# 1NC

### First

#### Text: The President of the United States should issue an executive order to create an intra-executive review over targeted killing orders.

#### Intra-executive drone tribunals solves-ensures accountability and prevents errors while maintaining the legitimacy of national security secrets

Crandall, 2012

[Carla, Law Clerk to the Honorable Laura Denvir Stith, Supreme Court of Missouri and the author was previously employed by the National Geospatial-Intelligence Agency, READY . . . FIRE . . . AIM! A CASE FOR APPLYING AMERICAN DUE PROCESS PRINCIPLES BEFORE ENGAGING IN DRONE STRIKES, April, 2012 Florida Journal of International Law 24 Fla. J. Int'l L. 55, Lexis] /Wyo-MB

4. CSRTs as a Framework for Governing the Use of Drones

Ultimately, then, the inquiry into whether more robust procedural protections are in order before the U.S. government engages in future drone attacks may rest on the Boumediene Court's signal that the answer depends on "whether there are suitable alternative processes in place." n176 Arguably, regarding drone strikes, these are lacking; but they do appear feasible. Indeed, in practically implementing the general principles outlined above in the context of a drone strike, the procedures of the CSRTs-foreshadowed in broad strokes by the Hamdi Court, and at least tacitly supported in Boumediene n177 -might offer a general framework under which the United States might operate in order to legitimize drone strikes.In suggesting the possibility of creating a pre-strike review tribunal, there are several threshold matters to be addressed. Most fundamentally, while it may indeed be unreasonable for a terrorist himself to appear before a tribunal to challenge his status as a legitimate drone target, it does not appear unreasonable to require the executive to develop internal procedures affording a limited parallel. For example, given that the individuals listed on the U.S. strike list are subject to unlimited military force, n178 the government arguably ought to be required to prove before a tribunal that listed persons are in fact legitimate drone targets. As with CSRTs, it appears to make imminent sense that pre-strike reviews be conducted entirely within the executive. While one "could envision a system where the judiciary would review the discretion of the attacker" n179 to launch a drone strike, such a scheme ignores the realities of the war on terror and the role of the executive in commanding wartime military operations. n180 It would not appear prudent, for example, to force the government to publicly disclose its methods and sources in submitting evidentiary proof against a particular suspect. Moreover, as noted above, the Boumediene Court arguably signaled support for an intra-executive review process related to drone targeting [\*87] methods. n181In order to ensure that the government is in fact meeting its burden of proof, however, the executive could appoint an ombudsman or personal representative with advocacy responsibilities for each potential drone target. n182 An advocacy role for such an individual-in contrast to the limited role of a CSRT Personal Representative-would be necessary in light of the absence during the proceeding of the suspect himself. To state it another way, given that the potential target would essentially be "tried" in absentia, these advocates would bear the responsibility of contesting the evidence of the government, and ensuring that the United States in fact met its burden of proving that it possessed enough evidence to warrant use of a drone against a particular individual. While this proceeding would obviously not afford the same protections as habeas review, the reality is that such review is plainly impossible if drones are to be used at all. A "drone tribunal" at least provides some level of review to correct potential errors in the target identification process.

### Second

**Obama has built a solid basis for expanded Executive authority in the courts and congress – Syria continues the trend**

Gordon **Silverstein**, Assistant Dean and Lecturer in Law at Yale Law School, and author of Law’s Allure: How Law Shapes, Constrains, Saves and Kills Politics, “Obama Just Increased Executive Power—Again,” New Republic, **9/4**/2013

Bush-Cheney Administration alumni have risen from the ashes to denounce President Obama’s decision to force Congress to play its constitutional role in a decision to use military force in Syria. It is, they insist, yet another surrender of power by a feckless President presiding over the degradation of the Executive Branch itself, the empowerment of which was one of their central goals.¶ This is wrong on two dimensions: First, despite their aggressive efforts, **the Bush-Cheney administration left the Presidency weaker, and not stronger. And** second, far from degrading the power of the Executive, the **Obama** administration **has steadily, and significantly built up and exploited presidential power.¶** While it is too early to know if **Obama’s Syrian plan will continue this** trend, there are powerful reasons to think it will.¶ **The Bush-Cheney administration** famously asserted that when it came to foreign policy and national security, the President possessed nearly unlimited, autonomous, and unreviewable power. They insisted that the President could seize and hold prisoners at Guantanamo Bay; that the President alone could decide what and how much due process they were entitled to seek and that together with Congress, they could deny the independent federal courts, the third branch of government, the right to review their decisions. And they declared that the administration had the authority to redefine the meaning of torture.¶ All these **claims** and more were built on novel and poorly supported constitutional theories. **When** they were **challenged in Court, far from** enshrining the administration’s and **permanently shifting formal power to the Executive branch, these theories and claims were rejected, and** what had once been ambiguous and contested questions about **the allocation of power was settled, not by assigning it to the Executive but**, in fact, **by ruling that it belonged exclusively to Congress.¶** Jack Goldsmith, the head of the Office of Legal Counsel in the Bush-Cheney Justice Department, would later write that the administration advanced broad and unsupportable claims and arguments because “the President and Vice President wanted to leave the presidency stronger than they found it.” But, he concludes, “the approach they took achieved exactly the opposite effect. The central irony is that **people whose explicit goal was to expand presidential power have diminished it.”¶** Consider: In 2004 the Supreme Court ruled that the Executive could not independently order the detention of prisoners at Guantanamo, but could do so in this case because Congress had implicitly delegated this power to the President through the very open-ended language of the 2001 Authorization for the Use of Military Force. This was, in short, a power that now explicitly was assigned to Congress.¶ 2004 also was the year in which Goldsmith had to repudiate and withdraw a series of legal opinions his office had released—many authored by John Yoo—including the infamous memos ostensibly offering a legal rationale for the use of torture in interrogations.¶ The Bush-Cheney legal dream team failed again in 2006 in Hamdan v. Rumsfeld when the Supreme Court rejected their assertion that those same detainees could be tried by military commissions established by Executive Order. Commissions were possible, the Court ruled, but only if they were the produce of explicit congressional authorization. Another win for Congress. Another loss for fans of Executive prerogative.¶ But this dance was far from over. In Boumediene v. Bush in 2008, Justice Anthony Kennedy delivered a stinging blow to the Bush-Cheney project, ruling that prisoners at Guantanamo Bay had the right to file petitions for habeas corpus; that Congress and Congress alone could suspend habeas, but had to do so explicitly and could not simply forbid the Courts from hearing these appeals. A question that had been left in some shroud of ambiguity since Lincoln suspended the Great Writ in the Civil War was now clear: The power belongs to Congress alone.¶ John Yoo, one of the Bush-Cheney administration’s leading lawyers, realized in 2006 that the **Supreme Court would** actually **be a major barrier on their path to the constitutional fortification of Executive power.¶** After the Court handed the administration a defeat in the military commissions decision in Hamdan v. Rumsfeld, Yoo told the New York Times that the Justices were “attempting to suppress creative thinking.” The 2006 Hamdan decision, Yoo said, could undercut the entire legal edifice that had been built by the Bush lawyers.¶ What Yoo failed to acknowledge then (and fails to acknowledge even now) is that it was the Bush-Cheney overreach, their “creativity,” that had pressed even a conservative and friendly Supreme Court to undercut the administration’s claims to power, leaving the Executive weaker than it had been when Bush and Cheney walked into the White House in January 2001.¶ And Obama? While the Bush claims actually eroded and undercut Executive power which had built up steadily since World War II, it was the administration of Barack **Obama** that actually, quietly, **efficiently and with unerring focus has expanded, embedded and solidified Executive power.** And it has done so not by making “creative” constitutional claims, but instead **by steadily (and aggressively) building and exercising Executive power**—but doing so **by pressing existing statutes and judicial rulings, rather than unsupportable constitutional theories.**¶ **Turning to Congress now for formal authorization** to use military force **in Syria could** well be another example of this effort—and it may yet **have the same effect.¶** As I wrote in 2009, less than six months into the new administration, **in areas ranging from** the assertion of **the State Secrets privilege** in efforts **to** shut down lawsuits over warrantless **wiretapping and** extraordinary **rendition to** those concerning lawsuits over **detention and treatment in Guantanamo, and** the reach of habeas corpus to **Bagram** Air Force Base in Afghanistan, **Obama’s legal team was building up a far more impressive, far stronger and far more difficult to reverse set of precedents—winning in court after court—a trend that has continued ever since, including memos defending the legality of drone strikes** targeting U.S. citizens, **and** the sweeping authority for the **electronic surveillance** among many others. **Even** in their defense of **the use of force for limited strikes in Libya**, the Obama administration seemed to state that Congress must have a role in major military actions.¶ **These are aggressive claims. They are significant. They are new assertions of power—but they rest** far more squarely **on statutes, statutory interpretation and interpretations of judicial rulings than** did the military rationale offered by **Bush and Cheney**.¶ So—we have two models. The Bush-Cheney model, full of sound and fury which ultimately left the Executive branch weaker and not stronger, and the Obama model, which builds its case for executive power on the back of statutory authorization and judicial rulings.¶ And so, what are we to make of Obama’s decision to force Congress to play a role in a decision to use military force in Syria? Are the Bush apologists right? Is this—though a very difficult needle to thread—of a piece with Obama’s successful efforts to build executive power on a vastly firmer foundation than the constitutional “creativity” of the Bush legal team?¶ It may be, and here’s why:¶ Presidents in the modern era have turned to Congress for a fig-leaf of authorization before—in the 1964 Tonkin Gulf Resolution, or the 2001 Authorization for the Use of Military Force. But these were passed in the shadow of what was perceived to be a genuine emergency. There was no time for deliberation, no time to inspect the evidence. A vote for these authorizations was one that was all too easy for a regretful Congress to abandon as the wars they had ostensibly authorized dragged on and on.¶ This time there is time. Despite withering criticism from the Bush-Cheney apologists, Obama refused to call Congress back for an emergency session. Rather than giving them just hours to support the Commander in Chief in time of crisis, he has assured the nation that the military is confident that a few weeks will make no difference in our ability to achieve our military objectives.¶ A yes vote under this scenario means Congress fully shares the ownership of this policy (and its results). It means that whatever horror comes next in the Middle East, America’s policy there will be just that—America’s policy: The product of Congress acting together with the President, under the traditional rules and process laid out by the U.S. Constitution.¶ And if Congress votes no? Then we have one of two scenarios: The blame for the next atrocity, or the next deployment of chemical weapons in the Middle East or elsewhere is as much their heavy burden as it is Obama’s or, to prevent that, Congress will be compelled to actually deal with a serious policy issue and not simply vote a few dozen more times to repeal Obamacare.¶ **Turning to Congress in this fashion is** very much **in Obama’s self-interest**. But is also **in the national interest, and** quite possibly in **the best interest of those concerned about** preserving and **enhancing Executive power. Future Presidents** who will no doubt face complicated and risky security challenges, **will require the full force of a nation united behind them and** may now be more willing to **follow the precedent Obama has set**.

**There’s no middle ground-congressional action on targeted killing hampers the president’s constitutional authority to respond to security threats**

**Posner 2012**

[Eric Posner, a professor at the University of Chicago Law School, October 17th, 2012, The Drones Are Coming to Libya, <http://www.slate.com/articles/news_and_politics/view_from_chicago/2012/10/drones_attacks_in_libya_an_unprecedented_expansion_of_presidential_power.2.html>, uwyo//amp]

#### And even if the president wants to fling drones at non-al-Qaida targets, he can. Although President Obama initially distanced himself from President Bush’s claim that Article 2 of the Constitution gives the president the authority to use force unilaterally to protect American interests, he used this justification for the 2011 Libya intervention, which was not authorized by Congress, and he would likely use it to justify an indefinite expansion of drone warfare against any security threat, including Iran, for example. Congress will not try to stop him. New threats emerge constantly, leaving no time for a congressional debate before each strike is authorized. Thus, Congress must either hand the president blanket authority to use drones as necessary—the implicit status quo today—or block him, which would outrage Americans who fear terrorism. The choice for our pusillanimous legislature, which so far has acted mainly to prevent President Obama from cutting back on some Bush-era tactics, is obvious

#### The plan collapses executive crisis response --- triggers terrorism, rogue state attacks, and wildfire prolif

John Yoo 8/30/13, Emanuel S. Heller Professor of Law @ UC-Berkeley Law, visiting scholar @ the American Enterprise Institute, former Fulbright Distinguished Chair in Law @ the University of Trento, served as a deputy assistant attorney general in the Office of Legal Council at the U.S. Department of Justice between 2001 and 2003, received his J.D. from Yale and his undergraduate degree from Harvard, “Like it or not, Constitution allows Obama to strike Syria without Congressional approval,” Fox News, <http://www.foxnews.com/opinion/2013/08/30/constitution-allows-obama-to-strike-syria-without-congressional-approval/>

The most important of the president’s powers are commander-in-chief and chief executive.¶ As Alexander Hamilton wrote in Federalist 74, “The direction of war implies the direction of the common strength, and the power of directing and employing the common strength forms a usual and essential part in the definition of the executive authority.”¶ Presidents should conduct war, he wrote, because they could act with “decision, activity, secrecy, and dispatch.” In perhaps his most famous words, Hamilton wrote: “Energy in the executive is a leading character in the definition of good government. . . It is essential to the protection of the community against foreign attacks.”¶ The Framers realized the obvious. Foreign affairs are unpredictable and involve the highest of stakes, making them unsuitable to regulation by pre-existing legislation. Instead, they can demand swift, decisive action, sometimes under pressured or even emergency circumstances, that are best carried out by a branch of government that does not suffer from multiple vetoes or is delayed by disagreements. ¶ Congress is too large and unwieldy to take the swift and decisive action required in wartime. ¶ Our Framers replaced the Articles of Confederation, which had failed in the management of foreign relations because it had no single executive, with the Constitution’s single president for precisely this reason. Even when it has access to the same intelligence as the executive branch, Congress’s loose, decentralized structure would paralyze American policy while foreign threats grow. ¶ Congress has no political incentive to mount and see through its own wartime policy. Members of Congress, who are interested in keeping their seats at the next election, do not want to take stands on controversial issues where the future is uncertain. They will avoid like the plague any vote that will anger large segments of the electorate. They prefer that the president take the political risks and be held accountable for failure.¶ Congress's track record when it has opposed presidential leadership has not been a happy one.¶ Perhaps the most telling example was the Senate's rejection of the Treaty of Versailles at the end of World War I. Congress's isolationist urge kept the United States out of Europe at a time when democracies fell and fascism grew in their place. Even as Europe and Asia plunged into war, Congress passed Neutrality Acts designed to keep the United States out of the conflict.¶ President Franklin Roosevelt violated those laws to help the Allies and draw the nation into war against the Axis. While pro-Congress critics worry about a president's foreign adventurism, the real threat to our national security may come from inaction and isolationism.¶ Many point to the Vietnam War as an example of the faults of the “imperial presidency.” Vietnam, however, could not have continued without the consistent support of Congress in raising a large military and paying for hostilities. And Vietnam ushered in a period of congressional dominance that witnessed American setbacks in the Cold War, and the passage of the ineffectual War Powers Resolution. Congress passed the Resolution in 1973 over President Nixon's veto, and no president, Republican or Democrat, George W. Bush or Obama, has ever accepted the constitutionality of its 60-day limit on the use of troops abroad. No federal court has ever upheld the resolution. Even Congress has never enforced it.¶ Despite the record of practice and the Constitution’s institutional design, critics nevertheless argue for a radical remaking of the American way of war. They typically base their claim on Article I, Section 8, of the Constitution, which gives Congress the power to “declare War.” But these observers read the eighteenth-century constitutional text through a modern lens by interpreting “declare War” to mean “start war.” ¶ When the Constitution was written, however, a declaration of war served diplomatic notice about a change in legal relations between nations. It had little to do with launching hostilities. In the century before the Constitution, for example, Great Britain – where the Framers got the idea of the declare-war power – fought numerous major conflicts but declared war only once beforehand.¶ Our Constitution sets out specific procedures for passing laws, appointing officers, and making treaties. There are none for waging war, because the Framers expected the president and Congress to struggle over war through the national political process.¶ In fact, other parts of the Constitution, properly read, support this reading. Article I, Section 10, for example, declares that the states shall not “engage” in war “without the consent of Congress” unless “actually invaded, or in such imminent Danger as will not admit of delay.” ¶ This provision creates exactly the limits desired by anti-war critics, complete with an exception for self-defense. If the Framers had wanted to require congressional permission before the president could wage war, they simply could have repeated this provision and applied it to the executive.¶ Presidents, of course, do not have complete freedom to take the nation to war. Congress has ample powers to control presidential policy, if it wants to. ¶ Only Congress can raise the military, which gives it the power to block, delay, or modify war plans.¶ Before 1945, for example, the United States had such a small peacetime military that presidents who started a war would have to go hat in hand to Congress to build an army to fight it. ¶ Since World War II, it has been Congress that has authorized and funded our large standing military, one primarily designed to conduct offensive, not defensive, operations (as we learned all too tragically on 9/11) and to swiftly project power worldwide. ¶ If Congress wanted to discourage presidential initiative in war, it could build a smaller, less offensive-minded military.¶ Congress’s check on the presidency lies not just in the long-term raising of the military. It can also block any immediate armed conflict through the power of the purse.¶ If Congress feels it has been misled in authorizing war, or it disagrees with the president's decisions, all it need do is cut off funds, either all at once or gradually.¶ It can reduce the size of the military, shrink or eliminate units, or freeze supplies. Using the power of the purse does not even require affirmative congressional action.¶ Congress can just sit on its hands and refuse to pass a law funding the latest presidential adventure, and the war will end quickly. ¶ Even the Kosovo war, which lasted little more than two months and involved no ground troops, required special funding legislation.¶ The Framers expected Congress's power of the purse to serve as the primary check on presidential war. During the 1788 Virginia ratifying convention, Patrick Henry attacked the Constitution for failing to limit executive militarism. James Madison responded: “The sword is in the hands of the British king; the purse is in the hands of the Parliament. It is so in America, as far as any analogy can exist.” Congress ended America’s involvement in Vietnam by cutting off all funds for the war.¶ Our Constitution has succeeded because it favors swift presidential action in war, later checked by Congress’s funding power. If a president continues to wage war without congressional authorization, as in Libya, Kosovo, or Korea, it is only because Congress has chosen not to exercise its easy check.¶ We should not confuse a desire to escape political responsibility for a defect in the Constitution. A radical change in the system for making war might appease critics of presidential power. But it could also seriously threaten American national security.¶ In order to forestall another 9/11 attack, or to take advantage of a window of opportunity to strike terrorists or rogue nations, the executive branch needs flexibility.¶ It is not hard to think of situations where congressional consent cannot be obtained in time to act. Time for congressional deliberation, which leads only to passivity and isolation and not smarter decisions, will come at the price of speed and secrecy.¶ The Constitution creates a presidency that can respond forcefully to prevent serious threats to our national security.¶ Presidents can take the initiative and Congress can use its funding power to check them. Instead of demanding a legalistic process to begin war, the Framers left war to politics.¶ As we confront the new challenges of terrorism, rogue nations and WMD proliferation, now is not the time to introduce sweeping, untested changes in the way we make war.

**Nuclear weapons prolif puts weapons in the hands of rogue states—rogue states multiply and this guarantees accidents and miscalculations that lead to nuke war.**

**Johnson,** Forbes contributor and Presidential Medal of Freedom winner, **2013**

(Paul, “A Lesson For Rogue States”, 5-8, <http://www.forbes.com/sites/currentevents/2013/05/08/a-lesson-for-rogue-states/>, ldg)

Although we live in a violent world, where an internal conflict such as the Syrian civil war can cost 70,000 lives over a two-year period, there hasn’t been a major war between the great powers in 68 years. **Today’s three superpowers–the U.S., Russia and China–have no conflicts of interest that can’t be resolved through compromise**. All have hair-trigger nuclear alert systems, but the sheer scale of their armories has forced them to take nuclear conflict seriously. Thus, in a real sense, nuclear weapons have succeeded in abolishing the concept of a winnable war. **The same cannot be said,** however, **for certain paranoid rogue states**, namely North Korea and Iran. **If these two nations appear to be prospering**–that is, if their nuclear threats are winning them attention and respect, financial bribes in the form of aid and all the other goodies by which petty dictators count success–**other prospective rogues will join them.** **One such state is Venezuela. Currently its oil wealth is largely wasted, but it is great enough to buy entree to a junior nuclear club.** **Another possibility is Pakistan**, which already has a small nuclear capability and is teetering on the brink of chaos. **Other potential rogues are one or two of the components that made up the former Soviet Union.** All the more reason to ensure that North Korea and Iran are dramatically punished for traveling the nuclear path. But how? It’s of little use imposing further sanctions, as they chiefly fall on the long-suffering populations. Recent disclosures about life in North Korea reveal how effectively the ruling elite is protected from the physical consequences of its nuclear quest, enjoying high standards of living while the masses starve. Things aren’t much better in Iran. Both regimes are beyond the reach of civilized reasoning, one locked into a totalitarian vise of such comprehensiveness as to rule out revolt, the other victim of a religious despotism from which there currently seems no escape. Either country might take a fatal step of its own volition. Were North Korea to attack the South, it would draw down a retribution in conventional firepower from the heavily armed South and a possible nuclear response from the U.S., which would effectively terminate the regime. Iran has frequently threatened to destroy Israel and exterminate its people. Were it to attempt to carry out such a plan, the Israeli response would be so devastating that it would put an end to the theocracy forthwith. **The balance of probabilities is that neither nation will embark on a deliberate war but instead will carry on blustering.** **This, however, doesn’t rule out war by accident–a small-scale nuclear conflict precipitated by the blunders of a totalitarian elite.** Preventing Disaster **The most effective, yet cold-blooded, way to teach these states the consequences of continuing their nuclear efforts would be to make an example of one by destroying its ruling class.** The obvious candidate would be North Korea. Were we able to contrive circumstances in which this occurred, it’s probable that Iran, as well as any other prospective rogues, would abandon its nuclear aims. But how to do this? At the least there would need to be general agreement on such a course among Russia, China and the U.S. But China would view the replacement of its communist ally with a neutral, unified Korea as a serious loss. Compensation would be required. Still, it’s worth exploring. **What we must avoid is a jittery world in which proliferating rogue states perpetually seek to become nuclear ones. The risk of an accidental conflict breaking out that would then drag in the major powers is too great.** This is precisely how the 1914 Sarajevo assassination broadened into World War I. **It is fortunate the major powers appear to have understood the dangers of nuclear conflict without having had to experience them. Now they must turn their minds, responsibly, to solving the menace of rogue states**. **At present all we have are the bellicose bellowing of the rogues and the well-meaning drift of the Great Powers–a formula for an eventual and monumental disaster that could be the end of us all.**

### Third

#### The logic of the affirmative asks how war should be waged rather than if war should be waged at all—their methods only spark temporary interest in the military-industrial complex—it leads to free reign of the mentality of constant war

Lichterman 3

[Andrew, Program Director of the Western States Legal Foundation, Missiles of Empire: America’s 21st Century Global Legions, WSLF Information Bulletin, Fall 2003, http://www.wslfweb.org/nukes.htm]

Criticizing the Hubcaps while the Juggernaut Rolls On The U.S. military-industrial complex today is so immense as to defy comprehension. Even those few paying attention tend to focus on one small piece at a time. One month it may be proposals for nuclear weapons with certain new capabilities. Then the attention may shift to missile defense– but there too, only a small part of the program attracts public debate, with immense programs like the airborne laser proceeding almost invisibly. Proposals for the intensive militarization of space like the Space Plane come to light for a day or two, attracting a brief flurry of interest; the continuing, broad development of military space technologies, from GPS-aided guidance to radiation hardened microchips to space power generation, draw even less scrutiny. There is so broad a consensus among political elites supporting the constant refinement of conventional armaments that new generations of strike aircraft, Navy ships, and armored vehicles attract little notice outside industry and professional circles, with only spectacular cost overruns or technical failures likely to draw the occasional headline. A few Congresspeople will challenge one or another particularly extreme new weapon (e.g. the “Robust Nuclear Earth Penetrator”), but usually on narrow pragmatic grounds: we can accomplish the same “mission” with less risky or cheaper weapons. But the question of “why,” seldom is asked, only “how,” or “how much does it cost?” Most of the programs that constitute the military machine glide silently onward undisturbed, like the body of a missile submarine invisible below the deceptively small surfaces that rise above the sea. The United States emerged after both World War II and the Cold War as the most powerful state on earth-- the one with the most choices. The first time, all of this was still new. We could perhaps understand our ever deeper engagement with the machinery of death as a series of tragic events, of the inevitable outcome of fallible humans grappling with the titanic forces they had only recently unleashed, in the context of a global confrontation layered in secrecy, ideology, and fear. But this time around, since the end of the Cold War, we must see the United States as truly choosing, with every new weapon and every new war, to lead the world into a renewed spiral towards catastrophe. The past is written, but our understanding of it changes from moment to moment. The United States began the nuclear age as the most powerful nation on earth, and proclaimed the character of the “American Century” with the bombings of Hiroshima and Nagasaki, a cryptic message written in the blood of innocents. Its meaning has come clear over fifty years of technocratic militarism, punctuated by the deaths of millions in neo-colonial warfare and underscored always by the willingness to end the world rather than share power with anyone. The path ahead still can be changed, but we must begin with an understanding of where we are, and how we got here. In the United States, there is a very long way to go before we have a debate about the uses of military force that addresses honestly the weapons we have and seek to develop, much less about the complex social forces which impel the United States to maintain its extraordinary levels of forces and armaments. Most Americans don’t know what their government is doing in their name, or why. Their government, regardless of the party in power, lies about both its means and its ends on a routine basis. And there is nothing the government lies about more than nuclear weapons, proclaiming to the world for the last decade that the United States was disassembling its nuclear facilities and leading the way to disarmament, while rebuilding its nuclear weapons plants and planning for another half century and more of nuclear dominance.74 It is clear by now that fighting violence with yet more violence, claiming to stop the spread of nuclear weapons by threatening the use of nuclear weapons, is a dead end. The very notion of “enforcement,” that some countries have the right to judge and punish others for seeking “weapons of mass destruction,” has become an excuse for war making, a cover and justification for the power and profit agenda of secretive and undemocratic elites. The only solution that will increase the security of ordinary people anywhere is for all of us, in our respective societies, to do everything we can to get the most violent elements in our cultures– whether in or out of uniform– under control. In the United States, this will require far more than changing a few faces in Washington. We will need a genuine peace movement, ready to make connections to movements for ecological balance, and for social and economic justice, and by doing so to address the causes of war. Before we can expect others to join us, it must be clear that we are leaving the path of violence.

#### Awareness of militarism key – our internalized acceptance of war guarantees endless violence that ensures planetary destruction and structural violence

Lawrence 9

[Grant, “Military Industrial "War" Consciousness Responsible for Economic and Social Collapse,” OEN—OpEdNews, March 27]

As a presidential candidate, [Barack Obama](http://obama.senate.gov/) called [Afghanistan](http://en.wikipedia.org/wiki/War_in_Afghanistan_%282001%E2%80%93present%29) ''the war we must win.'' He was absolutely right. Now it is time to win it... Senators [John McCain](http://www.imdb.com/name/nm0564587/) and Joseph Lieberman [calling](http://www.miamiherald.com/opinion/inbox/story/960269.html) for an expanded war in Afghanistan "How true it is that war can destroy everything of value." Pope Benedict XVI [decrying](http://www.google.com/hostednews/afp/article/ALeqM5iuue8kE-e0lYZVFpt4RlbX4M_IEw) the suffering of Africa Where troops have been quartered, brambles and thorns spring up. In the track of great armies there must follow lean years. Lao Tzu on [War](http://www.sacred-texts.com/tao/salt/salt09.htm) As Americans we are raised on the utility of war to conquer every problem. We have a drug problem so we wage war on it. We have a cancer problem so we wage war on it. We have a crime problem so we wage war on it. Poverty cannot be dealt with but it has to be warred against. Terror is another problem that must be warred against. In the [United States](http://maps.google.com/maps?ll=38.8833333333,-77.0166666667&spn=10.0,10.0&q=38.8833333333,-77.0166666667%20%28United%20States%29&t=h), solutions can only be found in terms of wars. In a society that functions to support a massive military industrial war machine and empire, it is important that the terms promoted support the conditioning of its citizens. We are conditioned to see war as the solution to major social ills and major political disagreements. That way when we see so much of our resources devoted to war then we don't question the utility of it. The term "war" excites mind and body and creates a fear mentality that looks at life in terms of attack. In war, there has to be an attack and a must win attitude to carry us to victory. But is this war mentality working for us? In an age when nearly half of our tax money goes to support the war machine and a good deal of the rest is going to support the elite that control the war machine, we can see that our present war mentality is not working. Our values have been so perverted by our war mentality that we see sex as sinful but killing as entertainment. Our society is dripping violence. The violence is fed by poverty, social injustice, the break down of family and community that also arises from economic injustice, and by the managed media. The cycle of violence that exists in our society exists because it is useful to those that control society. It is easier to sell the war machine when your population is conditioned to violence. Our military industrial consciousness may not be working for nearly all of the life of the planet but it does work for the very few that are the master manipulators of our values and our consciousness. Rupert Murdoch, the media monopoly man that runs the "Fair and Balanced" [Fox Network](http://www.fox.com/), Sky Television, and [News Corp](http://www.newscorp.com/) just to name a few, [had](http://en.wikipedia.org/wiki/Rupert_Murdoch) all of his 175 newspapers editorialize in favor of the [Iraq war](http://en.wikipedia.org/wiki/Iraq_War). Murdoch snickers when [he says](http://www.newscorpse.com/ncWP/?p=341) "we tried" to manipulate public opinion." The Iraq war was a good war to Murdoch [because,](http://www.americanprogress.org/issues/2004/07/b122948.html) "The death toll, certainly of Americans there, by the terms of any previous war are quite minute." But, to the media manipulators, the phony politicos, the military industrial elite, a million dead Iraqis are not to be considered. War is big business and it is supported by a war consciousness that allows it to prosper. That is why more war in Afghanistan, the war on Palestinians, and the other wars around the planet in which the [military industrial complex](http://en.wikipedia.org/wiki/Military-industrial_complex) builds massive wealth and power will continue. The military industrial war mentality is not only killing, maiming, and destroying but it is also contributing to the present social and economic collapse. As mentioned previously, the massive wealth transfer that occurs when the American people give half of their money to support death and destruction is money that could have gone to support a just society. It is no accident that after years of war and preparing for war, our society is crumbling. Science and technological resources along with economic and natural resources have been squandered in the never-ending pursuit of enemies. All of that energy could have been utilized for the good of humanity, ¶ instead of maintaining the power positions of the very few super wealthy. So the suffering that we give is ultimately the suffering we get. Humans want to believe that they can escape the consciousness that they live in. But that consciousness determines what we experience and how we live. As long as we choose to live in "War" in our minds then we will continue to get "War" in our lives. When humanity chooses to wage peace on the world then there will be a flowering of life. But until then we will be forced to live the life our present war consciousness is creating.

#### The alternative is to reject the 1AC in favor of a pacifistic solution to problems.

#### The only way to solve is by adopting a pacifistic mindset—the shift away from militarism is key

Demenchonok 9

[Worked as a senior researcher at the Institute of Philosophy of the Russian Academy of Sciences, Moscow, and is currently a Professor of Foreign Languages and Philosophy at Fort Valley State University in Georgia, listed in 2000 Outstanding Scholars of the 21st Century and is a recipient of the Twenty-First Century Award for Achievement in Philosophy from the International Biographical Centre --Edward, Philosophy After Hiroshima: From Power Politics to the Ethics of Nonviolence and Co-Responsibility, February, American Journal of Economics and Sociology, Volume 68, Issue 1, Pages 9-49]

Where, then, does the future lie? Unilateralism, hegemonic political anarchy, mass immiseration, ecocide, and global violence—a Hobbesian bellum omnium contra omnes? Or international cooperation, social justice, and genuine collective—political and human—security? Down which path lies cowering, fragile hope?¶ Humanistic thinkers approach these problems from the perspective of their concern about the situation of individuals and the long-range interests of humanity. They examine in depth the root causes of these problems, warning about the consequences of escalation and, at the same time, indicating the prospect of their possible solutions through nonviolent means and a growing global consciousness. Today's world is in desperate need of realistic alternatives to violent conflict. Nonviolent action—properly planned and executed—is a powerful and effective force for political and social change. The ideas of peace and nonviolence, as expressed by Immanuel Kant, Leo Tolstoy, Mahatma Gandhi, Martin Luther King, and many contemporary philosophers—supported by peace and civil rights movements—counter the ~~paralyzing~~ fear with hope and offer a realistic alternative: a rational approach to the solutions to the problems, encouraging people to be the masters of their own destiny.¶ Fortunately, the memory of the tragedies of war and the growing realization of this new existential situation of humanity has awakened the global conscience and generated protest movements demanding necessary changes. During the four decades of the Cold War, which polarized the world, power politics was challenged by the common perspective of humanity, of the supreme value of human life, and the ethics of peace. Thus, in Europe, which suffered from both world wars and totalitarianism, spiritual-intellectual efforts to find solutions to these problems generated ideas of "new thinking," aiming for peace, freedom, and democracy. Today, philosophers, intellectuals, progressive political leaders, and peace-movement activists continue to promote a peaceful alternative. In the asymmetry of power, despite being frustrated by war-prone politics, peaceful projects emerge each time, like a phoenix arising from the ashes, as the only viable alternative for the survival of humanity. The new thinking in philosophy affirms the supreme value of human and nonhuman life, freedom, justice, and the future of human civilization. It asserts that the transcendental task of the survival of humankind and the rest of the biotic community must have an unquestionable primacy in comparison to particular interests of nations, social classes, and so forth. In applying these principles to the nuclear age, it considers a just and lasting peace as a categorical imperative for the survival of humankind, and thus proposes a world free from nuclear weapons and from war and organized violence.44 In tune with the Charter of the United Nations, it calls for the democratization of international relations and for dialogue and cooperation in order to secure peace, human rights, and solutions to global problems. It further calls for the transition toward a cosmopolitan order.¶ The escalating global problems are symptoms of what might be termed a contemporary civilizational disease, developed over the course of centuries, in which techno-economic progress is achieved at the cost of depersonalization and dehumanization. Therefore, the possibility of an effective "treatment" today depends on whether or not humankind will be able to regain its humanity, thus establishing new relations of the individual with himself or herself, with others, and with nature. Hence the need for a new philosophy of humanity and an ethics of nonviolence and planetary co-responsibility to help us make sense not only of our past historical events, but also of the extent, quality, and urgency of our present choices.

### Terror

**No successful detonation**

**Schneidmiller 9**(Chris, Experts Debate Threat of Nuclear, Biological Terrorism, 13 January 2009, http://www.globalsecuritynewswire.org/gsn/nw\_20090113\_7105.php)

There is an "almost vanishinglysmall" likelihood that terrorists would ever be able to acquire and detonate a nuclear weapon, one expert said here yesterday (see GSN, Dec. 2, 2008). In even the most likely scenario of nuclear terrorism, there are 20 barriers between extremists and a successful nuclear strike on a major city, said John Mueller, a political science professor at Ohio State University. The process itself is seemingly straightforward but exceedingly difficult -- buy or steal highly enriched uranium, manufacture a weapon, take the bomb to the target site and blow itup. Meanwhile, variables strewn across the path to an attack would increase the complexity of the effort, Mueller argued. Terrorists would have to bribe officials in a state nuclear program to acquire the material, while avoiding a sting by authorities or a scam by the sellers. The material itself could also turn out to be bad. "Once the purloined material is purloined, [police are] going to be chasing after you. They are also going to put on a high reward, extremely high reward, on getting the weapon back or getting the fissile material back," Mueller said during a panel discussion at a two-day Cato Institute conference on counterterrorism issues facing the incoming Obama administration. Smuggling the material out of a country would mean relying on criminals who "are very good at extortion" and might have to be killed to avoid a double-cross, Mueller said. The terrorists would then have to find scientists and engineers willing to giveup their normal lives to manufacture a bomb, which would require an expensive and sophisticated machine shop. Finally, further technological expertise would be needed to sneak the weapon across national borders to its destination point and conduct a successful detonation, Mueller said. Every obstacle is "difficult but not impossible" to overcome, Mueller said, putting the chance of success at no less than one in three for each. The likelihood of successfully passing through each obstacle, in sequence, would be roughly one in 3 1/2 billion, he said, but for argument's sake dropped it to 3 1/2 million. "It's a total gamble. This is a very expensive and difficult thing to do," said Mueller, who addresses the issue at greater length in an upcoming book, *Atomic Obsession*. "So unlike buying a ticket to the lottery ... you're basically putting everything, including your life, at stake for a gamble that's maybe one in 3 1/2 million or 3 1/2 billion." Other scenarios are even less probable, Mueller said. A nuclear-armed state is "exceedingly unlikely" to hand a weapon to a terrorist group, he argued: "States just simply won't give it to somebody they can't control." Terrorists are also not likely tobe able to steala whole weapon, Mueller asserted, dismissingthe idea of "loose nukes." Even Pakistan, which today is perhaps the nation of greatest concern regarding nuclear security, keeps its bombs in two segments that are stored at different locations, he said (see *GSN*, Jan. 12). Fear of an "extremely improbable event" such as nuclear terrorism produces support for a wide range of homeland security activities, Mueller said. He argued that there has been a major and costly overreaction to the terrorism threat -- noting that the Sept. 11 attacks helped to precipitate the invasion of Iraq, which has led to far more deaths than the original event. Panel moderator Benjamin Friedman, a research fellow at the Cato Institute, said academic and governmental discussions of acts of nuclear or biological terrorism have tended to focus on "worst-case assumptions about terrorists' ability to use these weapons to kill us." There is need for consideration for what is probable rather than simply what is possible, he said. Friedman took issue withthe finding late last year of an experts' report that an act of WMD terrorism would "more likely than not" occurin the next half decade unless the international community takes greater action. "I would say that the report, if you read it, actually offers no analysis to justify that claim**,** which seems to have been made to change policy by generating alarm in headlines." One panel speaker offered a partial rebuttal to Mueller's presentation. Jim Walsh, principal research scientist for the Security Studies Program at the Massachusetts Institute of Technology, said he agreed that nations would almost certainly not give anuclear weapon to a nonstate group, that most terrorist organizations have no interest in seeking out the bomb, and that it would be difficult to build a weaponor use one that has been stolen.

#### Studies prove no impact to oil shocks

Perumal, business reporter – Gulf Times, 9/14/’11

(Santhosh, <http://www.gulf-times.com/site/topics/article.asp?cu_no=2&item_no=458158&version=1&template_id=48&parent_id=28>)

Oil price shocks are not always costly for oil-importing countries as a 25% increase in oil prices causes their GDP (gross domestic product) to fall by about half of 1% or less, according to an International Monetary Fund (IMF) working paper. “Across the world, oil price shock episodes have generally not been associated with a contemporaneous decline in output but, rather, with increases in both imports and exports,” the paper said. There is evidence of lagged negative effects on output, particularly for the Organisation for Economic Cooperation and Development (OECD) economies, but the magnitude has typically been small, said the paper, authored by Tobias N Rasmussen and Agustín Roitman. For a given level of world GDP, the paper found that oil prices have a negative effect on oil-importing countries and also that cross-country differences in the magnitude of the impact depend to a large extent on the relative magnitude of oil imports.  “The effect is still not particularly large, however, with our estimates suggesting that a 25% increase in oil prices will cause a loss of real GDP in oil-importing countries of less than half of 1%, spread over 2–3 years,” the authors said.  One likely explanation for this relatively modest impact is that part of the greater revenue accruing to oil exporters will be recycled in the form of imports or other international flows, thus contributing to keep up demand in oil-importing economies, the paper said. “The negative impact of oil price shocks on oil-importing countries is partly offset by concurrent increases in exports and other income flows,” it said.

#### Economy is resilient and decline doesn’t cause war

Zakaria 9

Editor of Newsweek, BA from Yale, PhD in pol sci, Harvard. He serves on the board of Yale University, The Council on Foreign Relations, The Trilateral Commission, and Shakespeare and Company. Named "one of the 21 most important people of the 21st Century" (Fareed, December 12, 2009, “The Secrets of Stability: Why terrorism and economic turmoil won't keep the world down for long” Newsweek, <http://www.newsweek.com/2009/12/11/the-secrets-of-stability.print.html>)

One year ago, **the world seemed as if it might be coming apart. The global financial system**, which had fueled a great expansion of capitalism and trade across the world, **was crumbling. All the certainties of the age of globalization**—about the virtues of free markets, trade, and technology—**were being called into question. Faith in the American model had collapsed. The financial industry had crumbled**. Once-roaring emerging markets like China, India, and Brazil were sinking. Worldwide trade was shrinking to a degree not seen since the 1930s. Pundits whose bearishness had been vindicated predicted we were doomed to a long, painful bust, with cascading failures in sector after sector, country after country. In a widely cited essay that appeared in The Atlantic this May, Simon Johnson, former chief economist of the International Monetary Fund, wrote: "The conventional wisdom among the elite is still that the current slump 'cannot be as bad as the Great Depression.' This view is wrong. What we face now could, in fact, be worse than the Great Depression." **Others predicted that these economic shocks would lead to political instability and violence in the worst-hit countries**. At his confirmation hearing in February, the new U.S. director of national intelligence, Adm. Dennis Blair, cautioned the Senate that "the financial crisis and global recession are likely to produce a wave of economic crises in emerging-market nations over the next year." Hillary Clinton endorsed this grim view. And she was hardly alone. Foreign Policy ran a cover story predicting serious unrest in several emerging markets. Of one thing everyone was sure: nothing would ever be the same again. Not the financial industry, not capitalism, not globalization. One year later, **how much has the world really changed**? Well, Wall Street is home to two fewer investment banks (three, if you count Merrill Lynch). Some regional banks have gone bust. There was some turmoil in Moldova and (entirely unrelated to the financial crisis) in Iran. **Severe problems remain, like high unemployment in the West, and we face new problems caused by responses to the crisis—soaring debt and fears of inflation. But overall, things look nothing like they did in the 1930s. The predictions of economic and political collapse have not materialized at all.** A key measure of fear and fragility is the ability of poor and unstable countries to borrow money on the debt markets. So consider this: the sovereign bonds of tottering Pakistan have returned 168 percent so far this year. All this doesn't add up to a recovery yet, but it does reflect a return to some level of normalcy. And that rebound has been so rapid that even the shrewdest observers remain puzzled. "The question I have at the back of my head is 'Is that it?' “says Charles Kaye, the co-head of Warburg Pincus. "We had this huge crisis, and now we're back to business as usual?" **This revival did not happen because markets managed to stabilize themselves on their own. Rather, governments, having learned the lessons of the Great Depression, were determined not to repeat the same mistakes once this crisis hit. By massively expanding state support for the economy—through central banks and national treasuries—they buffered the worst of the damage**. (Whether they made new mistakes in the process remains to be seen.) **The extensive social safety nets that have been established across the industrialized world also cushioned the pain felt by many**. Times are still tough, but things are nowhere near as bad as in the 1930s, when governments played a tiny role in national economies. It's true that the massive state interventions of the past year may be fueling some new bubbles: the cheap cash and government guarantees provided to banks, companies, and consumers have fueled some irrational exuberance in stock and bond markets. Yet these rallies also demonstrate the return of confidence, and confidence is a very powerful economic force. When John Maynard Keynes described his own prescriptions for economic growth, he believed government action could provide only a temporary fix until the real motor of the economy started cranking again—the animal spirits of investors, consumers, and companies seeking risk and profit. Beyond all this, though, I believe **there's a fundamental reason why we have not faced global collapse in the last year. It is the same reason that we weathered the stock-market crash of 1987, the recession of 1992, the Asian crisis of 1997, the Russian default of 1998, and the tech-bubble collapse of 2000. The current global economic system is inherently more resilient than we think.** The world today is characterized by three major forces for stability, each reinforcing the other and each historical in nature.

**The worst case bioterror scenario happened – no extinction**

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

The second problem is much more serious. Eliminating the toxins, we’re left with a list of infectious bacteria and viruses. With a single exception, these organisms are probably near-useless as weapons, and history proves it.¶ There have been at least three well-documented military-style deployments of infectious agents from the list, plus one deployment of an agent that’s not on the list. I’m focusing entirely on the modern era, by the way. There are historical reports of armies catapulting plague-ridden corpses over city walls and conquistadors trying to inoculate blankets with Variola (smallpox), but it’s not clear those “attacks” were effective. Those diseases tended to spread like, well, plagues, so there’s no telling whether the targets really caught the diseases from the bodies and blankets, or simply picked them up through casual contact with their enemies.¶Of the four modern biowarfare incidents, two have been fatal. The first was the 1979 Sverdlovsk anthrax incident, which killed an estimated 100 people. In that case, a Soviet-built biological weapons lab accidentally released a large plume of weaponized Bacillus anthracis (anthrax) over a major city. Soviet authorities tried to blame the resulting fatalities on “bad meat,” but in the 1990s Western investigators were finally able to piece together the real story. The second fatal incident also involved anthrax from a government-run lab: the 2001 “Amerithrax” attacks. That time, a rogue employee (or perhaps employees) of the government’s main bioweapons lab sent weaponized, powdered anthrax through the US postal service. Five people died.¶ That gives us a grand total of around 105 deaths, entirely from agents that were grown and weaponized in officially-sanctioned and funded bioweapons research labs. Remember that.¶Terrorist groups have also deployed biological weapons twice, and these cases are very instructive. The first was the 1984 Rajneeshee bioterror attack, in which members of acult in Oregon inoculated restaurant salad bars with Salmonella bacteria (an agent that’s not on the “select” list). 751 people got sick, but nobody died. Public health authorities handled it as a conventional foodborne Salmonella outbreak, identified the sources and contained them. Nobody even would have known it was a deliberate attack if a member of the cult hadn’t come forward afterward with a confession. Lesson: our existing public health infrastructure was entirely adequate to respond to a major bioterrorist attack.¶ The second genuine bioterrorist attack took place in 1993. Members of the Aum Shinrikyo cult successfully isolated and grew a large stock of anthrax bacteria, then sprayed it as an aerosol from the roof of a building in downtown Tokyo. The cult was well-financed,and had many highly educated members, so **this** release over the world’s largest city really **represented a worst-case scenario**.¶ **Nobody got sick** or died. From the cult’s perspective, it was a complete and utter failure. Again, the only reason we even found out about it was a post-hoc confession. Aum members later demonstrated their lab skills by producing Sarin nerve gas, with far deadlier results. Lesson: one of the top “select agents” is extremely hard to grow and deploy even for relatively skilled non-state groups. It’s a really crappy bioterrorist weapon.¶ Taken together, these events point to an uncomfortable but inevitable conclusion: our biodefense industry is a far greater threat to us than any actual bioterrorists.

**No impact to terrorism – too hard to pull off post 9/11, not enough personnel to carry out an attack, too much pressure because of security restrictions**

**Schneier 10**

(Bruce, a security technologist and author of "Beyond Fear: Thinking Sensibly About Security in an Uncertain World.", “Opinion: Where Are All the Terrorist Attacks?”, March 2010, <http://www.aolnews.com/opinion/article/opinion-why-arent-there-more-times-square-style-terrorist-attacks/19463843>)

Hard to Pull Off **Terrorism sounds easy**, but the actual attack is the easiest part. **Putting together the people, the plot and the materials is hard. It's hard to sneak terrorists into the U.S. It's hard to grow your own inside the U.S. It's hard to operate; the general population, even the Muslim population, is against you.** Movies and television make terrorist plots look easier than they are. It's hard to hold conspiracies together. It's easy to make a mistake. **Even 9/11, which was planned before the climate of fear that event engendered, just barely succeeded. Today, it's much harder to pull something like that off without slipping up and getting arrested.** Few Terrorists **But even more important than the difficulty of executing a terrorist attack, there aren't a lot of terrorists out there. Al-Qaida isn't a well-organized global organization** with movie-plot-villain capabilities; it's a loose collection of people using the same name. **Despite the post-9/11 rhetoric, there isn't a terrorist cell in every major city. If you think about the major terrorist plots we've foiled in the U.S. -- the JFK bombers, the Fort Dix plotters -- they were mostly** [**amateur terrorist wannabes**](http://www.schneier.com/essay-174.html) **with no connection to any sort of al-Qaida central command, and mostly no ability to effectively carry out the attacks they planned. The successful terrorist attacks** -- the Fort Hood shooter, the guy who flew his plane into the Austin IRS office, the anthrax mailer -- **were largely nut cases operating alone**. Even the unsuccessful shoe bomber, and the equally unsuccessful Christmas Day underwear bomber, had minimal organized help -- and that help originated outside the U.S. **Terrorism doesn't occur without terrorists, and they are far rarer than popular opinion would have it.**

#### Drones don’t cause blowback – in-depth interviews in Yemen show pragmatic acceptance of US drone strikes against AQAP and alternative causes for insurgent recruitment

Christopher Swift, fellow at the University of Virginia’s Center for National Security Law, “The Drone Blowback Fallacy”: Strikes in Yemen Aren’t Pushing People into al-Qaeda, Foreign Affairs, July 1, 2012.

Recent revelations that the White House keeps a secret terrorist kill list, which it uses to target al Qaeda leaders, have spurred a debate over drone warfare. Progressive pundits excoriate the Obama administration for expanding the power of the executive branch. Senate Republicans, in turn, have demanded the appointment of a special counsel to probe the alleged leaks of classified information that brought the kill list to light. As the political drama unfolds in Washington, however, the United States is intensifying its drone campaign in the arid mountains and remote plateaus of Yemen.¶ With al Qaeda’s center of gravity shifting from Pakistan to Yemen, the Central Intelligence Agency recently sought authority to conduct “signature strikes,” in which drone pilots engage targets based on behavioral profiles rather than on positive identifications. The move marks a significant increase in the intensity and extensity of the drone campaign — in the first six months of 2012, the Obama administration conducted approximately 43 drone strikes in Yemen, nearly twice the total from the three preceding years.¶ Critics argue that drone strikes create new adversaries and drive al Qaeda’s recruiting. As the Yemeni youth activist Ibrahim Mothana recently wrote in The New York Times, “Drone strikes are causing more and more Yemenis to hate America and join radical militants; they are not driven by ideology but rather by a sense of revenge and despair.” The Washington Post concurs. In May, it reported that the “escalating campaign of U.S. drone strikes [in Yemen] is stirring increasing sympathy for al Qaeda-linked militants and driving tribesmen to join a network linked to terrorist plots against the United States.” The ranks of al Qaeda in the Arabian Peninsula (AQAP) have tripled to 1,000 in the last three years, and the link between its burgeoning membership, U.S. drone strikes, and local resentment seems obvious.¶ Last month, I traveled to Yemen to study how AQAP operates and whether the conventional understanding of the relationship between drones and recruitment is correct. While there, I conducted 40 interviews with tribal leaders, Islamist politicians, Salafist clerics, and other sources. These subjects came from 14 of Yemen’s 21 provinces, most from rural regions. Many faced insurgent infiltration in their own districts. Some of them were actively fighting AQAP. Two had recently visited terrorist strongholds in Jaar and Zinjibar as guests. I conducted each of these in-depth interviews using structured questions and a skilled interpreter. I have withheld my subjects’ names to protect their safety — a necessity occasioned by the fact that some of them had survived assassination attempts and that others had recently received death threats.¶ These men had little in common with the Yemeni youth activists who capture headlines and inspire international acclaim. As a group, they were older, more conservative, and more skeptical of U.S. motives. They were less urban, less wealthy, and substantially less secular. But to my astonishment, none of the individuals I interviewed drew a causal relationship between U.S. drone strikes and al Qaeda recruiting. Indeed, of the 40 men in this cohort, only five believed that U.S. drone strikes were helping al Qaeda more than they were hurting it.¶ Al Qaeda exploits U.S. errors, to be sure. As the Yemen scholar Gregory Johnsen correctly observes, the death of some 40 civilians in the December 2009 cruise missile strike on Majala infuriated ordinary Yemenis and gave AQAP an unexpected propaganda coup. But the fury produced by such tragedies is not systemic, not sustained, and, ultimately, not sufficient. As much as al Qaeda might play up civilian casualties and U.S. intervention in its recruiting videos, the Yemeni tribal leaders I spoke to reported that the factors driving young men into the insurgency are overwhelmingly economic.¶ From al Hudaydah in the west to Hadhramaut in the east, AQAP is building complex webs of dependency within Yemen’s rural population. It gives idle teenagers cars, khat, and rifles — the symbols of Yemeni manhood. It pays salaries (up to $400 per month) that lift families out of poverty. It supports weak and marginalized sheikhs by digging wells, distributing patronage to tribesmen, and punishing local criminals. As the leader of one Yemeni tribal confederation told me, “Al Qaeda attracts those who can’t afford to turn away.”¶ Religious figures echoed these words. Though critical of the U.S. drone campaign, none of the Islamists and Salafists I interviewed believed that drone strikes explain al Qaeda’s burgeoning numbers. “The driving issue is development,” an Islamist parliamentarian from Hadramout province said. “Some districts are so poor that joining al Qaeda represents the best of several bad options.” (Other options include criminality, migration, and even starvation.) A Salafi scholar engaged in hostage negotiations with AQAP agreed. “Those who fight do so because of the injustice in this country,” he explained. “A few in the north are driven by ideology, but in the south it is mostly about poverty and corruption.”¶ Despite Yemenis’ antipathy toward drones, my conversations also revealed a surprising degree of pragmatism. Those living in active conflict zones drew clear distinctions between earlier U.S. operations, such as the Majala bombing, and more recent strikes on senior al Qaeda figures. “Things were very bad in 2009,” a tribal militia commander from Abyan province told me, “but now the drones are seen as helping us.” He explained that Yemenis could “accept [drones] as long as there are no more civilian casualties.” An Islamist member of the separatist al-Harak movement offered a similar assessment. “Ordinary people have become very practical about drones,” he said. “If the United States focuses on the leaders and civilians aren’t killed, then drone strikes will hurt al Qaeda more than they help them.”¶ Some of the men I interviewed admitted that they had changed their minds about drone strikes. Separatists in Aden who openly derided AQAP as a proxy of Yemen’s recently deposed president, Ali Abdullah Saleh, privately acknowledged the utility of the U.S. drone campaign. “Saleh created this crisis in order to steal from America and stay in power,” a former official from the now-defunct People’s Democratic Republic of Yemen told me. “Now it is our crisis, and we need every tool to solve it.”¶ Yemeni journalists, particularly those with firsthand exposure to AQAP, shared this view: “I opposed the drone campaign until I saw what al Qaeda was doing in Jaar and Zinjibar,” an independent reporter in Aden said. “Al Qaeda hates the drones, they’re absolutely terrified of the drones … and that is why we need them.”

#### Plan forces US to turn to conventional warfighting – turns case

Byman 13 (Daniel, Professor in the Security Studies Program at the Edmund A. Walsh School of Foreign Service at Georgetown University and a Senior Fellow at the Saban Center for Middle East Policy at the Brookings Institution, “Why Drones Work: The case for washington’s weapon of choice,” 92 Foreign Aff. 32 (2013), Accessed at Hein Online)

Despite the obvious benefits of using drones and the problems associated with the alternatives, numerous critics argue that drones still have too many disadvantages. First among them is an unacceptably high level of civilian casualties. Admittedly, drones have killed innocents. But the real debate is over how many and whether alternative approaches are any better. The Bureau of Investigative Journalism reports that in 2011 alone, nearly 900 noncombatants, including almost 200 children, were killed by U.S. drone strikes. Columbia Law School's Human Rights Clinic also cites high numbers of civilian deaths, as does the Pakistani organization Pakistan Body Count. Peter Bergen of the New America Foundation oversees a database of drone casualties culled from U.S. sources and international media reports. He estimates that between 150 and 500 civilians have been killed by drones during Obama's administration. U.S. officials, meanwhile, maintain that drone strikes have killed almost no civilians. In June 2011, John Brennan, then Obama's.top counterterrorism adviser, even contended that U.S. drone strikes had killed no civilians in the previous year. But these claims are based on the fact that the U.S. government assumes that all military-age males in the blast area of a drone strike are combatants- unless it can determine after the fact that they were innocent (and such intelligence gathering is not a priority). The United States has recently taken to launching "signature strikes," which target not specific individuals but instead groups engaged in suspicious activities. This approach makes it even more difficult to distinguish between combatants and civilians and verify body counts of each. Still, as one U.S. official told The New York Times last year, "Al Qaeda is an in- sular, paranoid organization-innocent neighbors don't hitchhike rides in the back-of trucks headed for the border with guns and bombs." Of course, not everyone accepts this reasoning. Zeeshan-ul-hassan Usmani, who runs Pakistan Body Count, says that "neither [the United States] nor Pakistan releases any detailed information about the victims ... so [although the United States] likes to call everybody Taliban, I call everybody civilians. The truth is that all the public numbers are unreliable. Who con- stitutes a civilian is often unclear; when trying to kill the Pakistani Taliban leader Baitullah Mehsud, for example, the United States also killed his doctor. The doctor was not targeting U.S. or allied forces, but he was aiding a known terrorist leader. In addition, most strikes are carried out in such remote locations that it is nearly impossible for independent sources to verify who was killed. In Pakistan, for example, the overwhelming majority of drone killings occur in tribal areas that lie outside the government's control and are prohibitively dangerous for Westerners and independent local journalists to enter. Thus, although the New America Foundation has come under fire for relying heavily on unverifiable information provided by anonymous U.S. officials, reports from local Pakistani organizations, and the Western organizations that rely on them, are no better: their numbers are frequently doctored by the Pakistani government or by militant groups. After a strike in Pakistan, militants often cordon off the area, remove their dead, and admit only local reporters sympathetic to their cause or decide on a body count themselves. The U.S. media often then draw on such faulty reporting to give the illusion of having used multiple sources. As a result, statistics on civilians killed by drones are often inflated. One of the few truly independent on-the-ground reporting efforts, conducted by the Associated Press last year, concluded that the strikes "are killing far fewer civilians than many in [Pakistan] are led to believe." But even the most unfavorable estimates of drone casualties reveal that the ratio of civilian to militant deaths-about one to three, according to the Bureau of Investigative Journalism-is lower than it would be for other forms of strikes. Bombings by F-16s or Tomahawk cruise missile salvos, for example, pack a much more deadly payload. In December 2009, the United States fired Tomahawks at a suspected terrorist training camp in Yemen, and over 30 people were killed in the blast, most of them women and children. At the time, the Yemeni regime refused to allow the use of drones, but had this not been the case, a drone's real-time surveillance would probably have spotted the large number of women and children, and the attack would have been aborted. Even if the strike had gone forward for some reason, the drone's far smaller warhead would have killed fewer innocents. Civilian deaths are tragic and pose political problems. But the data show that drones are more discriminate than other types of force.

### Drone Prolif

#### No risk of Drone Wars—Antiquated air defense and simple jamming check back

Lewis 2012 [Michael W. Lewis, Associate Professor of Law at Ohio Northern University Pettit College of Law, “SYMPOSIUM: THE 2009 AIR AND MISSILE WARFARE MANUAL: A CRITICAL ANALYSIS: Drones and the Boundaries of the Battlefield,” Spring, 2012, Texas International Law Journal, wyo-sc]

Like any weapons system drones have significant limitations in what they can achieve. Drones are extremely vulnerable to any type of sophisticated air defense system. They are slow. Even the jet-powered Avenger recently purchased by the Air Force only has a top speed of around 460 miles per hour, [n20](http://www.lexisnexis.com.libproxy.uwyo.edu/lnacui2api/frame.do?tokenKey=rsh-20.161059.30216781973&target=results_DocumentContent&returnToKey=20_T18058676090&parent=docview&rand=1378078662361&reloadEntirePage=true" \l "n20) meaning that it cannot escape from any manned fighter aircraft, not even the outmoded 1970s-era fighters that are still used by a number of nations. [n21](http://www.lexisnexis.com.libproxy.uwyo.edu/lnacui2api/frame.do?tokenKey=rsh-20.161059.30216781973&target=results_DocumentContent&returnToKey=20_T18058676090&parent=docview&rand=1378078662361&reloadEntirePage=true" \l "n21) Not only are drones unable to escape manned fighter aircraft, they also cannot hope to successfully fight them. Their air-to-air weapons systems are not as sophisticated as those of manned fighter aircraft, [n22](http://www.lexisnexis.com.libproxy.uwyo.edu/lnacui2api/frame.do?tokenKey=rsh-20.161059.30216781973&target=results_DocumentContent&returnToKey=20_T18058676090&parent=docview&rand=1378078662361&reloadEntirePage=true" \l "n22) and in the dynamic environment of an air-to-air engagement, the drone operator could not hope to match the situational awareness [n23](http://www.lexisnexis.com.libproxy.uwyo.edu/lnacui2api/frame.do?tokenKey=rsh-20.161059.30216781973&target=results_DocumentContent&returnToKey=20_T18058676090&parent=docview&rand=1378078662361&reloadEntirePage=true" \l "n23) of the pilot of manned fighter aircraft. As a result, the outcome of any air-to-air engagement between drones and manned fighters is a foregone conclusion. Further, drones are not only vulnerable to manned fighter aircraft, they are also vulnerable to jamming. Remotely piloted aircraft are dependent upon a continuous signal from their operators to keep them flying, and this signal is vulnerable to disruption and jamming. [n24](http://www.lexisnexis.com.libproxy.uwyo.edu/lnacui2api/frame.do?tokenKey=rsh-20.161059.30216781973&target=results_DocumentContent&returnToKey=20_T18058676090&parent=docview&rand=1378078662361&reloadEntirePage=true" \l "n24) If drones were  [\*299]  perceived to be a serious threat to an advanced military, a serious investment in signal jamming or disruption technology could severely degrade drone operations if it did not defeat them entirely. [n25](http://www.lexisnexis.com.libproxy.uwyo.edu/lnacui2api/frame.do?tokenKey=rsh-20.161059.30216781973&target=results_DocumentContent&returnToKey=20_T18058676090&parent=docview&rand=1378078662361&reloadEntirePage=true" \l "n25) These twin vulnerabilities to manned aircraft and signal disruption could be mitigated with massive expenditures on drone development and signal delivery and encryption technology, [n26](http://www.lexisnexis.com.libproxy.uwyo.edu/lnacui2api/frame.do?tokenKey=rsh-20.161059.30216781973&target=results_DocumentContent&returnToKey=20_T18058676090&parent=docview&rand=1378078662361&reloadEntirePage=true" \l "n26) but these vulnerabilities could never be completely eliminated. Meanwhile, one of the principal advantages that drones provide - their low cost compared with manned aircraft [n27](http://www.lexisnexis.com.libproxy.uwyo.edu/lnacui2api/frame.do?tokenKey=rsh-20.161059.30216781973&target=results_DocumentContent&returnToKey=20_T18058676090&parent=docview&rand=1378078662361&reloadEntirePage=true" \l "n27) - would be swallowed up by any attempt to make these aircraft survivable against a sophisticated air defense system. As a result, drones will be limited, for the foreseeable future, [n28](http://www.lexisnexis.com.libproxy.uwyo.edu/lnacui2api/frame.do?tokenKey=rsh-20.161059.30216781973&target=results_DocumentContent&returnToKey=20_T18058676090&parent=docview&rand=1378078662361&reloadEntirePage=true" \l "n28) to use in "permissive" environments in which air defense systems are primitive [n29](http://www.lexisnexis.com.libproxy.uwyo.edu/lnacui2api/frame.do?tokenKey=rsh-20.161059.30216781973&target=results_DocumentContent&returnToKey=20_T18058676090&parent=docview&rand=1378078662361&reloadEntirePage=true" \l "n29) or non-existent. While it is possible to find (or create) such a permissive environment in an inter-state conflict, [n30](http://www.lexisnexis.com.libproxy.uwyo.edu/lnacui2api/frame.do?tokenKey=rsh-20.161059.30216781973&target=results_DocumentContent&returnToKey=20_T18058676090&parent=docview&rand=1378078662361&reloadEntirePage=true" \l "n30) permissive environments that will allow for drone use will most often be found in counterinsurgency or counterterrorism operations.

#### No Indo-Pak war

Mutti 9— Master’s degree in International Studies with a focus on South Asia, U Washington. BA in History, Knox College. over a decade of expertise covering on South Asia geopolitics, Contributing Editor to Demockracy journal (James, 1/5, Mumbai Misperceptions: War is Not Imminent, http://demockracy.com/four-reasons-why-the-mumbai-attacks-wont-result-in-a-nuclear-war/)

Fearful of imminent war, the media has indulged in frantic hand wringing about Indian and Pakistani nuclear arsenals and renewed fears about the Indian subcontinent being “the most dangerous place on earth.” As an observer of the subcontinent for over a decade, I am optimistic that war will not be the end result of this event. As horrifying as the Mumbai attacks were, they are not likely to drive India and Pakistan into an armed international conflict. The media frenzy over an imminent nuclear war seems the result of the media being superficially knowledgeable about the history of Indian-Pakistani relations, of feeling compelled to follow the most sensationalistic story, and being recently brainwashed into thinking that the only way to respond to a major terrorist attack was the American way – a war. Here are four reasons why the Mumbai attacks will not result in a war: 1. For both countries, a war would be a disaster. India has been successfully building stronger relations with the rest of the world over the last decade. It has occasionally engaged in military muscle-flexing (abetted by a Bush administration eager to promote India as a counterweight to China and Pakistan), but it has much more aggressively promoted itself as an emerging economic powerhouse and a moral, democratic alternative to less savory authoritarian regimes. Attacking a fledgling democratic Pakistan would not improve India’s reputation in anybody’s eyes. The restraint Manmohan Singh’s government has exercised following the attacks indicates a desire to avoid rash and potentially regrettable actions. It is also perhaps a recognition that military attacks will never end terrorism. Pakistan, on the other hand, couldn’t possibly win a war against India, and Pakistan’s military defeat would surely lead to the downfall of the new democratic government. The military would regain control, and Islamic militants would surely make a grab for power – an outcome neither India nor Pakistan want. Pakistani president Asif Ali Zardari has shown that this is not the path he wants his country to go down. He has forcefully spoken out against terrorist groups operating in Pakistan and has ordered military attacks against LeT camps. Key members of LeT and other terrorist groups have been arrested. One can hope that this is only the beginning, despite the unenviable military and political difficulties in doing so. 2. Since the last major India-Pakistan clash in 1999, both countries have made concrete efforts to create people-to-people connections and to improve economic relations. Bus and train services between the countries have resumed for the first time in decades along with an easing of the issuing of visas to cross the border. India-Pakistan cricket matches have resumed, and India has granted Pakistan “most favored nation” trading status. The Mumbai attacks will undoubtedly strain relations, yet it is hard to believe that both sides would throw away this recent progress. With the removal of Pervez Musharraf and the election of a democratic government (though a shaky, relatively weak one), both the Indian government and the Pakistani government have political motivations to ease tensions and to proceed with efforts to improve relations. There are also growing efforts to recognize and build upon the many cultural ties between the populations of India and Pakistan and a decreasing sense of animosity between the countries. 3. Both countries also face difficult internal problems that present more of a threat to their stability and security than does the opposite country. If they are wise, the governments of both countries will work more towards addressing these internal threats than the less dangerous external ones. The most significant problems facing Pakistan today do not revolve around the unresolved situation in Kashmir or a military threat posed by India. The more significant threat to Pakistan comes from within. While LeT has focused its firepower on India instead of the Pakistani state, other militant Islamic outfits have not. Groups based in the tribal regions bordering Afghanistan have orchestrated frequent deadly suicide bombings and clashes with the Pakistani military, including the attack that killed ex-Prime Minister Benazir Bhutto in 2007. The battle that the Pakistani government faces now is not against its traditional enemy India, but against militants bent on destroying the Pakistani state and creating a Taliban-style regime in Pakistan. In order to deal with this threat, it must strengthen the structures of a democratic, inclusive political system that can also address domestic problems and inequalities. On the other hand, the threat of Pakistani based terrorists to India is significant. However, suicide bombings and attacks are also carried out by Indian Islamic militants, and vast swaths of rural India are under the de facto control of the Maoist guerrillas known as the Naxalites. Hindu fundamentalists pose a serious threat to the safety of many Muslim and Christian Indians and to the idea of India as a diverse, secular, democratic society. Separatist insurgencies in Kashmir and in parts of the northeast have dragged on for years. And like Pakistan, India faces significant challenges in addressing sharp social and economic inequalities. Additionally, Indian political parties, especially the ruling Congress Party and others that rely on the support of India’s massive Muslim population to win elections, are certainly wary about inflaming public opinion against Pakistan (and Muslims). This fear could lead the investigation into the Mumbai attacks to fizzle out with no resolution, as many other such inquiries have. 4. The international attention to this attack – somewhat difficult to explain in my opinion given the general complacency and utter apathy in much of the western world about previous terrorist attacks in places like India, Pakistan, and Indonesia – is a final obstacle to an armed conflict. Not only does it put both countries under a microscope in terms of how they respond to the terrible events, it also means that they will feel international pressure to resolve the situation without resorting to war. India and Pakistan have been warned by the US, Russia, and others not to let the situation end in war. India has been actively recruiting Pakistan’s closest allies – China and Saudi Arabia – to pressure Pakistan to act against militants, and the US has been in the forefront of pressing Pakistan for action. Iran too has expressed solidarity with India in the face of the attacks and is using its regional influence to bring more diplomatic pressure on Pakistan.

#### War won’t go nuclear

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

**\* Ashutosh Varshney – Professor of Political Science and South Asia expert at the University of Michigan**

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

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

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

#### **U.S. drone use doesn’t cause prolif – no international precedent**

Etzioni 13, Professor of International Relations @ George Washington University

(Aimtai Etzioni, adviser to the Carter administration, “The Great Drone Debate”, Military Review, 4/2013, http://usacac.army.mil/CAC2/MilitaryReview/Archives/English/MilitaryReview\_20130430\_art004.pdf)

Other critics contend that by the United States ¶ using drones, it leads other countries into making and ¶ using them. For example, Medea Benjamin, the cofounder of the anti-war activist group CODEPINK ¶ and author of a book about drones argues that, “The ¶ proliferation of drones should evoke reﬂection on the ¶ precedent that the United States is setting by killing ¶ anyone it wants, anywhere it wants, on the basis of ¶ secret information. Other nations and non-state entities are watching—and are bound to start acting in ¶ a similar fashion.”60 Indeed scores of countries are ¶ now manufacturing or purchasing drones. There can ¶ be little doubt that the fact that drones have served ¶ the United States well has helped to popularize them. ¶ However, it does not follow that United States ¶ should not have employed drones in the hope that such a show of restraint would deter others. First ¶ of all, this would have meant that either the United ¶ States would have had to allow terrorists in hard-to-reach places, say North Waziristan, to either ¶ roam and rest freely—or it would have had to use ¶ bombs that would have caused much greater collateral damage. ¶ Further, the record shows that even when the ¶ United States did not develop a particular weapon, ¶ others did. Thus, China has taken the lead in the ¶ development of anti-ship missiles and seemingly ¶ cyber weapons as well. One must keep in mind ¶ that the international environment is a hostile ¶ one. Countries—and especially non-state actors—¶ most of the time do not play by some set of selfconstraining rules. Rather, they tend to employ ¶ whatever weapons they can obtain that will further ¶ their interests. The United States correctly does ¶ not assume that it can rely on some non-existent ¶ implicit gentleman’s agreements that call for the ¶ avoidance of new military technology by nation X ¶ or terrorist group Y—if the United States refrains ¶ from employing that technology. I am not arguing that there are no natural norms ¶ that restrain behavior. There are certainly some ¶ that exist, particularly in situations where all parties beneﬁt from the norms (e.g., the granting of ¶ diplomatic immunity) or where particularly horrifying weapons are involved (e.g., weapons of ¶ mass destruction). However drones are but one ¶ step—following bombers and missiles—in the ¶ development of distant battleﬁeld technologies. ¶ (Robotic soldiers—or future ﬁghting machines—¶ are next in line). In such circumstances, the role ¶ of norms is much more limited.

#### No US precedent---not causal

Kenneth Anderson 11, Professor of International Law at American University, 10/9/11, “What Kind of Drones Arms Race Is Coming?,” <http://www.volokh.com/2011/10/09/what-kind-of-drones-arms-race-is-coming/#more-51516>

New York Times national security correspondent Scott Shane has an opinion piece in today’s Sunday Times predicting an “arms race” in military drones. The methodology essentially looks at the US as the leader, followed by Israel – countries that have built, deployed and used drones in both surveillance and as weapons platforms. It then looks at the list of other countries that are following fast in US footsteps to both build and deploy, as well as purchase or sell the technology – noting, correctly, that the list is a long one, starting with China. The predicament is put this way:

Eventually, the United States will face a military adversary or terrorist group armed with drones, military analysts say. But what the short-run hazard experts foresee is not an attack on the United States, which faces no enemies with significant combat drone capabilities, but the political and legal challenges posed when another country follows the American example. The Bush administration, and even more aggressively the Obama administration, embraced an extraordinary principle: that the United States can send this robotic weapon over borders to kill perceived enemies, even American citizens, who are viewed as a threat.

“Is this the world we want to live in?” asks Micah Zenko, a fellow at the Council on Foreign Relations. “Because we’re creating it.”

By asserting that “we’re” creating it, this is a claim that there is an arms race among states over military drones, and that it is a consequence of the US creating the technology and deploying it – and then, beyond the technology, changing the normative legal and moral rules in the international community about using it across borders. In effect, the combination of those two, technological and normative, forces other countries in strategic competition with the US to follow suit. (The other unstated premise underlying the whole opinion piece is a studiously neutral moral relativism signaled by that otherwise unexamined phrase “perceived enemies.” Does it matter if they are not merely our “perceived” but are our actual enemies? Irrespective of what one might be entitled to do to them, is it so very difficult to conclude, even in the New York Times, that Anwar al-Awlaki was, in objective terms, our enemy?)

It sounds like it must be true. But is it? There are a number of reasons to doubt that moves by other countries are an arms race in the sense that the US “created” it or could have stopped it, or that something different would have happened had the US not pursued the technology or not used it in the ways it has against non-state terrorist actors. Here are a couple of quick reasons why I don’t find this thesis very persuasive, and what I think the real “arms race” surrounding drones will be.

Unmanned aerial vehicles have clearly got a big push from the US military in the way of research, development, and deployment. But the reality today is that the technology will transform civil aviation, in many of the same ways and for the same reasons that another robotic technology, driverless cars (which Google is busily plying up and down the streets of San Francisco, but which started as a DARPA project). UAVs will eventually move into many roles in ordinary aviation, because it is cheaper, relatively safer, more reliable – and it will eventually include cargo planes, crop dusting, border patrol, forest fire patrols, and many other tasks. There is a reason for this – the avionics involved are simply not so complicated as to be beyond the abilities of many, many states. Military applications will carry drones many different directions, from next-generation unmanned fighter aircraft able to operate against other craft at much higher G stresses to tiny surveillance drones. But the flying-around technology for aircraft that are generally sizes flown today is not that difficult, and any substantial state that feels like developing them will be able to do so.

But the point is that this was happening anyway, and the technology was already available. The US might have been first, but it hasn’t sparked an arms race in any sense that absent the US push, no one would have done this. That’s just a fantasy reading of where the technology in general aviation was already going; Zenko’s ‘original sin’ attribution of this to the US opening Pandora’s box is not a credible understanding of the development and applications of the technology. Had the US not moved on this, the result would have been a US playing catch-up to someone else. For that matter, the off-the-shelf technology for small, hobbyist UAVs is simple enough and available enough that terrorists will eventually try to do their own amateur version, putting some kind of bomb on it.

Moving on from the avionics, weaponizing the craft is also not difficult. The US stuck an anti-tank missile on a Predator; this is also not rocket science. Many states can build drones, many states can operate them, and crudely weaponizing them is also not rocket science. The US didn’t spark an arms race; this would occur to any state with a drone. To the extent that there is real development here, it lies in the development of specialized weapons that enable vastly more discriminating targeting. The details are sketchy, but there are indications from DangerRoom and other observers (including some comments from military officials off the record) that US military budgets include amounts for much smaller missiles designed not as anti-tank weapons, but to penetrate and kill persons inside a car without blowing it to bits, for example. This is genuinely harder to do – but still not all that difficult for a major state, whether leading NATO states, China, Russia, or India. The question is whether it would be a bad thing to have states competing to come up with weapons technologies that are … more discriminating.

#### Zero chance that U.S. self-restraint causes any other country to give up their plans for drones

Max Boot 11, the Jeane J. Kirkpatrick Senior Fellow in National Security Studies at the Council on Foreign Relations, 10/9/11, “We Cannot Afford to Stop Drone Strikes,” Commentary Magazine, <http://www.commentarymagazine.com/2011/10/09/drone-arms-race/>

The New York Times engages in some scare-mongering today about a drone ams race. Scott Shane notes correctly other nations such as China are building their own drones and in the future U.S. forces could be attacked by them–our forces will not have a monopoly on their use forever. Fair enough, but he goes further, suggesting our current use of drones to target terrorists will backfire:

If China, for instance, sends killer drones into Kazakhstan to hunt minority Uighur Muslims it accuses of plotting terrorism, what will the United States say? What if India uses remotely controlled craft to hit terrorism suspects in Kashmir, or Russia sends drones after militants in the Caucasus? American officials who protest will likely find their own example thrown back at them.

“The problem is that we’re creating an international norm” — asserting the right to strike preemptively against those we suspect of planning attacks, argues Dennis M. Gormley, a senior research fellow at the University of Pittsburgh and author of Missile Contagion, who has called for tougher export controls on American drone technology. “The copycatting is what I worry about most.”

This is a familiar trope of liberal critics who are always claiming we should forego “X” weapons system or capability, otherwise our enemies will adopt it too. We have heard this with regard to ballistic missile defense, ballistic missiles, nuclear weapons, chemical and biological weapons, land mines, exploding bullets, and other fearsome weapons. Some have even suggested the U.S. should abjure the first use of nuclear weapons–and cut down our own arsenal–to encourage similar restraint from Iran.

The argument falls apart rather quickly because it is founded on a false premise: that other nations will follow our example. In point of fact, Iran is hell-bent on getting nuclear weapons no matter what we do; China is hell-bent on getting drones; and so forth. Whether and under what circumstances they will use those weapons remains an open question–but there is little reason to think self-restraint on our part will be matched by equal self-restraint on theirs. Is Pakistan avoiding nuking India because we haven’t used nuclear weapons since 1945? Hardly. The reason is that India has a powerful nuclear deterrent to use against Pakistan. If there is one lesson of history it is a strong deterrent is a better upholder of peace than is unilateral disarmament–which is what the New York Times implicitly suggests.

Imagine if we did refrain from drone strikes against al-Qaeda–what would be the consequence? If we were to stop the strikes, would China really decide to take a softer line on Uighurs or Russia on Chechen separatists? That seems unlikely given the viciousness those states already employ in their battles against ethnic separatists–which at least in Russia’s case already includes the suspected assassination of Chechen leaders abroad. What’s the difference between sending a hit team and sending a drone?

While a decision on our part to stop drone strikes would be unlikely to alter Russian or Chinese thinking, it would have one immediate consequence: al-Qaeda would be strengthened and could regenerate the ability to attack our homeland. Drone strikes are the only effective weapon we have to combat terrorist groups in places like Pakistan or Yemen where we don’t have a lot of boots on the ground or a lot of cooperation from local authorities. We cannot afford to give them up in the vain hope it will encourage disarmament on the part of dictatorial states.

### Solvency

#### Courts have no competence

Steve Vladeck 13, professor of law and the associate dean for scholarship at American University Washington College of Law, 2/10/13, “Why a “Drone Court” Won’t Work–But (Nominal) Damages Might…,” http://www.lawfareblog.com/2013/02/why-a-drone-court-wont-work/

In my view, the adversity issue is the deepest legal flaw in “drone court” proposals. But the idea of an ex ante judicial process for signing off on targeted killing operations may also raise some serious separation of powers concerns insofar as such review could directly interfere with the Executive’s ability to carry out ongoing military operations…¶ First, and most significantly, even though I am not a particularly strong defender of unilateral (and indefeasible) presidential war powers, I do think that, if the Constitution protects any such authority on the part of the President (another big “if”), it includes at least some discretion when it comes to the “defensive” war power, i.e., the President’s power to use military force to defend U.S. persons and territory, whether as part of an ongoing international or non-international armed conflict or not. And although the Constitution certainly constrains how the President may use that power, it’s a different issue altogether to suggest that the Constitution might forbid him for acting at all without prior judicial approval–especially in cases where the President otherwise would have the power to use lethal force.¶ This ties together with the related point of just how difficult it would be to actually have meaningful ex ante review in a context in which time is so often of the essence. If, as I have to think is true, many of the opportunities for these kinds of operations are fleeting–and often open and close within a short window–then a requirement of judicial review in all cases might actually prevent the government from otherwise carrying out authority that most would agree it has (at least in the appropriate circumstances). This possibility is exactly why FISA itself was enacted with a pair of emergency provisions (one for specific emergencies; one for the beginning of a declared war), and comparable emergency exceptions in this context would almost necessarily swallow the rule. Indeed, the narrower a definition of imminence that we accept, the more this becomes a problem, since the time frame in which the government could simultaneously demonstrate that a target (1) poses such a threat to the United States; and (2) cannot be captured through less lethal measures will necessarily be a vanishing one. Even if judicial review were possible in that context, it’s hard to imagine that it would produce wise, just, or remotely reliable decisions.¶ That’s why, even though I disagree with the DOJ white paper that ex ante review would present a nonjusticiable political question, I actually agree that courts are ill-suited to hear such cases–not because, as the white paper suggests, they lack the power to do so, but because, in most such cases, they would lack the *competence* to do so.¶ [Italics in original]

# 2NC

### Framework

#### Role of the ballot should be to weigh the implications of the affirmative starting at their discourse and relationship with the modes of thought that inform their master narrative

#### Prefer our interpretation because:

#### Ground—they need to be able to defend their representations of war and militaristic thought—means that they need to defend the most predictable part of their affirmative.

#### Education—this is the only way to challenge mainstream modes of thought—independent voting issue—you need to reject their framework because it’s informed with a master narrative of militarism and American exceptionalism

Hartnett 13

[Stephen John Hartnett, Department of Communication, University of Colorado Denver, “The Folly of Fighting for Providence, or, the End of Empire and Exceptionalism”, Cultural Studies <=> Critical Methodologies 2013, SAGE, \\wyo-bb]

Fredric Jameson argues in The Political Unconscious that ¶ our master narratives, the cultural fictions we use to create ¶ meaning in the world, are always driven in part by the ¶ unsayable. For Jameson, cultural productions always ¶ include “some mechanism of mystification or repression,” ¶ not because authors or speakers intentionally seek to ¶ obscure the facts but because they cannot access either their ¶ own motives or history’s deep trajectories. I have argued ¶ here—following Twain’s lead—that the political unconscious of America is pegged to deep narratives of exceptionalism, wherein the United States is the sole nation of ¶ greatness, God’s appointed redeemer, Goodness embodied, ¶ and hence a machine of righteous war-making. These ¶ impulses are so old, so deep, so taken for granted, that they ¶ underwrite all political thinking even while lurking unannounced—they hover in the background, organizing our ¶ political discourse, yet rarely leap to the fore. As worried by ¶ this process in the 1850s as I am today, Herman Melville ¶ tried to spoof the political unconscious by calling it “the ¶ metaphysics of Indian Hating.” No less an astute observer ¶ than D. H. Lawrence cackled that the political unconscious ¶ of the nation, our metaphysics of Witch and Indian—and, ¶ later, Communist and Terrorist—Hating, was so warped, so ¶ committed to violence, that the nation was literally mad: It ¶ is “always the same,” Lawrence argued, “the deliberate ¶ consciousness of Americans so fair and smooth spoken, and ¶ the under-consciousness so devilish. Destroy! destroy! ¶ destroy! hums the under-consciousness. Love and produce! ¶ Love and produce! cackles the upper consciousness. . . ¶ [But] the American has got to destroy, it is his destiny.” If ¶ we hope to stop reproducing these same murderous processes, we will need nothing less than a psychoanalytic ¶ reckoning, a moment of self-recognition wherein the political unconscious is dragged into the foreground, named, and ¶ exposed to the light of analysis.28

#### The K is a critical starting point—the question of the criticism precludes the affirmative because before we can ask how we should wage war, we must first decide if we should wage war at all—means you need to look to the framework before you can evaluate anything else

### Link

#### By causing certain types of war to be delegitimized, such as peacekeeping, it causes war to be expanded in other areas, like squeezing jello

Crandall 13

[Carla Crandall, Law Clerk to the Honorable Carolyn Dineen King, U.S. Court of Appeals for the Fifth Circuit. J.D., J. Reuben Clark Law School, Brigham Young University, 2013 Seton Hall University School of Law¶ Seton Hall Law Review 2013 Seton Hall Law Review¶ ¶ 43 Seton Hall L. Rev. 595 “If You Can't Beat Them, Kill Them: Complex Adaptive Systems Theory and the Rise in Targeted Killing”, <http://erepository.law.shu.edu/cgi/viewcontent.cgi?article=1466&context=shlr>, \\wyo-bb]

A. Targeted Killing: A Primer¶ ¶ As defined here, targeted killing is the "extra-judicial, premeditated killing by a state of a specifically identified person not in its custody." n217 Though there are numerous mechanisms by which such operations might be carried out, the United States has largely pursued its recent targeted killing strategy with the use of armed drones. n218 To be sure, the United States has employed drones since the infancy of the war on terror; reports indicate, for instance, that on the very evening of the Afghanistan invasion, the United States used a Predator drone to reconnoiter Taliban leader Mullah Omar. n219 That said, commentators widely acknowledge that in recent years, the use of drones to carry out targeted killings has increased exponentially. n220¶ [\*631] Given this recent expansion, drone warfare largely has been associated with President Obama. Indeed, as one reporter explained, "no president has ever relied so extensively on the secret killing of individuals to advance the nation's security goals." n221 Yet, while it is certainly true that targeted killing via drones has increased significantly under the Obama Administration, n222 the escalation actually began in the summer of 2008 when - just one month after the Boumediene decision - President Bush issued an "order that dramatically expanded the scope of Predator drone strikes against militants ... ." n223 During the remainder of 2008, the number of drone attacks conducted in Pakistan alone "vastly exceeded the number of strikes over the prior four years combined." n224¶ As noted, this escalation has continued under the Obama Administration. Reports indicate, for instance, that between 2009 and 2010, the number of drone strikes in Pakistan more than doubled - from 54 in 2009, to 122 in 2010. n225 Although this number has since been in decline (73 such attacks took place in 2011, while 48 occurred in 2012), the current rate still significantly outpaces that [\*632] seen pre-Boumediene. n226 Beyond this quantitative increase in drone use during President Obama's tenure, there has also been an equally important qualitative expansion. In 2011, the Wall Street Journal reported that "the U.S. military is deploying a new force of armed drones to eastern Africa in an escalation of its campaign to strike militant targets in the region and expand intelligence on extremists." n227 This new arsenal is expected to support the recent trend of expanding the geographic scope of drone warfare farther away from America's ground wars. n228 More strikingly, in September of 2011, government officials confirmed that a Hellfire missile launched from a CIA drone killed Anwar al-Awlaki in Yemen. n229 While news of a targeted killing carried out in Yemen might have been noteworthy in itself, n230 even more remarkable was the fact that al-Awlaki was a U.S. citizen. n231 The strike was thus evidence of another expansion in drone warfare, permitting attacks even against Americans who, though alleged to have been involved in terrorists operations, had not been afforded traditional due process protections. n232¶ To be sure, there are a number of possible explanations for this expanded use of drones to carry out targeted killings. First, in recent years, drones undoubtedly have become more sophisticated in terms of their capabilities. This is especially true as pertaining to their payload capacity and target recognition features. n233 The burgeoning [\*633] use of drones also may have been triggered by the withdrawal of ground troops from areas where targeted killing has more recently been pursued. n234 In that vein, some have intimated that the rise in drone use is a factor of the growing hesitancy to place American troops in harm's way on a battlefield. n235 Finally, some have suggested that drone use is more prevalent now because, as a tactical strategy, targeted killing is simply more effective in the asymmetrical, global war on terror. n236¶ While these explanations are certainly plausible, even granting that these factors have contributed to the rise in drone use does not exclude the possibility that the strategy actually constitutes a form of self-organization emerging from the complex properties inherent within the systems of law and war. Indeed, while not using this language, many commentators are beginning to acknowledge the correlation between the expanded use of drones and the fact that the executive no longer has a comprehensive detention strategy. n237 As one senior military official has stated, "when you don't have a detention policy," operational tactics have to change. n238 Indeed, the fact is that since the Supreme Court decided Boumediene in 2008, there have been few reports of the United States capturing high-value targets. n239 This reality may well indicate that efforts to grant detainees more rights have instead instigated an unforeseen and unintended shift away from capture and toward targeted killing.¶ [\*634]¶ B. Complexity, Adaptability, Self-Organization, and Unpredictability: Like Squeezing Jell-O¶ ¶ In 2009, former OLC director Jack Goldsmith discussed the growing "shell game" taking place regarding war on terror detentions and explained that, when one military tactic becomes unavailable, other strategies emerge to take its place n240:¶ ¶ ¶ Demands to raise legal standards for terrorist suspects in one arena often lead to compensating tactics in another arena that leave suspects (and, sometimes, innocent civilians) worse off... . Closing Guantanamo or bringing American justice there does not end the problem of terrorist detention. It simply causes the government to address the problem in different ways. A little-noticed consequence of elevating standards at Guantanamo is that the government has sent very few terrorist suspects there in recent years... . The Bush and Obama administrations have relied more on other tactics... . They have increasingly employed targeted killings, a tactic that eliminates the need to interrogate or incarcerate terrorists but at the cost of killing or maiming suspected terrorists and innocent civilians alike without notice or due process. n241¶ Using language strikingly reminiscent of terminology employed by complex adaptive systems theorists, one legal scholar, Kenneth Anderson, said of Goldsmith's commentary that "one way you might look at this is that there is a sort-of national security constant that remains in equilibrium over time, using one tactic or another, gradually evolving but representing over time a reversion to the national security mean." n242 More colloquially, Anderson suggested "that national security, seen over time, looks like squeezing [Jell-O] - if squeezed one place it pops out another." n243 Complex adaptive systems theory provides a model for explaining how and why this process occurs.¶ [\*635] Throughout the war on terror, national security law has exhibited many properties of a complex adaptive system. For example, as outlined above, the various interdependent agents that were involved in shaping the government's detention policies - namely, the Executive Branch, Congress, and the Supreme Court - created part of the complexity inherent within the system. Not only did these agents constitute dynamic systems themselves, as significantly, they each had important nested subsystems, such as OLC, individual pieces of legislation, and the ideological positions of each particular Supreme Court justice. As U.S. detention policy developed, these components of the legal system interacted not only with each other, but also with interdependent external systems like the American public and the military troops who were actually prosecuting the war.¶ As this interaction took place, and as the war effort progressed, the legal system's internal agents each learned from one another, as well as from the events occurring around them. This led to a process whereby the legal system as a whole evolved, but also whereby each agent within the system was forced to "react to what law [was] doing to them." n244 Moreover, as alluded to above, because the components of the legal system are humans, and therefore possess the ability to "steer" the system, they were able during the war on terror to "devise ways to influence [other] actors in the legal system." n245¶ The complex and adaptive properties inherent within the systems of war and law were perhaps most starkly evident in the behavior these systems exhibited as the Supreme Court adjudicated the habeas cases. With its Hamdi decision, for example, the Court signaled to the executive that it would be required to take a more deliberative approach to detainee issues than it had theretofore pursued. n246 In particular, Hamdi explained that "although Congress authorized the detention of combatants ... due process demands that a citizen ... held as an enemy combatant be given a meaningful opportunity to contest the factual basis for that detention." n247 Though many observers viewed the Court's "input" as significant, n248 [\*636] and therefore expected a linearly momentous effect, the Court's opinion actually caused only a small change in "outcome." More specifically, the executive adapted to the Court's input by issuing a directive establishing the Combatant Status Review Tribunals (CSRTs), which provided only minimal additional protections to detainees. n249

### Impact

#### Don’t weigh their impacts—the aff uses an ethical approach that creates crisis-based politics that means that we will be infinitely entrenched in the system

Cuomo 96

Professor of Philosophy, 1996 Chris, Hypatia 11.4, proquest //Wyo-BF

Ethical approaches that do not attend to the ways in which warfare and military practices are woven into the very fabric of life in twenty-first century technological states lead to crisis-based politics and analyses. For any feminism that aims to resist oppression and create alternative social and political options, crisis-based ethics and politics are problematic because they distract attention from the need for sustained resistance to the enmeshed, omnipresent systems of domination and oppression that so often function as givens in most people's lives. Neglecting the omnipresence of militarism allows the false belief that the absence of declared armed conflicts is peace, the polar opposite of war. It is particularly easy for those whose lives are shaped by the safety of privilege, and who do not regularly encounter the realities of militarism, to maintain this false belief. The belief that militarism is an ethical, political concern only regarding armed conflict, creates forms of resistance to militarism that are merely exercises in crisis control. Antiwar resistance is then mobilized when the “real” violence finally occurs, or when the stability of privilege is directly threatened, and at that point it is difficult not to respond in ways that make resisters drop all other political priorities. Crisis-driven attention to declarations of war might actually keep resisters complacent about and complicitous in the general presence of global militarism. Seeing war as necessarily embedded in constant military presence draws attention to the fact that horrific, state-sponsored violence is happening nearly all over, all of the time, and that it is perpetrated by military institutions and other militaristic agents of the state.

### Alt

#### Research bias—academics want to confirm that violence is inevitable—47 societies disprove the mainstream narrative

Paige 2

[Professor of political science @ University of Hawaii [Glenn D., Nonkilling Global Political Science]

Case studies of homicide presented by psychiatrist George F. Solomon (1970) make killing understandable and plausibly preventable in contrast to helpless reference to “human nature.” In one case, the socialization experience of a seemingly unemotional, random sniper-killer of women included: parental neglect by his gambling father, seduction by his alcoholic and promiscuous mother, fascination with guns, and drug use to block out “horrible images” of incestuous guilt. In another case, the background of a killer of his ex-wife’s new husband included: poverty, hatred of father for violence against his mother, convulsion after a paternal beating on the head, maternal ridicule, being beaten by his sisters, becoming a first sergeant in the Marine Corps, marriage to a prostitute met in a brothel, fathering two children by her, assault upon her and slashing his own wrists after discovering her infidelity while he was on duty overseas, being threatened by her with a .38 caliber handgun, and possession of his service pistol with which he killed—not her—but her new husband amidst a three-sided, living room quarrel about child support and visitation rights. Solomon concludes: As a psychiatrist I have a firm commitment to the idea that human behavior can be modified. Our failures in prevention and treatment have been based on ignorance, which can be ameliorated through further research; on lack of implementation of accepted principles; [and] on a reluctance to innovate; and on a vindictiveness toward social deviancy far more than any intrinsic “incurability” of the violence-prone person. The human’s capacity for growth and healing is great and, hopefully, his proclivity for violence can be halted (387). In anthropology, new interest **in understanding human capacities for nonviolence and peace as contrasted with customary emphasis upon violence and aggression is producing knowledge to question the assumption that a nonkilling society is impossible** (Sponsel and Gregor 1994b; Sponsel 1996). As Leslie E. Sponsel explains, “Nonviolent and peaceful societies appear to be rare—not because they are, in fact, rare but because nonviolence and peace are too rarely considered in research, the media, and other areas.” He adds, “It is as important to understand the characteristics, conditions, causes, functions, processes, and consequences of nonviolence and peace as it is to understand those of violence and war” (Sponsel 1994a: 18–9). Scientific questioning of the Hobbesian assumption of universal lethality among early humans has been advanced by Piero Giorgi (1999) and J.M.G. van der Dennen (1990; 1995). In a review of evidence for war and feuding for 50,000 “primitive” peoples recorded in the ethnographic literature over the past century, van der Dennen finds explicit confirmation for only 2,000 groups. Acknowledging that absence of information about “belligerence” for the remaining groups does not necessarily prove their peacefulness, van der Dennen cautions against dogmatic acceptance of the assumption of universal human bellicosity (1990: 257, 259, 264-9). He cites ethnographic evidence for 395 “highly unwarlike” peoples from Aboriginals to Zuni (1995: 595–619). Reviewing the anthropological literature, Bruce D. Bonta (1993) identifies forty-seven societies that demonstrate human capacities for “peacefulness.” Peacefulness . . . is defined as a condition whereby people live with a relatively high degree of interpersonal harmony; experience little physical violence among adults, between adults and children, and between the sexes; have developed workable strategies for resolving conflicts and averting violence; are committed to avoiding violence (such as warfare) with other peoples; raise their children to adopt peaceful ways; and have a strong consciousness of themselves as peaceful (4). Bonta finds evidence of peacefulness among the Amish, Anabaptists, Balinese, Batek, Birhor, Brethren, Buid, Chewong, Doukhobors, Fipa, Fore, G/wi, Hutterites, Ifaluk, Inuit, Jains, Kadar, !Kung, Ladakhis, Lepchas, Malapandaram, Mbuti, Mennonites, Montagnais-Naskapi, Moravians, Nayaka, Nubians, Onge, Orang Asli, Paliyan, Piaroa, Quakers, Rural Northern Irish, Rural Thai, San, Sanpoil, Salteaux, Semai, Tahitians, Tanka, Temiar, Toraja, Tristan Islanders, Waura, Yanadi, Zapotec, and Zuni. In a further study of conflict resolution among twenty-four of these peoples, Bonta (1996) concludes: Several common notions about conflict and conflict resolution that are asserted by Western scholars can be questioned in light of the success of these societies in peacefully resolving conflicts: namely, that violent conflict is inevitable in all societies; that punishment and armed force prevent internal and external violence; that political structures are necessary to prevent conflicts; and that conflict should be viewed as positive and necessary. The contrary evidence is that over half of the peaceful societies have no recorded violence; they rarely punish adults (except for the threat of ostracism); they handle conflicts with outside societies in the same peaceful ways that they approach internal conflicts; they do not look to outside governments when they have internal disputes; and they have a highly negative view of conflict (403).

#### Alt k2 shifting away from the military-industrial complex

Sharp 96

[Sharp, Gene: senior scholar-in-residence of the Albert Einstein Institution, Cambridge, Massachusetts, an associate in the Center for International Affairs, Harvard University and professor emeritus of political science, University of Massachusetts Dartmouth. He has written numerous studies on the nature and potential of nonviolent struggle. "Beyond Just War and Pacifism: Nonviolent Struggle towards Justice, Freedom and Peace."*Ecumenical Review*. 48.2 (1996): 233-250. Web. 25 Nov. 2013. <http://onlinelibrary.wiley.com/doi/10.1111/j.1758-6623.1996.tb03471.x/pdf>. //Wyo-BF]

Nonviolent struggle can also be applied for national defence against both coups d’ktat and foreign aggression. On the basis of research, feasibility studies, contingency planning, preparations and training of the population and leadership groups, a policy of “civilian-based defence” would seek to deter and defend by reliance on massive public defiance and widespread non-cooperation. The aim would be both to deny the attackers their objectives and also to make impossible the consolidation of their rule. This non-cooperation and defiance may be combined with other forms of action intended to subvert the loyalty and reliability of the attackers’ troops and functionaries. Writings on civilian-based defence were used by defence planners during the 1991 crises in Lithuania, Latvia and Estonia to protect themselves against Soviet attacks. These countries are now in the process of incorporating some type of modest civilianbased resistance components alongside their limited military capacities. Sweden also has a non-military resistance component within its total defence policy. Several other European countries have conducted some type of investigation or feasibility studies on the potential of this policy.6 Interest also exists in Thailand in the potential of a specifically anti-coup defence capacity. Official adoption of a civilian-based defence policy would usually be a phased incremental introduction and gradual expansion of the civilian-based capacity, with many countries probably maintaining both military and civilian means for the foreseeable future. As with the adoption of nonviolent action in struggles for social justice and freedom, the refinement and adoption of civilian-based defence would contribute to the progressive replacement of reliance on violence with application of prepared nonviolent forms of struggle.

### Perm

#### **The affirmative ambition for negative peace trades off with positive peace—means the perm will always fail**

Pankhurst 3

(Donna-, May 1, Development in Practice, “The 'sex war' and other wars: towards a feminist approach to peace building”, Vol. 13 # 2&3, Infomaworld; Jacob)

Turning to the meanings of the term ‘peace’, Galtung’s (1985) conception of negative peace has come into widespread use, and is probably the most common meaning given to the word, i.e. the end or absence of widespread violent conflict associated with war. A ‘peaceful’ society in this sense may therefore include a society in which social violence (against women, for instance) and/or structural violence (in situations of extreme inequality, for example) are prevalent. Moreover, this limited ‘peace goal’, of an absence of specific forms of violence associated with war, can and often does lead to a strategy in which all other goals become secondary. The absence of analysis of the deeper (social) causes of violence also paves the way for peace agreements that leave major causes of violent conflict completely unresolved. Negative peace may therefore be achieved by accepting a worse state of affairs than that which motivated the outburst of violence in the first place, for the sake of (perhaps short-term) ending organised violence. Galtung’s alternative vision, that of positive peace, requires not only that all types of violence be minimal or non-existent, but also that the major potential causes of future conflict be removed. In other words, major conflicts of interest, as well as their violent manifestation, need to be resolved. Positive peace encompasses an ideal of how society should be, but the details of such a vision often remain implicit, and are rarely discussed. Some ideal characteristics of a society experiencing positive peace would include: an active and egalitarian civil society; inclusive democratic political structures and processes; and open and accountable government. Working towards these objectives opens up the field of peace building far more widely, to include the promotion and encouragement of new forms of citizenship and political participation to develop active democracies. It also opens up the fundamental question of how an economy is to be managed, with what kind of state intervention, and in whose interests. But more often than not discussion of these important issues tends to be closed off, for the sake of ‘ending the violence’, leaving major causes of violence and war unresolved—including not only economic inequalities, but also major social divisions and the social celebration of violent masculinities.

# 1NR

## Terror

**Even if threat increases, detonation will have a 1 in 3.5 billion chance of success, too many technical obsticles for them to overcome. –That’s Schneidmiller**

**It Won’t Cause Extinction**

**Bulletin of Atomic Scientists 04**

[November 1, Vol. 60, #6, Lexis]

There are too many different ways in which terrorists could perpetrate some kind of nuclear attack to mention in this limited space. But keep this in mind: **There have been zero cases of nuclear terrorism --neither nuclear nor radiological. There are no known cases of theft or purchase of an intact nuclear weapon, so a terrorist attack with one is more than unlikely. There has not been any documented theft of enough fissile material for a crude nuke**--although there have been attempts. **There has never been a dirty bomb attack. There has never been a case of nuclear plant sabotage. If there were, it would** be awful--but **not the end of humanity.**

#### Terrorists aren’t pursuing nukes

**Wolfe 12 –** Alan Wolfe is Professor of Political Science at Boston College. He is also a Senior Fellow with the World Policy Institute at the New School University in New York. A contributing editor of The New Republic, The Wilson Quarterly, Commonwealth Magazine, and In Character, Professor Wolfe writes often for those publications as well as for Commonweal, The New York Times, Harper's, The Atlantic Monthly, The Washington Post, and other magazines and newspapers. March 27, 2012, "Fixated by “Nuclear Terror” or Just Paranoia?" [http://www.hlswatch.com/2012/03/27/fixated-by-“nuclear-terror”-or-just-paranoia-2/](http://www.hlswatch.com/2012/03/27/fixated-by-)

If one were to read the most recent unclassified report to Congress on the acquisition of technology relating to weapons of mass destruction and advanced conventional munitions, it does have a section on CBRN terrorism (note, not WMD terrorism). The intelligence community has a very toned down statement that says “several terrorist groups … probably remain interested in [CBRN] capabilities, but not necessarily in all four of those capabilities. … mostly focusing on low-level chemicals and toxins.” They’re talking about terrorists getting industrial chemicals and making ricin toxin, not nuclear weapons. And yes, Ms. Squassoni, it is primarily al Qaeda that the U.S. government worries about, no one else. The trend of worldwide terrorism continues to remain in the realm of conventional attacks. In 2010, there were more than 11,500 terrorist attacks, affecting about 50,000 victims including almost 13,200 deaths. None of them were caused by CBRN hazards. Of the 11,000 terrorist attacks in 2009, none were caused by CBRN hazards. Of the 11,800 terrorist attacks in 2008, none were caused by CBRN hazards.

#### Permual

#### Dove

## CP

#### No link: Object of the resolution is “authority” not “war powers”--restricting authority requires reducing the permission to act, not the ability to act.

#### Taylor, 1996 (Ellen, 21 Del. J. Corp. L. 870 (1996), Hein Online)

The term authority is commonly thought of in the context of the law of agency, and the Restatement (Second) of Agency defines both power and authority.'89 Power refers to an agent's ability or capacity to produce a change in a legal relation (whether or not the principal approves of the change), and authority refers to the power given (permission granted) to the agent by the principal to affect the legal relations of the principal; the distinction is between what the agent can do and what the agent may do.

#### This is a core legal distinction

Rob Jenkins.—associate professor of English at Georgia Perim¶ 27-year veteran of higher education, as both a faculty member and an administrator April 3, 2012, 12:22 pm¶ How Much Do You Work? <http://chronicle.com/blogs/onhiring/author/rjenkins/page/5>. Gender edited

Anytime the President of the United States sends American servicemen and women into harm’s way, politicians and pundits are sure to argue over whether or not [s]he has the authority to do so. I’m not qualified to participate in that kind of constitutional debate. But I can offer the following observation: whether or not the President has the authority to deploy troops in a given situation, [s]he certainly has the power to do so. That’s because authority and power are not the same thing, even though many leaders fail to grasp the distinction. In particular, an alarming number of academic administrators these days don’t seem to understand the difference between exercising duly constituted authority and merely wielding power. Authority is essentially the capacity to carry out one’s duties and responsibilities. Faculty members have the authority to assign final grades, because doing so is one of their responsibilities. Likewise, department chairs have authority to evaluate faculty members, deans have authority to assign faculty lines, presidents have authority to determine budgets, and so on. For authority to be valid, it must be ceded, which is to say derived from something larger than itself. The officers of a college, for instance, typically derive their authority from elected or appointed boards. At an institution that truly embraces the principles of shared governance, other stakeholders are also ceded authority in certain areas by the properly constituted bylaws and policies of the institution–for example, the faculty’s authority over curricular issues. Even a college president does not have the authority, outside of the policies by which all are bound, to tell faculty members how to teach, how to conduct research, or what to write. However, this does not mean that presidents and other administrators do not sometimes take such authority upon themselves. They can do so, even if illegitimately, because of the enormous power they wield. Power is something quite different from authority. It tends to be seized rather than ceded. It is essentially the ability to force others to conform to one’s wishes, whether they want to or not, because of what might happen to them if they don’t. People with power can make other people’s lives miserable, prevent them from getting promotions and raises, perhaps cost them their jobs–even when such actions are not strictly within their properly ceded authority.

#### If they win the link-

#### Interpretation: CP’s can’t fiat the direct object of the resolution.

#### The president is the beneficiary of the direct object, which is presidential war powers- means the CP restricts the INDIRECT object of the resolution.

#### Ground-impossible to compete without the counterplan -private bodies can’t affect statutes or courts AND impossible to predict aff mechanisms due to multitude of ways congress/courts can limit presidential powers – need the cp to soak all of them up

#### OR limits us to international actor counterplans which is infinitely worse- we’ll just pick a new country every round, impossible to predict

#### Education- Executive self-restraint versus oversight by congress or the courts is the core of the topic- comparative solvency lit also solves your education and abuse claims

**Sales 2012** – Assistant Professor of Law, George Mason University School of Law (7/3, Nathan Alexander, Journal of National Security Law & Policy, 6.227, “Self-Restraint and National Security”)

With this framework in mind, we can begin to offer some preliminary ¶ hypotheses about why national security officials sometimes adopt selfrestraints. From a policymaker’s standpoint, the expected benefits of a ¶ national security operation often will be dwarfed by its expected costs ¶ (enemy propaganda, loss of national prestige, individual criminal liability, ¶ and so on). For **rational policymakers**, the welfare maximizing choice ¶ sometimes will be to avoid bold and aggressive operations. Reviewers ¶ likewise can find inaction to be welfare maximizing. For an influence- and ¶ autonomy-maximizing reviewer, vetoing an operation proposed by a ¶ bureaucratic competitor can redistribute power and turf away from one’s ¶ rival and to oneself. Operators, by contrast, are likely to have a very ¶ different cost-benefit calculus. An operator’s expected benefits typically ¶ will be larger than a policymaker’s or a reviewer’s, because he will account ¶ for the psychic income (such as feelings of exhilaration and satisfaction)¶ that accrues to those who personally participate in a mission. As a result, ¶ rational operators may regard a given operation as welfare-enhancing even ¶ when policymakers and reviewers regard the same mission as welfarereducing. ¶ A few observations are needed about the public choice framework ¶ sketched out above – its possibilities and its limitations – before applying it. ¶ This article emphasizes restraints imposed by elements **within the executive** ¶ branch. But the framework also might be used to explain why Congress ¶ sometimes adopts restraints for the government as a whole – i.e., why ¶ Congress enacts legislation restricting the executive’s operational authority ¶ more severely than is required by domestic law (in this case the ¶ Constitution) or international law. First, there may be an asymmetry in the ¶ legislators’ expected value calculations. Members of Congress might ¶ conclude, for example, that the expected costs of conducting mildly ¶ coercive interrogations outweigh the expected benefits and thus enact ¶ legislation banning the military from using any technique not listed in the ¶ Army Field Manual, as it did in the Detainee Treatment Act of 2005.33¶ Second, members might engage in a form of empire building, allocating to ¶ themselves a greater portion of the war powers they share with the ¶ President. For example, Congress might assert its primacy over covert ¶ operations by passing a law prohibiting the President from approving ¶ assassinations, as the Church Committee proposed in the late 1970s.34 Still, ¶ the Executive probably is more likely to adopt restraints than Congress is, ¶ because the Executive’s expected costs of an operation gone wrong usually ¶ will be greater.35 Unlike legislators, executive branch officials face the ¶ prospect of personal legal liability for approving or participating in ¶ operations that are alleged to violate domestic or international law.36

#### If you focus topic on the nature of the restriction, it achieves the legal purpose of the topic- which is the goal of the topic- not about determining actions good/bad but if his authority is

#### -legal education is good- every other topic is a policy question, never learn about the ways policy interacts with law

#### Reject the argument not the team

#### Always evaluate the status quo because losing the cp doesn’t prove the aff is a good idea

## Flex

### Impact

#### Extend Johnson 13—WMD proliferation puts weapons in the hands of rogue states, the list of which is constantly growing, and exponentially increases the risk of miscalc and accidents. Rogue state aggression and blunders lead to a response from great powers—that escalates and causes extinction.

**Prolif impact outweighs and turns their econ, terror, and global war impacts.**

**DUNN 2007** – PhD, former Assistant Director of the U.S. Arms Control and Disarmament Agency and Ambassador to the 1985 Nuclear Non- Proliferation Treaty Review Conference (Lewis Dunn, Proliferation Papers, “Deterrence Today: Roles, Challenges, and Responses.”)

On the one hand, among many U.S. defense experts and officials it has become almost a cliché to state that an alleged *asymmetry of stakes* between the United States (and/or other outsiders) and a regional nuclear power would make it much more difficult to provide credible nuclear security assurances along the lines suggested above. That purported asymmetry of stakes also is widely seen by those same experts and officials as putting the United States (or other outsiders) at a fundamental disadvantage in any crisis with a regional power and shifting the deterrence balance in its favor. Emphasis on the impact of a perceived asymmetry of stakes partly reflects a view that the intensity of the stakes in any given crisis or confrontation is dependent most on what has been called “the proximity effect”: stakes’ intensity is a function of geography. Concern about an asymmetry of stakes also gains support from the fact that a desire to deter the United States or other outsiders probably is one incentive motivating some new or aspiring nuclear . This line of argument should not be accepted at face value. To the contrary, in two different ways, the stakes for the United States (and other outsiders) in a crisis or confrontation with a regional nuclear adversary would be extremely high. To start, what is at stake is the likelihood of cascades of proliferation in Asia and the Middle East. Such proliferation cascades almost certainly would bring greater regional instability, global political and economic disruption, a heightened risk of nuclear conflict, and a jump in the risk of terrorist access to nuclear weapons. Equally important, nuclear blackmail let alone **nuclear use against U.S.** and other outsiders’ forces, those of U.S. regional allies and friends, or any of their homelands would greatly heighten the stakes for the United States and other outsiders. **Perceptions of** American **resolve** and credibility **around the globe**, the likelihood that an initial nuclear use would be followed by a virtual **collapse of a** six-decades’ plus **nuclear taboo**, and the danger of runaway proliferation all would be at issue. So viewed, **how** the United States and others respond is likely to have a far-reaching impact on their own security as well as longer term global security and stability.

### Link

**They say link turn, but don’t read any uniqueness. UQ determines the direction of the link, which means at the very least their link turn is just link DEFENSE.**

**And when asked in cross ex they couldn’t tell you how credibility could solve rogue state proliferation, Obama action key.**

**Ever-evolving nature of threats necessitates broad understanding of presidential war powers in relation to targeted killing- any congressional action fetters the president’s foreign policy powers-that’s Posner 12**

**Violates Article II powers**

**Murphy & Radsan 2013**

[Richard W. Murphy Texas Tech University School of Law Afsheen John Radsan William Mitchell College of Law, July 14, 2013 , Notice and an Opportunity to Be Heard Before the President Kills You, Wake Forest Law Review, Vol. 48, 2013, Forthcoming, Social Science Research Network, uwyo//amp]

**Adapting this template to targeted killing is** relatively **straightforward. The President could issue an order to government officials that**, as part of their target selection**, they need to make their cases to an AJ**.253 To protect against bias, **the AJ would not participate in “building the case**” against the target **and would not be subject to discipline by officials** playing an investigatory or prosecutorial role.254 To enhance accuracy, fairness, and legitimacy, **the AJ would decide the matter based on an adversarial proceeding between “prosecutors” and officials charged with defending the interests of the proposed target.** The exemplary conduct of military lawyers defending alleged terrorists at Guantanamo Bay suggests that these lawyers would make especially suitable “defense counsel.” 255Plus, **they are more likely than an ordinary defense lawyer to have a security clearance or to be eligible for a clearance**. Having heard from “defense lawyers” among others, **the AJ would render an initial decision on the legality of the target selection, complete with formal findings of fact and conclusions of law. Yet this decision would not bind the President.**256 **Unlike the orders of an Article III judge from a FISA-style court, AJ decisions would not infringe the President’s Article II power** **as Commander-in-Chief.** Presumably, **the President would only overrule the AJ’s decision where other trusted officials make a strong case for reversal.** **Revelations about the targeted killing campaign imply that its decisionmaking process is vulnerable to problems our proposal could alleviate**. Targeting procedures should encourage full, frank discussion by officials with relevant information to share. Otherwise, once substantial resources have been sunk into an operation, it can be difficult for anyone to object.257 Strong hierarchies, as exist within the executive branch, compound this problem.258

**Undermines the tradition of deference – immersing the court deeper and deeper into national security judgments**

**Benson 13**

[Benson, Pam: CNN national security producer who focuses on intelligence and counterterrorism. "Drone court considered." *CNN*. CNN, 9 Feb 2013. Web. 31 Aug 2013. <http://security.blogs.cnn.com/2013/02/09/legislators-consider-new-court-to-oversee-drone-strike-decisions/>. //Wyo-BF]

University of Texas law professor Robert **Chesney** wrote on Lawfare Blog that the **question** should be "**whether there ought to be judicial review of some kind in connection with the nomination process pursuant to which particular person may be pre-cleared for the possibility of using lethal force, a decision made long in advance of an actual attack decision."** However, **Chesney raised the issue of whether such a system would be constitutional, especially if it went beyond just considering American citizens. Powell questioned whether any court would even accept the role, saying "it would immerse the court deeper and deeper into national security judgments."** At a recent American Bar Association panel discussion, **retired federal Judge James Robertson said he would want no part of such a role.** "**That's not the business of judges to decide without any adversary party to sign a death warrant for somebody who is on foreign soil, for anybody, but certainly not for an American citizen on foreign soil**," Robertson said. **Chesney said proponents of the court should think twice if they expect judges will ever rule against a government decision to target a particular person.** "**Judges famously tend to defer to the executive branch when it comes to factual judgments on matters of military or national security significance**," Chesney said. "**Especially when the stakes are as high as they will be represented to be in such cases.**" At Brennan's confirmation hearing, Sen. Angus King, an independent from Maine, argued for establishing a new court, saying **the president should not be the "prosecutor, the judge, the jury and the executioner.**" Brennan told King such **a court was "worthy of discussion," but** added: "**The commander in chief and the chief executive has the responsibility to protect the welfare, the well being of American citizens" from terrorist attacks.**

### New impact

**Speed and flexibility are key to maintaining Hegemony**

**Berkowitz, 8**

[research fellow at the Hoover Institution at Stanford University and a senior analyst at RAND. He is currently a consultant to the Defense Department and the intelligence community (Bruce, STRATEGIC ADVANTAGE: CHALLENGERS, COMPETITORS, AND THREATS TO AMERICA’S FUTURE, p. 1-4)]

THIS BOOK is intended to help readers better understand the national security issues facing the United States today and offer the general outline of a strategy for dealing with them. National security policy—both making it and debating it — is harder today because the issues that are involved are more numerous and varied. The problem of the day can **change at a moment's notice**. Yesterday, it might have been proliferation; today, terrorism; tomorrow, hostile regional powers. Threats are also more likely to be intertwined—proliferators use the same networks as narco-traffickers, narco-traffickers support terrorists, and terrorists align themselves with regional powers. Yet, as worrisome as these immediate concerns may be, the long-term challenges are even harder to deal with, and the stakes are higher. Whereas the main Cold War threat — the Soviet Union — was brittle, most of the potential adversaries and challengers America now faces are resilient. In at least one dimension where the Soviets were weak (economic efficiency, public morale, or leadership), the new threats are strong. They are going to be with us for a long time. As a result, we need to reconsider how we think about national security. The most important task for U.S. national security today is simply **to retain the strategic advantage**. This term, from the world of military doctrine, refers to the overall ability of a nation to control, or at least influence, the course of events.1 When you hold the strategic advantage, situations unfold in your favor, and each round ends so that you are in an advantageous position for the next. When you do not hold the strategic advantage, they do not. As national goals go, “keeping the strategic advantage” may not have the idealistic ring of “making the world safe for democracy” and does not sound as decisively macho as “maintaining American hegemony.” But keeping the strategic advantage is critical, because it is essential for just about **everything** else America hopes to achieve — promoting freedom, protecting the homeland, defending its values, **preserving peace**, and so on. The Changing Threat If one needs proof of this new, dynamic environment, consider the recent record. A search of the media during the past fifteen years suggests that there were at least a dozen or so events that were considered at one time or another the most pressing national security problem facing the United States — and thus the organizing concept for U.S. national security. What is most interesting is how varied and different the issues were, and how many different sets of players they involved — and how each was replaced in turn by a different issue and a cast of characters that seemed, at least for the moment, even more pressing. They included, roughly in chronological order, • regional conflicts — like Desert Storm — involving the threat of war between conventional armies; • stabilizing “failed states” like Somalia, where government broke down in toto; • staying economically competitive with Japan; • integrating Russia into the international community after the fall of communism and controlling the nuclear weapons it inherited from the Soviet Union; • dealing with “rogue states,” unruly nations like North Korea that engage in trafficking and proliferation as a matter of national policy; • combating international crime, like the scandal involving the Bank of Credit and Commerce International, or imports of illegal drugs; • strengthening international institutions for trade as countries in Asia, Eastern Europe, and Latin America adopted market economies; • responding to ethnic conflicts and civil wars triggered by the reemergence of culture as a political force in the “clash of civilizations”; • providing relief to millions of people affected by natural catastrophes like earthquakes, tsunamis, typhoons, droughts, and the spread of HIV/AIDS and malaria; • combating terrorism driven by sectarian or religious extremism; • grassroots activism on a global scale, ranging from the campaign to ban land mines to antiglobalization hoodlums and environmentalist crazies; • border security and illegal immigration; • the worldwide ripple effects of currency fluctuations and the collapse of confidence in complex financial securities; and • for at least one fleeting moment, the safety of toys imported from China. There is some overlap in this list, and one might want to group some of the events differently or add others. The important point, however, is that when you look at these problems and how they evolved during the past fifteen years, you do not see a single lesson or organizing principle on which to base U.S. strategy. Another way to see the dynamic nature of today's national security challenges is to consider the annual threat briefing the U.S. intelligence community has given Congress during the past decade. These briefings are essentially a snapshot of what U.S. officials worry most about. If one briefing is a snapshot, then several put together back to back provide a movie, showing how views have evolved.2 Figure 1 summarizes these assessments for every other year between 1996 and 2006. It shows when a particular threat first appeared, its rise and fall in the rankings, and in some cases how it fell off the chart completely. So, in 1995, when the public briefing first became a regular affair, the threat at the very top of the list was North Korea. This likely reflected the crisis that had occurred the preceding year, when Pyongyang seemed determined to develop nuclear weapons, Bill Clinton's administration seemed ready to use military action to prevent this, and the affair was defused by an agreement brokered by Jimmy Carter. Russia and China ranked high as threats in the early years, but by the end of the decade they sometimes did not even make the list. Proliferation has always been high in the listings, although the particular countries of greatest concern have varied. Terrorism made its first appearance in 1998, rose to first place after the September 11, 2001, terrorist attacks, and remains there today. The Balkans appeared and disappeared in the middle to late 1990s. A few of the entries today seem quaint and overstated. Catastrophic threats to information systems like an “electronic Pearl Harbor” and the “Y2K problem” entered the list in 1998 but disappeared after 2001. (Apparently, after people saw an airliner crash into a Manhattan skyscraper, the possible loss of their Quicken files seemed a lot less urgent.) Iraq first appeared in the briefing as a regional threat in 1997 and was still high on the list a decade later—though, of course, the Iraqi problem in the early years (suspected weapons of mass destruction) was very different from the later one (an insurgency and internationalized civil war). All this is why the United States **needs agility**. It not only must be able to refocus its resources repeatedly; it needs to do this **faster than an adversary can** focus its own resources.

#### American decline results in a radical, nuclear warlord state of Pakistan, instigating clashes with India that become exploited by China and Russia—THIS IS EVEN BIGGER THAN THEIR DROLIF IMPACT BECAUSE IT INVOLVES US AND CHINA

Brzezinski 2012

[Zbigniew K. Brzezinski, CSIS Counselor and Trustee, 2012, Strategic Vision, uwyo//amp]

While Pakistan is armed with twenty-first-century nuclear weapons and is held together by a professional late twentieth-century army, the majority of its people—despite a politically active middle class and a congested urban popxilation—are still premodern, rural, and largely defined by regional and tribal identities. Together they share the Muslim faith, which provided the passionate impulse for a separate state upon Britain's departure from India. The resulting conflicts with India have defined Pakistan's sense of separate national identity, while the forcible division of Kashmir has sustained a shared and profound antipathy for each other. Pakistan's political instability is its greatest vulnerability. And a decline in US power would reduce America's ability to aid Pakistan's consolidation and development. Pakistan could transform into a state run by the military, or a radical Islamic state, or a state that combines both military and Islamic rule, or a "state" with no centralized government at all. The worst-case scenarios are that Pakistan devolves into some variation of nuclear warlordism or transforms into a militant-Islamic and anti-Western government similar to Iran. The latter could in turn infect Central Asia, generating wider regional instability of concern both to Russia and to China. In the above circumstances, America's decline would also increase Chinese security concerns about South Asia and could intensify Indian temptations to undermine Pakistan. China's exploitation of any clashes between Pakistan and India would also be more likely, thus potentially increasing regional instability. Ultimately, an unstable peace or a wider conflict in the region would depend almost entirely on the degree to which both India and China could restrain their own increasingly nationalistic impulses to exploit Pakistan's instability in order to gain the regional upper hand.