen and publics behave seem to vindicate the pathological approach. But this, in turn, incites radicals to overlook the fundamental ambiguity of contemporary world politics. On the one hand, there is a nuclear revolution—the capacity for total destruction. On the other hand, many states, without nuclear weapons, find that the use of force remains rational (in terms of a rationality of means) and beneficial at home or abroad—ask the Vietnamese, or the Egyptians after October 1973, or Mrs. Thatcher after the Falklands, or Ronald Reagan after Grenada. The superpowers themselves, whose contest has not been abolished by the nuclear revolution (it is the stakes, the costs of failure that have, of course, been transformed), find that much of their rivalry can be conducted in traditional ways — including limited uses of force —below the level of nuclear alarm. They also find that nuclear weapons, while—perhapsunusable rationally, can usefully strengthen the very process that has been so faulty in the prenuclear ages: deterrence (this is one of the reasons for nuclear proliferation). The pathological approach interprets deterrence as expressing the deterrer's belief that his country is good, the enemy's is bad. This is often the case, but it need not be; it can also reflect the conviction that one's country has interests that are not mere figments of the imagination, and need to be protected both because of the material costs of losing them, and because of the values embedded in them. As for war planning, it is not a case of "psychological denial of unwelcome reality" (Montville, 1985). but a — perhaps futile, perhaps dangerous—necessity in a world where deterrence may once more fail. The prescriptions that result from the radicals' psychological approach also run into traditionalist objections. Even if one accepts the metaphors of collective disease or pathology, one must understand that the "cure" can only be provided by politics. All too often, the radicals' cures consist of perfectly sensible recommendations for lowering tensions, but fail to tell us how to get them carried out —they only tell us how much better the world would be, if only "such rules could be established" (Deutsch, 1983). Sometimes, they express generous aspirations — for common or mutual security—without much awareness of the obstacles which conflict-ing interests, fears about allies or clients, and the nature of the weapons themselves, continue to erect. Sometimes, they too neglect the ambiguity of life in a nuclear world: The much lamented redundancy of weapons, a calamity if nuclear deterrence fails, can also be a cushion against failure. Finally, many of the remedies offered are based on an admirable liberal model of personality and politics: the ideal of the mature, well-adjusted, open-minded person (produced by liberal education and healthy family relations) transposed on the political level, and thus accompanied by the triumph of democracy in the community, by the elimination of militarism and the spread of functional cooperation abroad. But three obstacles remain unconquered: first, a major part of the world rejects this ideal and keeps itself closed to it (many of the radicals seem to deny it, or to ignore it, or to believe it doesn't matter). Second, the record shows that real democracies, in their behavior toward non-democratic or less "advanced" societies, do not conform to the happy model (think of the US in Central America). Third, the task of reform, both of the publics and of the statesmen, through consciousness raising and education is hopelessly huge, incapable of being pursued equally in all the important states, and — indeed — too slow if one accepts the idea of a mortal nuclear peril. These, then, are the dimensions of a split that should not be minimized or denied

### CP

#### Congress should enact a resolution that restricts the use of remote controlled aerial vehicle targeted killings outside of geographic locations housing active American combat troops and the Executive should publicly clarify that this restricts its targeted killing policy and the Executive should include safeguards for target selection --- the CP has changed the normal means for how the plan gets implemented and perms don’t have to be topical – this solves both net benefits

#### Transparency is bad- causes expansion of strikes

**Waxman 3-20**-13 [Matthew Waxman is a professor at Columbia Law School, a fellow at the Council on Foreign Relations, and a member of the Hoover Institution Task Force on National Security and Law, “Going Clear,” <http://www.foreignpolicy.com/articles/2013/03/20/going_clear>]

So, moving operations to the Pentagon may modestly improve transparency and compliance with the law but -- ironically for drone critics -- it may also entrench targeted-killing policy for the long term.¶ For one thing, the U.S. government will now be better able to defend publicly its practices at home and abroad. The CIA is institutionally oriented toward extreme secrecy rather than public relations, and the covert status of CIA strikes makes it difficult for officials to explain and justify them. The more secretive the U.S. government is about its targeting policies, the less effectively it can participate in the broader debates about the law, ethics, and strategy of counterterrorism.¶ Many of the criticisms of drones and targeting are fundamentally about whether it's appropriate to treat the fight against al Qaeda and its allies as a war -- with all the legal authorities that flow from that, like the powers to detain and kill. The U.S. government can better defend its position without having to maintain plausible deniability of its most controversial program and without the negative image (whether justified or not) that many audiences associate with the CIA. Under a military-only policy, the United States would also be better positioned to correct lingering misperceptions about targeted killings and to take remedial action when it makes a mistake.¶ Moreover, clearer legal limits and the perception of stricter oversight will make drone policy more legitimate in the public's eyes. Polling shows that Americans support military drone strikes more strongly than CIA ones, so this move will likely strengthen political backing for continued strikes. Consider the case of Guantanamo: The shuttering of black sites, as well as the Supreme Court's decisions that detainees there can challenge their detention in federal court and that all detainees are protected by the Geneva Convention, have muted criticism of the underlying practice of detention without trial. Here, too, the proposed reforms would put the remaining policy on stronger footing.

#### Only formal checks solve – congress won’t be forceful enough otherwise

Hamilton 4

(Lee, director of The Center on Congress at Indiana University, former president and director of The Wilson Center, served for 34 years in Congress representing Indiana’s ninth district, "Why Congress Needs to Assert Itself," page last updated 2004, http://72.32.58.69/radio\_commentaries/why\_congress\_needs\_to\_assert\_itself.php-http://72.32.58.69/radio\_commentaries/why\_congress\_needs\_to\_assert\_itself.php)

One voice has been conspicuous in its absence, however: that of Congress itself. Though there have been a few individual members who have expressed their concern, I have been disappointed that the Congress, as an institution, has failed to assert forcefully its need for trustworthy information from the executive branch. This is worrisome. All partisan loyalties aside, trust is vital to the policy-making process. As Congress set out to reform Medicare, and in particular the drug benefit, it was rightly concerned about the cost of the various alternatives before it. Assured by the administration that its plan would not cost more than $400 billion over the next decade, many members of the House, previously undecided, decided to support it. So the revelation that the chief actuary had actually estimated the figure to be closer to $534 billion- and that the executive branch had withheld this figure from Congress- was not only embarrassing, it called into question the legitimacy of the whole policy-making process. If one branch of government feels it has to deceive the other, it is hard to see how the country can be led well by its public servants. For this reason alone, members of Congress of both parties should have hit the roof. Yet there is another, even more fundamental, issue at stake. Congress and the executive branch are colleagues- equals- in determining the course of the country. But in recent years, Congress has grown timid, as its lack of insistence on complete data demonstrates.

There is no question these days that the initiative rests largely with the White House and executive agencies. As Washington Post editor Robert Kaiser put it recently, "In fundamental ways that have gone largely unrecognized, Congress has become less vigilant, less proud and protective of its own prerogatives, and less important to the conduct of American government than at any time in decades." Small wonder that, as with Medicare reform, administration officials feel a certain leeway to presume on Capitol Hill's good graces. There are any number of ways in which the Congress of today exercises just a shadow of the clout it wielded a generation ago, but one of the most important is its reticence about initiating policy. The United States at the moment faces a crucial series of tests, from rebuilding Iraq to fighting terrorism to the ballooning budget and trade deficits, yet Congress often doesn't seem to have much to say on these matters. Even on civil liberties and how we handle the difficult question of fair process for terrorists on American soil, it has left the ball largely in the administration's court. Admittedly, there's an argument to be made that terrorists don't deserve the same legal protections as American citizens, and the White House has made it. But there is also an argument to be made that, faced with this new threat, we need to create a framework for handling people who would do this country harm while preserving the hallmarks of our judicial system and its emphasis on fairness. This is an avenue that should be explored fully in Congress, yet it has made little effort to do so.

#### Congress key

#### Restrictions on the executive key

Harvard ’13 (Sarah Harvard, Writer for Atlantic-Community, Foreign Think Tank,“Transparency Key to Reformed US Drone Policy”, <http://www.atlantic-community.org/-/transparency-key-to-reformed-us-drone-policy?redirect=http%3A%2F%2Fwww.atlantic-community.org%2Fdrones%3Fp_p_id%3D101_INSTANCE_0pPXMFWjyyKE%26p_p_lifecycle%3D0%26p_p_state%3Dnormal%26p_p_mode%3Dview%26p_p_col_id%3Daf-column-1-2%26p_p_col_pos%3D1%26p_p_col_count%3D2>, October 11, 2013)

In order to repair the damage to its reputation, the US needs to reform its current drone policy. Many feel that the executive branch of the US government has been acting without adequate checks and balances. The US Congress should demand more transparency and oversight and move to have explicit restrictions placed on the executive branch. A more transparent US drone policy would ease concerns of its allies and could allow the United States to lead the debate on international drone policy. With studies conducted by New York University and Stanford University, reports have surfaced that for every terrorist killed forty-nine innocent civilians are left dead. The heightened use of signature drone strikes – bombings that target individuals that the administration cannot identify – has created mass outrage among the Muslim and Arab World. The popular use of "double taps," as the Daily Mail summarizes it, is when "a drone fires one missile — and then a second as rescuers try to drag victims from the rubble." Although discussions on the ethics and convenience of drones are on the table, the victims are no longer waiting for reforms. At the first drone strike in Yemen in 2009, US officials reported that there were "300 core Al-Qaeda Arabian Peninsula" members. This has grown to more than 700 members in recent years of US drone warfare in Yemen. As reported by the Telegraph, the tragic death of Amb. Christopher Stevens has been perceived as an an attack that "might have been well-planned and linked to a call earlier in the day by the head of al-Qaeda, Ayman al-Zawahiri, for vengeance for the death of his Libyan deputy in a US drone strike in June." Without a doubt, the current US drone policy program leaves much power to the executive branch without set guidelines. A drone policy reform for the United States that would serve as a model on an international level would call for the limits

and full disclosure of the executive branch, increased oversight by the US Congress, complete transparency of the United States' motives and increased international cooperation. Initially, the Obama Administration had administered all targeted killings – mostly those of his infamous "kill list" that included American citizens as young as sixteen years old – in non-battlefield zones as covert operations. Officials continuously denied admitting their existence on record; despite the classified discussions off the record. As a result, citizens and even some serving White House staff and Congressional members make inaccurate statements about US targeted killings. According to the New York Times, US Judiciary committees were constantly denied access to, or information from, the June 2010 Office of Legal Counsel memorandum that would have released a presentation on the legal basis for the drone strike that killed Anwar al-Awlaki – an American citizens and alleged leader of AQAP. The current Congressional transparency and oversight procedure is completely varied based upon whether the CIA or the US military is the leading authority. Hence, after nearly ten years of targeted killings in non-battlefield zones, there has been only one congressional committee that conducted a hearing on US drone warfare. It was the Senate Judiciary Subcommittee on the Constitution, Civil Rights, and Human Rights on April 23, 2013. A necessary drone policy reform will have to be established in the United States with explicit restrictions on the executive branch. The President should only have US officials clear targeted killings on individuals who are specifically targeted and bring drone strike practices in line with previous stated policies. Targeted killing should be limited to the leadership of al-Qaeda, affiliated forces, or individuals with a direct role in operations in past or on-going terrorist plots against the United States. The on-going use of signature strikes must be put to an end and force more public accountability on the executive branch by providing full disclosure on the basis of distinction and the principles of proportionality. The President and his advisors must review the current drone policy where the ultimate authority is between the CIA and Joint Special Operations Command. The president should offer full disclosure and information to the public, Congress, and UN special delegates on what methods are valid options to prevent the harm or killing of civilians, to mitigate collateral damage, corrective actions on collateral damage, and to make amends for civilian losses. The US Congress should ensure complete transparency and oversight. The US Senate and House committees should demand routined White House briefings on drone strikes and how the operations are necessary with the current foreign policy objectives. The congress should hold routined hearings with US officials and non-governmental scholars and experts on the short and long term effects and consequences, geographic and temporal limits of the Authorized for Use of Military Force, and the legality and justifications of targeted killings of non-US and US citizens. Congress should also hold power to withhold funding and the power to subpoena the Executive Branch if the President does abide by the regulations or if cooperation is unsatisfactory. As a nation, the United States should remain a leader in creating discussion on armed drones with other countries on the principles, as well as, the limits of various systems of weaponry. There should be an international association of drone proprietors that will serve the purpose to maintain peace and prevent consequences of drone proliferation. The US shall specifically state what legal frameworks apply and do not apply to drone strikes and offer safeguards to establish and ensure utmost compliance to foster a larger international consensus. The US shall host discussions with emerging countries with drone capability for a code of conduct, outlined principles, of how predator drones (and UAVs) should be applied outside of a state's territory and include the discussion of sovereignty, appropriate legal frameworks, and relevance to the current state of international affairs. Finally, the United States should discuss in cooperation with Israel to engage in providing and offering drone manufacturers guidelines on how to strengthen standards for the selling of systems with weapons capability.

### Immigration

#### Budget and Obamacare thump immigration reform

The Atlantic Wire 10/24/13 (Allie Jones, writer for The Atlantic, "The Slim Chance for Immigration Reform")

President Obama made a short speech on Thursday morning at the White House to officially call for Congress to pass comprehensive immigration reform. Though the Senate has already passed a bipartisan bill addressing immigration, conservatives in the House have no intention of touching it. House Speaker John Boehner doesn't necessarily oppose negotiating on immigration, but it's unlikely that he will force a vote in the House on it. Obama [insisted](http://blogs.marketwatch.com/capitolreport/2013/10/24/president-obamas-comments-on-immigration-live-blog/) this morning, "Let’s see if we can get this done. And let’s see if we can get it done this year."¶ Most pundits would tell you that immigration reform [won't get done this year or next year.](http://www.theatlanticwire.com/politics/2013/10/could-immigration-reform-still-happen/70705/) The House GOP is still obsessed with Obamacare; Boehner [was tweeting about the health care law](http://blogs.marketwatch.com/capitolreport/2013/10/24/president-obamas-comments-on-immigration-live-blog/) during Obama's speech. Beyond that, Congress needs to reach a budget agreement sooner than it needs to pass immigration reform. As Republican Rep. Aaron Schock said [last week](http://www.theatlanticwire.com/politics/2013/10/could-immigration-reform-still-happen/70705/), "I know the president has said, well, gee, now this is the time to talk about immigration reform. He ain't gonna get a willing partner in the House until he actually gets serious about ... his plan to deal with the debt."

#### Agenda fractured- budget and farm thump and won’t pass

Pickley 10/17 (Nedra Pickley, Associated Press Journalist, “Obama lays out post-shutdown agenda, says focus should be on budget, immigration, farm bill”, <http://www.washingtonpost.com/politics/federal_government/obama-lays-out-post-shutdown-agenda-says-focus-should-be-on-budget-immigration-farm-bill/2013/10/17/79129bc2-3740-11e3-89db-8002ba99b894_story.html>, October 17)

WASHINGTON — The government shutdown behind him, President Barack Obama focused Thursday on a new, trimmed down agenda by challenging Congress to overcome bitter partisan division and pass a budget and a farm bill and overhaul immigration. The president said getting through those three priorities would help Washington move beyond “the cloud of crisis” created by the 16-day partial shuttering of government operations. But he acknowledge the political reality that even passing such a slimmed-down agenda by the end of the year will be tough. “To all my friends in Congress, understand that how business is done in this town has to change because we’ve all got a lot of work to do on behalf of the American people, and that includes the hard work of regaining their trust,” Obama said from the White House, the morning after signing a painfully forged bipartisan deal to reopen the government and avert a default. Obama has slashed his wish list from earlier this year, when he called for legislation to address climate change, an increase in the minimum wage, gun control and the closure of the Guantanamo Bay prison. The reduced priorities underscore how difficult it has been to get legislation through Congress, the short legislative calendar left this year and Obama’s limited political capital. Prospects for passage of an immigration bill appear particularly dim. A bill passed by the Democratic-controlled Senate and backed by the White House includes billions for border security and a path to citizenship for those already living in the U.S. illegally, but most House Republicans have rejected the approach. Likewise, the roughly $500 billion farm bill has been held up over a dispute between the two chambers, this time over food stamps. The House has endorsed up to $4 billion in annual cuts to the almost $80 billion-a-year Supplemental Nutrition Assistance Program, while the Senate farm bill would cut only $400 million a year. The White House has threatened to veto the House bill. Obama did not mention the rift over food stamps but said the House should accept the Senate version of the bill. “Let’s negotiate. What are we waiting for? Let’s get this done,” Obama said. The president said the first focus should be on reaching a budget agreement that lowers deficits, invests in education and infrastructure, cuts spending and closes corporate loopholes. Congressional negotiators were starting to discuss that issue Thursday.

### Politics

#### 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.”

#### That means no PC loss

Kriner ’10 (Douglas Kriner, Assistant Profess of Political Science at Boston University, 2010, After the Rubicon: Congress, Presidents, and the Politics of Waging War, p. 59-60)

Presidents and politicos alike have long recognized Congress's ability to reduce the political costs that the White House risks incurring by pursuing a major military initiative. While declarations of war are all but extinct in the contemporary period, Congress has repeatedly moved to authorize presidential military deployments and consequently to tie its own institutional prestige to the conduct and ultimate success of a military campaign. **Such authorizing legislation**, even if it fails to pass both chambers, **creates a sense of** shared legislative-executive responsibility for a military action's success **and provides the president with** considerable political support **for** **his chosen policy** course.34 Indeed, the desire for this political cover—and not for the constitutional sanction a congressional authorization affords—has historically motivated presidents to seek Congress's blessing for military endeavors. For example, both the elder and younger Bush requested legislative approval for their wars against Iraq, while assiduously maintaining that they possessed sufficient independent authority as commander in chief to order the invasions unilaterally.35 This fundamental tension is readily apparent in the elder Bush's signing statement to HJ Res 77, which authorized military action against Saddam Hussein in January of 1991. While the president expressed his gratitude for the statement of congressional support, he insisted that the resolution was not needed to authorize military action in Iraq. "As I made clear to congressional leaders at the outset, my request for congressional support did not, and my signing this resolution does not, constitute any change in the long-standing positions of the executive branch on either the President's constitutional authority to use the Armed Forces to defend vital U.S. interests or the constitutionality of the War Powers Resolution."36

#### PC theory is wrong- winners win

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.)

#### Instability’s inevitable—drug trafficking

Grudgings ‘9 (Stuart, Reuters, Latin America ex-leaders urge reform of US drug war, <http://www.reuters.com/article/latestCrisis/idUSN11358345>, 2009)

RIO DE JANEIRO, Feb 11 (Reuters) - The war against drugs is failing and the U.S. government should break with "prohibition" policies that have achieved little more than cram its prisons and stoke violence, three former Latin American presidents said on Wednesday. The respected former presidents urged the United States and Latin American governments to move away from jailing drug users to debate the legalization of marijuana and place more emphasis on the treatment of addicts. Former Colombian President Cesar Gaviria said there was no meaningful debate over drugs policy in the United States, despite a broad consensus that current policies had failed. "The problem today in the U.S. is that narco-trafficking is a crime and so any politician is fearful of talking about narco-trafficking or talking about policies because they will be called soft," he said. Gaviria has joined with former Brazilian President Fernando Henrique Cardoso and former Mexican President Ernesto Zedillo to try to change the debate on drugs in Latin America, where trafficking gangs have killed tens of thousands of people and weakened democracies through corruption. From Mexico's gang wars to the drug-funded FARC guerrilla group in Colombia and daily shoot-outs between gangs and police in Rio de Janeiro's shantytowns, much of the region is scarred by drug violence

and many believe U.S. policies have failed. A United Nations meeting in Vienna next month will frame international drugs policy for the next 10 years, and the three former presidents, whose group is called the Latin American Commission on Drugs and Democracy, said it is time for change. They pointed to falling street prices for cocaine and still high levels of consumption in the United States despite decades of policies focused on punishing users and cutting supplies from Latin American countries such as Colombia. 'PREJUDICES, FEARS' The presidents' commission released a report calling on governments to refocus policies toward treating users, move toward decriminalizing marijuana, and invest more in education campaigns. It said current policies were rooted in "prejudices, fears and ideological visions" that inhibited debate. Even as the group met in Rio on Wednesday, police arrested 51 people in a major operation in the city and other states against a suspected drug smuggling ring that sent cocaine to Europe and brought back synthetic drugs like Ecstasy. Organized crime has flourished around drugs and is now threatening the stability of Mexico, where a spiraling war between rival gangs killed more than 5,700 people last year. Cardoso, one of Latin America's most respected figures, said U.S. leadership was essential to break the cycle of drug-related crime and violence. "It will be almost impossible to solve Mexico's problems and other countries' problems without a more ample, comprehensive set of policies from the U.S. government," he said. Despite winning power on broad promises of change, drugs policy featured little in U.S. President Barack Obama's election campaign and there are few indications that he will embark on a major overhaul. Gaviria said Washington appeared increasingly isolated in its repressive approach as Latin America and Europe move toward treating drug abuse as a health problem rather than a crime. (Editing by Raymond Colitt and Kieran Murray)

#### Alt causes to low relations – Venezula anti-Americanism

Maass 3/7/13 (Harold, The Week, “Will US Relations With Venezuela Improve after Hugo Chavez’s Death”)

Others suggest it's wishful thinking to expect a diplomatic thaw. Case in point: In his first press conference, Chavez's hand-picked interim successor, Vice President Nicolas Maduro, accused the U.S. of trying to capitalize on Chavez's illness to destabilize Venezuela, and expelled two American military attaches. He even went so far as to accuse the U.S. of somehow causingChavez's illness. Maduro hopes to win the coming election to replace Chavez, and, if his recent "railing against the United States" is any indication, [says Elise Labott at CNN](http://security.blogs.cnn.com/2013/03/06/u-s-venezuela-relations-likely-to-remain-tense-after-chavez/), he's going to be unleashing plenty more anti-American rhetoric to shore up his base.

## 1AR

### Cp

#### definition key

Farley ’12 (Benjamin R. Farley, J.D. with honors, Emory University School of Law, 2011. Editor-in-Chief, Emory International Law Review, 2010-2011. M.A., The George Washington University Elliott School of International Affairs, 2007, South Texas Law Review, 54 S. Tex. L. Rev. 385, “ARTICLE: Drones and Democracy: Missing Out on Accountability?”, Winter, 2012)

Congress should strengthen the WPR regime by defining hostilities in a manner that links hostilities to the scope and intensity of a use of force, irrespective of the attendant threat of U.S. casualties. Without defining hostilities, Congress has ceded to the President the ability to evade the trigger and the limits of the WPR. The President's adoption of a definition of hostilities that is tied to the threat of U.S. casualties or the presence of U.S. ground troops opens the door to long-lasting and potentially intensive operations that rely on drones - at least beyond the sixty-day window - that escape the WPR by virtue of drones being pilotless (which is to say, by virtue of drones being drones). Tying hostilities to the intensity and scope of the use of force will limit the President's ability to evade Congressional regulation of war. It will curtail future instances of the United States being in an armed conflict for purposes of international law but not for purposes of domestic law, as was the case in Libya. Finally, a statutory definition of hostilities will provide the judiciary with a meaningful standard for determining presidential compliance with the WPR - assuming the future existence of a plaintiff able to surmount the various prudential doctrines that have counseled against entertaining WPR cases thus far.

**Ending drones key to host country cooperation --- alt is low threshold for use**

Rosa Brooks 13, Prof of Law @ Georgetown University Law Center, Bernard L. Schwartz Senior Fellow, New America Foundation, 4/23/13, The Constitutional and Counterterrorism Implications of Targeted Killing, http://www.judiciary.senate.gov/pdf/04-23-13BrooksTestimony.pdf

But the advantages of drones are as overstated and misunderstood as the problems they pose — and in some ways, their very perceived advantages cause new problems. Drone technologies temptingly lower or disguise the costs of lethal force, but their availability can blind us to the potentially dangerous longer - term costs and consequences of our strategic choices. Armed drones lower the perceived costs of using lethal force in at least three ways. First, drones reduce the dollar cost of using lethal force inside foreign countries. 13 Most drones are economical compared with the available alternatives. 14 Manned aircraft, for instance, are quite expensive: 15 Lockheed Martin's F - 22 fighter jets cost about $150 million each; F - 35s are $90 million; and F - 16s are $55 million. But the 2011 price of a Reaper drone was approximately $28.4 million, while Predator drones cost only about $5 million to make. 16 As with so many things, putting a dollar figure on drones is difficult; it depends what costs are counted, and what time frame is used. Nevertheless, drones continue to be perceived as cheaper by government decision - makers. Second, relying on drone strikes rather than alternative means reduces the domestic political costs of using lethal force. Sending manned aircraft or special operations forces after a suspected terrorist places the lives of U.S. personnel at risk, and full - scale invasions and occupations endanger even more American lives. In contrast, using armed drones eliminates all short - term risks to the lives of U.S. personnel involved in the operations. Third, by reducing accidental civilian casualties, 17 precision drone technologies reduce the perceived moral and reputational costs of using lethal force. The US government is extraordinarily concerned about avoiding unnecessary civilian casualties, and rightly so. There are moral and legal reasons for this concern, and there are also pragmatic reasons: civilian casualties cause pain and resentment within local populations and host - country governments and alienate the international community It is of course not a bad thing to possess military technologies that are cost little, protect American lives and enable us to minimize civilian casualties. When new technologies appear to reduce the costs of using lethal force, however, the threshold for deciding to use lethal force correspondingly drops, and officials will be tempted to use lethal force with greater frequency and less wisdom.¶ Over the last decade, we have seen US drone strikes evolve from a tool used in extremely limited circumstances to go after specifically identified high - ranking al Qaeda officials to a tool relied on in an increasing number of countries to go after an eternally lengthening list of putative bad actors, with increasingly tenuous links to grave or imminent threats to the United States. Some of these suspected terrorists have been identified by name and specifically targeted, while others are increasingly targeted on the basis of suspicious behavior patterns. Increasingly, drones strikes have targeted militants who are lower and lower down the terrorist food chain, 18 rather than terrorist masterminds. 19 Although drone strikes are believed to have killed more than 3,000 people since 2004, 20 analysis by the New America Foundation and more recently by a the McClatchy newspaper s suggests that only a small fraction of the dead appear to have been so - called "high - value targets." 21 What’s more, drone strikes have spread ever further from "hot" battlefields, migrating from Pakistan to Yemen to Somalia (and perhaps to Mali 22 and the Philippines as well). 23

### 1AR- Pilot Shortage Thumper

#### Pilot shortages critical

Chow ’13 (Denise Chow, Staff Writer for Live Science, “US Air Force Facing Drone Pilot Shortage, Study Finds”, <http://www.livescience.com/39644-drone-pilots-shortage.html>, September 13, 2013)

The use of unmanned aircraft in modern warfare may be ramping up in a hurry, but a new study suggests the U.S. Air Force may be facing a shortage of drone pilots, largely because these positions are still seen as less desirable than piloting more traditional manned aircraft. A report released last month from the Brookings Institution, a non-profit think tank based in Washington, D.C., found that the Air Force has struggled to fill all of its training spots for drone pilots. In 2012, only 82 percent of the available training positions for remotely piloted aircraft were filled, whereas all of the spots in the training programs for manned aircraft were taken. This year appears to be no different. As of January 2013, after the first round of the Air Force Academy's assignment process, only 12 individuals had volunteered for the 40 available training slots, a figure that works out to 30 percent. [Rise of the Drones: Photos of Unmanned Aircraft] Drone pilots face fewer prospects for rising through the ranks in the Air Force, a factor that may partly explain the deficiency of applicants, according to the report's author, Air Force Colonel Bradley Hoagland. Some drone attack or surveillance missions demand long and intense shifts, which means, compared with their peers, these pilots have less time to take advantage of the additional training and educational opportunities required for promotion. As a result, the promotion rate to Major is 13 percent lower for drone pilots compared with their peers. The Air Force is also facing high turnovers, with drone pilots burning out or quitting at a rate three times higher than other aircraft pilots. And despite drone pilots providing invaluable reconnaissance and tactical support, the position is perceived as being less esteemed than a traditional fighter pilot, Hoagland said. "Lack of adequate or appropriate recognition is a factor for lower promotion rates," Hoagland wrote in the report. "One of the controversies surrounding their historical lack of high level recognition is the viewpoint that [drone] pilots were not risking their lives while operating their aircraft 7,000 miles away in Nevada." Earlier this year, Defense Secretary Chuck Hagel overturned the creation of a new military decoration called the Distinguished Warfare Medal, which had been mired in controversy because it would have included recognition of extraordinary achievements by drone pilots, reported Military.com. The new distinction had been proposed by Hagel's predecessor, Leon Panetta. Still, the issues highlighted in the report are simply reflective of the growing pains faced by any new and burgeoning military program, according to the Air Force. "History has shown it takes approximately 20 years for new career fields to mature and stabilize," Air Force spokeswoman Maj. Mary Danner-Jones told Military.com in a written response. "It is not uncommon for promotion rates in these new career fields (comprised of individuals from varying backgrounds and expertise) to take time to stabilize." For the Air Force, stabilizing the drone pilot program will be critical for maintaining overseas operations. The Air Force is currently supporting 61 unmanned, round-the-clock combat air patrols in Afghanistan, Yemen and North Africa, with plans to increase that number to 65 by mid-2014, Hoagland wrote in the report. Currently more than 1,300 drone pilots work for the Air Force — approximately 8 percent of all pilots — but there are plans to expand to 1,650 pilots by the year 2017.

#### The Air Force isn’t making reforms

Subbaraman ’13 (Nidhi Subbaraman, NBC News, “Air Force wants drone pilots, but incentives lacking, says report”,

<http://www.nbcnews.com/technology/air-force-wants-drone-pilots-incentives-lacking-says-report-6C10974055>, August 22, 2013)

The Air Force is looking for a few good drone pilots, but not enough are lining up to fill those spots, claims a new report from an Air Force pilot who researches recruitment issues. One reason is trouble with the selection and training problems. But the other reason: Young pilots who join the military see the drone track as a dead-end career. Colonel Brad Hoagland, who's spent 23 years in the Air Force, took year-long break to study the system from the outside as part of a fellowship at the Brookings Institution. Hoagland went back to flying C-130s this summer, but in a newly released report — the result of his year-long study — he explains a few reasons why top brass in the Air Force need to give their Remotely Piloted Aircraft program a closer look. The Air Force's drone program has been growing quickly — it's staffed by a little over 1,300 pilots as of this year, and is due to take in about 350 new pilots by 2017. "We've been building the platform faster than we can fill them with operators," Hoagland previously told NBC News. Though the cadre's been growing, drone operators don't get promoted as quickly as other specialists. "What we've seen is that the promotion rate from captain to major is 13 percent less than their peers," Hoagland told NBC News. In part, that's because resource-stretched drone programs don't offer pilots as many opportunities to pursue a second advanced degree or officer training — one key factor in being selected for a raise, Hoagland explained. Also, the Air Force could do a better job selecting its pilots, Hoagland told NBC News in May. The Air Force has in-house scientists researching human-machine interactions, but Hoagland writes that the organization as a whole is "hesitant to embrace" a "new pilot prescreening methodology" which will take into account that "the next generation of aviators is extremely tech savvy and more reliant on mobile devices and gaming (consoles)." He points out that a wealth of existing psychological data and multiple choice tests — not currently standardized across the board — could be put to better use.

### Pakistan- Sharif

#### Recent meetings confirm

BBC 10/23 (BCC, “Pakistan PM Sharif discusses drones with Barack Obama”, <http://world.time.com/2013/10/22/sharif-calls-on-obama-as-u-s-and-pakistan-try-to-turn-the-corner/>, October 23, 2013)

Pakistani PM Nawaz Sharif has met President Barack Obama in the White House to seek an end to drone strikes and the formation of a new post-Afghanistan war relationship. But correspondents say that few breakthroughs were expected on contentious issues on their agenda. The US was unlikely to offer any assurances on its secretive and controversial drone programme. Relations between Islamabad and Washington nosedived two years ago. In May 2011 al-Qaeda leader Osama Bin Laden was killed by US special forces at his hideout in Abbottabad in north-eastern Pakistan without the Pakistani government receiving prior warning from Washington. Relations were further strained by the killing of 24 Pakistani troops in a US air strike along the Afghan border later in 2011. "We want to find ways for our countries to co-operate, even as we have differences on some issues, and we want to make sure that the trajectory of this relationship is a positive one,'' White House spokesman Jay Carney said. Mr Sharif said on Tuesday that drone strikes had "deeply disturbed and agitated" the Pakistani people and that his government was committed to bringing them to an end. A US Air Force MQ-1 Predator unmanned aircraft (file photo) Drone warfare has become common in the US pursuit of al-Qaeda and the Taliban "The use of drones is not only a violation of our territorial integrity but they are also detrimental to our efforts to eliminate terrorism from our country," he said. The prime minister said that the issue had become "a major irritant" in relations with the US. BBC Pakistan correspondent Shahzeb Jillani says that Mr Sharif is seen as adopting a populist stance largely meant for domestic consumption. Washington is unlikely to agree to any curtailment on its secretive and controversial drones programme, our correspondent says. Instead, President Obama will be more interested to hear from Mr Sharif the role Pakistan could play to ease his troubles in Afghanistan as the US prepares to pull out troops next year. Mr Sharif was expected to assure President Obama that his government is keen to ease regional tensions and live in peace with its neighbours, Afghanistan and India. He was also expected to look for Washington's help in reviving Pakistan's struggling economy and its growing energy crisis. In the end the two sides met with their own wish-lists, our correspondent says, but having experienced a low point two years ago, the meeting was likely about having realistic expectations from a complicated relationship.

### Yemen- Hadi and Houthi

#### Hadi legitimacy and the Houthis

Al-Muslimi ’13 (Farea Al-Muslimi, “Statement of Farea Al-Muslimi”, United States Senate Judiciary Committee, Subcommittee on the Constitution, Civil Rights and Human Rights, “Drone Wars: The Constitutional and Counterterrorism Implications of Targeted Killing”, April 23, 2013)

Widespread Impact of Targeted Killing in Yemen The killing of innocent civilians by U.S. missiles in Yemen is helping to destabilize my country and create an environment from which AQAP benefits. Every time an innocent civilian is killed or maimed by a U.S. drone strike or another targeted killing, it is felt by Yemenis across the country. These strikes often cause animosity towards the United States and create a backlash that undermines the national security goals of the United States. The U.S. strikes also increase my people’s hatred against the central government, which is seen as propped up by the Persian Gulf governments and the United States. I know that some policy makers in the United States and Yemen claim that AQAP does not use drone strikes as a tool to recruit more people to their cause. This is incorrect. The case of the Toaiman family in Mareb, as reported by NPR based on a trip in which I participated, is one specific example. The Toaiman’s oldest son joined AQAP hoping to avenge the death of his father, an innocent civilian killed by a drone strike in October 2011. The son has 28 brothers waiting to do so as well. One of his youngest brothers, a 9 year old, carries a picture of a plane in his pocket. The boy openly states that he wants revenge and identifies his father’s killer as “America.” But the main issue is not whether AQAP recruits more terrorists because of drone strikes. AQAP’s power and influence has never been based on the number of members in its ranks. **AQAP** recruits and **retains power through** its **ideology**, which relies in large part on the Yemeni people believing that America is at war with them. Another argument I frequently hear is that drones are more effective than ground forces. But the Yemeni government has not made a serious effort to use ground forces against AQAP in my country. For example, the Counter Terrorism Unit of the Central Security Forces, which was funded and trained by the United States, did not even engage in the fight against AQAP when AQAP controlled the main cities of Abyan for more than a year until mid-2012. On the roads surrounding Abyan, AQAP was fought by poorly equipped, underage soldiers. In fact, I have never seen such a poorly armed and shabby looking army as the one I saw in Abyan. It is well known that the Yemeni Army has more military equipment and better-trained soldiers around other governorates in the south, where AQAP does not have a strong presence. Air Strikes Complicate Internal Yemeni Dynamics Whether targeted killings strikes are carried out by U.S. forces or Yemeni forces at the United States’ request often makes little difference, especially when strikes kill innocent civilians. Yemenis already have a strained relationship with their own armed forces because of the internal conflicts in our country. (Even though I just turned 23, I have lived through nine wars in my life: six in Sada, one in the southern provinces in 1994, the recent conflict in Abyan, and the 2011 conflict in Sana’a. The U.S. targeted killing program is the 10th war I have lived through.) The fact that innocent civilians are dying and the Yemeni army is receiving so much support from the United States strains that relationship even more. All of this is happening at a critical moment in Yemen, which is being governed by a transitional president after our president of 33 years, Ali Abdullah Saleh, was forced from office during a popular uprising. The transitional phase seeks to maintain national cohesion and unity, but anger and distrust linger underneath the surface, creating ideal conditions for AQAP to grow and undermine progress. AQAP exploited similar divisions in 2011 at the start of the popular uprising. As the central government sought to squelch peaceful protests in Sana’a, the Abyan province fell into the hands of AQAP. To be clear, the United States is not the only foreign country trying to influence events on the ground in Yemen. The Houthis, a group that is supported by Iran, have been reportedly working to make Yemen’s president look like a U.S. puppet, in order to undermine his administration and hinder a peaceful transition. Yemen’s transitional president, Abdu Rabu Mansour Hadi, has publicly endorsed U.S. drone strikes, which are widely despised by the Yemeni people. That endorsement was a gift for all the opposition groups wanting to discredit Hadi, whether those groups are aligned with Iran or even AQAP. As President Hadi declared his support for U.S. drone strikes, the Houthis gained credibility in the eyes of thousands of Yemenis. In another, perverse sense, targeted killings further the goals of AQAP. What AQAP fighters ultimately demand, according to their ideology and distortion of Islam, is heaven and martyrdom. In their minds, when they are targeted and killed by a drone strike, that’s exactly what they receive. Instead of effectively combating AQAP’s ideology through a comprehensive approach that includes economic and social development, as well as ideological tactics, air strikes amount to a military-only solution. The **drone strikes are the face of America** to many Yemenis. **If America is providing** economic, social and humanitarian **assistance** to Yemen, **the vast majority of the Yemeni people know nothing about it**. Everyone in Yemen, however, knows about America and its drones. Again, this allows AQAP to convince more individuals that America is at war with Yemen. Drone strikes also **distract Yemenis from AQAP**, which is the real enemy. They focus all the attention on the sky to the neglect of everything else. Because of drone strikes, ordinary Yeminis who are not affiliated with AQAP live in fear of being targeted. This fear permeates our country and it is shared by the youngest and oldest Yeminis. A middle age man from Rada’a, in central Yemen, said in an interview recently: “In the past, mothers used to tell their kids to go to bed or I will call your father. Now, they say, ‘Go to bed or I will call the planes.’” The U.S. War against AQAP Is a War of Mistakes If it’s not already clear from my testimony today, let me say this very plainly: I hate AQAP. I don’t support their ideology. I don’t like the way they have distorted my religion. And I despise their methods. The fight against AQAP, however, is not a traditional war. And I fear that these air strikes undermine the United States’ effort to defeat AQAP and win the hearts and minds of the Yemeni people. You can’t win this war by simply killing more people on the other side. Rather, I see the war against AQAP as a war of mistakes. The fewer mistakes you make, the more likely you are to win. Simply put, with drone strikes, the United States has made more mistakes than AQAP. To be clear, I am not only referring to the mistake of killing innocent civilians. Of course, the death of an innocent civilian is the most tragic mistake of all. Nevertheless, even when no civilians are harmed, the United States makes a huge mistake when missiles fail to reach their intended target. Drone strikes that miss their targets make these terrorists look brave. They become role models, simply by evading weapons being launched by the greatest military power on earth. Perhaps the greatest source of satire, ridicule, and propaganda against the United States and Yemeni governments occurs when they claim to have killed ranking terrorists, like Saeed Al-Shahri or Nader Al-Shadadi, only to be proven wrong days later.