# 2AC

## Norms

### Norms – Caucuses War

#### Unrestricted drone use causes nuclear war in the Caucuses

Nick Clayton, Eastern Europe correspondent for the Washington Times the Asia Times and Washington Diplomat, currently the senior editor of Kanal PIK TV's English Service, 10-23-2012, "Drone violence along Armenian-Azerbaijani border could lead to war", www.globalpost.com/dispatch/news/regions/europe/121022/drone-violence-along-armenian-azerbaijani-border-could-lead-war

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

## Pak

### AT: Drones Down

#### New rules didn’t do anything – comprehensive analysis proves

Jack Serle, writer at the Bureau of Investigative Journalism, 11-26-2013, “New analysis questions constraint on US drone strikes,” BIJ, http://www.thebureauinvestigates.com/2013/11/26/new-analysis-questions-constraint-on-us-drone-strikes/

Six months after President Obama laid out US rules for using armed drones, a Bureau analysis shows that covert drone strikes in Yemen and Pakistan have killed more people than in the six months before the speech. Each drone strike kills more people on average in both countries. The number of strikes fell across the two countries in the six months after the speech compared with the six months before, yet the overall death toll increased. ‘To say a military tactic is legal, or even effective, is not to say it is wise or moral in every instance.’ - President Obama This analysis will raise questions about how much Obama’s new rules constrain the drone programme, as he claimed it would in his speech. On May 23 Obama explained how a new policy will govern the use of drones. He said using drones for targeted killing is legal, but added: ‘To say a military tactic is legal, or even effective, is not to say it is wise or moral in every instance.’ He said: ’The same human progress that gives us the technology to strike half a world away also demands the discipline to constrain that power – or risk abusing it.’ The President’s remarks, and a background briefing to the media by unnamed administration officials, led some to report the US was ending the controversial practice of signature strikes – strikes which target groups of unidentified individuals based on their behaviour. However in the weeks after the speech, analyst Micah Zenko wrote: ‘There is no evidence that signature strikes will be reduced or ended based upon anything the Obama administration has recently stated.’

## Solvency

### 2AC

#### No impact to pres powers; only turns – even if ideally it would be good to have that power, empirically it’s squandered

Louis Fisher, Scholar in Residence at The Constitution Project served for four decades as senior specialist in Separation of Powers (Congressional Research Service) and Specialist in Constitutional Law (Law Library), January 2012, “Teaching the Presidency: Idealizing a Constitutional Oﬃce”, http://www.loufisher.org/docs/ci/teach.pdf

Thomas Cronin helped puncture imaginary qualities that other scholars had bestowed on the American president. In a recent book, On the Presidency (2010), he reviews the record of 14 presidents from 1920 to 2009 and concludes: “Maybe about three were successful. At least half a dozen failed in one way or another” (Cronin 2010, 2). He deleted from the list of successful presidents those who were forced from oﬃce, impeached, rejected when they sought reelection, or decided to step aside rather than face voter rebuke. Those who survived that winnowing process were three: Franklin D. Roosevelt, Dwight D. Eisenhower, and Ronald Reagan. That is one realistic measure of the real presidency. Many studies on presidential power rely on imaginary and idealistic qualities. It is unfortunate that so much scholarly guidance came from the works of Schlesinger, Commager, Rossiter, and Neustadt, who looked less to evidence than their own personal and idiosyncratic fancies. The fault is not merely in the deﬁciencies of their research but in the willingness of the academic profession to tolerate their work for such a long time and to extend repeated and undeserved praise. Some contemporary scholars continue to attribute to the presidency highly romantic qualities of integrity, honesty, and competence rarely seen in those who sit in the Oval Oﬃce.

#### Ideas of presidential power are vastly overestimated – especially for Obama

Alan Greenblatt, reporter, 3-12-2013, “Why Obama (And Any President) Fails To Meet Expectations” NPR, http://www.npr.org/blogs/itsallpolitics/2013/03/12/174104878/why-obama-and-any-president-fails-to-meet-expectations

"Expectations tend to be wildly unrealistic," says Thomas Mann, a senior fellow at the Brookings Institution. "Presidents can be important, but their scope for solving problems that are the source of substantial disagreement [is] exceedingly limited within our constitutional system."¶ Given the constraints of divided government and the current polarized landscape, not many presidents would be able to accomplish more than Obama has, says Lara Brown, a political scientist at Pennsylvania's Villanova University.¶ Still, all presidents are dealt tough cards. Obama has not always played his well, Brown argues, because he tends to promise more than he can deliver and then attempt to lay the blame elsewhere, typically on congressional Republicans.¶ "I don't imagine history will forgive him for his self-constructed victimhood to the House GOP," she says. "Successful leaders control the political definition of their actions."¶ Majesty Of The Office¶ Walk into an elementary-school classroom, and chances are still pretty good that you'll see miniportraits of all of the presidents lining the wall.¶ Schoolchildren, however, are not taught the names of Thomas B. Reed or Nelson W. Aldrich or any other bygone congressional leaders.¶ "My 6-year-old daughter, when she was asked what she would do as president, said she'd lower taxes and bring peace to the world," says Jack Pitney, a government professor at Claremont McKenna College in California. "That's the way children think of the world — that presidents actually do these things."¶ That sense of the majesty and centrality of the presidency tends to stay with Americans as adults. Books such as The Age of Reagan and The Age of Jackson argue through their very titles that presidents can dominate and define their eras.¶ "The modern presidency is in fact that notion that the president is in some sense front and center," says Bill Connelly, a political scientist at Washington and Lee University in Virginia.¶ Less Potential To Persuade¶ But in order to achieve great things, a president has to bend Congress and the country to his will.¶ "It's tough governing," says Mann, the Brookings scholar. "It's especially tough now, given the differences between the parties."¶ Mann faults congressional Republicans for being unyielding. He notes that many 1960s-era members of the GOP were willing to support Lyndon B. Johnson's civil rights agenda. Conversely, conservative Democrats backed Ronald Reagan's tax cuts in 1981, even as their party controlled the House.¶ But liberal Republicans and conservative Democrats are few and far between these days. Old-fashioned aisle-crossing seldom happens, making life difficult for a president facing a divided Congress.¶ In addition, the public has become more polarized. As with other recent presidents, Obama is disliked and distrusted by roughly half the public.¶ "If you're looking at half the population that disagrees with you already, it's not like the president can put pressure on Congress by making people agree with him," says Eshbaugh-Soha of the University of North Texas. "If a president once had real potential to influence the public through speeches, that really isn't possible anymore."

#### Pres power decline inevitable – self-limiting and public checks the executive [gender modified]

Gregory S. McNeal, Associate Professor of law at Pepperdine University School of Law, 3-5-2013, “Targeted Killing and Accountability,” Georgetown law Journal, SSRN

However, none of the examples described answer the question of secrecy and how it can stifle political accountability. Just as secrecy has the potential to hinder accountability, it may also undermine executive power by damaging executive branch credibility. While some arguments can be made to suggest that the executive branch has too great an ability to hide relevant information from courts or the legislature, few have recognized the credibility costs associated with such decisions. 474 One scholarly attempt to describe the credibility problem is the agency approach adopted by Posner and Vermeule, they write: The president is the agent and the public is the principal. The public cares about national security but also cares about civil liberties and the well-being of potential targets of the war on terror; its optimal policy trades off these factors. However, the public cannot directly choose the policy; instead, it delegates that power to the government and, in particular, the president. The president knows the range of options available, their likely effects, their expected costs and benefits—thanks to the resources and expertise of the executive branch—and so, if he is well-motivated, he will choose the best measures available.475 Understanding the political accountability challenge in this way has a lot of explanatory purchase. It demonstrates that the president requires credibility to act, and to signal his commitment to what the public is interested in, he will need to choose the best measures available to maintain their support. Stated differently, no “president can accomplish his [or her] goals if the public does not trust him [or her]. This concern with reputation may put a far greater check on the president’s actions than do the reactions of the other branches.” 476 Therefore, choosing the best targeted killing measures is a form of self- binding,477 and exposing information about those measures may come through selective leaks about the targeted killing process,478 greater transparency through speeches,479 or demonstrated successes.480

#### Their link misses the boat – the plan makes pres powers effective – explicit congressional authorization is key to freeing the executive from second-guessing and hesitation [gender modified]

Graham Cronogue, JD from Duke University School of Law, 2012, “A New AUMF: Defining Combatants in the War on Terror,” Duke Journal of Comparative and International Law, http://scholarship.law.duke.edu/cgi/viewcontent.cgi?article=1294&context=djcil

Though the President’s inherent authority to act in times of emergency and war can arguably make congressional authorization of force unnecessary, it is extremely important for the conflict against al-Qaeda and its allies. First, as seen above, the existence of a state of war or national emergency is not entirely clear and might not authorize offensive war anyway. Next, assuming that a state of war did exist, specific congressional authorization would further legitimate and guide the executive branch in the prosecution of this conflict by setting out exactly what Congress authorizes and what it does not. Finally, Congress should specifically set out what the President can and cannot do to limit his discretionary authority and prevent adding to the gloss on executive power. Even during a state of war, a congressional authorization for conflict that clearly sets out the acceptable targets and means would further legitimate the President’s actions and help guide his decision making during this new form of warfare. Under Justice Jackson’s framework from Youngstown, presidential authority is at its height when the Executive is acting pursuant to an implicit or explicit congressional authorization.74 In this zone, the President can act quickly and decisively because s/he knows the full extent of [her or] his power.75 In contrast, the constitutionality of presidential action merely supported by a president’s inherent authority exists in the “zone of twilight.”76 Without a congressional grant of power, the President’s war actions are often of questionable constitutionality because Congress has not specifically delegated any of its own war powers to the executive.77 This problem forces the President to make complex judgments regarding the extent and scope of his inherent authority. The resulting uncertainty creates unwelcome issues of constitutionality that might hinder the President’s ability to prosecute this conflict effectively. In timesensitive and dangerous situations, where the President needs to make splitsecond decisions that could fundamentally impact American lives and safety, s/he should not have to guess at the scope of his [or her] authority. Instead, Congress should provide a clear, unambiguous grant of power, which would mitigate many questions of authorization. Allowing the President to understand the extent of his authority will enable him to act quickly, decisively but also constitutionally.

#### “Generic” pres power claims make no sense – depends on the person

#### Signal of Presidential weakness is already sent

Margaret Talev, White House correspondent, 5-24-2013, “Obama Sees Sunset on Sept. 11 War Powers in Drone Limits” Bloomberg, http://www.bloomberg.com/news/2013-05-24/obama-sees-sunset-on-sept-11-war-powers-in-drone-limits.html

President Barack Obama said the broad war powers Congress approved to fight al-Qaeda after the Sept. 11, 2001, attacks shouldn’t continue forever and that he’s reining in drone strikes and paving the way to close the prison at Guantanamo Bay, Cuba.¶ Enlarge image Obama Giving Military Bigger Role in Drone Program From CIA¶ Northrop Grumman personnel conduct pre-operational tests on an X-47B Unmanned Combat Air System (UCAS) demonstrator on the flight deck of the aircraft carrier USS George H.W. Bush (CVN 77) on May 13, 2013 in the Atlantic Ocean. Photographer: Kevin J. Steinberg/U.S. Navy via Getty Images¶ “In the years to come, not every collection of thugs that labels themselves al-Qaeda will pose a credible threat to the United States,” the president said in an hour-long address yesterday at National Defense University in Washington.¶ “Unless we discipline our thinking, our definitions, our actions, we may be drawn into more wars we don’t need to fight, or continue to grant presidents unbound powers more suited for traditional armed conflicts between nation states,” Obama said. “This war, like all wars, must end. That’s what history advises. That’s what our democracy demands.”¶ The president’s speech was months in the works and came a day after he signed a classified document shared with key members of Congress containing details of the changes.¶ While calling the U.S. drone campaign justified and legal, Obama said he was tightening the rules governing who can be targeted in the strikes by unmanned aircraft.¶ The U.S. military, instead of the Central Intelligence Agency, will be the lead authority for drone strikes, administration officials said. Obama said he will work with Congress on how to add scrutiny to a largely secret program.¶ Guantanamo Transfers¶ The president said he’ll also ask Congress to lift restrictions on transferring Guantanamo detainees to other countries and lift a moratorium on transfers to Yemen. The Yemeni government issued a statement saying it “welcomes” Obama’s decision and will work with detainees on “their gradual rehabilitation and integration back into society.”¶ Obama sought to address years of criticism about U.S. counterterrorism policy from Congress, human rights groups and the international community. His speech came as Congress is reviewing the authorization of military force that stemmed from the Sept. 11, 2001, attacks, and amid concerns that other countries are pursuing drone technology.¶ His remarks were punctuated by an exchange with a heckler who, before she was ultimately removed, demanded the release of Guantanamo detainees and compensation for “innocent families.” Obama said that while he disagreed with much of what the woman said, she was “worth paying attention to” if only because “these are tough issues and the suggestion that we can gloss over them is wrong.”¶ ‘Different Way’¶ Harold Koh, a Yale Law professor and former State Department adviser who has defended the use of drone strikes, said it was “a very important speech in terms of saying I’m not doing this the Bush way, I’m doing this a different way.”¶ More than four years into his presidency, Obama has now “clearly opted for what I’d call exit strategy, over perpetual war, and that is a very big change from the last administration.”¶ Republican lawmakers reacted with resistance on several fronts, from winding down the authorization of military force, to sending detainees back to Yemen or releasing cleared detainees, to closing Guantanamo.¶ “We’re in a war that’s not winding down,” said Senator Lindsey Graham of South Carolina. “The enemy is morphing. It is spreading.”¶ Military’s Role¶ Retired U.S. Army General Colin Powell said Obama is right to shift greater responsibility for the drone program to the military from the CIA and define the limits on their use.¶ “The application of states’ military force should be done by the military leaders in the Department of Defense,” Powell said on Bloomberg Television’s “Political Capital with Al Hunt,” airing this weekend.¶ Powell, who served as secretary of state in President George W. Bush’s administration, said the U.S. needs a policy for the use of drone strikes that sets out the responsibilities of the president as well as the role of Congress.¶ Human rights activists who are challenging the legality of drone strikes and calling for the closing of Guantanamo reacted with qualified praise to the president’s speech. Obama should have acted sooner, they said, and too many details remain secret or have yet to be decided.¶ “President Obama’s efforts to repair his legacy in the eyes of future historians will require that he continue to double down, if he is to fully restore this nation’s standing at home and abroad,” Anthony D. Romero, executive director of the American Civil Liberties Union, said in a statement.¶ Drone Disclosure¶ On the eve of Obama’s remarks, his administration for the first time acknowledged that U.S. drone strikes overseas have killed four U.S. citizens, in Pakistan and Yemen, including al-Qaeda propagandist Anwar Al-Awlaki in Yemen in September 2011.¶ Obama said he declassified the information “to facilitate transparency and debate on this issue.” While it would be unconstitutional to kill any U.S. citizen without due process, he said, the circumstances of a citizen waging war against America changes the calculation.¶ In that case, “citizenship should no more serve as a shield than a sniper shooting down on an innocent crowd should be protected from a SWAT team,” Obama said.¶ He also said no armed drones should be deployed over U.S. soil, and that drones should be used only when a target can’t be captured and when there is an imminent threat.¶ ‘Legal Review’¶ Christopher Swift, a national security professor at Georgetown University, said giving the Defense Department the lead instead of the CIA will “harmonize our U.S. drone operations with the longstanding laws and customs of war.”¶ That, along with narrowing who can be targeted, suggests Obama won’t use drones “as expansively as they’ve used it on a wide variety of targets in Pakistan,” he said.¶ “It puts these operations into a system of legal review,” Swift said, and “changes the cultural framework and institutional framework.”¶ The New America Foundation, a Washington policy group that maintains a database of reported CIA drone strikes in Pakistan and Yemen, said drone operations peaked in Pakistan in 2010, and in Yemen in 2012, and were now on the decline in both countries. The group, using news reports, estimates CIA drones have killed between 2,780 and 4,421 militants and civilians since 2004.¶ Obama made clear that the use of drones won’t end. It’s “not possible for America to simply deploy a team of special forces to capture every terrorist,” he said.¶ Guantanamo Pledge¶ The address also came weeks after Obama renewed his 2009 pledge to close the prison at Guantanamo, in the face of objections from Congress, and as a hunger strike at the facility has led to the force-feeding of 30 prisoners.¶ U.S. policy has long preferred the capture and prosecution of suspected terrorists, whether in U.S. civilian courts or by a military tribunal.¶ “The glaring exception to this time-tested approach is the detention center at Guantanamo Bay,” he said.¶ Obama said he is directing the Defense Department to designate a U.S. site where trials by military commissions can be held. He again urged lawmakers to allow the closing of the Guantanamo prison.¶ “There is no justification beyond politics for Congress to prevent us from closing a facility that should never have been opened,” he said.

#### Their card says can’t solve signal

#### Their card just says that we need targ killing not about sig strikes – Johnston says decap sufficient – still could use in case of war

#### Still retain use of troops

## K

### 2AC Framework – Theory

#### Our interpretation is that plan focus is good

#### Aff choice – other frameworks moot the 1AC

#### Topic education – only focusing on the resolution ensures different ground from year to year

#### Reject non-policy alts and links not based on the plan text

### 2AC Perm

#### Perm do both – double bind – either the alt can’t overcome the status quo or it can overcome residual link to the plan

#### Perm do the plan and all non-mutually exclusive parts of the alternative

### Impact

#### Violence is good – it’s necessary to solve terrorism

Victor Davis Hanson, Senior Fellow at the Hoover Institution and former visiting Professor of Classics, at Stanford University, 2-19-2010, “The Tragic Truth of War,” http://www.victorhanson.com/articles/hanson021910.html

Victory has usually been defined throughout the ages as forcing the enemy to accept certain political objectives. “Forcing” usually meant killing, capturing, or wounding men at arms. In today’s polite and politically correct society we seem to have forgotten that nasty but eternal truth in the confusing struggle to defeat radical Islamic terrorism. What stopped the imperial German army from absorbing France in World War I and eventually made the Kaiser abdicate was the destruction of a once magnificent army on the Western front — superb soldiers and expertise that could not easily be replaced. Saddam Hussein left Kuwait in 1991 when he realized that the U.S. military was destroying his very army. Even the North Vietnamese agreed to a peace settlement in 1973, given their past horrific losses on the ground and the promise that American air power could continue indefinitely inflicting its damage on the North. When an enemy finally gives up, it is for a combination of reasons — material losses, economic hardship, loss of territory, erosion of civilian morale, fright, mental exhaustion, internal strife. But we forget that central to a concession of defeat is often the loss of the nation’s soldiers — or even the threat of such deaths. A central theme in most of the memoirs of high-ranking officers of the Third Reich is the attrition of their best warriors. In other words, among all the multifarious reasons why Nazi Germany was defeated, perhaps the key was that hundreds of thousands of its best aviators, U-boaters, panzers, infantrymen, and officers, who swept to victory throughout 1939–41, simply perished in the fighting and were no longer around to stop the allies from doing pretty much what they wanted by 1944–45. After Stalingrad and Kursk, there were not enough good German soldiers to stop the Red Army. Even the introduction of jets could not save Hitler in 1945 — given that British and American airmen had killed thousands of Luftwaffe pilots between 1939 and 1943. After the near destruction of the Grand Army in Russia in 1812, even Napoleon’s genius could not restore his European empire. Serial and massive Communist offensives between November 1950 and April 1951 in Korea cost Red China hundreds of thousands of its crack infantry — and ensured that, for all its aggressive talk, it would never retake Seoul in 1952–53. But aren’t these cherry-picked examples from conventional wars of the past that have no relevance to the present age of limited conflict, terrorism, and insurgency where ideology reigns? Not really. We don’t quite know all the factors that contributed to the amazing success of the American “surge” in Iraq in 2007–08. Surely a number of considerations played a part: Iraqi anger at the brutish nature of al-Qaeda terrorists in their midst; increased oil prices that brought massive new revenues into the country; General Petraeus’s inspired counterinsurgency tactics that helped win over Iraqis to our side by providing them with jobs and security; much-improved American equipment; and the addition of 30,000 more American troops. But what is unspoken is also the sheer cumulative number of al Qaeda and other Islamic terrorists that the U.S. military killed or wounded between 2003 and 2008 in firefights from Fallujah to Basra. There has never been reported an approximate figure of such enemy dead — perhaps wisely, in the post-Vietnam age of repugnance at “body counts” and the need to create a positive media image. Nevertheless, in those combat operations, the marines and army not only proved that to meet them in battle was a near death sentence, but also killed thousands of low-level terrorists and hundreds of top-ranking operatives who otherwise would have continued to harm Iraqi civilians and American soldiers. Is Iraq relatively quiet today because many who made it so violent are no longer around? Contemporary conventional wisdom tries to persuade us that there is no such thing as a finite number of the enemy. Instead, killing them supposedly only incites others to step up from the shadows to take their places. Violence begets violence. It is counterproductive, and creates an endless succession of the enemy. Or so we are told. We may wish that were true. But military history suggests it is not quite accurate. In fact, there was a finite number of SS diehards and kamikaze suicide bombers even in fanatical Nazi Germany and imperial Japan. When they were attrited, not only were their acts of terror curtailed, but it turned out that far fewer than expected wanted to follow the dead to martyrdom. The Israeli war in Gaza is considered by the global community to be a terrible failure — even though the number of rocket attacks against Israeli border towns is way down. That reduction may be due to international pressure, diplomacy, and Israeli goodwill shipments of food and fuel to Gaza — or it may be due to the hundreds of Hamas killers and rocketeers who died, and the thousands who do not wish to follow them, despite their frequently loud rhetoric about a desire for martyrdom. Insurgencies, of course, are complex operations, but in general even they are not immune from eternal rules of war. Winning hearts and minds is essential; providing security for the populace is crucial; improving the economy is critical to securing the peace. But all that said, we cannot avoid the pesky truth that in war — any sort of war — killing enemy soldiers stops the violence. For all the much-celebrated counterinsurgency tactics in Afghanistan, note that we are currently in an offensive in Helmand province to “secure the area.” That means killing the Taliban and their supporters, and convincing others that they will meet a violent fate if they continue their opposition. Perhaps the most politically incorrect and Neanderthal of all thoughts would be that the American military’s long efforts in both Afghanistan and Iraq to kill or capture radical Islamists has contributed to the general safety inside the United States. Modern dogma insists that our presence in those two Muslim countries incited otherwise non-bellicose young Muslims to suddenly prefer violence and leave Saudi Arabia, Yemen, or Egypt to flock to kill the infidel invader. A more tragic view would counter that there was always a large (though largely finite) number of radical jihadists who, even before 9/11, wished to kill Americans. They went to those two theaters, fought, died, and were therefore not able to conduct as many terrorist operations as they otherwise would have, and also provided a clear example to would-be followers not to emulate their various short careers. That may explain why in global polls the popularity both of bin Laden and of the tactic of suicide bombing plummeted in the Middle Eastern street — at precisely the time America was being battered in the elite international press for the Iraq War. Even the most utopian and idealistic do not escape these tragic eternal laws of war. Barack Obama may think he can win over the radical Islamic world — or at least convince the more moderate Muslim community to reject jihadism — by means such as his Cairo speech, closing Guantanamo, trying Khalid Sheikh Mohammed in New York, or having General McChrystal emphatically assure the world that killing Taliban and al-Qaeda terrorists will not secure Afghanistan. Of course, such soft- and smart-power approaches have utility in a war so laden with symbolism in an age of globalized communications. But note that Obama has upped the number of combat troops in Afghanistan, and he vastly increased the frequency of Predator-drone assassination missions on the Pakistani border. Indeed, even as Obama damns Guantanamo and tribunals, he has massively increased the number of targeted assassinations of suspected terrorists — the rationale presumably being either that we are safer with fewer jihadists alive, or that we are warning would-be jihadists that they will end up buried amid the debris of a mud-brick compound, or that it is much easier to kill a suspected terrorist abroad than detain, question, and try a known one in the United States. In any case, the president — immune from criticism from the hard Left, which is angrier about conservative presidents waterboarding known terrorists than liberal ones executing suspected ones — has concluded that one way to win in Afghanistan is to kill as many terrorists and insurgents as possible. And while the global public will praise his kinder, gentler outreach, privately he evidently thinks that we will be safer the more the U.S. marines shoot Taliban terrorists and the more Hellfire missiles blow up al-Qaeda planners. Why otherwise would a Nobel Peace Prize laureate order such continued offensive missions? Victory is most easily obtained by ending the enemy’s ability to resist — and by offering him an alternative future that might appear better than the past. We may not like to think all of that entails killing those who wish to kill us, but it does, always has, and tragically always will — until the nature of man himself changes.

#### Consequences outweigh – only moral frame that makes sense

#### Extinction outweighs – only impact that can’t be reversed

#### Aff turns the k – squo ensures power consolidation and violent exclusion

#### Doesn’t turn the aff – your shit not root cause

#### No root cause– prefer proximate causes

John Norton, Professor of Law at the University of Virginia He formerly served as the first Chairman of the Board of the United States Institute of Peace and as the Counselor on International Law to the Department of State, Winter, 2004, “Beyond the Democratic Peace: Solving the War Puzzle”, 44 Va. J. Int'l L. 341, Lexis Law

If major interstate war is predominantly a product of a synergy between a potential nondemocratic aggressor and an absence of effective deterrence, what is the role of the many traditional "causes" of war? Past, and many contemporary, theories of war have focused on the role of specific disputes between nations, ethnic and religious differences, arms races, poverty and social injustice, competition for resources, incidents and accidents, greed, fear, perceptions of "honor," and many other factors. Such factors may well play a role in motivating aggression or generating fear and manipulating public opinion. The reality, however, is that while some of these factors may have more potential to contribute to war than others, there may well be an infinite set of motivating factors, or human wants, motivating aggression. It is not the independent existence of such motivating factors for war but rather the circumstances permitting or encouraging high-risk decisions leading to war that is the key to more effectively controlling armed conflict. And the same may also be true of democide. The early focus in the Rwanda slaughter on "ethnic conflict," as though Hutus and Tutsis had begun to slaughter each other through spontaneous combustion, distracted our attention from the reality that a nondemocratic Hutu regime had carefully planned and orchestrated a genocide against Rwandan Tutsis as well as its Hutu opponents. [n158](http://www.lexisnexis.com.proxy.lib.umich.edu/lnacui2api/frame.do?reloadEntirePage=true&rand=1329520437445&returnToKey=20_T13973620735&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.647208.6119287203#n158) Certainly if we were able to press a button and end poverty, racism, religious intolerance, injustice, and endless disputes, we would want to do so. Indeed, democratic governments must remain committed to policies that will produce a better world by all measures of human progress. The broader achievement of democracy and the rule of law will itself assist in this progress. No one, however, has yet been able to demonstrate the kind of robust correlation with any of these "traditional" causes of war that is reflected in the "democratic peace." Further, given the difficulties in overcoming many of these social problems, an approach to war exclusively dependent on their solution may doom us to war for generations to come.

### 2AC Alt Vagueness

#### The alt is vague – it’s a voting issue

#### Spikes our offense – no way for aff to win

#### Skews 2AC time

#### Damage is done – 2NC clarification rewards them because 1AR will always be behind

#### Kills the political project

#### Our 1AC ev proves –

#### Barron – Obama is constrained by the Constitution – even if they’re right that there’s no essential power to the law presidents behave AS IF there is – Obama went to congress for Syria in an instance where US troops would be committed

#### Shah ev indicates Congress is capable of overseeing grey areas – the plan fiats their stat

#### Alt fails – speaking truth to power without a mechanism backfires – especially true in the context of peace movements

Daniel McCarthy, editor of the American Conservative, 3-11-2013, “How Not to Stop a War,” TAM, http://www.theamericanconservative.com/mccarthy/how-not-to-stop-a-war/

The realignment brought about during the Vietnam era is now cracking up, and that’s the thrust of my cover story. But a crackup doesn’t happen all at once, and as recently as a decade ago the skids to the war in Iraq were greased by an antiwar movement that, as Rod Dreher notes, looked and sounded all too much like the movement against the Vietnam War. The protesters brought back bad memories for much of the public, and they fit neatly into the caricatures warhawks had drawn—of radical leftists who might have sat beside Hanoi Jane on the NVA’s anti-aircraft guns if they’d had chance. That’s certainly not a fair description of all anti-Iraq War protesters. It’s not even a fair description of most anti-Vietnam War protesters. But in mass politics perception counts. Vietnam protesters had a bad reputation with much of the public, and Iraq protesters who aped their activism naturally came in for the same rep. And even beyond those associations, what was a normal person meant to think about protesters with puppets? For “Sesame Street,” puppets may be an effective education tool, but adults aren’t accustomed to thinking about foreign policy—to the extent they think about it at all—in terms of following whomever demonstrates the most impressive papier-mâché skills. When I make this argument to left-wingers, I’m typically met with one of the following responses. 1.) “We have to do something!”—as if doing something that’s ineffective or counterproductive earns brownie points. 2.) “That’s a smear!”—you bet it’s a smear, but what are you doing to establish a more sympathetic image in the public’s mind instead? 3.) “Well, what do you suggest?”—what I suggest is not something any “activist” wants to hear: don’t take any action until you understand public opinion in some detail and can relate every individual tactic you propose to a specific, demonstrated mechanism that gives it a chance to be effective.

#### No link – too many alt causes to violence

#### China will still fight Japan

#### Policy analysis should precede discourse – most effective way to challenge power

Jill Taft-Kaufman, Speech prof @ CMU, 1995, Southern Comm. Journal, Spring, v. 60, Iss. 3, “Other Ways”, p pq

The postmodern passwords of "polyvocality," "Otherness," and "difference," unsupported by substantial analysis of the concrete contexts of subjects, creates a solipsistic quagmire. The political sympathies of the new cultural critics, with their ostensible concern for the lack of power experienced by marginalized people, aligns them with the political left. Yet, despite their adversarial posture and talk of opposition, their discourses on intertextuality and inter-referentiality isolate them from and ignore the conditions that have produced leftist politics--conflict, racism, poverty, and injustice. In short, as Clarke (1991) asserts, postmodern emphasis on new subjects conceals the old subjects, those who have limited access to good jobs, food, housing, health care, and transportation, as well as to the media that depict them. Merod (1987) decries this situation as one which leaves no vision, will, or commitment to activism. He notes that academic lip service to the oppositional is underscored by the absence of focused collective or politically active intellectual communities. Provoked by the academic manifestations of this problem Di Leonardo (1990) echoes Merod and laments: Has there ever been a historical era characterized by as little radical analysis or activism and as much radical-chic writing as ours? Maundering on about Otherness: phallocentrism or Eurocentric tropes has become a lazy academic substitute for actual engagement with the detailed histories and contemporary realities of Western racial minorities, white women, or any Third World population. (p. 530) Clarke's assessment of the postmodern elevation of language to the "sine qua non" of critical discussion is an even stronger indictment against the trend. Clarke examines Lyotard's (1984) The Postmodern Condition in which Lyotard maintains that virtually all social relations are linguistic, and, therefore, it is through the coercion that threatens speech that we enter the "realm of terror" and society falls apart. To this assertion, Clarke replies: I can think of few more striking indicators of the political and intellectual impoverishment of a view of society that can only recognize the discursive. If the worst terror we can envisage is the threat not to be allowed to speak, we are appallingly ignorant of terror in its elaborate contemporary forms. It may be the intellectual's conception of terror (what else do we do but speak?), but its projection onto the rest of the world would be calamitous....(pp. 2-27) The realm of the discursive is derived from the requisites for human life, which are in the physical world, rather than in a world of ideas or symbols.(4) Nutrition, shelter, and protection are basic human needs that require collective activity for their fulfillment. Postmodern emphasis on the discursive without an accompanying analysis of how the discursive emerges from material circumstances hides the complex task of envisioning and working towards concrete social goals (Merod, 1987). Although the material conditions that create the situation of marginality escape the purview of the postmodernist, the situation and its consequences are not overlooked by scholars from marginalized groups. Robinson (1990) for example, argues that "the justice that working people deserve is economic, not just textual" (p. 571). Lopez (1992) states that "the starting point for organizing the program content of education or political action must be the present existential, concrete situation" (p. 299). West (1988) asserts that borrowing French post-structuralist discourses about "Otherness" blinds us to realities of American difference going on in front of us (p. 170). Unlike postmodern "textual radicals" who Rabinow (1986) acknowledges are "fuzzy about power and the realities of socioeconomic constraints" (p. 255), most writers from marginalized groups are clear about how discourse interweaves with the concrete circumstances that create lived experience. People whose lives form the material for postmodern counter-hegemonic discourse do not share the optimism over the new recognition of their discursive subjectivities, because such an acknowledgment does not address sufficiently their collective historical and current struggles against racism, sexism, homophobia, and economic injustice. They do not appreciate being told they are living in a world in which there are no more real subjects. Ideas have consequences. Emphasizing the discursive self when a person is hungry and homeless represents both a cultural and humane failure. The need to look beyond texts to the perception and attainment of concrete social goals keeps writers from marginalized groups ever-mindful of the specifics of how power works through political agendas, institutions, agencies, and the budgets that fuel them.

## CP

### 2AC

#### Perm: Do Both – shields the link

#### Perm: Do CP – text implies action by the executive

#### Self-restraint is perceived as discretionary and isn’t modeled – Congressional limits bolster accountability and prevents foreign governments from engaging in aggressive drone policy

Rebecca Griffen, political director of Peace Action West, expert on war and drone policy, 1-11-2013, “Will Congress take on drones in 2013?” Peace Action West, http://blog.peaceactionwest.org/2013/01/11/will-congress-take-on-drones-in-2013/

Since President Obama took office in 2009, his administration has dramatically increased the use of unmanned armed drones throughout the Middle East and Africa. The administration has overseen more than 300 drones strikes, with more than 2,500 killed by the CIA and the military. Thus far, Congress has not engaged on an in-depth level on important questions surrounding the reliance on this technology and the overarching policy governing its use.¶ The Obama administration reportedly began assembling parameters for the use of drones in the pursuit of suspected terrorists, but the proposed regulations have not yet been made public. Last year, President Obama stated, “One of the things we’ve got to do is put a legal architecture in place, and we need congressional help in order to do that, to make sure that not only am I reined in but any president’s reined in terms of some of the decisions that we’re making.”¶ The 113th Congress should heed this call and exercise greater oversight over drone policy. Issues to address include:¶ Defining the “battlefield” and authorization for the use of force¶ As Al-Qaeda’s presence continues to wane, the already tenuous interpretation of the authorization for the use of military force in 2001 will not provide strong justification for drone attacks like those that have occurred in Afghanistan, Pakistan, Somalia and Yemen. As former Defense Department General Counsel Jeh Johnson argued, the US should “be able to say … that our efforts should no longer be considered an armed conflict against al-Qaida and its affiliates,” and that responsibility for pursuing Al-Qaeda should shift to law enforcement agencies.¶ This is a critical time for Congress to assert its role in oversight over military force and standards for expanding or continuing the drone war outside of the framework of armed conflict.¶ Civilian casualties and ensuing blowback¶ It is very difficult to obtain accurate numbers of civilian casualties in drone strikes. This is exacerbated by the CIA policy of counting military-age males as militants unless they have specific evidence pointing to their innocence. US policy of using “secondary strikes,” attacking rescuers who come to the aid of victims of initial strikes, puts civilians at even greater risk.¶ An in-depth report by Stanford and NYU Law Schools disputes the characterization of drones as a precise, targeted tool with minimal impact on innocent civilians. The study notes that despite US claims downplaying civilian casualties, the best available data indicate that drone strikes in just Pakistan killed 474-881 civilians and injured 1,228-1,362. The report also highlights significant harm other than injury and death, including anxiety and psychological trauma.¶ Yemen expert Gregory Johnsen notes, “Testimonies from Qaeda fighters and interviews I and local journalists have conducted across Yemen attest to the centrality of civilian casualties in explaining Al Qaeda’s rapid growth there. The United States is killing women, children and members of key tribes. ‘Each time they kill a tribesman, they create more fighters for Al Qaeda,’ one Yemeni explained to me over tea in Sana, the capital, last month. Another told CNN, after a failed strike, ‘I would not be surprised if a hundred tribesmen joined Al Qaeda as a result of the latest drone mistake.’” Johnsen points out that Al Qaeda in the Arabian Peninsula has more than tripled in Yemen since the US started bombing the country in 2009.¶ Congress should push for greater transparency and more accurate accounting of civilian casualties, and for the end of secondary strikes. A full accounting of the impact of US drone strikes will better allow Congress and the public to weigh any potential benefits of the use of drones against their negative impacts.¶ The use of so-called “signature strikes”¶ In 2012, the Obama administration approved the use of so-called “signature strikes,” allowing the targeting of people whose identities are unknown. Targeting based on patterns of behavior rather than evidence of an imminent threat to US interests sets a dangerous precedent, increases the likelihood of blowback, and vastly increases the risk of killing innocent civilians. Congress should push for greater transparency in the use of signature strikes and ultimately to end their use.¶ Targeted assassination of US citizens¶ The Obama administration used dubious legal justification to kill a US citizen, Anwar Al-Awlaki, in Yemen. The threat Al-Awlaki posed, as well as his prominence within Al-Qaeda, has been called into question by experts on the region. The administration has resisted calls for greater transparency in this case and implications for future use of force. Other American citizens, including Awlaki’s 16-year-old son, have been killed in drone strikes in which they were not the intended targets.¶ President Obama has an unreleased list of targets for killing and capture that reportedly includes additional Americans, as well as targets as young as teenagers. Congress must demand greater transparency around targeting and rein in executive power to kill targets that could be pursued by other means, or may not pose an imminent threat to the US, including American citizens.¶ Precedent setting and future proliferation of drone technology¶ As with any technology, the United States will not maintain a monopoly on the use of armed drones. The New America Foundation cites 70 countries that currently have some kind of drone. Examining our standards for use of drones and setting specific parameters will become even more critical as we set a precedent for international drone use.¶ As Human Rights Watch points out, “Because the US treats many of the most important constraints on the use of force as matters of discretionary prudence rather than legal requirements, the US approach would not forbid the Russians to target an alleged Chechen militant in New York, or the Chinese a Uighur separatist in Washington, DC, if they said they were at war with these groups and the US didn’t apprehend them. That is a deeply troublesome precedent to set.”¶ Congress should push for clear, public standards that can contribute to an international conversation about global standards for the use of drones.

#### Captures zero of the norms advantage – Harvard indicates explicit restrictions are key to modeling

#### Doesn’t solve Pakistan – the strikes themselves are the problem, not inability of people to read a press release

#### Double bind – either the CP isn’t binding on Obama and can’t solve the advantage or it sends the same signal of weakness and links to the net benefit

#### No net benefit – Zenko indicates the plan maintains drone strikes, I guess if that’s the net benefit we solve it?

#### Cullen ev – from 2007 – our Farley ev and Zenko ev indicates that perception is already triggered – only rolling it BACK is sufficient

## Pirates

### 2AC Pirates of the Bab

#### There are no pirates – this isn’t the 17th century

Anna Culaba, writer for RYOT news, 12-27-2013, “Somali Pirates Hijacked Zero Boats This Year,” RYOT News, http://www.ryot.org/somali-pirates-hijacked-zero-boats-year/513057

While the topic of piracy grips the public imagination — the success of the film “Captain Phillips” bears witness to this — not one single vessel was hijacked in the Indian Ocean this year, according to the United States Office of Naval Intelligence. This is the fourth annual decline in pirate attacks off the coast of Somalia. The Independent reported that there were 46 hijackings in 2009 (the year the Maersk Alabama, the subject of the film Captain Phillips, was seized by Somali pirates), 47 hijackings in 2010, 14 in 2012 and none in 2013. According to Quartz, pirate attacks are at the lowest level since 2006 because of an increased presence of international navies in and around the Indian Ocean; onshore al-Shabaab militants who have shifted tactics to guerrilla warfare; and vigilance among vessel owners, who have rerouted and fortified ships to combat piracy.

#### Not using TK against pirates now

#### Already in Somalia and yemen

#### Deepwater-Horizon in the Gulf of Mexico proves biodiv claims are silly

#### Should have happened by now

#### No tipping points – earth can take it

Erle C. Ellis, associate professor of geography and environmental systems at the University of Maryland, Baltimore County, 3-11-2013, “Time to forget global tipping points,” New Scientist, http://www.newscientist.com/article/mg21729070.200-time-to-forget-global-tipping-points.html

HOW much can our poor Earth take? We've already transformed most of the biosphere beyond anything our early ancestors could have imagined, clearing, ploughing, burning, building, damming, domesticating, driving to extinction, dousing with chemicals and even changing the climate. Surely at some point, the biosphere will simply collapse in the face of such a massive and unrelenting onslaught. Or will it? This is a question that inspires intense debate among ecologists and global change scientists. Some say that we are heading rapidly for a global tipping point – a threshold beyond which the entire biosphere will shift into a new and mostly undesired state. Others, like me, are convinced that no theoretical or empirical evidence exists for such a claim, and that a widespread belief in the existence of such a point of no return threatens to push ecological science and its application in the wrong direction. Let us examine the evidence. Ecologists have long been aware that tipping points exist in local and regional ecosystems. For example, when nutrients are added to a lake, its ecological properties tend to continue as before until the lake suddenly shifts to a new state. The water changes from clear to turbid; communities of plants, fish and other species change almost completely. Shifting the lake back into its previous state is possible, but requires massive efforts. Among other examples of local and regional tipping points are the rapid collapse of coral reefs in the face of rising ocean acidity and the transformation of ecosystems by the extinction of a dominant species, or the introduction of a new one. With such strong evidence of tipping points in regional ecosystems, why wouldn't we expect such tipping points to exist in the biosphere as a whole? Examine the mechanisms that produce tipping points, and the answer becomes clear. Tipping points happen when the components of a system respond gradually to an external force until a level of change is reached at which the response becomes non-linear and synergistic. This amplifies the effect of the force and rapidly drives the system into a new state. To respond in this way, systems must meet certain requirements. Either external forces are applied uniformly and each part of the system responds in the same way, or the system must be highly interconnected to allow synergistic responses to emerge. Or both. Do these criteria apply to the biosphere as a whole? I think not. For planetary tipping points to exist, the forces of humanity would need to act uniformly across the planet, all ecosystems would need to respond to them in the same way, and the response would need to be transmitted rapidly across Earth's many ecosystems § Marked 09:45 § and continents. Even the force of human-induced climate change, so evident across the planet, does not meet these requirements. For example, it warms and dries some regions while cooling and moistening others. Even if it did uniformly heat Earth's ecosystems, this would not produce a coherent global shift in ecology because local ecosystems respond so differently, often in opposing ways. Finally, organisms and ecosystems in different biomes and on different continents are not strongly connected. Animals, plants and microorganisms are limited in their interactions by distance and barriers such as oceans and mountain ranges. Even with human-induced species invasions, there is no species capable of colonising all of Earth's biomes – not even the mighty cockroach. So there is little chance of anthropogenic climate change leading to a global tipping point in the biosphere. When it comes to other changes, including land use, habitat fragmentation and extinction, the case for a global tipping point is even weaker. How, then, does the biosphere as a whole respond to human pressures? To put it simply: every ecosystem changes in its own way. We are driving massive long-term changes in the ecology of our planet, one ecosystem, one community, one species at a time. The biosphere's response to human pressures is merely the sum of all of the changes.

#### Tankers resilient

Rodney Mills, Commander in the US Navy, 10-31-2008, “Iran and the Strait of Hormuz: Saber Rattling or Global Energy Nightmare,” Naval War College, DTIC

Oil tankers would seem to be the ideal target - they are large, not particularly maneuverable, and have little in the way of onboard defenses. They are plentiful in the Strait of Hormuz - in 2007, an average of fifteen tankers carrying crude oil passed through the Strait of Hormuz every day.4 The size and design of crude oil tankers works to their advantage, however. The supertankers, or Very Large Crude Carriers (VLCCs), that carry much of the crude oil in the strait are massive, displacing more than an aircraft carrier, thus reducing the effectiveness of a given size warhead.5 Older, single-hulled tankers are being phased out, and most tankers today are of newer, double-hulled designs; coupled with internal compartmentalization, this tends to limit damage from an explosion. There are relatively few areas of vital machinery that could disable the vessel if damaged, and much of the vital machinery is underwater. The crude oil they carry tends to absorb and dissipate the shock caused by an explosion, reducing the effectiveness of the warhead. And the crude oil is not very flammable, reducing the chance of fire or secondary explosion. All of these factors work together to make oil tankers resilient targets and to make it unlikely that a single weapon would sink or cause the "constructive total loss" of a tanker and its cargo, thus complicating the Iranian operational problem.6

#### You have it opposite – strikes now, but they’re bad, but the plan solves the blowback

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

In a place like Yemen, although the American drone program is universally hated, many Yemenis will admit they would support targeted assassinations if there is clear intelligence that an individual is a senior operative within AQAP and plotting a specific and imminent act of terror against Americans. The problem with signature strikes is that they do not meet this threshold--not even remotely-- and they open the door for the U.S. to make grievous targeting mistakes and be seen as taking sides in a domestic insurgency. Signature strikes target low-level militants who might be nasty characters, but they are not necessarily planning an imminent act of terror or hold a leadership position.

# 1AR

## Norms

### Norms – Caucuses War

#### Unrestricted drone use causes nuclear war in the Caucuses

Nick Clayton, Eastern Europe correspondent for the Washington Times the Asia Times and Washington Diplomat, currently the senior editor of Kanal PIK TV's English Service, 10-23-2012, "Drone violence along Armenian-Azerbaijani border could lead to war", www.globalpost.com/dispatch/news/regions/europe/121022/drone-violence-along-armenian-azerbaijani-border-could-lead-war

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

## Pak

### AT: Drones Down

#### New rules didn’t do anything – comprehensive analysis proves

Jack Serle, writer at the Bureau of Investigative Journalism, 11-26-2013, “New analysis questions constraint on US drone strikes,” BIJ, http://www.thebureauinvestigates.com/2013/11/26/new-analysis-questions-constraint-on-us-drone-strikes/

Six months after President Obama laid out US rules for using armed drones, a Bureau analysis shows that covert drone strikes in Yemen and Pakistan have killed more people than in the six months before the speech. Each drone strike kills more people on average in both countries. The number of strikes fell across the two countries in the six months after the speech compared with the six months before, yet the overall death toll increased. ‘To say a military tactic is legal, or even effective, is not to say it is wise or moral in every instance.’ - President Obama This analysis will raise questions about how much Obama’s new rules constrain the drone programme, as he claimed it would in his speech. On May 23 Obama explained how a new policy will govern the use of drones. He said using drones for targeted killing is legal, but added: ‘To say a military tactic is legal, or even effective, is not to say it is wise or moral in every instance.’ He said: ’The same human progress that gives us the technology to strike half a world away also demands the discipline to constrain that power – or risk abusing it.’ The President’s remarks, and a background briefing to the media by unnamed administration officials, led some to report the US was ending the controversial practice of signature strikes – strikes which target groups of unidentified individuals based on their behaviour. However in the weeks after the speech, analyst Micah Zenko wrote: ‘There is no evidence that signature strikes will be reduced or ended based upon anything the Obama administration has recently stated.’

## Solvency

### 2AC

#### No impact to pres powers; only turns – even if ideally it would be good to have that power, empirically it’s squandered

Louis Fisher, Scholar in Residence at The Constitution Project served for four decades as senior specialist in Separation of Powers (Congressional Research Service) and Specialist in Constitutional Law (Law Library), January 2012, “Teaching the Presidency: Idealizing a Constitutional Oﬃce”, http://www.loufisher.org/docs/ci/teach.pdf

Thomas Cronin helped puncture imaginary qualities that other scholars had bestowed on the American president. In a recent book, On the Presidency (2010), he reviews the record of 14 presidents from 1920 to 2009 and concludes: “Maybe about three were successful. At least half a dozen failed in one way or another” (Cronin 2010, 2). He deleted from the list of successful presidents those who were forced from oﬃce, impeached, rejected when they sought reelection, or decided to step aside rather than face voter rebuke. Those who survived that winnowing process were three: Franklin D. Roosevelt, Dwight D. Eisenhower, and Ronald Reagan. That is one realistic measure of the real presidency. Many studies on presidential power rely on imaginary and idealistic qualities. It is unfortunate that so much scholarly guidance came from the works of Schlesinger, Commager, Rossiter, and Neustadt, who looked less to evidence than their own personal and idiosyncratic fancies. The fault is not merely in the deﬁciencies of their research but in the willingness of the academic profession to tolerate their work for such a long time and to extend repeated and undeserved praise. Some contemporary scholars continue to attribute to the presidency highly romantic qualities of integrity, honesty, and competence rarely seen in those who sit in the Oval Oﬃce.

#### Ideas of presidential power are vastly overestimated – especially for Obama

Alan Greenblatt, reporter, 3-12-2013, “Why Obama (And Any President) Fails To Meet Expectations” NPR, http://www.npr.org/blogs/itsallpolitics/2013/03/12/174104878/why-obama-and-any-president-fails-to-meet-expectations

"Expectations tend to be wildly unrealistic," says Thomas Mann, a senior fellow at the Brookings Institution. "Presidents can be important, but their scope for solving problems that are the source of substantial disagreement [is] exceedingly limited within our constitutional system."¶ Given the constraints of divided government and the current polarized landscape, not many presidents would be able to accomplish more than Obama has, says Lara Brown, a political scientist at Pennsylvania's Villanova University.¶ Still, all presidents are dealt tough cards. Obama has not always played his well, Brown argues, because he tends to promise more than he can deliver and then attempt to lay the blame elsewhere, typically on congressional Republicans.¶ "I don't imagine history will forgive him for his self-constructed victimhood to the House GOP," she says. "Successful leaders control the political definition of their actions."¶ Majesty Of The Office¶ Walk into an elementary-school classroom, and chances are still pretty good that you'll see miniportraits of all of the presidents lining the wall.¶ Schoolchildren, however, are not taught the names of Thomas B. Reed or Nelson W. Aldrich or any other bygone congressional leaders.¶ "My 6-year-old daughter, when she was asked what she would do as president, said she'd lower taxes and bring peace to the world," says Jack Pitney, a government professor at Claremont McKenna College in California. "That's the way children think of the world — that presidents actually do these things."¶ That sense of the majesty and centrality of the presidency tends to stay with Americans as adults. Books such as The Age of Reagan and The Age of Jackson argue through their very titles that presidents can dominate and define their eras.¶ "The modern presidency is in fact that notion that the president is in some sense front and center," says Bill Connelly, a political scientist at Washington and Lee University in Virginia.¶ Less Potential To Persuade¶ But in order to achieve great things, a president has to bend Congress and the country to his will.¶ "It's tough governing," says Mann, the Brookings scholar. "It's especially tough now, given the differences between the parties."¶ Mann faults congressional Republicans for being unyielding. He notes that many 1960s-era members of the GOP were willing to support Lyndon B. Johnson's civil rights agenda. Conversely, conservative Democrats backed Ronald Reagan's tax cuts in 1981, even as their party controlled the House.¶ But liberal Republicans and conservative Democrats are few and far between these days. Old-fashioned aisle-crossing seldom happens, making life difficult for a president facing a divided Congress.¶ In addition, the public has become more polarized. As with other recent presidents, Obama is disliked and distrusted by roughly half the public.¶ "If you're looking at half the population that disagrees with you already, it's not like the president can put pressure on Congress by making people agree with him," says Eshbaugh-Soha of the University of North Texas. "If a president once had real potential to influence the public through speeches, that really isn't possible anymore."

#### Pres power decline inevitable – self-limiting and public checks the executive [gender modified]

Gregory S. McNeal, Associate Professor of law at Pepperdine University School of Law, 3-5-2013, “Targeted Killing and Accountability,” Georgetown law Journal, SSRN

However, none of the examples described answer the question of secrecy and how it can stifle political accountability. Just as secrecy has the potential to hinder accountability, it may also undermine executive power by damaging executive branch credibility. While some arguments can be made to suggest that the executive branch has too great an ability to hide relevant information from courts or the legislature, few have recognized the credibility costs associated with such decisions. 474 One scholarly attempt to describe the credibility problem is the agency approach adopted by Posner and Vermeule, they write: The president is the agent and the public is the principal. The public cares about national security but also cares about civil liberties and the well-being of potential targets of the war on terror; its optimal policy trades off these factors. However, the public cannot directly choose the policy; instead, it delegates that power to the government and, in particular, the president. The president knows the range of options available, their likely effects, their expected costs and benefits—thanks to the resources and expertise of the executive branch—and so, if he is well-motivated, he will choose the best measures available.475 Understanding the political accountability challenge in this way has a lot of explanatory purchase. It demonstrates that the president requires credibility to act, and to signal his commitment to what the public is interested in, he will need to choose the best measures available to maintain their support. Stated differently, no “president can accomplish his [or her] goals if the public does not trust him [or her]. This concern with reputation may put a far greater check on the president’s actions than do the reactions of the other branches.” 476 Therefore, choosing the best targeted killing measures is a form of self- binding,477 and exposing information about those measures may come through selective leaks about the targeted killing process,478 greater transparency through speeches,479 or demonstrated successes.480

#### Their link misses the boat – the plan makes pres powers effective – explicit congressional authorization is key to freeing the executive from second-guessing and hesitation [gender modified]

Graham Cronogue, JD from Duke University School of Law, 2012, “A New AUMF: Defining Combatants in the War on Terror,” Duke Journal of Comparative and International Law, http://scholarship.law.duke.edu/cgi/viewcontent.cgi?article=1294&context=djcil

Though the President’s inherent authority to act in times of emergency and war can arguably make congressional authorization of force unnecessary, it is extremely important for the conflict against al-Qaeda and its allies. First, as seen above, the existence of a state of war or national emergency is not entirely clear and might not authorize offensive war anyway. Next, assuming that a state of war did exist, specific congressional authorization would further legitimate and guide the executive branch in the prosecution of this conflict by setting out exactly what Congress authorizes and what it does not. Finally, Congress should specifically set out what the President can and cannot do to limit his discretionary authority and prevent adding to the gloss on executive power. Even during a state of war, a congressional authorization for conflict that clearly sets out the acceptable targets and means would further legitimate the President’s actions and help guide his decision making during this new form of warfare. Under Justice Jackson’s framework from Youngstown, presidential authority is at its height when the Executive is acting pursuant to an implicit or explicit congressional authorization.74 In this zone, the President can act quickly and decisively because s/he knows the full extent of [her or] his power.75 In contrast, the constitutionality of presidential action merely supported by a president’s inherent authority exists in the “zone of twilight.”76 Without a congressional grant of power, the President’s war actions are often of questionable constitutionality because Congress has not specifically delegated any of its own war powers to the executive.77 This problem forces the President to make complex judgments regarding the extent and scope of his inherent authority. The resulting uncertainty creates unwelcome issues of constitutionality that might hinder the President’s ability to prosecute this conflict effectively. In timesensitive and dangerous situations, where the President needs to make splitsecond decisions that could fundamentally impact American lives and safety, s/he should not have to guess at the scope of his [or her] authority. Instead, Congress should provide a clear, unambiguous grant of power, which would mitigate many questions of authorization. Allowing the President to understand the extent of his authority will enable him to act quickly, decisively but also constitutionally.

#### “Generic” pres power claims make no sense – depends on the person

#### Signal of Presidential weakness is already sent

Margaret Talev, White House correspondent, 5-24-2013, “Obama Sees Sunset on Sept. 11 War Powers in Drone Limits” Bloomberg, http://www.bloomberg.com/news/2013-05-24/obama-sees-sunset-on-sept-11-war-powers-in-drone-limits.html

President Barack Obama said the broad war powers Congress approved to fight al-Qaeda after the Sept. 11, 2001, attacks shouldn’t continue forever and that he’s reining in drone strikes and paving the way to close the prison at Guantanamo Bay, Cuba.¶ Enlarge image Obama Giving Military Bigger Role in Drone Program From CIA¶ Northrop Grumman personnel conduct pre-operational tests on an X-47B Unmanned Combat Air System (UCAS) demonstrator on the flight deck of the aircraft carrier USS George H.W. Bush (CVN 77) on May 13, 2013 in the Atlantic Ocean. Photographer: Kevin J. Steinberg/U.S. Navy via Getty Images¶ “In the years to come, not every collection of thugs that labels themselves al-Qaeda will pose a credible threat to the United States,” the president said in an hour-long address yesterday at National Defense University in Washington.¶ “Unless we discipline our thinking, our definitions, our actions, we may be drawn into more wars we don’t need to fight, or continue to grant presidents unbound powers more suited for traditional armed conflicts between nation states,” Obama said. “This war, like all wars, must end. That’s what history advises. That’s what our democracy demands.”¶ The president’s speech was months in the works and came a day after he signed a classified document shared with key members of Congress containing details of the changes.¶ While calling the U.S. drone campaign justified and legal, Obama said he was tightening the rules governing who can be targeted in the strikes by unmanned aircraft.¶ The U.S. military, instead of the Central Intelligence Agency, will be the lead authority for drone strikes, administration officials said. Obama said he will work with Congress on how to add scrutiny to a largely secret program.¶ Guantanamo Transfers¶ The president said he’ll also ask Congress to lift restrictions on transferring Guantanamo detainees to other countries and lift a moratorium on transfers to Yemen. The Yemeni government issued a statement saying it “welcomes” Obama’s decision and will work with detainees on “their gradual rehabilitation and integration back into society.”¶ Obama sought to address years of criticism about U.S. counterterrorism policy from Congress, human rights groups and the international community. His speech came as Congress is reviewing the authorization of military force that stemmed from the Sept. 11, 2001, attacks, and amid concerns that other countries are pursuing drone technology.¶ His remarks were punctuated by an exchange with a heckler who, before she was ultimately removed, demanded the release of Guantanamo detainees and compensation for “innocent families.” Obama said that while he disagreed with much of what the woman said, she was “worth paying attention to” if only because “these are tough issues and the suggestion that we can gloss over them is wrong.”¶ ‘Different Way’¶ Harold Koh, a Yale Law professor and former State Department adviser who has defended the use of drone strikes, said it was “a very important speech in terms of saying I’m not doing this the Bush way, I’m doing this a different way.”¶ More than four years into his presidency, Obama has now “clearly opted for what I’d call exit strategy, over perpetual war, and that is a very big change from the last administration.”¶ Republican lawmakers reacted with resistance on several fronts, from winding down the authorization of military force, to sending detainees back to Yemen or releasing cleared detainees, to closing Guantanamo.¶ “We’re in a war that’s not winding down,” said Senator Lindsey Graham of South Carolina. “The enemy is morphing. It is spreading.”¶ Military’s Role¶ Retired U.S. Army General Colin Powell said Obama is right to shift greater responsibility for the drone program to the military from the CIA and define the limits on their use.¶ “The application of states’ military force should be done by the military leaders in the Department of Defense,” Powell said on Bloomberg Television’s “Political Capital with Al Hunt,” airing this weekend.¶ Powell, who served as secretary of state in President George W. Bush’s administration, said the U.S. needs a policy for the use of drone strikes that sets out the responsibilities of the president as well as the role of Congress.¶ Human rights activists who are challenging the legality of drone strikes and calling for the closing of Guantanamo reacted with qualified praise to the president’s speech. Obama should have acted sooner, they said, and too many details remain secret or have yet to be decided.¶ “President Obama’s efforts to repair his legacy in the eyes of future historians will require that he continue to double down, if he is to fully restore this nation’s standing at home and abroad,” Anthony D. Romero, executive director of the American Civil Liberties Union, said in a statement.¶ Drone Disclosure¶ On the eve of Obama’s remarks, his administration for the first time acknowledged that U.S. drone strikes overseas have killed four U.S. citizens, in Pakistan and Yemen, including al-Qaeda propagandist Anwar Al-Awlaki in Yemen in September 2011.¶ Obama said he declassified the information “to facilitate transparency and debate on this issue.” While it would be unconstitutional to kill any U.S. citizen without due process, he said, the circumstances of a citizen waging war against America changes the calculation.¶ In that case, “citizenship should no more serve as a shield than a sniper shooting down on an innocent crowd should be protected from a SWAT team,” Obama said.¶ He also said no armed drones should be deployed over U.S. soil, and that drones should be used only when a target can’t be captured and when there is an imminent threat.¶ ‘Legal Review’¶ Christopher Swift, a national security professor at Georgetown University, said giving the Defense Department the lead instead of the CIA will “harmonize our U.S. drone operations with the longstanding laws and customs of war.”¶ That, along with narrowing who can be targeted, suggests Obama won’t use drones “as expansively as they’ve used it on a wide variety of targets in Pakistan,” he said.¶ “It puts these operations into a system of legal review,” Swift said, and “changes the cultural framework and institutional framework.”¶ The New America Foundation, a Washington policy group that maintains a database of reported CIA drone strikes in Pakistan and Yemen, said drone operations peaked in Pakistan in 2010, and in Yemen in 2012, and were now on the decline in both countries. The group, using news reports, estimates CIA drones have killed between 2,780 and 4,421 militants and civilians since 2004.¶ Obama made clear that the use of drones won’t end. It’s “not possible for America to simply deploy a team of special forces to capture every terrorist,” he said.¶ Guantanamo Pledge¶ The address also came weeks after Obama renewed his 2009 pledge to close the prison at Guantanamo, in the face of objections from Congress, and as a hunger strike at the facility has led to the force-feeding of 30 prisoners.¶ U.S. policy has long preferred the capture and prosecution of suspected terrorists, whether in U.S. civilian courts or by a military tribunal.¶ “The glaring exception to this time-tested approach is the detention center at Guantanamo Bay,” he said.¶ Obama said he is directing the Defense Department to designate a U.S. site where trials by military commissions can be held. He again urged lawmakers to allow the closing of the Guantanamo prison.¶ “There is no justification beyond politics for Congress to prevent us from closing a facility that should never have been opened,” he said.

#### Their card says can’t solve signal

#### Their card just says that we need targ killing not about sig strikes – Johnston says decap sufficient – still could use in case of war

#### Still retain use of troops

## K

### 2AC Framework – Theory

#### Our interpretation is that plan focus is good

#### Aff choice – other frameworks moot the 1AC

#### Topic education – only focusing on the resolution ensures different ground from year to year

#### Reject non-policy alts and links not based on the plan text

### 2AC Perm

#### Perm do both – double bind – either the alt can’t overcome the status quo or it can overcome residual link to the plan

#### Perm do the plan and all non-mutually exclusive parts of the alternative

### Impact

#### Violence is good – it’s necessary to solve terrorism

Victor Davis Hanson, Senior Fellow at the Hoover Institution and former visiting Professor of Classics, at Stanford University, 2-19-2010, “The Tragic Truth of War,” http://www.victorhanson.com/articles/hanson021910.html

Victory has usually been defined throughout the ages as forcing the enemy to accept certain political objectives. “Forcing” usually meant killing, capturing, or wounding men at arms. In today’s polite and politically correct society we seem to have forgotten that nasty but eternal truth in the confusing struggle to defeat radical Islamic terrorism. What stopped the imperial German army from absorbing France in World War I and eventually made the Kaiser abdicate was the destruction of a once magnificent army on the Western front — superb soldiers and expertise that could not easily be replaced. Saddam Hussein left Kuwait in 1991 when he realized that the U.S. military was destroying his very army. Even the North Vietnamese agreed to a peace settlement in 1973, given their past horrific losses on the ground and the promise that American air power could continue indefinitely inflicting its damage on the North. When an enemy finally gives up, it is for a combination of reasons — material losses, economic hardship, loss of territory, erosion of civilian morale, fright, mental exhaustion, internal strife. But we forget that central to a concession of defeat is often the loss of the nation’s soldiers — or even the threat of such deaths. A central theme in most of the memoirs of high-ranking officers of the Third Reich is the attrition of their best warriors. In other words, among all the multifarious reasons why Nazi Germany was defeated, perhaps the key was that hundreds of thousands of its best aviators, U-boaters, panzers, infantrymen, and officers, who swept to victory throughout 1939–41, simply perished in the fighting and were no longer around to stop the allies from doing pretty much what they wanted by 1944–45. After Stalingrad and Kursk, there were not enough good German soldiers to stop the Red Army. Even the introduction of jets could not save Hitler in 1945 — given that British and American airmen had killed thousands of Luftwaffe pilots between 1939 and 1943. After the near destruction of the Grand Army in Russia in 1812, even Napoleon’s genius could not restore his European empire. Serial and massive Communist offensives between November 1950 and April 1951 in Korea cost Red China hundreds of thousands of its crack infantry — and ensured that, for all its aggressive talk, it would never retake Seoul in 1952–53. But aren’t these cherry-picked examples from conventional wars of the past that have no relevance to the present age of limited conflict, terrorism, and insurgency where ideology reigns? Not really. We don’t quite know all the factors that contributed to the amazing success of the American “surge” in Iraq in 2007–08. Surely a number of considerations played a part: Iraqi anger at the brutish nature of al-Qaeda terrorists in their midst; increased oil prices that brought massive new revenues into the country; General Petraeus’s inspired counterinsurgency tactics that helped win over Iraqis to our side by providing them with jobs and security; much-improved American equipment; and the addition of 30,000 more American troops. But what is unspoken is also the sheer cumulative number of al Qaeda and other Islamic terrorists that the U.S. military killed or wounded between 2003 and 2008 in firefights from Fallujah to Basra. There has never been reported an approximate figure of such enemy dead — perhaps wisely, in the post-Vietnam age of repugnance at “body counts” and the need to create a positive media image. Nevertheless, in those combat operations, the marines and army not only proved that to meet them in battle was a near death sentence, but also killed thousands of low-level terrorists and hundreds of top-ranking operatives who otherwise would have continued to harm Iraqi civilians and American soldiers. Is Iraq relatively quiet today because many who made it so violent are no longer around? Contemporary conventional wisdom tries to persuade us that there is no such thing as a finite number of the enemy. Instead, killing them supposedly only incites others to step up from the shadows to take their places. Violence begets violence. It is counterproductive, and creates an endless succession of the enemy. Or so we are told. We may wish that were true. But military history suggests it is not quite accurate. In fact, there was a finite number of SS diehards and kamikaze suicide bombers even in fanatical Nazi Germany and imperial Japan. When they were attrited, not only were their acts of terror curtailed, but it turned out that far fewer than expected wanted to follow the dead to martyrdom. The Israeli war in Gaza is considered by the global community to be a terrible failure — even though the number of rocket attacks against Israeli border towns is way down. That reduction may be due to international pressure, diplomacy, and Israeli goodwill shipments of food and fuel to Gaza — or it may be due to the hundreds of Hamas killers and rocketeers who died, and the thousands who do not wish to follow them, despite their frequently loud rhetoric about a desire for martyrdom. Insurgencies, of course, are complex operations, but in general even they are not immune from eternal rules of war. Winning hearts and minds is essential; providing security for the populace is crucial; improving the economy is critical to securing the peace. But all that said, we cannot avoid the pesky truth that in war — any sort of war — killing enemy soldiers stops the violence. For all the much-celebrated counterinsurgency tactics in Afghanistan, note that we are currently in an offensive in Helmand province to “secure the area.” That means killing the Taliban and their supporters, and convincing others that they will meet a violent fate if they continue their opposition. Perhaps the most politically incorrect and Neanderthal of all thoughts would be that the American military’s long efforts in both Afghanistan and Iraq to kill or capture radical Islamists has contributed to the general safety inside the United States. Modern dogma insists that our presence in those two Muslim countries incited otherwise non-bellicose young Muslims to suddenly prefer violence and leave Saudi Arabia, Yemen, or Egypt to flock to kill the infidel invader. A more tragic view would counter that there was always a large (though largely finite) number of radical jihadists who, even before 9/11, wished to kill Americans. They went to those two theaters, fought, died, and were therefore not able to conduct as many terrorist operations as they otherwise would have, and also provided a clear example to would-be followers not to emulate their various short careers. That may explain why in global polls the popularity both of bin Laden and of the tactic of suicide bombing plummeted in the Middle Eastern street — at precisely the time America was being battered in the elite international press for the Iraq War. Even the most utopian and idealistic do not escape these tragic eternal laws of war. Barack Obama may think he can win over the radical Islamic world — or at least convince the more moderate Muslim community to reject jihadism — by means such as his Cairo speech, closing Guantanamo, trying Khalid Sheikh Mohammed in New York, or having General McChrystal emphatically assure the world that killing Taliban and al-Qaeda terrorists will not secure Afghanistan. Of course, such soft- and smart-power approaches have utility in a war so laden with symbolism in an age of globalized communications. But note that Obama has upped the number of combat troops in Afghanistan, and he vastly increased the frequency of Predator-drone assassination missions on the Pakistani border. Indeed, even as Obama damns Guantanamo and tribunals, he has massively increased the number of targeted assassinations of suspected terrorists — the rationale presumably being either that we are safer with fewer jihadists alive, or that we are warning would-be jihadists that they will end up buried amid the debris of a mud-brick compound, or that it is much easier to kill a suspected terrorist abroad than detain, question, and try a known one in the United States. In any case, the president — immune from criticism from the hard Left, which is angrier about conservative presidents waterboarding known terrorists than liberal ones executing suspected ones — has concluded that one way to win in Afghanistan is to kill as many terrorists and insurgents as possible. And while the global public will praise his kinder, gentler outreach, privately he evidently thinks that we will be safer the more the U.S. marines shoot Taliban terrorists and the more Hellfire missiles blow up al-Qaeda planners. Why otherwise would a Nobel Peace Prize laureate order such continued offensive missions? Victory is most easily obtained by ending the enemy’s ability to resist — and by offering him an alternative future that might appear better than the past. We may not like to think all of that entails killing those who wish to kill us, but it does, always has, and tragically always will — until the nature of man himself changes.

#### Consequences outweigh – only moral frame that makes sense

#### Extinction outweighs – only impact that can’t be reversed

#### Aff turns the k – squo ensures power consolidation and violent exclusion

#### Doesn’t turn the aff – your shit not root cause

#### No root cause– prefer proximate causes

John Norton, Professor of Law at the University of Virginia He formerly served as the first Chairman of the Board of the United States Institute of Peace and as the Counselor on International Law to the Department of State, Winter, 2004, “Beyond the Democratic Peace: Solving the War Puzzle”, 44 Va. J. Int'l L. 341, Lexis Law

If major interstate war is predominantly a product of a synergy between a potential nondemocratic aggressor and an absence of effective deterrence, what is the role of the many traditional "causes" of war? Past, and many contemporary, theories of war have focused on the role of specific disputes between nations, ethnic and religious differences, arms races, poverty and social injustice, competition for resources, incidents and accidents, greed, fear, perceptions of "honor," and many other factors. Such factors may well play a role in motivating aggression or generating fear and manipulating public opinion. The reality, however, is that while some of these factors may have more potential to contribute to war than others, there may well be an infinite set of motivating factors, or human wants, motivating aggression. It is not the independent existence of such motivating factors for war but rather the circumstances permitting or encouraging high-risk decisions leading to war that is the key to more effectively controlling armed conflict. And the same may also be true of democide. The early focus in the Rwanda slaughter on "ethnic conflict," as though Hutus and Tutsis had begun to slaughter each other through spontaneous combustion, distracted our attention from the reality that a nondemocratic Hutu regime had carefully planned and orchestrated a genocide against Rwandan Tutsis as well as its Hutu opponents. [n158](http://www.lexisnexis.com.proxy.lib.umich.edu/lnacui2api/frame.do?reloadEntirePage=true&rand=1329520437445&returnToKey=20_T13973620735&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.647208.6119287203#n158) Certainly if we were able to press a button and end poverty, racism, religious intolerance, injustice, and endless disputes, we would want to do so. Indeed, democratic governments must remain committed to policies that will produce a better world by all measures of human progress. The broader achievement of democracy and the rule of law will itself assist in this progress. No one, however, has yet been able to demonstrate the kind of robust correlation with any of these "traditional" causes of war that is reflected in the "democratic peace." Further, given the difficulties in overcoming many of these social problems, an approach to war exclusively dependent on their solution may doom us to war for generations to come.

### 2AC Alt Vagueness

#### The alt is vague – it’s a voting issue

#### Spikes our offense – no way for aff to win

#### Skews 2AC time

#### Damage is done – 2NC clarification rewards them because 1AR will always be behind

#### Kills the political project

#### Our 1AC ev proves –

#### Barron – Obama is constrained by the Constitution – even if they’re right that there’s no essential power to the law presidents behave AS IF there is – Obama went to congress for Syria in an instance where US troops would be committed

#### Shah ev indicates Congress is capable of overseeing grey areas – the plan fiats their stat

#### Alt fails – speaking truth to power without a mechanism backfires – especially true in the context of peace movements

Daniel McCarthy, editor of the American Conservative, 3-11-2013, “How Not to Stop a War,” TAM, http://www.theamericanconservative.com/mccarthy/how-not-to-stop-a-war/

The realignment brought about during the Vietnam era is now cracking up, and that’s the thrust of my cover story. But a crackup doesn’t happen all at once, and as recently as a decade ago the skids to the war in Iraq were greased by an antiwar movement that, as Rod Dreher notes, looked and sounded all too much like the movement against the Vietnam War. The protesters brought back bad memories for much of the public, and they fit neatly into the caricatures warhawks had drawn—of radical leftists who might have sat beside Hanoi Jane on the NVA’s anti-aircraft guns if they’d had chance. That’s certainly not a fair description of all anti-Iraq War protesters. It’s not even a fair description of most anti-Vietnam War protesters. But in mass politics perception counts. Vietnam protesters had a bad reputation with much of the public, and Iraq protesters who aped their activism naturally came in for the same rep. And even beyond those associations, what was a normal person meant to think about protesters with puppets? For “Sesame Street,” puppets may be an effective education tool, but adults aren’t accustomed to thinking about foreign policy—to the extent they think about it at all—in terms of following whomever demonstrates the most impressive papier-mâché skills. When I make this argument to left-wingers, I’m typically met with one of the following responses. 1.) “We have to do something!”—as if doing something that’s ineffective or counterproductive earns brownie points. 2.) “That’s a smear!”—you bet it’s a smear, but what are you doing to establish a more sympathetic image in the public’s mind instead? 3.) “Well, what do you suggest?”—what I suggest is not something any “activist” wants to hear: don’t take any action until you understand public opinion in some detail and can relate every individual tactic you propose to a specific, demonstrated mechanism that gives it a chance to be effective.

#### No link – too many alt causes to violence

#### China will still fight Japan

#### Policy analysis should precede discourse – most effective way to challenge power

Jill Taft-Kaufman, Speech prof @ CMU, 1995, Southern Comm. Journal, Spring, v. 60, Iss. 3, “Other Ways”, p pq

The postmodern passwords of "polyvocality," "Otherness," and "difference," unsupported by substantial analysis of the concrete contexts of subjects, creates a solipsistic quagmire. The political sympathies of the new cultural critics, with their ostensible concern for the lack of power experienced by marginalized people, aligns them with the political left. Yet, despite their adversarial posture and talk of opposition, their discourses on intertextuality and inter-referentiality isolate them from and ignore the conditions that have produced leftist politics--conflict, racism, poverty, and injustice. In short, as Clarke (1991) asserts, postmodern emphasis on new subjects conceals the old subjects, those who have limited access to good jobs, food, housing, health care, and transportation, as well as to the media that depict them. Merod (1987) decries this situation as one which leaves no vision, will, or commitment to activism. He notes that academic lip service to the oppositional is underscored by the absence of focused collective or politically active intellectual communities. Provoked by the academic manifestations of this problem Di Leonardo (1990) echoes Merod and laments: Has there ever been a historical era characterized by as little radical analysis or activism and as much radical-chic writing as ours? Maundering on about Otherness: phallocentrism or Eurocentric tropes has become a lazy academic substitute for actual engagement with the detailed histories and contemporary realities of Western racial minorities, white women, or any Third World population. (p. 530) Clarke's assessment of the postmodern elevation of language to the "sine qua non" of critical discussion is an even stronger indictment against the trend. Clarke examines Lyotard's (1984) The Postmodern Condition in which Lyotard maintains that virtually all social relations are linguistic, and, therefore, it is through the coercion that threatens speech that we enter the "realm of terror" and society falls apart. To this assertion, Clarke replies: I can think of few more striking indicators of the political and intellectual impoverishment of a view of society that can only recognize the discursive. If the worst terror we can envisage is the threat not to be allowed to speak, we are appallingly ignorant of terror in its elaborate contemporary forms. It may be the intellectual's conception of terror (what else do we do but speak?), but its projection onto the rest of the world would be calamitous....(pp. 2-27) The realm of the discursive is derived from the requisites for human life, which are in the physical world, rather than in a world of ideas or symbols.(4) Nutrition, shelter, and protection are basic human needs that require collective activity for their fulfillment. Postmodern emphasis on the discursive without an accompanying analysis of how the discursive emerges from material circumstances hides the complex task of envisioning and working towards concrete social goals (Merod, 1987). Although the material conditions that create the situation of marginality escape the purview of the postmodernist, the situation and its consequences are not overlooked by scholars from marginalized groups. Robinson (1990) for example, argues that "the justice that working people deserve is economic, not just textual" (p. 571). Lopez (1992) states that "the starting point for organizing the program content of education or political action must be the present existential, concrete situation" (p. 299). West (1988) asserts that borrowing French post-structuralist discourses about "Otherness" blinds us to realities of American difference going on in front of us (p. 170). Unlike postmodern "textual radicals" who Rabinow (1986) acknowledges are "fuzzy about power and the realities of socioeconomic constraints" (p. 255), most writers from marginalized groups are clear about how discourse interweaves with the concrete circumstances that create lived experience. People whose lives form the material for postmodern counter-hegemonic discourse do not share the optimism over the new recognition of their discursive subjectivities, because such an acknowledgment does not address sufficiently their collective historical and current struggles against racism, sexism, homophobia, and economic injustice. They do not appreciate being told they are living in a world in which there are no more real subjects. Ideas have consequences. Emphasizing the discursive self when a person is hungry and homeless represents both a cultural and humane failure. The need to look beyond texts to the perception and attainment of concrete social goals keeps writers from marginalized groups ever-mindful of the specifics of how power works through political agendas, institutions, agencies, and the budgets that fuel them.

## CP

### 2AC

#### Perm: Do Both – shields the link

#### Perm: Do CP – text implies action by the executive

#### Self-restraint is perceived as discretionary and isn’t modeled – Congressional limits bolster accountability and prevents foreign governments from engaging in aggressive drone policy

Rebecca Griffen, political director of Peace Action West, expert on war and drone policy, 1-11-2013, “Will Congress take on drones in 2013?” Peace Action West, http://blog.peaceactionwest.org/2013/01/11/will-congress-take-on-drones-in-2013/

Since President Obama took office in 2009, his administration has dramatically increased the use of unmanned armed drones throughout the Middle East and Africa. The administration has overseen more than 300 drones strikes, with more than 2,500 killed by the CIA and the military. Thus far, Congress has not engaged on an in-depth level on important questions surrounding the reliance on this technology and the overarching policy governing its use.¶ The Obama administration reportedly began assembling parameters for the use of drones in the pursuit of suspected terrorists, but the proposed regulations have not yet been made public. Last year, President Obama stated, “One of the things we’ve got to do is put a legal architecture in place, and we need congressional help in order to do that, to make sure that not only am I reined in but any president’s reined in terms of some of the decisions that we’re making.”¶ The 113th Congress should heed this call and exercise greater oversight over drone policy. Issues to address include:¶ Defining the “battlefield” and authorization for the use of force¶ As Al-Qaeda’s presence continues to wane, the already tenuous interpretation of the authorization for the use of military force in 2001 will not provide strong justification for drone attacks like those that have occurred in Afghanistan, Pakistan, Somalia and Yemen. As former Defense Department General Counsel Jeh Johnson argued, the US should “be able to say … that our efforts should no longer be considered an armed conflict against al-Qaida and its affiliates,” and that responsibility for pursuing Al-Qaeda should shift to law enforcement agencies.¶ This is a critical time for Congress to assert its role in oversight over military force and standards for expanding or continuing the drone war outside of the framework of armed conflict.¶ Civilian casualties and ensuing blowback¶ It is very difficult to obtain accurate numbers of civilian casualties in drone strikes. This is exacerbated by the CIA policy of counting military-age males as militants unless they have specific evidence pointing to their innocence. US policy of using “secondary strikes,” attacking rescuers who come to the aid of victims of initial strikes, puts civilians at even greater risk.¶ An in-depth report by Stanford and NYU Law Schools disputes the characterization of drones as a precise, targeted tool with minimal impact on innocent civilians. The study notes that despite US claims downplaying civilian casualties, the best available data indicate that drone strikes in just Pakistan killed 474-881 civilians and injured 1,228-1,362. The report also highlights significant harm other than injury and death, including anxiety and psychological trauma.¶ Yemen expert Gregory Johnsen notes, “Testimonies from Qaeda fighters and interviews I and local journalists have conducted across Yemen attest to the centrality of civilian casualties in explaining Al Qaeda’s rapid growth there. The United States is killing women, children and members of key tribes. ‘Each time they kill a tribesman, they create more fighters for Al Qaeda,’ one Yemeni explained to me over tea in Sana, the capital, last month. Another told CNN, after a failed strike, ‘I would not be surprised if a hundred tribesmen joined Al Qaeda as a result of the latest drone mistake.’” Johnsen points out that Al Qaeda in the Arabian Peninsula has more than tripled in Yemen since the US started bombing the country in 2009.¶ Congress should push for greater transparency and more accurate accounting of civilian casualties, and for the end of secondary strikes. A full accounting of the impact of US drone strikes will better allow Congress and the public to weigh any potential benefits of the use of drones against their negative impacts.¶ The use of so-called “signature strikes”¶ In 2012, the Obama administration approved the use of so-called “signature strikes,” allowing the targeting of people whose identities are unknown. Targeting based on patterns of behavior rather than evidence of an imminent threat to US interests sets a dangerous precedent, increases the likelihood of blowback, and vastly increases the risk of killing innocent civilians. Congress should push for greater transparency in the use of signature strikes and ultimately to end their use.¶ Targeted assassination of US citizens¶ The Obama administration used dubious legal justification to kill a US citizen, Anwar Al-Awlaki, in Yemen. The threat Al-Awlaki posed, as well as his prominence within Al-Qaeda, has been called into question by experts on the region. The administration has resisted calls for greater transparency in this case and implications for future use of force. Other American citizens, including Awlaki’s 16-year-old son, have been killed in drone strikes in which they were not the intended targets.¶ President Obama has an unreleased list of targets for killing and capture that reportedly includes additional Americans, as well as targets as young as teenagers. Congress must demand greater transparency around targeting and rein in executive power to kill targets that could be pursued by other means, or may not pose an imminent threat to the US, including American citizens.¶ Precedent setting and future proliferation of drone technology¶ As with any technology, the United States will not maintain a monopoly on the use of armed drones. The New America Foundation cites 70 countries that currently have some kind of drone. Examining our standards for use of drones and setting specific parameters will become even more critical as we set a precedent for international drone use.¶ As Human Rights Watch points out, “Because the US treats many of the most important constraints on the use of force as matters of discretionary prudence rather than legal requirements, the US approach would not forbid the Russians to target an alleged Chechen militant in New York, or the Chinese a Uighur separatist in Washington, DC, if they said they were at war with these groups and the US didn’t apprehend them. That is a deeply troublesome precedent to set.”¶ Congress should push for clear, public standards that can contribute to an international conversation about global standards for the use of drones.

#### Captures zero of the norms advantage – Harvard indicates explicit restrictions are key to modeling

#### Doesn’t solve Pakistan – the strikes themselves are the problem, not inability of people to read a press release

#### Double bind – either the CP isn’t binding on Obama and can’t solve the advantage or it sends the same signal of weakness and links to the net benefit

#### No net benefit – Zenko indicates the plan maintains drone strikes, I guess if that’s the net benefit we solve it?

#### Cullen ev – from 2007 – our Farley ev and Zenko ev indicates that perception is already triggered – only rolling it BACK is sufficient

## Pirates

### 2AC Pirates of the Bab

#### There are no pirates – this isn’t the 17th century

Anna Culaba, writer for RYOT news, 12-27-2013, “Somali Pirates Hijacked Zero Boats This Year,” RYOT News, http://www.ryot.org/somali-pirates-hijacked-zero-boats-year/513057

While the topic of piracy grips the public imagination — the success of the film “Captain Phillips” bears witness to this — not one single vessel was hijacked in the Indian Ocean this year, according to the United States Office of Naval Intelligence. This is the fourth annual decline in pirate attacks off the coast of Somalia. The Independent reported that there were 46 hijackings in 2009 (the year the Maersk Alabama, the subject of the film Captain Phillips, was seized by Somali pirates), 47 hijackings in 2010, 14 in 2012 and none in 2013. According to Quartz, pirate attacks are at the lowest level since 2006 because of an increased presence of international navies in and around the Indian Ocean; onshore al-Shabaab militants who have shifted tactics to guerrilla warfare; and vigilance among vessel owners, who have rerouted and fortified ships to combat piracy.

#### Not using TK against pirates now

#### Already in Somalia and yemen

#### Deepwater-Horizon in the Gulf of Mexico proves biodiv claims are silly

#### Should have happened by now

#### No tipping points – earth can take it

Erle C. Ellis, associate professor of geography and environmental systems at the University of Maryland, Baltimore County, 3-11-2013, “Time to forget global tipping points,” New Scientist, http://www.newscientist.com/article/mg21729070.200-time-to-forget-global-tipping-points.html

HOW much can our poor Earth take? We've already transformed most of the biosphere beyond anything our early ancestors could have imagined, clearing, ploughing, burning, building, damming, domesticating, driving to extinction, dousing with chemicals and even changing the climate. Surely at some point, the biosphere will simply collapse in the face of such a massive and unrelenting onslaught. Or will it? This is a question that inspires intense debate among ecologists and global change scientists. Some say that we are heading rapidly for a global tipping point – a threshold beyond which the entire biosphere will shift into a new and mostly undesired state. Others, like me, are convinced that no theoretical or empirical evidence exists for such a claim, and that a widespread belief in the existence of such a point of no return threatens to push ecological science and its application in the wrong direction. Let us examine the evidence. Ecologists have long been aware that tipping points exist in local and regional ecosystems. For example, when nutrients are added to a lake, its ecological properties tend to continue as before until the lake suddenly shifts to a new state. The water changes from clear to turbid; communities of plants, fish and other species change almost completely. Shifting the lake back into its previous state is possible, but requires massive efforts. Among other examples of local and regional tipping points are the rapid collapse of coral reefs in the face of rising ocean acidity and the transformation of ecosystems by the extinction of a dominant species, or the introduction of a new one. With such strong evidence of tipping points in regional ecosystems, why wouldn't we expect such tipping points to exist in the biosphere as a whole? Examine the mechanisms that produce tipping points, and the answer becomes clear. Tipping points happen when the components of a system respond gradually to an external force until a level of change is reached at which the response becomes non-linear and synergistic. This amplifies the effect of the force and rapidly drives the system into a new state. To respond in this way, systems must meet certain requirements. Either external forces are applied uniformly and each part of the system responds in the same way, or the system must be highly interconnected to allow synergistic responses to emerge. Or both. Do these criteria apply to the biosphere as a whole? I think not. For planetary tipping points to exist, the forces of humanity would need to act uniformly across the planet, all ecosystems would need to respond to them in the same way, and the response would need to be transmitted rapidly across Earth's many ecosystems § Marked 09:45 § and continents. Even the force of human-induced climate change, so evident across the planet, does not meet these requirements. For example, it warms and dries some regions while cooling and moistening others. Even if it did uniformly heat Earth's ecosystems, this would not produce a coherent global shift in ecology because local ecosystems respond so differently, often in opposing ways. Finally, organisms and ecosystems in different biomes and on different continents are not strongly connected. Animals, plants and microorganisms are limited in their interactions by distance and barriers such as oceans and mountain ranges. Even with human-induced species invasions, there is no species capable of colonising all of Earth's biomes – not even the mighty cockroach. So there is little chance of anthropogenic climate change leading to a global tipping point in the biosphere. When it comes to other changes, including land use, habitat fragmentation and extinction, the case for a global tipping point is even weaker. How, then, does the biosphere as a whole respond to human pressures? To put it simply: every ecosystem changes in its own way. We are driving massive long-term changes in the ecology of our planet, one ecosystem, one community, one species at a time. The biosphere's response to human pressures is merely the sum of all of the changes.

#### Tankers resilient

Rodney Mills, Commander in the US Navy, 10-31-2008, “Iran and the Strait of Hormuz: Saber Rattling or Global Energy Nightmare,” Naval War College, DTIC

Oil tankers would seem to be the ideal target - they are large, not particularly maneuverable, and have little in the way of onboard defenses. They are plentiful in the Strait of Hormuz - in 2007, an average of fifteen tankers carrying crude oil passed through the Strait of Hormuz every day.4 The size and design of crude oil tankers works to their advantage, however. The supertankers, or Very Large Crude Carriers (VLCCs), that carry much of the crude oil in the strait are massive, displacing more than an aircraft carrier, thus reducing the effectiveness of a given size warhead.5 Older, single-hulled tankers are being phased out, and most tankers today are of newer, double-hulled designs; coupled with internal compartmentalization, this tends to limit damage from an explosion. There are relatively few areas of vital machinery that could disable the vessel if damaged, and much of the vital machinery is underwater. The crude oil they carry tends to absorb and dissipate the shock caused by an explosion, reducing the effectiveness of the warhead. And the crude oil is not very flammable, reducing the chance of fire or secondary explosion. All of these factors work together to make oil tankers resilient targets and to make it unlikely that a single weapon would sink or cause the "constructive total loss" of a tanker and its cargo, thus complicating the Iranian operational problem.6

#### You have it opposite – strikes now, but they’re bad, but the plan solves the blowback

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

In a place like Yemen, although the American drone program is universally hated, many Yemenis will admit they would support targeted assassinations if there is clear intelligence that an individual is a senior operative within AQAP and plotting a specific and imminent act of terror against Americans. The problem with signature strikes is that they do not meet this threshold--not even remotely-- and they open the door for the U.S. to make grievous targeting mistakes and be seen as taking sides in a domestic insurgency. Signature strikes target low-level militants who might be nasty characters, but they are not necessarily planning an imminent act of terror or hold a leadership position.