# 1NC

### 1

#### Substantial increase is 30% to 50%.

Hantash 06, Patent Attorneys & Engineers Lynch Kneblewski - Sâo Paulo

[Feras, 3/16, http://www.freshpatents.com/Method-for-detecting-cystic-fibrosis dt20060316ptan20060057593.php]

[0011] A substantial increase in the amount of a CFTR target segment identified means that the segment has been duplicated while a substantial decrease in the amount of a CFTR target segment identified means that the target segment has been deleted. The term "substantial decrease" or "substantial increase" means a decrease or increase of at least about 30-50%. Thus, deletion of a single CFTR exon would appear in the assay as a signal representing for example of about 50% of the same exon signal from an identically processed sample from an individual with a wildtype CFTR gene. Conversely, amplification of a single exon would appear in the assay as a signal representing for example about 150% of the same exon signal from an identically processed sample from an individual with a wildtype CFTR gene.

#### Violation- The plan increases restrictions on only a small part of the targeted killing area. That’s not a substantial increase of restrictions on war power authority in the area of targeted killings.

#### Targeted Killings include a wide variety of practices-not just drones

Abresch 9 (William, 2009, “Targeted Killing in International Law” book review, original book by Nils Melzer, Oxford: Oxford University Press, 2008, <http://ejil.oxfordjournals.org/content/20/2/449.full>)

Studies of targeted killing are often situated within the politically fraught debate over Hellfire missile attacks on suspected terrorists. The scope of Melzer's analysis is, then, refreshingly broad, covering equally sniper shots used to end hostage stand-offs, poison letters sent to insurgent commanders, and commando raids launched with orders to liquidate opponents. These diverse practices are marked off from other uses of lethal force by states, such as soldiers shooting in a firefight, with a precise and intuitively satisfying definition. Melzer defines targeted killing as a use of lethal force by a subject of international law that is directed against an individually selected person who is not in custody and that is intentional (rather than negligent or reckless), premeditated (rather than merely voluntary), and deliberate (meaning that ‘the death of the targeted person [is] the actual aim of the operation, as opposed to deprivations of life which, although intentional and premeditated, remain the incidental result of an operation pursuing other aims’) (at 3–4). It is a strength of Melzer's book that, although the concepts deployed in this definition do not correspond with those found in either international human rights law or international humanitarian law (IHL), he eschews de lege ferenda argumentation in favour of a rigorous elaboration of the implications of the lex lata for the practices covered by his definition.

#### “In the area” means all of the activities

United Nations 13

(United Nations Law of the Sea Treaty, http://www.un.org/depts/los/convention\_agreements/texts/unclos/part1.htm)

PART I¶ INTRODUCTION¶ Article 1

Use of terms and scope¶ 1. For the purposes of this Convention:¶ (1) "Area" means the seabed and ocean floor and subsoil thereof, beyond the limits of national jurisdiction;¶ (2) "Authority" means the International Seabed Authority;¶ (3) "activities in the Area" means all activities of exploration for, and exploitation of, the resources of the Area;

#### Best interp

#### Ground- Our interpretation employs a flexible and reasonable definition of substantially but still excludes tiny subsets of each of areas.

#### Education: Our interp ensures the entire category of targeted killings are explored, ensuring the best topic debates.

#### T is a voter for fairness and education.

### 2

#### A. Our interpretation is that the aff must specify judicial or statutory restrictions.

#### B. Violation: The aff doesn’t do that

#### C. Standards

1. Ground – all of our DAs and solvency arguments are based off of either congressional or judicial restrictions. Not specifying makes getting links impossible since they could just shift out in the 2AC

2. Topic Education – One of the main questions of the resolution is whether the courts of congress should institute restrictions – they rob us of that debate

3. No specification in the 2AC, already destroyed 1NC strategy, making it a voting issue is the only way to resolve our impacts, everything else is a post-hoc remedy.

### 3

#### Restricting targeted killing as a first resort outside active hostilities collapses counter-terrorism by signaling availability of safe havens and immunity from strikes

Corn 13

Geoffrey Corn 13, Professor of Law and Presidential Research Professor, South Texas College of Law, 5/16/13, Statement before the Senate Armed Services Committee, CQ Congressional Testimony, lexis

3. What is the geographic scope of the AUMF and under what circumstances may the United States attack belligerent targets in the territory of another country?¶ In my opinion, there is no need to amend the AUMF to define the geographic scope of military operations it authorizes. On the contrary, I believe doing so would fundamentally undermine the efficacy of U.S. counter-terror military operations by overtly signaling to the enemy exactly where to pursue safe-haven and de facto immunity from the reach of U.S. power. This concern is similar to that associated with explicitly defining co- belligerents subject to the AUMF, although I believe it is substantially more significant. It is an operational and tactical axiom that insurgent and non-state threats rarely seek the proverbial "toe to toe" confrontation with clearly superior military forces. Al Qaeda is no different. Indeed, their attempts to engage in such tactics in the initial phases of Operation Enduring Freedom proved disastrous, and ostensibly caused the dispersion of operational capabilities that then necessitated the co-belligerent assessment. Imposing an arbitrary geographic limitation of the scope of military operations against this threat would therefore be inconsistent with the strategic objective of preventing future terrorist attacks against the United States.¶ I believe much of the momentum for asserting some arbitrary geographic limitation on the scope of operations conducted to disrupt or disable al Qaeda belligerent capabilities is the result of the commonly used term "hot battlefield." This notion of a "hot" battlefield is, in my opinion, an operational and legal fiction. Nothing in the law of armed conflict or military doctrine defines the meaning of "battlefield." Contrary to the erroneous assertions that the use of combat power is restricted to defined geographic locations such as Afghanistan (and previously Iraq), the geographic scope of armed conflict must be dictated by a totality assessment of a variety of factors, ultimately driven by the strategic end state the nation seeks to achieve. The nature and dynamics of the threat -including key vulnerabilities - is a vital factor in this analysis. These threat dynamics properly influence the assessment of enemy capabilities and vulnerabilities, which in turn drive the formulation of national strategy, which includes determining when, where, and how to leverage national power (including military power) to achieve desired operational effects. Thus, threat dynamics, and not some geographic "box", have historically driven and must continue to drive the scope of armed hostilities. The logic of this premise is validated by (in my opinion) the inability to identify an armed conflict in modern history where the scope of operations was legally restricted by a conception of a "hot" battlefield. Instead, threat dynamics coupled with policy, diplomatic considerations and, in certain armed conflicts the international law of neutrality, dictate such scope. Ultimately, battlefields become "hot" when persons, places, or things assessed as lawful military objectives pursuant to the law of armed conflict are subjected to attack.¶ I do not, however, intend to suggest that it is proper to view the entire globe as a battlefield in the military component of our struggle against al Qaeda, or that threat dynamics are the only considerations in assessing the scope of military operations. Instead, complex considerations of policy and diplomacy have and must continue to influence this assessment. However, suggesting that the proper scope of combat operations is dictated by a legal conception of "hot" battlefield is operationally irrational and legally unsound. Accordingly, placing policy limits on the scope of combat operations conducted pursuant to the legal authority provided by the AUMF is both logical and appropriate, and in my view has been a cornerstone of U.S. use of force policy since the enactment of the AUMF. In contrast, interpreting the law of armed conflict to place legal limits on the scope of such operations to "hot" battlefields, or imposing such a legal limitation in the terms of the AUMF, creates a perverse incentive for the belligerent enemy by allowing him to dictate when and where he will be subject to lawful attack.¶ I believe this balance between legal authority and policy and diplomatic considerations is reflected in what is commonly termed the "unable or unwilling" test for assessing when attacking an enemy belligerent capability in the territory of another country is permissible. First, it should be noted that the legality of an attack against an enemy belligerent is determined exclusively by the law of armed conflict when the country where he is located provides consent for such action (is the target lawful within the meaning of the law and will attack of the target comply with the targeting principles of distinction, proportionality and precautions in the attack). In the unusual circumstance where a lawful object of attack associated with al Qaeda and therefore falling within the scope of the AUMF is identified in the territory of another country not providing consent for U.S. military action, policy and diplomacy play a decisive role in the attack decision-making process. Only when the U.S. concludes that the country is unable or unwilling to address the threat will attack be authorized, which presupposes that the nature of the target is determined to be sufficiently significant to warrant a non-consensual military action in that territory. I believe the Executive is best positioned to make these judgments, and that to date they have been made judiciously. I also believe that imposing a statutory scope limitation would vest terrorist belligerent operatives with the benefits of the sovereignty of the state they exploit for sanctuary. It strikes me as far more logical to continue to allow the President to address these sovereignty concerns through diplomacy, focused on the strategic interests of the nation.

#### Constraining targeted killing’s role in the war on terror causes extinction

Beres 11

Louis Rene Beres 11, Professor of Political Science and International Law at Purdue, 2011, “After Osama bin Laden: Assassination, Terrorism, War, and International Law,” Case Western Reserve Journal of International Law, 44 Case W. Res. J. Int'l L. 93

Even after the U.S. assassination of Osama bin Laden, we are still left with the problem of demonstrating that assassination can be construed, at least under certain very limited circumstances, as an appropriate instance of anticipatory self-defense. Arguably, the enhanced permissibility of anticipatory self-defense that follows generally from the growing destructiveness of current weapons technologies in rogue hands may be paralleled by the enhanced permissibility of assassination as a particular strategy of preemption. Indeed, where assassination as anticipatory self-defense may actually prevent a nuclear or other highly destructive form of warfare, reasonableness dictates that it could represent distinctly, even especially, law-enforcing behavior.

For this to be the case, a number of particular conditions would need to be satisfied. First, the assassination itself would have to be limited to the greatest extent possible to those authoritative persons in the prospective attacking state. Second, the assassination would have to conform to all of the settled rules of warfare as they concern discrimination, proportionality, and military necessity. Third, the assassination would need to follow intelligence assessments that point, beyond a reasonable doubt, to preparations for unconventional or other forms of highly destructive warfare within the intended victim's state. Fourth, the assassination would need to be founded upon carefully calculated judgments that it would, in fact, prevent the intended aggression, and that it would do so with substantially less harm [\*114] to civilian populations than would all of the alternative forms of anticipatory self-defense.

Such an argument may appear manipulative and dangerous; permitting states to engage in what is normally illegal behavior under the convenient pretext of anticipatory self-defense. Yet, any blanket prohibition of assassination under international law could produce even greater harm, compelling threatened states to resort to large-scale warfare that could otherwise be avoided. Although it would surely be the best of all possible worlds if international legal norms could always be upheld without resort to assassination as anticipatory self-defense, the persisting dynamics of a decentralized system of international law may sometimes still require extraordinary methods of law-enforcement. n71¶ Let us suppose, for example, that a particular state determines that another state is planning a nuclear or chemical surprise attack upon its population centers. We may suppose, also, that carefully constructed intelligence assessments reveal that the assassination of selected key figures (or, perhaps, just one leadership figure) could prevent such an attack altogether. Balancing the expected harms of the principal alternative courses of action (assassination/no surprise attack v. no assassination/surprise attack), the selection of preemptive assassination could prove reasonable, life-saving, and cost-effective.¶ What of another, more common form of anticipatory self-defense? Might a conventional military strike against the prospective attacker's nuclear, biological or chemical weapons launchers and/or storage sites prove even more reasonable and cost-effective? A persuasive answer inevitably depends upon the particular tactical and strategic circumstances of the moment, and on the precise way in which these particular circumstances are configured.¶ But it is entirely conceivable that conventional military forms of preemption would generate tangibly greater harms than assassination, and possibly with no greater defensive benefit. This suggests that assassination should not be dismissed out of hand in all circumstances as a permissible form of anticipatory self-defense under international law. [\*115] ¶ What of those circumstances in which the threat to particular states would not involve higher-order (WMD) n72 military attacks? Could assassination also represent a permissible form of anticipatory self-defense under these circumstances? Subject to the above-stated conditions, the answer might still be "yes." The threat of chemical, biological or nuclear attack may surely enhance the legality of assassination as preemption, but it is by no means an essential precondition. A conventional military attack might still, after all, be enormously, even existentially, destructive. n73 Moreover, it could be followed, in certain circumstances, by unconventional attacks.

### 4

#### The United States federal government should not withdraw its military forces from Afghanistan.

### 5

#### Text: The Executive branch should publicly articulate its legal rationale for its targeted killing policy, including the process and safeguards in place for target selection.

#### CP resolves drone legitimacy and resentment

Daskal 13

Jennifer Daskal, Fellow and Adjunct Professor, Georgetown Center on National Security and the Law, Georgetown University Law Center, April 2013, ARTICLE: THE GEOGRAPHY OF THE BATTLEFIELD: A FRAMEWORK FOR DETENTION AND TARGETING OUTSIDE THE "HOT" CONFLICT ZONE, 161 U. Pa. L. Rev. 1165

4. Procedural Requirements¶ Currently, officials in the executive branch carry out all such ex ante review of out-of-battlefield targeting and detention decisions, reportedly with the involvement of the President, but without any binding and publicly articulated standards governing the exercise of these authorities. n163 All ex post review of targeting is also done internally within the executive branch. There is no public accounting, or even acknowledgment, of most strikes, their success and error rates, or the extent of any collateral damage. Whereas the Department of Defense provides solatia or condolence payments to Afghan civilians who are killed or injured as a result of military actions in Afghanistan (and formerly did so in Iraq), there is no equivalent effort in areas outside the active conflict zone. n164¶ Meanwhile, the degree of ex post review of detention decisions depends on the location of detention as opposed to the location of capture. Thus, [\*1219] Guantanamo detainees are entitled to habeas review, but detainees held in Afghanistan are not, even if they were captured far away and brought to Afghanistan to be detained. n165¶ Enhanced ex ante and ex post procedural protections for both detention and targeting, coupled with transparency as to the standards and processes employed, serve several important functions: they can minimize error and abuse by creating time for advance reflection, correct erroneous deprivations of liberty, create endogenous incentives to avoid mistake or abuse, and increase the legitimacy of state action.¶ a. Ex Ante Procedures¶ Three key considerations should guide the development of ex ante procedures. First, any procedural requirements must reasonably respond to the need for secrecy in certain operations. Secrecy concerns cannot, for example, justify the lack of transparency as to the substantive targeting standards being employed. There is, however, a legitimate need for the state to protect its sources and methods and to maintain an element of surprise in an attack or capture operation. Second, contrary to oft-repeated rhetoric about the ticking time bomb, few, if any, capture or kill operations outside a zone of active conflict occur in situations of true exigency. n166 Rather, there is often the time and need for advance planning. In fact, advance planning is often necessary to minimize damage to one's own troops and nearby civilians. n167 Third, the procedures and standards employed must be transparent and sufficiently credible to achieve the desired legitimacy gains.¶ These considerations suggest the value of an independent, formalized, ex ante review system. Possible models include the Foreign Intelligence [\*1220] Surveillance Court (FISC), n168 or a FISC-like entity composed of military and intelligence officials and military lawyers, in the mode of an executive branch review board. n169¶ Created by the Foreign Intelligence Surveillance Act (FISA) in 1978, n170 the FISC grants ex parte orders for electronic surveillance and physical searches, among other actions, based on a finding that a "significant purpose" of the surveillance is to collect "foreign intelligence information." n171 The Attorney General can grant emergency authorizations without court approval, subject to a requirement that he notify the court of the emergency authorization and seek subsequent judicial authorization within seven days. n172 The FISC also approves procedures related to the use and dissemination of collected information. By statute, heightened restrictions apply to the use and dissemination of information concerning U.S. persons. n173 Notably, the process has been extraordinarily successful in protecting extremely sensitive sources and methods. To date, there has never been an unauthorized disclosure of an application to or order from the FISC court.¶ An ex parte review system for targeting and detention outside zones of active hostility could operate in a similar way. Judges or the review board would approve selected targets and general procedures and standards, while still giving operators wide rein to implement the orders according to the approved standards. Specifically, the court or review board would determine whether the targets meet the substantive requirements and would [\*1221] evaluate the overarching procedures for making least harmful means-determinations, but would leave target identification and time-sensitive decisionmaking to the operators. n174¶ Moreover, there should be a mechanism for emergency authorizations at the behest of the Secretary of Defense or the Director of National Intelligence. Such a mechanism already exists for electronic surveillance conducted pursuant to FISA. n175 These authorizations would respond to situations in which there is reason to believe that the targeted individual poses an imminent, specific threat, and in which there is insufficient time to seek and obtain approval by a court or review panel as will likely be the case in instances of true imminence justifying the targeting of persons who do not meet the standards applicable to operational leaders. As required under FISA, the reviewing court or executive branch review board should be notified that such an emergency authorization has been issued; it should be time-limited; and the operational decisionmakers should have to seek court or review board approval (or review, if the strike has already taken place) as soon as practicable but at most within seven days. n176¶ Finally, and critically, given the stakes in any application namely, the deprivation of life someone should be appointed to represent the potential target's interests and put together the most compelling case that the individual is not who he is assumed to be or does not meet the targeting criteria.¶ The objections to such a proposal are many. In the context of proposed courts to review the targeting of U.S. citizens, for example, some have argued that such review would serve merely to institutionalize, legitimize, and expand the use of targeted drone strikes. n177 But this ignores the reality of their continued use and expansion and imagines a world in which targeted [\*1222] killings of operational leaders of an enemy organization outside a zone of active conflict is categorically prohibited (an approach I reject n178). If states are going to use this extraordinary power (and they will), there ought to be a clear and transparent set of applicable standards and mechanisms in place to ensure thorough and careful review of targeted-killing decisions. The formalization of review procedures along with clear, binding standards will help to avoid ad hoc decisionmaking and will ensure consistency across administrations and time.¶ Some also condemn the ex parte nature of such reviews. n179 But again, this critique fails to consider the likely alternative: an equally secret process in which targeting decisions are made without any formalized or institutionalized review process and no clarity as to the standards being employed. Institutionalizing a court or review board will not solve the secrecy issue, but it will lead to enhanced scrutiny of decisionmaking, particularly if a quasi-adversarial model is adopted, in which an official is obligated to act as advocate for the potential target.¶ That said, there is a reasonable fear that any such court or review board will simply defer. In this vein, FISC's high approval rate is cited as evidence that reviewing courts or review boards will do little more than rubber-stamp the Executive's targeting decisions. n180 But the high approval rates only tell part of the story. In many cases, the mere requirement of justifying an application before a court or other independent review board can serve as an internal check, creating endogenous incentives to comply with the statutory requirements and limit the breadth of executive action. n181 Even if this system does little more than increase the attention paid to the stated requirements and expand the circle of persons reviewing the factual basis for the application, those features in and of themselves can lead to increased reflection and restraint.¶ Additional accountability mechanisms, such as civil or criminal sanctions in the event of material misrepresentations or omissions, the granting of far-reaching authority to the relevant Inspectors General, and meaningful ex post review by Article III courts, n182 are also needed to help further minimize abuse.¶ Conversely, some object to the use of courts or court-like review as stymying executive power in wartime, and interfering with the President's Article II powers. n183 According to this view, it is dangerous and potentially unconstitutional to require the President's wartime targeting decisions to be subject to additional reviews. These concerns, however, can be dealt with through emergency authorization mechanisms, the possibility of a presidential override, and design details that protect against ex ante review of operational decisionmaking. The adoption of an Article II review board, rather than an Article III-FISC model, further addresses some of the constitutional concerns.¶ Some also have warned that there may be no "case or controversy" for an Article III, FISC-like court to review, further suggesting a preference for an Article II review board. n184 That said, similar concerns have been raised with respect to FISA and rejected. n185 Drawing heavily on an analogy to courts' roles in issuing ordinary warrants, the Justice Department's Office of Legal Counsel concluded at the time of enactment that a case and controversy existed, even though the FISA applications are made ex parte. n186 [\*1224] Here, the judges would be issuing a warrant to kill rather than surveil. While this is significant, it should not fundamentally alter the legal analysis. n187 As the Supreme Court has ruled, killing is a type of seizure. n188 The judges would be issuing a warrant for the most extreme type of seizure. n189¶ It is also important to emphasize that a reviewing court or review board would not be "selecting" targets, but determining whether the targets chosen by executive branch officials met substantive requirements much as courts do all the time when applying the law to the facts. Press accounts indicate that the United States maintains lists of persons subject to capture or kill operations lists created in advance of specific targeting operations and reportedly subject to significant internal deliberation, including by the President himself. n190 A court or review board could be incorporated into the existing ex ante decisionmaking process in a manner that would avoid interference with the conduct of specific operations reviewing the target lists but leaving the operational details to the operators. As suggested above, emergency approval mechanisms could and should be available to deal with exceptional cases where ex ante approval is not possible.¶ Additional details will need to be addressed, including the temporal limits of the court's or review board's authorizations. For some high-level operatives, inclusion on a target list would presumably be valid for some set period of [\*1225] time, subject to specific renewal requirements. Authorizations based on a specific, imminent threat, by comparison, would need to be strictly time-limited, and tailored to the specifics of the threat, consistent with what courts regularly do when they issue warrants.¶ In the absence of such a system, the President ought to, at a minimum, issue an executive order establishing a transparent set of standards and procedures for identifying targets of lethal killing and detention operations outside a zone of active hostilities. n192 To enhance legitimacy, the procedures should include target list reviews and disposition plans by the top official in each of the agencies with a stake in the outcome the Secretary of Defense, the Director of the CIA, the Secretary of State, the Director of Homeland Security, and the Director of National Intelligence, with either the Secretary of Defense, Director of National Intelligence, or President himself, responsible for final sign-off. n193 In all cases, decisions should be unanimous, or, in the absence of consensus, elevated to the President of the United States. n194 Additional details will need to be worked out, including critical questions about the standard of proof that applies. Given the stakes, a clear and convincing evidentiary standard is warranted. n195¶ While this proposal is obviously geared toward the United States, the same principles should apply for all states engaged in targeting operations. n196 States would ideally subject such determinations to independent review or, alternatively, clearly articulate the standards and procedures for their decisionmaking, thus enhancing accountability.¶ b. Ex Post Review¶ For targeted-killing operations, ex post reviews serve only limited purposes. They obviously cannot restore the target's life. But retrospective review either by a FISC-like court or review board can serve to identify errors or overreaching and thereby help avoid future mistakes. This can, and ideally would, be supplemented by the adoption of an additional Article III damages mechanism. n197 At a minimum, the relevant Inspectors General should engage in regular and extensive reviews of targeted-killing operations. Such post hoc analysis helps to set standards and controls that then get incorporated into ex ante decisionmaking. In fact, post hoc review can often serve as a more meaningful and often more searching inquiry into the legitimacy of targeting decisions. Even the mere knowledge that an ex post review will occur can help to protect against rash ex ante decisionmaking, thereby providing a self-correcting mechanism.¶ Ex post review should also be accompanied by the establishment of a solatia and condolence payment system for activities that occur outside the active zone of hostilities. Extension of such a system beyond Afghanistan and Iraq would help mitigate resentment caused by civilian deaths or injuries and would promote better accounting of the civilian costs of targeting operations. n198

### 6

#### Iran sanctions are at the top of the docket – Obama is spending capital to persuade Democrats to sustain a veto

Lobe, 12-27

Reporter for Inter Press Service(Jim, “Iran sanctions bill: Big test of Israel lobby power”

<http://www.arabamericannews.com/news/index.php?mod=article&cat=World&article=8046>)

WASHINGTON - This week’s introduction by a bipartisan group of 26 senators of a new sanctions bill against Iran could result in the biggest test of the political clout of the Israel lobby here in decades.¶ The White House, which says the bill could well derail ongoing negotiations between Iran and the U.S. and five other powers over Tehran’s nuclear program and destroy the international coalition behind the existing sanctions regime, has already warned that it will veto the bill if it passes Congress in its present form.¶ The new bill, co-sponsored by two of Congress’s biggest beneficiaries of campaign contributions by political action committees closely linked to the powerful American Israel Public Affairs Committee (AIPAC), would impose sweeping new sanctions against Tehran if it fails either to comply with the interim deal it struck last month in Geneva with the P5+1 (U.S., Britain, France, Russia, China plus Germany) or reach a comprehensive accord with the great powers within one year.¶ To be acceptable, however, such an accord, according to the bill, would require Iran to effectively dismantle virtually its entire nuclear program, including any enrichment of uranium on its own soil, as demanded by Israeli Prime Minister Benjamin Netanyahu.¶ The government of President Hassan Rouhani has warned repeatedly that such a demand is a deal-breaker, and even Secretary of State John Kerry has said that a zero-enrichment position is a non-starter.¶ The bill, the Nuclear Weapon Free Iran Act, also calls for Washington to provide military and other support to Israel if its government “is compelled to take military action in legitimate self-defense against Iran’s nuclear weapon program.”¶ The introduction of the bill last week by Republican Sen. Mark Kirk and Democratic Sen. Robert Menendez followed unsuccessful efforts by both men to get some sanctions legislation passed since the Geneva accord was signed Nov. 24.¶ Kirk at first tried to move legislation that would have imposed new sanctions immediately in direct contradiction to a pledge by the P5+1 in the Geneva accord to forgo any new sanctions for the six-month life of the agreement in exchange for, among other things, enhanced international inspections of Iran’s nuclear facilities and a freeze on most of its nuclear program.¶ Unable to make headway, Kirk then worked with Menendez to draw up the new bill which, because of its prospective application, would not, according to them, violate the agreement. They had initially planned to attach it to a defense bill before the holiday recess. But the Democratic leadership, which controls the calendar, refused to go along.¶ Their hope now is to pass it – either as a free-standing measure or as an amendment to another must-pass bill after Congress reconvenes Jan. 6.¶ To highlight its bipartisan support, the two sponsors gathered a dozen other senators from each party to co-sponsor it.¶ Republicans, many of whom reflexively oppose President Barack Obama’s positions on any issue and whose core constituencies include Christian Zionists, are almost certain to support the bill by an overwhelming margin. If the bill gets to the floor, the main battle will thus take place within the Democratic majority.¶ The latter find themselves torn between, on the one hand, their loyalty to Obama and their fear that new sanctions will indeed derail negotiations and thus make war more likely, and, on the other, their general antipathy for Iran and the influence exerted by AIPAC and associated groups as a result of the questionable perception that Israel’s security is uppermost in the minds of Jewish voters and campaign contributors (who, by some estimates, provide as much as 40 percent of political donations to Democrats in national campaigns).¶ The administration clearly hopes the Democratic leadership will prevent the bill from coming to a vote, but, if it does, persuading most of the Democrats who have already endorsed the bill to change their minds will be an uphill fight. If the bill passes, the administration will have to muster 34 senators of the 100 senators to sustain a veto – a difficult but not impossible task, according to Congressional sources.¶ That battle has already been joined. Against the 13 Democratic senators who signed onto the Kirk-Menendez bill, 10 Democratic Senate committee chairs urged Majority Leader Harry Reid, who controls the upper chamber’s calendar, to forestall any new sanctions legislation.

#### Obama’s strategy is working but failure scuttles the nuclear deal

Merry 1-1

Robert W. Merry, political editor of the National Interest, is the author of books on American history and foreign policy (Robert, “Obama may buck the Israel lobby on Iran” Washington Times, factiva)

Presidential press secretary Jay Carney uttered 10 words the other day that represent a major presidential challenge to the American Israel lobby and its friends on Capitol Hill. Referring to Senate legislation designed to force President Obama to expand economic sanctions on Iran under conditions the president opposes, Mr. Carney said: “If it were to pass, the president would veto it.”¶ For years, there has been an assumption in Washington that you can’t buck the powerful Israel lobby, particularly the American Israel Public Affairs Committee, or AIPAC, whose positions are nearly identical with the stated aims of Israeli Prime Minister Benjamin Netanyahu. Mr. Netanyahu doesn’t like Mr. Obama’s recent overture to Iran, and neither does AIPAC. The result is the Senate legislation, which is similar to a measure already passed by the House.¶ With the veto threat, Mr. Obama has announced that he is prepared to buck the Israel lobby — and may even welcome the opportunity. It isn’t fair to suggest that everyone who thinks Mr. Obama’s overtures to Iran are ill-conceived or counterproductive is simply following the Israeli lobby’s talking points, but Israel’s supporters in this country are a major reason for the viability of the sanctions legislation the president is threatening to veto.¶ It is nearly impossible to avoid the conclusion that the Senate legislation is designed to sabotage Mr. Obama’s delicate negotiations with Iran (with the involvement also of the five permanent members of the U.N. Security Council and Germany) over Iran’s nuclear program. The aim is to get Iran to forswear any acquisition of nuclear weapons in exchange for the reduction or elimination of current sanctions. Iran insists it has a right to enrich uranium at very small amounts, for peaceful purposes, and Mr. Obama seems willing to accept that Iranian position in the interest of a comprehensive agreement.¶ However, the Senate measure, sponsored by Sens. Robert Menendez, New Jersey Democrat; Charles E. Schumer, New York Democrat; and Mark Kirk, Illinois Republican, would impose potent new sanctions if the final agreement accords Iran the right of peaceful enrichment. That probably would destroy Mr. Obama’s ability to reach an agreement. Iranian President Hasan Rouhani already is under pressure from his country’s hard-liners to abandon his own willingness to seek a deal. The Menendez-Schumer-Kirk measure would undercut him and put the hard-liners back in control.¶ Further, the legislation contains language that would commit the United States to military action on behalf of Israel if Israel initiates action against Iran. This language is cleverly worded, suggesting U.S. action should be triggered only if Israel acted in its “legitimate self-defense” and acknowledging “the law of the United States and the constitutional responsibility of Congress to authorize the use of military force,” but the language is stunning in its brazenness and represents, in the view of Andrew Sullivan, the prominent blogger, “an appalling new low in the Israeli government’s grip on the U.S. Congress.”¶ While noting the language would seem to be nonbinding, Mr. Sullivan adds that “it’s basically endorsing the principle of handing over American foreign policy on a matter as grave as war and peace to a foreign government, acting against international law, thousands of miles away.”¶ That brings us back to Mr. Obama’s veto threat. The American people have made clear through polls and abundant expression (especially during Mr. Obama’s flirtation earlier this year with military action against Bashar Assad’s Syrian regime) that they are sick and weary of American military adventures in the Middle East. They don’t think the Iraq and Afghanistan wars have been worth the price, and they don’t want their country to engage in any other such wars.¶ That’s what the brewing confrontation between Mr. Obama and the Israel lobby comes down to — war and peace. Mr. Obama’s delicate negotiations with Iran, whatever their outcome, are designed to avert another U.S. war in the Middle East. The Menendez-Schumer-Kirk initiative is designed to kill that effort and cedes to Israel America’s war-making decision in matters involving Iran, which further increases the prospects for war. It’s not even an argument about whether the United States should come to Israel’s aid if our ally is under attack, but whether the decision to do so and when that might be necessary should be made in Jerusalem or Washington.¶ 2014 will mark the 100th anniversary of beginning of World War I, a conflict triggered by entangling alliances that essentially gave the rulers of the Hapsburg Empire power that forced nation after nation into a war they didn’t want and cost the world as many as 20 million lives. Historians have warned since of the danger of nations delegating the power to take their people into war to other nations with very different interests.¶ AIPAC’s political power is substantial, but this is Washington power, the product of substantial campaign contributions and threats posed to re-election prospects. According to the Center for Responsive Politics’ Open Secrets website, Sens. Kirk, Menendez and Schumer each receives hundreds of thousands of dollars a year in pro-Israel PAC money and each of their states includes concentrations of pro-Israel voters who help elect and re-elect them.¶ Elsewhere in the country, AIPAC’s Washington power will collide with the country’s clear and powerful political sentiment against further U.S. adventurism in the Middle East, particularly one as fraught with as much danger and unintended consequence as a war with Iran. If the issue gets joined, as it appears that it will, Mr. Obama will see that it gets joined as a matter of war and peace. If the Menendez-Schumer-Kirk legislation clears Congress and faces a presidential veto, the war-and-peace issue could galvanize the American people as seldom before.¶ If that happens, the strongly held opinions of a democratic public are liable to overwhelm the mechanisms of Washington power, and the vaunted influence of the Israel lobby may be seen as being not quite what it has been cracked up to be.

#### The plan causes an inter-branch fight – saps PC and derails his agenda

Kriner 10

Douglas Kriner, Assistant Profess of Political Science at Boston University, 2010, After the Rubicon: Congress, Presidents, and the Politics of Waging War, p. 67-69

Raising or Lowering Political Costs by Affecting Presidential Political Capital Shaping both real and anticipated public opinion are two important ways in which Congress can raise or lower the political costs of a military action for the president. However, focusing exclusively on opinion dynamics threatens to obscure the much broader political consequences of domestic reaction—particularly congressional opposition—to presidential foreign policies. At least since Richard Neustadt's seminal work Presidential Power, presidency scholars have warned that costly political battles in one policy arena frequently have significant ramifications for presidential power in other realms. Indeed, two of Neustadt's three "cases of command"—Truman's seizure of the steel mills and firing of General Douglas MacArthur—explicitly discussed the broader political consequences of stiff domestic resistance to presidential assertions of commander-in-chief powers. In both cases, Truman emerged victorious in the case at hand—yet, Neustadt argues, each victory cost Truman dearly in terms of his future power prospects and leeway in other policy areas, many of which were more important to the president than achieving unconditional victory over North Korea." While congressional support leaves the president's reserve of political capital intact, congressional criticism saps energy from other initiatives on the home front by forcing the president to expend energy and effort defending his international agenda. Political capital spent shoring up support for a president's foreign policies is capital that is unavailable for his future policy initiatives. Moreover, any weakening in the president's political clout may have immediate ramifications for his reelection prospects, as well as indirect consequences for congressional races." Indeed, Democratic efforts to tie congressional Republican incumbents to President George W. Bush and his war policies paid immediate political dividends in the 2006 midterms, particularly in states, districts, and counties that had suffered the highest casualty rates in the Iraq War.6° In addition to boding ill for the president's perceived political capital and reputation, such partisan losses in Congress only further imperil his programmatic agenda, both international and domestic. Scholars have long noted that President Lyndon Johnson's dream of a Great Society also perished in the rice paddies of Vietnam. Lacking both the requisite funds in a war-depleted treasury and the political capital needed to sustain his legislative vision, Johnson gradually let his domestic goals slip away as he hunkered down in an effort first to win and then to end the Vietnam War. In the same way, many of President Bush's highest second-term domestic priorities, such as Social Security and immigration reform, failedperhaps in large part because the administration had to expend so much energy and effort waging a rear-guard action against congressional critics of the war in Iraq. When making their cost-benefit calculations, presidents surely consider these wider political costs of congressional opposition to their military policies. If congressional opposition in the military arena stands to derail other elements of his agenda, all else being equal, the president will be more likely to judge the benefits of military action insufficient to its costs than if Congress stood behind him in the international arena.

#### That causes a US-Iran war and Iranian prolif

WORLD TRIBUNE 11-13

[Obama said to suspend Iran sanctions without informing Congress, http://www.worldtribune.com/2013/11/13/obama-said-to-suspend-iran-sanctions-without-informing-congress/]

The administration has also pressured Congress to suspend plans for new sanctions legislation against Iran. The sources said the White House effort has encountered resistance from both Democrats and Republicans, particularly those in the defense and foreign affairs committees.¶ “I urge the White House and the Senate to learn from the lessons of the past and not offer sanctions relief in return for the false hopes and empty promises of the Iranian regime,” Rep. Ileana Ros-Lehtinen, chairwoman of the House Middle East and North Africa Subcommittee, said. “Instead, new rounds of sanctions must be implemented to gain further leverage because any misstep in calculations at this juncture will have devastating and irreversible consequences that will be difficult to correct retroactively.”¶ On Nov. 12, the White House warned that additional sanctions on Iran would mean war with the United States. White House press secretary Jay Carney, in remarks meant to intensify pressure on Congress, said sanctions would end the prospect of any diplomatic solution to Iran’s crisis. ¶ “The American people do not want a march to war,” Carney said. “It is important to understand that if pursuing a resolution diplomatically is disallowed or ruled out, what options then do we and our allies have to prevent Iran from acquiring a nuclear weapon?”¶ Still, the Senate Banking Committee has agreed to delay any vote on sanctions legislation until a briefing by Secretary of State John Kerry on Nov. 13. The sources said Kerry was expected to brief the committee on the P5+1 talks in Geneva that almost led to an agreement with Teheran.¶ “The secretary will be clear that putting new sanctions in place would be a mistake,” State Department spokeswoman Jen Psaki said on Nov. 12. “We are still determining if there’s a diplomatic path forward. What we are asking for right now is a pause, a temporary pause, in sanctions.”

#### Iran war escalates

White 11

July/August 2011 (Jeffrey—defense fellow at the Washington Institute for Near East Policy, What Would War With Iran Look Like, National Interest, p. http://www.the-american-interest.com/article-bd.cfm?piece=982)

A U.S.-Iranian war would probably not be fought by the United States and Iran alone. Each would have partners or allies, both willing and not-so-willing. Pre-conflict commitments, longstanding relationships, the course of operations and other factors would place the United States and Iran at the center of more or less structured coalitions of the marginally willing. A Western coalition could consist of the United States and most of its traditional allies (but very likely not Turkey, based on the evolution of Turkish politics) in addition to some Persian Gulf states, Jordan and perhaps Egypt, depending on where its revolution takes it. Much would depend on whether U.S. leaders could persuade others to go along, which would mean convincing them that U.S. forces could shield them from Iranian and Iranian-proxy retaliation, or at least substantially weaken its effects. Coalition warfare would present a number of challenges to the U.S. government. Overall, it would lend legitimacy to the action, but it would also constrict U.S. freedom of action, perhaps by limiting the scope and intensity of military operations. There would thus be tension between the desire for a small coalition of the capable for operational and security purposes and a broader coalition that would include marginally useful allies to maximize legitimacy. The U.S. administration would probably not welcome Israeli participation. But if Israel were directly attacked by Iran or its allies, Washington would find it difficult to keep Israel out—as it did during the 1991 Gulf War. That would complicate the U.S. ability to manage its coalition, although it would not necessarily break it apart. Iranian diplomacy and information operations would seek to exploit Israeli participation to the fullest. Iran would have its own coalition. Hizballah in particular could act at Iran’s behest both by attacking Israel directly and by using its asymmetric and irregular warfare capabilities to expand the conflict and complicate the maintenance of the U.S. coalition. The escalation of the Hizballah-Israel conflict could draw in Syria and Hamas; Hamas in particular could feel compelled to respond to an Iranian request for assistance. Some or all of these satellite actors might choose to leave Iran to its fate, especially if initial U.S. strikes seemed devastating to the point of decisive. But their involvement would spread the conflict to the entire eastern Mediterranean and perhaps beyond, complicating both U.S. military operations and coalition diplomacy.

### Adv 1

#### Drone prolif now AND US restrictions don’t solve

Anderson 10 (Kenneth Anderson is a law professor at Washington College of Law, American University, a research fellow of the Hoover Institution at Stanford University and a Non-Resident Visiting Fellow at the Brookings Institution, April 10th 2010, “Acquiring UAV Technology”, http://www.volokh.com/2010/04/09/acquiring-uav-technology/, AB)

I’ve noticed a number of posts and comments around the blogosphere on the spread of UAV technology. Which indeed is happening; many states are developing and deploying UAVs of various kinds. The WCL National Security Law Brief blog, for example, notes that India is now acquiring weaponized UAVs: India is reportedly preparing to have “killer” unmanned aerial vehicles (UAVs) in response to possible threats from Pakistan and China. Until now India has denied the use of armed UAVs, but they did use UAVs that can detect incoming missile attacks or border incursions. The importance of obtaining armed UAVs grew enormously after the recent attack on paramilitary forces in Chhattisgarh that killed 75 security personnel. Sources reveal that the Indian Air Force (IAF) has been in contact with Israeli arms suppliers in New Delhi recently. The IAF is looking to operate Israeli Harop armed UAVs from 2011 onwards, and other units of the armed forces will follow. I’ve also read comments various places suggesting that increased use of drone technologies by the United States causes other countries to follow suit, or to develop or acquire similar technologies. In some cases, the dangling implication is that if the US would not get involved in such technologies, others would not follow suit. In some relatively rare cases of weapons technologies, the US refraining from undertaking the R&D, or stopping short of a deployable weapon, might induce others not to build the same weapon. Perhaps the best example is the US stopping its development of blinding laser antipersonnel weapons in the 1990s; if others, particularly the Chinese, have developed them to a deployable weapon, I’m not aware of it. The US stopped partly in relation to a developing international campaign, modeled on the landmines ban campaign, but mostly because of a strong sense of revulsion and pushback by US line officers. Moreover, there was a strong sense that such a weapon (somewhat like chemical weapons) would be not deeply useful on a battlefield – but would be tremendously threatening as a pure terrorism weapon against civilians. In any case, the technologies involved would be advanced for R&D, construction, maintenance, and deployment, at least for a while. The situation is altogether different in the case of UAVs. The biggest reason is that the flying-around part of UAVs – the avionics and control of a drone aircraft in flight – is not particularly high technology at all. It is in range of pretty much any functioning state military that flies anything at all. The same for the weaponry, if all you’re looking to do is fire a missile, such as an anti-tank missile like the Hellfire. It’s not high technology, it is well within the reach of pretty much any state military. Iran? Without thinking twice. Burma? Sure. Zimbabwe? If it really wanted to, probably. So it doesn’t make any substantial difference whether or not the US deploys UAVs, not in relation to a decision by other states to deploy their own. The US decision to use and deploy UAVs does not drive others’ decisions one way or the other. They make that decision in nearly all cases – Iran perhaps being an exception in wanting to be able to show that they can use them in or over the Iraqi border – in relation to their particular security perceptions. Many states have reasons to want to have UAVs, for surveillance as well as use of force. It is not as a counter or defense to the US use of UAVs. The real issue is not flying the plane or putting a missile on it. The question is the sensor technology (and related communication links) – for two reasons. One is the ability to identify the target; the other is to determine the level, acceptable or not, of collateral damage in relation to the target. That’s the technologically difficult part. And yet it is not something important to very many of the militaries that might want to use UAVs, because not that many are going to be worried about the use of UAVs for discrete, targeted killing. Not so discrete and not so targeted will be just fine – and that does not require super-advanced technology. China might decide that it wants an advanced assassination platform that would depend on such sensors, and in any case be interested in investing in such technology for many reasons – but that is not going to describe Iran or very many other places that are capable of deploying and using weaponized UAVs. Iran, for example, won’t have super advanced sensor technology (unless China sells it to them), but they will have UAVs. (The attached weaponry follows the same pattern. Most countries will find a Hellfire type missile just fine. The US will continue to develop smaller weapons finally capable of a single person hit. Few others will develop it, partly because they don’t care and partly because its effectiveness depends on advanced sensors that they are not likely to have.) Robots are broadly defined by three characteristics – computation, sensor inputs, and gross movement. Movement in the case of a weaponized robot includes both movement and the use of its weapon – meaning, flying the UAV and firing a weapon. The first of those, flying the UAV, is available widely; primitive weapons are available widely as well, and so is the fundamental computational power. Sensors are much, much more difficult – but only to the extent that a party cares about discretion in targeting. But it is not the case that they are making these decisions on account of US decisions about UAVs; UAVs are useful for many other reasons for many other parties, all on their own.

#### No impact to drone prolif – the US is the ONLY one that can effectively operate them

Roberts 3/22

(Kristin, news editor, National Journal, 3/22/2013, “When the Whole World Has Drones,” <http://www.nationaljournal.com/magazine/when-the-whole-world-has-drones-20130321>, accessed 7/12/2013, BS)

The United States is the indisputable leader in drone technology and long-range strike. Remote-piloted aircraft have given Washington an extraordinary ability to wage war with far greater precision, improved effect, and fewer unintended casualties than conventional warfare. The drones allow U.S. forces to establish ever greater control over combat areas, and the Pentagon sees the technology as an efficient and judicious force of the future. And it should, given the billions of dollars that have gone into establishing and maintaining such a capability. That level of superiority leads some national security officials to downplay concerns about other nations’ unmanned systems and to too narrowly define potential threats to the homeland. As proof, they argue that American dominance in drone warfare is due only in part to the aircraft itself, which offers the ability to travel great distances and loiter for long periods, not to mention carry and launch Hellfire missiles. The drone itself, they argue, is just a tool and, yes, one that is being copied aggressively by allies and adversaries alike. The real edge, they say, is in the unparalleled intelligence-collection and data-analysis underpinning the aircraft’s mission. “There is what I think is just an unconstrained focus on a tool as opposed to the subject of the issue, the tool of remotely piloted aircraft that in fact provide for greater degrees of surety before you employ force than anything else we use,” said retired Lt. Gen. David Deptula, the Air Force’s first deputy chief of staff for intelligence, surveillance, and reconnaissance. “I think people don’t realize that for the medium altitude aircraft—the MQ-1 [Predator] and MQ-9 [Reaper] that are generally written about in the press—there are over 200 people involved in just one orbit of those aircraft.… The majority of those people are analysts who are interpreting the information that’s coming off the sensors on the aircraft.” The analysts are part of the global architecture that makes precision strikes, and targeted killing, possible. At the front end, obviously, intelligence—military, CIA, and local—inform target decisions. But in as near-real time as technologically possible, intel analysts in Nevada, Texas, Virginia, and other locations watch the data flood in from the aircraft and make calls on what’s happening on target. They monitor the footage, listen to audio, and analyze signals, giving decision-makers time to adjust an operation if the risks (often counted in potential civilian deaths) outweigh the reward (judged by the value of the threat eliminated). “Is that a shovel or a rifle? Is that a Taliban member or is this a farmer? The way that warfare has advanced is that we are much more exquisite in our ability to discern,” Maj. Gen. Robert Otto, commander of the Air Force Intelligence, Surveillance, and Reconnaissance Agency, told National Journal at Nellis Air Force Base in Nevada. “We’re not overhead for 15 minutes with a fighter that’s about to run out of gas, and we have to make a decision. We can orbit long enough to be pretty sure about our target.” Other countries, groups, and even individuals can and do fly drones. But no state or group has nearly the sophisticated network of intelligence and data analysis that gives the United States its strategic advantage. Although it would be foolish to dismiss the notion that potential U.S. adversaries aspire to attain that type of war-from-afar, pinpoint-strike capability, they have neither the income nor the perceived need to do so.

#### Powers will work together to stabilize the region—security and economic incentives

Gresh 12

(Dr. Geoffrey F., Assistant Professor of International Security Studies at National Defense University, “Russia, China, and stabilizing South Asia”, 3/12, http://afpak.foreignpolicy.com/posts/2012/03/12/russia\_china\_and\_stabilizing\_south\_asia)

As the U.S. begins to withdraw troops from Afghanistan, Russia and China have both declared a desire to increase their military presence throughout Central and South Asia. This new regional alignment, however, should not be viewed as a threat to U.S. strategic national interests but seen rather as concurrent with strategic and regional interests of the United States: regional peace, stability and the prevention of future terrorist safe havens in ungoverned territories. As China and Russia begin to flex their military muscles, the U.S. military should harness their expanded regional influence to promote proactively a new period of responsible multilateral support for Afghanistan and Pakistan. This past December it became clearer that Russia had begun to re-assert its regional presence when the Collective Security Treaty Organization (CSTO) granted Russia the veto power over any member state's future decision to host a foreign military. CSTO members, including Kazakhstan, Kyrgyzstan, Tajikistan, and Uzbekistan, have become increasingly valuable U.S. partners in the Northern Distribution Network after Pakistan shut down U.S. military supply routes running from the south into Afghanistan when NATO troops killed 24 Pakistani soldiers last November in the border area of Salala. Though it appears the route may soon open again, the United States must still adopt a new strategy that works more closely with Russia and the CSTO to maintain the Northern Distribution Network long into the future, which currently accounts for about 60 percent of all cargo transiting Central Asia en route to Afghanistan. Certainly, the U.S. risks being unable to control many aspects of the Northern Distribution Network as it withdraws from the region, and this may in turn adversely affect Afghanistan's future success. However, if the United States remains concerned about leaving the region to a historically obdurate regional rival like Russia, it should also bear in mind that Russia has a vital strategic interest in the future stability of the region. Russia has approximately 15 million Muslims living within its borders, with an estimated 2 million Muslims in Moscow. Russia is fearful of what occurs on its periphery and wants to minimize the spread of Muslim extremism that may originate from an unstable Afghanistan or Pakistan. In addition, Russia does not want regional instability that threatens its oil and gas investments. In particular, Russia wants to ensure that it continues to influence the planning and implementation of the potentially lucrative natural gas pipeline that may one day traverse Turkmenistan, Afghanistan, Pakistan, and India. In a recent meeting with Pakistani Foreign Minister Hina Rabbani Khar, Russian Foreign Minister Sergey Lavrov discussed Russia's commitment to preserving peace and stability throughout the AfPak region, and rejected the use of violence by al-Qaeda and its affiliates that aim to undermine the current Afghan government. Furthermore, he pledged to bolster bilateral ties and work cooperatively with Pakistan to achieve stability in Afghanistan. A newly-elected President Vladimir Putin also recently wrote in a campaign brief that "Russia will help Afghanistan develop its economy and strengthen its military to fight terrorism and drug production." It is not lost on the U.S. government that Russia is proposing to succeed where the U.S. has struggled. However, if Russia does succeed in helping establish a secure Afghanistan and Pakistan that can prevent the spread of bases for terrorism then it is a victory for everyone. Aside from Pakistan, and in line with promoting security throughout the region, Russia announced recently that it will provide $16 million to Kyrgyzstan to assist with border security in the south. Russia also agreed recently to pay $15 million in back rent for its four military facilities across the country, including an air base, a torpedo test center on Lake Issyk-Kul, and a communications center in the south. Further, Russia signed a security pact with Tajikistan last fall to extend its basing lease for 49 years, in addition to a bilateral agreement that will enable Russia to become more integrated into Tajikistan's border security forces that oversee an 830-mile border with Afghanistan. Providing similar types of U.S. aid and security support will also help ensure that the valuable Northern Distribution Network remains open and secure for supply lines into Afghanistan. If the northern trade routes are shut down it would adversely affect aid arriving to Afghanistan and therefore jeopardize the stability of Afghanistan and the region. It would also be in opposition to Russia's regional interests. Rather than citing these examples in Kyrgyzstan and Tajikistan as a demonstration of how the U.S. will soon lose out in the region to a resurgent Russia, policymakers can view them as an indication of how Russian interests align with the U.S. to help maintain regional security. More importantly, if Russia wants to take a more active future role in Central Asia, the U.S. should address this shift and work directly with Russia and other CSTO members to ensure that the Northern Distribution Network remains operational in the distant future. Certainly, the U.S. should not be naïve to think that Russia will not at times oppose U.S. regional interests and that there will not be significant areas of conflict. In 2009, Russia tried to convince then President of Kyrgyzstan Kurmanbek Bakiyev to terminate the U.S. contract for its base in Manas. In this case, the U.S. fended off the threat of expulsion successfully through promises of increased U.S. military and economic aid. Continuing to maintain significant amounts of aid to the Central Asia Republics will therefore provide additional incentives to ensure the U.S. is less vulnerable to Russian whims, while at the same time remaining present and active for the benefit of regional security and the maintenance of the Northern Distribution Network. Another powerful regional player, China, also has a vested interest in the stability of the AfPak region, and has already begun to play a more active security role. It was reported this past January, for example, that China intends to establish one or more bases in Pakistan's Federally Administered Tribal Areas. Subsequently, at the end of February, Beijing played host to the first China-Afghanistan-Pakistan trilateral dialogue to discuss regional cooperation and stability. Due to China's shared borders and vibrant trade with both Afghanistan and Pakistan -- not to mention China's estimated 8 million Turkic-speaking Muslim Uyghurs living in western Xinjiang Province -- it has a direct interest in ensuring that both Afghanistan and Pakistan remain stable long into the future. Bilateral trade between China and Pakistan, for example, increased 28 percent in the past year to approximately $8.7 billion. China also signed an oil agreement with Afghanistan in December that could be worth $7 billion over the next two decades. Additionally, China is concerned about the rise of its Uyghur separatist movement that maintains safe havens in both countries, in addition to the spread of radical Islam. The United States should push China to become more actively engaged in Pakistan's security affairs as China has a direct interest in moderating radicalism in Pakistan and keeping it stable. Indicative of Pakistan's strategic value to China, since 2002 China has financed the construction and development of Pakistan's Gwadar deep water port project. China has contributed more than $1.6 billion toward the port's development as a major shipping and soon-to-be naval hub, which is located just 250 miles from the opening of the Persian Gulf. A Pakistan Supreme Court decision in 2011 enabled China to take full control of Gwadar from a Singapore management company further establishing China's firm position in the Pakistani port city. The creation of a new Chinese military network in Pakistan between Gwadar and the FATA would enable China to oversee the transit and protection of Chinese goods and investments that travel from both the coast and interior through the Karakorum corridor to China's Xinjiang Province. China already has an estimated 4,000 troops in Gilgit Baltistan, part of the larger and disputed Kashmir, and just recently it was reported after a January 2012 trip by Pakistani Army Chief General Ashfaq Kayani to China that Pakistan is considering leasing Gilgit Baltistan to China for the next 50 years. Such a move would indeed escalate tensions with India to the south, but from a Pakistani perspective, China would be positioned better than it already is to assist with any future Pakistani national security concerns. And from a Chinese perspective, it would improve their ability to monitor any illicit Uyghur activities aimed at inciting further rebellion in western China. With interest comes responsibility, and in the wake of the recent reports predicting the establishment of a more robust Chinese military network across Pakistan, it is time that China begins to supplement its increased involvement in Pakistan by helping to maintain peace and stability throughout the entire AfPak region. Certainly after fighting two long wars, the United States can no longer be the sole world power responsible for the region, and both China and Russia have been U.S. security free-riders for too long. They have benefited financially while NATO continues to lose soldiers and accrue a massive war debt. After 11 years of war, it is time the United States work more proactively with Russia, China, Pakistan and the Central Asian Republics to create solutions for the future stability and collective security of the region. Indeed, we may not have a choice, and the United States should embrace the transformation of a new era in Eurasia's heartland.

#### China won’t use drones to resolve territorial disputes – fears international backlash and creating a precedent for U.S. strikes in the area

Erickson and Strange 5-29

Erickson, associate professor at the Naval War College and Associate in Research at Harvard University's Fairbank Centre, and Strange, researcher at the Naval War College's China Maritime Studies Institute and graduate student at Zhejiang University, 5-29-13 (Andrew and Austin, China has drones. Now how will it use them? Foreign Affairs, McClatchy-Tribune, 29 May 2013, http://www.nationmultimedia.com/opinion/China-has-drones-Now-how-will-it-use-them-30207095.html, da 8-3-13) PC

Drones, able to dispatch death remotely, without human eyes on their targets or a pilot's life at stake, make people uncomfortable - even when they belong to democratic governments that presumably have some limits on using them for ill. (On May 23, in a major speech, US President Barack Obama laid out what some of those limits are.) An even more alarming prospect is that unmanned aircraft will be acquired and deployed by authoritarian regimes, with fewer checks on their use of lethal force.¶ Those worried about exactly that tend to point their fingers at China. In March, after details emerged that China had considered taking out a drug trafficker in Myanmar with a drone strike, a CNN blog post warned, "Today, it's Myanmar. Tomorrow, it could very well be some other place in Asia or beyond." Around the same time, a National Journal article entitled "When the Whole World Has Drones" teased out some of the consequences of Beijing's drone programme, asking, "What happens if China arms one of its remote-piloted planes and strikes Philippine or Indian trawlers in the South China Sea?"¶ Indeed, the time to fret about when China and other authoritarian countries will acquire drones is over: they have them. The question now is when and how they will use them. But as with its other, less exotic military capabilities, Beijing has cleared only a technological hurdle - and its behaviour will continue to be constrained by politics.¶ China has been developing a drone capacity for over half a century, starting with its reverse engineering of Soviet Lavochkin La-17C target drones that it had received from Moscow in the late 1950s. Today, Beijing's opacity makes it difficult to gauge the exact scale of the programme, but according to Ian Easton, an analyst at the Project 2049 Institute, an American think-tank devoted to Asia-Pacific security matters, by 2011 China's air force alone had over 280 combat drones. In other words, its fleet of unmanned aerial vehicles is already bigger and more sophisticated than all but the United States'; in this relatively new field Beijing is less of a newcomer and more of a fast follower. And the force will only become more effective: the Lijian ("sharp sword" in Chinese), a combat drone in the final stages of development, will make China one of the very few states that have or are building a stealth drone capacity.¶ This impressive arsenal may tempt China to pull the trigger. The fact that a Chinese official acknowledged that Beijing had considered using drones to eliminate the Myanmar drug trafficker, Naw Kham, makes clear that it would not be out of the question for China to launch a drone strike in a security operation against a non-state actor. Meanwhile, as China's territorial disputes with its neighbours have escalated, there is a chance that Beijing would introduce unmanned aircraft, especially since India, the Philippines and Vietnam distantly trail China in drone funding and capacity, and would find it difficult to compete. Beijing is already using drones to photograph the Senkaku/Diaoyu islands it disputes with Japan, as the retired Chinese major-general Peng Guangqian revealed earlier this year, and to keep an eye on movements near the North Korean border.¶ Beijing, however, is unlikely to use its drones lightly. It already faces tremendous criticism from much of the international community for its perceived brazenness in continental and maritime sovereignty disputes. With its leaders attempting to allay notions that China's rise poses a threat to the region, injecting drones conspicuously into these disputes would prove counterproductive. China also fears setting a precedent for the use of drones in East Asian hotspots that the United States could eventually exploit. For now, Beijing is showing that it understands these risks, and to date it has limited its use of drones in these areas to surveillance, according to recent public statements from China's Defence Ministry.

### Adv 2

#### 1. Afghan stability is resolved by regional cooperation and institutions

PAN 4/27 (Pajhwok Afghanistan News, April 27, 2013, “Regional states underline Afghan stability”, http://www.pajhwok.com/en/2013/04/27/regional-states-underline-afghan-stability, AB)

It added the international community and the region had a shared responsibility and common interest in working together for the sake of Afghanistan and the region as a whole. The support of non-regional countries and organisations involved in the Istanbul Process is essential to the success of this shared effort. It welcomed efforts to promote a stable, independent, prosperous and democratic Afghanistan. “Our shared interests are best served by cooperation, rather than competition, in the Heart of Asia. We will therefore use the Istanbul Process to build a common platform of shared regional interests, as well as a secure and prosperous ‘Heart of Asia’ region where Afghanistan has a crucial role as a land-bridge, connecting South Asia, Central Asia, Eurasia, and the Middle East. “The first priority and area of common concern is security. Contemporary security challenges and threats have a global character and impact and the only possible way to effectively counter them is for states to work together according to agreed principles and mechanisms of cooperation. “In this context, as representatives of a region that is most affected by common security challenges, we are determined to work together through the Istanbul Process to respond to our common security challenges and threats,” the document said.

#### 5. Afghanistan instability is inevitable and no impact

Walt 13 (Stephen, Robert and Renée Belfer professor of international affairs at Harvard University's Kennedy School of Government, where he served as academic dean from 2002-2006. “The REAL reason the U.S. failed in Afghanistan.” Foreign Policy, March 15, 2013)

Both Nasr and Chayes make useful points about the dysfunction that undermined the AfPak effort, and I'm not going to try to adjudicate between them. Rather, I think both of them miss the more fundamental contradiction that bedeviled the entire U.S./NATO effort, especially after the diversion to Iraq allowed the Taliban to re-emerge. The key problem was essentially structural: US. objectives in Afghanistan could not be achieved without a much larger commitment of resources, but the stakes there simply weren't worth that level of commitment. In other words, winning wasn't worth the effort it would have taken, and the real failure was not to recognize that fact much earlier and to draw the appropriate policy conclusions. First, achieving a meaningful victory in Afghanistan -- defined as defeating the Taliban and creating an effective, Western-style government in Kabul -- would have required sending far more troops (i.e., even more than the Army requested during the "surge"). Troop levels in Afghanistan never approached the ratio of troops/population observed in more successful instances of nation-building, and that deficiency was compounded by Afghanistan's ethnic divisions, mountainous terrain, geographic isolation, poor infrastructure, and porous borders. Second, victory was elusive because Pakistan continued to support the Taliban, and its territory provided them with effective sanctuaries. When pressed, they could always slip across the border and live to fight another day. But Washington was never willing to go the mattresses and force Pakistan to halt its support, and it is not even clear that we could have done that without going to war with Pakistan itself. Washington backed off for very good reasons: We wanted tacit Pakistani cooperation in our not-so-secret drone and special forces campaign against al Qaeda, and we also worried about regime stability given Pakistan's nuclear arsenal. Unfortunately, these factors made victory even harder to achieve. Third, we couldn't get Karzai to reform because he was the only game in town, and he knew it. Unless the U.S. and NATO were willing to take over the whole country and try to govern it ourselves -- a task that would have made occupying Iraq seem easy -- we were forced to work with him despite his many flaws. Successful counterinsurgencies require effective and legitimate local partners, however, and we never had one. In short, the U.S. was destined to lose because it didn't go all-out to win, and it shouldn't have. Indeed, an all-out effort would have been a huge mistake, because the stakes were in fact rather modest. Once the Taliban had been ousted and al Qaeda had been scattered, America's main interest was continuing to degrade al Qaeda (as we have done). That mission was distinct from the attempt to nation-build in Afghanistan, and in the end Afghanistan's importance did not justify a substantially larger effort. By the way, I am not suggesting that individual commanders and soldiers did not make enormous personal sacrifices or try hard to win, or that the civilians assigned to the Afghan campaign did not do their best in difficult conditions. My point is that if this war had been a real strategic priority, we would have fought it very differently. We would not have rotated commanders, soldiers, and civilian personnel in and out of the theatre as often as we did, in effect destroying institutional memory on an annual basis and forcing everyone to learn on the job. In a war where vital interests were at stake, we certainly wouldn't have let some of our NATO partners exempt the troops they sent from combat. And if the war had been seen aa a major priority, both parties would have been willing to raise taxes to pay for it. Thus, the real failure in Afghanistan was much broader than the internal squabbles that Nasr and Chayes have addressed. The entire national security establishment failed to recognize or acknowledge the fundamental mismatch between 1) U.S. interests (which were limited), 2) our stated goals (which were quite ambitious), and 3) the vast resources and patience it would have required to achieve those goals. Winning would have required us to spend much more than winning was worth, and to undertake exceedingly risky and uncertain actions towards countries like Pakistan. U.S. leaders wisely chose not to do these things, but they failed to realize what this meant for the war effort itself. Given this mismatch between interests, goals, and resources, it was stupid to keep trying to win at a level of effort that was never going to succeed. Yet no one on the inside seems to have pointed this out, or if they did, their advice was not heeded. And that is the real reason why the war limped on for so long and to such an unsatisfying end.

#### No Central Asian war – the SCO checks conflict

Maksutov ‘6

**(**Ruslan, Stockholm International Peace Research Institute, “The Shanghai Cooperation Organization: A Central Asian Perspective”, August, http://www.sipri.org/contents/worldsec/Ruslan.SCO.pdf/download)

As a starting point, it is fair to say that all Central Asian countries—as well as China and Russia—are interested in security cooperation within a multilateral framework, such as the SCO provides. For Central Asia this issue ranks in importance with that of economic development, given the explosive environment created locally by a mixture of external and internal threats. Central Asia is encircled by four of the world’s eight known nuclear weapon states (China, India, Russia and Pakistan), of which Pakistan has a poor nuclear non-proliferation profile and Afghanistan is a haven for terrorism and extremism. Socio-economic degradation in Central Asian states adds to the reasons for concern and makes obvious the interdependence between progress in security and in development. Some scholars argue that currently concealed tendencies evolving in various states of Central Asia—such as the wide-ranging social discontent with oppressive regimes in the region, and the growing risks of state collapse and economic decline—all conducive to the quick growth of radical religious movements, could have far-reaching implications for regional stability once they come more into the light. 41 At first sight, the instruments established by the SCO to fulfil its declared security- building objectives seem to match the needs that Central Asian states have defined against this background. While the existence of the SCO further reduces the already remote threat of conventional interstate war in the region, 42 it allows for a major and direct focus on the non-state, non-traditional and transnational threats that now loom so large by comparison.

#### No impact to Pakistani loose nukes – they’re separated.

Koring, ‘9

[Paul, Globe and Mail, “Pakistan’s nuclear arsenal safe, security experts say”, 10-16-9

http://www.theglobeandmail.com/news/world/pakistans-nuclear-arsenal-safe-security-experts-say/article1325820/

Pakistan's nuclear-weapons security is modeled on long-standing safeguards developed by the major powers and includes separately storing the physical components needed for a nuclear warhead and keeping them apart and heavily guarded. "Even if insurgents managed to get a fully assembled weapon, they would lack the 'secret decoder ring' [the special security codes] needed to arm it," Mr. Pike said. Thought to possess a relatively modest nuclear arsenal of between 70 and 100 warheads, Pakistan is even more secretive about its security measures than most nuclear-weapons states. But even if those measures were somehow breached, Mr. Pike said, even a complete nuclear weapon would be a limited threat in the hands of terrorists. "If they did try to hot-wire it to explode in the absence of knowing the approved firing sequences, it would probably only trigger the high-explosives, making a jim-dandy of a dirty bomb," he said, referring to an explosion that spreads radioactive material over a small area, but is not a nuclear blast.

#### Libya proves NATO is a paper tiger and is no longer useful

Bonavita ‘11

(Denny, - the editor and publisher of McLean Publishing Co. June 13, 2011, “Lesson from Libya: NATO becoming useless paper tiger, siphoning precious U.S. dollars” http://www.nashuatelegraph.com/courierexpresscourierexpressouropinion/922420-349/lesson-from-libya-nato-becoming-useless-paper.html)

So what have we learned from the American-to-NATO military operations against Libya? NATO is fast becoming a paper tiger, we have learned. Nearly 20 years ago, when Yugoslavia dissolved into civil war, the North American Treaty Organization that binds the United States and most of western Europe into a defense alliance against the Soviet Union - even though there no longer is a Soviet Union - was a credible military force. Yes, American forces led the assaults that brought Serbia to the peace table and allowed Kosovo to become independent, but NATO was credible, right next to its borders. In Iraq, though many NATO nations participated in the Persian Gulf War and a few joined the United States in the subsequent invasion and occupation of Iraq, NATO wasn't formally involved. In Afghanistan, NATO nations painfully supplied far fewer troops than were needed, hobbling the probably doomed-to-fail goal of making the tribal-area morass we call "Afghanistan" into a for-real nation. In Libya, however, NATO fell apart. There is no effective opposition to NATO's air attacks against the Gaddhafi regime. Libya's air force has been destroyed. Its anti-aircraft capability is, for practical purposes, small arms. Yet once the United States, already chained down in Iraq and in Afghanistan, "handed off" the air-attack mission to NATO, American military forces had to be called back in because, for example, Britain has used up nearly all of its Tomahawk missiles; Germany sits on the sidelines; no European forces can credibly operate intelligence and surveillance aircraft that do double duty by pinpointing targets and safeguarding attacking planes and pilots. We have long argued that World War II and the Korean and Cold wars are ancient history, and that the United States ought to pull its troops out of South Korea, Japan and Germany.

### Solvency

#### The CIA is exempt – takes out solvency

Alston 11

professor – NYU Law (Philip, 2 Harv. Nat'l Sec. J. 283)

Despite the existence of a multiplicity of techniques by which the CIA might be held to account at the domestic level, the foregoing survey demonstrates that there is no evidence to conclude that any of them has functioned effective-ly in relation to the expanding practices involving targeted killings. The CIA Inspector General's Office has been unable to exact accountability and proposals to expand or strengthen his role run counter to almost all official actions taken in relation to his work. The President's Intelligence Oversight Board and the President's Foreign Intelligence Advisory Board are lauded by some for their potential, but there is no indication that they scrutinize activities such as targeted killings policy or practice, and many indications that they view their role as being to support rather than monitor the intelligence community. The Privacy and Civil Liberties Oversight Board remains dormant. Congressional oversight has been seriously deficient and far from manifesting an appetite to scrutinize the CIA's targeted killings policies, a range of senior members of congress are on record as favoring a hands-off policy. And a combination of the political question doctrine, the state secrets privilege, and a reluctance to prosecute, ensure that the courts have indeed allowed the CIA to fall into a convenient legal **gre**y hole. Finally, civil society has been largely stymied by the executive and the courts in their efforts to make effective use of freedom of information laws. All that remains is the media, and most of what they obtain through leaks come from government sources that are deliberately "spinning" the story in their own favor. Simi-lar conclusions have been reached in closely related contexts. Thus, for example, Kitrosser's survey of official responses to the warrantless wiretapping initiated after 9/11 led her to conclude that it was a shell [\*406] game, involving "an indefinite bi-partisan, cross-administration, cross-institutional pattern of accountability-avoidance." n450 In brief, at least in relation to targeted killings, the CIA enjoys almost complete impunity and is not subject to any form of meaningful internal or external accountability. Whether from the perspective of democratic theory or of interna-tional accountability for violations of the right to life, this is deeply problematic. One solution to this that has been sug-gested by some commentators is to follow the precedent set by Israel in its efforts to ensure legal oversight of its target killings programs. We turn now to examine the feasibility and desirability of pursuing such an option.

#### Military will backlash, prevents implementation

Yoo 9

Yoo, professor of law – U California, Berkeley, ‘9¶ (John, 58 Duke L.J. 2277)

As conditions worsened in Iraq after the fall of Saddam Hussein's regime, the military became more critical of Sec-retary Rumsfeld. Military officers anonymously criticized the Secretary for refusing to send enough troops to pacify the country, and generally attacked him for ignoring their advice and counsel. In an April 2006 act known in the military as the "revolt of the generals," dozens of senior retired military officers called for Rumsfeld's resignation for allegedly mismanaging the war. n73 In 2006, retired general Gregory Newbold, former director of operations of the Joint Chiefs, wrote an essay in Time declaring that it was his "sincere view ... that the commitment of forces to this fight was done with a casualness and swagger that are the special province of those who have never had to execute these missions - or bury the results." n74 Part of the impetus for the revolt was the deeper lesson, taken by the officer corps from Vietnam, that the military had been too subservient to civilian leaders and that they should talk straight to the political leadership about their views. Ironically, the 2007-08 surge in forces in Iraq and the improvement in the country's rebuilding came against the advice of the senior military leadership, which had decided that the size of the American footprint in Iraq was part of the problem. n75 Dissension over Iraq was matched by contention over the continuing war on terrorism. Perhaps the most public ex-ample was Congress's consideration of the Military Commissions Act of 2006 [\*2290] (MCA), n76 which established rules for the detention and military trials of terrorists. In November 2001, President Bush issued an executive order es-tablishing military commissions, in the form of a military tribunal, to try al Qaeda members and their allies for war crimes. n77 Some members of the military's Judge Advocate Generals (JAG) corps wanted to use courts-martial instead, but civilian leaders in the Pentagon favored commissions, which promised a flexible balance between the need for an open, fair proceeding and the need to keep national security secrets. In Hamdan v. Rumsfeld, n78 the Supreme Court held that the tribunals had to operate according to the lines set out in Common Article 3 of the Geneva Conventions, n79 set-ting off Congress's consideration of the 2006 Act. During congressional hearings, JAGs for the Marines and the Army testified that commission rules withholding classified evidence from the defendant, but not his lawyer, would still vio-late the Geneva Conventions, whereas the civilian representative of the Department of Justice testified to the opposite effect. n80 Military disagreement over civilian policy in the war on terrorism extended back to the beginning of the conflict. JAGs challenged President Bush's decision in February 2002, after extensive debate within the executive branch, that members of al Qaeda and the Taliban were not to receive the status of prisoners of war under the Geneva Conventions. n81 After that decision, JAGs reportedly cooperated with private human rights groups to challenge the decision in federal court. Once uniformed lawyers were appointed to represent detainees in the military commission process, they [\*2291] dispensed with the secrecy and filed suit against the Bush administration directly. n82 Members of the uniformed military also challenged the legality of holding suspected al Qaeda at the U.S. Navy Station at Guantanamo Bay, Cuba. n83 Ac-cording to media reports, JAGs representing detainees in the military commission process met with members of Con-gress to seek their assistance in reversing Bush administration policies on detainees. n84 Congress's enactment of the MCA hewed closely to civilian preferences on the commissions and the designation of al Qaeda as illegal combatants. Although the Supreme Court, in Boumediene v. Bush, n85 reversed the MCA's effort to prohibit federal habeas corpus review over the detainees at Guantanamo Bay, n86 it has not yet addressed the substance of the MCA. All of this has led historians and political scientists to warn of a crisis in civil-military relations. Russell Weigley, a prominent military historian, compared General Powell's resistance to intervention in Bosnia to General McClellan's reluctance to engage General Lee during the Civil War. n87 By 2002, Richard Kohn, a distinguished military historian, had already concluded that "civilian control of the military has weakened in the United States and is threatened today." n88 According to Kohn, "the American military has grown in influence to the point of being able to impose its own per-spective on many policies and decisions." n89 He detects "no conspiracy but repeated efforts on the part of the armed forces to frustrate or evade civilian authority when that opposition seems likely to preclude outcomes the military dis-likes." n90 He believes that civilian-military relations in that period are as poor as in any other period in American histo-ry. n91 Michael Desch argues that the high tensions in civil-military relations are due [\*2292] not to the military but to the civilians, which have violated Huntington's advice in favor of "objective control" by giving the military broad dis-cretion over tactics and operations while keeping final say over politics and grand strategy. n92 In a 1999 study, Desch found that civilians prevailed in almost all of the seventy-five civil-military disputes from 1938 to 1997, but that the military has won in seven or eight of the twelve post-Cold War conflicts. n93 Some attribute this discord to the regular give-and-take inherent in the civil-military relationship, whereas others believe that the military has grown bold in ques-tioning the foreign policy decisions of the civilian leadership. n94

#### Squo laws solve- aff only risks gutting effectiveness

Friesen ‘13

(Sarah Friesen is currently a member of the Young Leaders Program at The Heritage Foundation and research expert. “Contrary to Popular Belief, Drones Not All Bad” April 18, 2013 at 4:00 pm http://blog.heritage.org/2013/04/18/contrary-to-popular-belief-drones-not-all-bad/,TSW)

Last week, Politico published an article on America’s misconception of drones, and why those misconceptions can, and should, be remedied. As technology advances, the ways in which it can be exploited grows. Drones are no exception. While steps need to be taken to ensure that privacy rights are protected from drone activities, the U.S. should not unnecessarily restrain such a valuable technology.¶ Today, the public has a negative perception of drones—to put it mildly. The connotation is generally that of Big Brother watching Americans going about their daily lives—all under the guise of keeping us “safe,” of course. This is far from reality.¶ Drones do, in fact, provide many services that keep Americans safe. These include:¶ Border patrol security¶ Emergency preparation and disaster response¶ Cargo delivery (private sector)¶ Maritime domain awareness¶ Environmental monitoring (flooding, dams, levees, etc.)¶ Law enforcement (pursuit or search and rescue)¶ Arguably, these are all things that need to be done. Drones provide a cheaper platform that keeps the pilot out of any potential danger. This raises the obvious question: If drones have good uses, then why do people think they are so bad?¶ Ellen Tauscher, former Undersecretary of State for Arms Control and International Security says that a big contributor to the problem is that “there are too many different names being used to describe the technology.” Having so many names floating about only exacerbates an already confusing topic.¶ One of the many names for drones is “unmanned aerial vehicle.” This is entirely inaccurate. Drones, like planes and helicopters, do have pilots, but they fly the drones remotely.¶ Another aspect of the confusion surrounding drones, according to Politico, is the secrecy that shrouds how the military uses them. It seems that this secrecy has led to speculation that has tainted the American public’s view of drones in general, both military and non-military. America needs to ensure that guidelines for the domestic usage of drones are based on fact, not speculation.¶ Generally, drones can and should be regulated by the laws already in place dealing with aerial surveillance. This is the route that should be taken instead of requiring a warrant for drone usage in the U.S. This would not only severely restrict the effectiveness of drones but also be a misapplication of the Fourth Amendment.¶ The government and the private sector need to present a coherent and clear picture to the American people of what drones really are. If the public’s inaccurate and negative perception of drones is not altered, it could influence policy to the point of depriving America of a truly valuable tool.

# 2NC

## T

### 2NC overview

#### Lots of restrictions on targeted killing in the SQ: Aff must substantially increase BEYOND THESE

Holder ‘12

(Eric: US Attorney General, 3-5-12) http://www.lawfareblog.com/wp-content/uploads/2013/01/Attorney-General-Eric-Holder-Speaks-at-Northwestern-University.pdf

Let me give you an example. Under section 702 of the Foreign Intelligence Surveillance Act, the ¶ Attorney General and the Director of National Intelligence may authorize annually, with the ¶ approval of the Foreign Intelligence Surveillance Court, collection directed at identified categories ¶ of foreign intelligence targets, without the need for a court order for each individual subject. This ¶ ensures that the government has the flexibility and agility it needs to identify and to respond to terrorist and other foreign threats to our security. But the government may not use this authority ¶ intentionally to target a U.S. person, here or abroad, or anyone known to be in the United States.¶ The law requires special procedures, reviewed and approved by the Foreign Intelligence ¶ Surveillance Court, to make sure that these restrictions are followed, and to protect the privacy of ¶ any U.S. persons whose nonpublic information may be incidentally acquired through this program. ¶ The Department of Justice and the Office of the Director of National Intelligence conduct extensive ¶ oversight reviews of section 702 activities at least once every sixty days, and we report to Congress ¶ on implementation and compliance twice a year. This law therefore establishes a comprehensive ¶ regime of oversight by all three branches of government. Reauthorizing this authority before it ¶ expires at the end of this year is the top legislative priority of the Intelligence Community.

### 2NC LIMITS

#### Broad interpretations cause unmanageable research burdens

Taylor 5

Taylor III, now a JD from William and Mary, 2005¶ (Jarred, “Searching for a More Perfect Union,” <https://docs.google.com/document/d/1ypiOXjRVPWzNxDsFVJ0S1n-QfIGtXzp7Y59meEwd-bE/edit?hl=en_US>)

**It would take even the most seasoned scholar years of research and hundreds of pages to** adequately **analyze** the development of **any presidential power** over the course of American history; **war power is** certainly **no exception**. Every President since George Washington has interpreted the martial prerogatives of his office in different ways, and most have set some sort of precedent for succeeding officeholders. Nevertheless, some of the major changes in executive military power bear highlighting.

### AT Reasonability

#### 3) It’s arbitrary and undermines research

Resnick 1

Evan Resnick 1, assistant professor of political science – Yeshiva University, “Defining Engagement,” Journal of International Affairs, Vol. 54, Iss. 2

In matters of national security, establishing a clear definition of terms is a precondition for effective policymaking. Decisionmakers who invoke critical terms in an erratic, ad hoc fashion risk alienating their constituencies. They also risk exacerbating misperceptions and hostility among those the policies target. Scholars who commit the same error undercut their ability to conduct valuable empirical research. Hence, if scholars and policymakers fail rigorously to define "engagement," they undermine the ability to build an effective foreign policy.

## Adv CP

## Solvenyc

### 2NC CIA Exemption

#### The CIA is exempt from oversight – the PQD, secrets, and reluctance to prosecute ensures the CIA isn’t checked – that’s Alston

#### Yes CIA is exempt

Anderson 13

(Brian, longform editor focusing on Drones, Vice, February 2013, “CIA Drones Have Free Rein in Pakistan for the Next Year,” <http://motherboard.vice.com/blog/cia-drones-have-free-reign-in-pakistan-for-the-next-year>, accessed 7/6/2013, BS)

Not like the spy agency's hunter-killer drones weren't already stalking Pakistan with near total autonomy from the US military, which maintains its own drone program throughout the Middle East. The Obama adminstration is reportedly close to wrapping up its so-called drone "playbook" and its most notable marker, for now, is not so much who the policy reins in but who it keeps just out of arm's reach--and thus, hidden. The CIA, in what should do away with any sense that the traditionally all-spy unit isn't going full-on paramilitary, can simply set aside the uncracked playbook for at least the next year. It's almost "beyond parody", the sort of hand-wringing and head-butting that went into what's ultimately a non-decision, or at the least a long punt. And it doesn't help that the guy who designed the playbook doesn't immediately have to adhere to it. But the administration has been pressing to set some sort of guiding drone doctrine into law for some time. It felt spurred to codify policy during the home stretch of the recent election cycle--the prospect of Romney-helmed killer strikes not having to answer to an Obama precedent was just to much to bear. The heat was off after the president won, of course, but discussions between the State Department, CIA and Pentagon over the playbook's standards seemed to have ground to a halt. So it was a move to resusciate talks: Granting the CIA a "temporary exemption" for its missions within Pakistan, the Washington Post reports, was apparently a compromise that freed up officials to forge ahead on other aspects of the playbook. "There’s a sense that you put the pedal to the metal now, especially given the impending” withdrawal, a former U.S. official involved in playbook discussion told the Post. The CIA's exemption is expected to run “less than two years but more than one,” the former official said, noting that any push to nix the "carve-out" will be based on "facts on the ground.” There's a sense, too, that any worries over exempting lethal CIA missions in Pakistan were put to cautious rest by the likely approval of John Brennan, Obama's top counterrorism adviser and architect of the playbook, to CIA chief. At the same time, it hints at friction within the administration over one of the drone program's more contentious tactics--"signature" strikes--which turned out to be a hot-button in playbook discussions. The grim irony is that compared to targeted drone blasts, signature strikes have likely taken out more suspected militants in Pakistan. The downside to greenlighting unmanned aerial strikes based purely on suspicious patterns of male behavior, like muling around weapon caches at night, not on verifiable identities? Dead civilians, the blood of which could well be the best recruitment tool for al Qaeda and its affiliates. Not to say the playbook doesn't cover the criteria by which names "make" any of the US's mythic "kill lists", the legal thinking behind targeting US citizens abroad, and the approval chain "required" when the CIA or US military wants to carrying out a drone hit beyond declared war zones. Or that it doesn't exercise some modium of restraint: As the Post reports, "the playbook has adopted that tighter standard and imposes other more stringent rules." This includes standards for the White House's approval of drone strikes and pulling multiple agencies, including the State Department, to the table when considering additions to kill lists. Yet for the next 12 months, minimum, none of these checks will apply to the CIA drone campaign in Pakistan, which began in earnest in the 2000s. In neighboring Afghanistan, the CIA has been ratcheting up its drone strikes "partly by loosening the criteria for strikes" from needing airtight intelligence to target identities to resting purely on speculative patterns of shady behaviour and latenight caravans. To think that the CIA, privileged to essentially go rogue for yet another year, will likewise continue pummeling Pakistan back to the Stone Age with signature (im)precision may not only undercut--for good, this time--Brennan's own claim that not a single civilian death has resulted from the drone wars. It may also do away with any notion, as critics argue, that a "playbook" doesn't equate to a long-term war waged through questionable, sometimes unconscionable aerial bombardment.

### 2NC Military Backlash

#### Their evidence provides our brinkg 1AC daskal evidence says that there are already policies to distiniguish in place that means the military will backlash – it creates a CMR crisis – that prevents implementation – that’s Yoo

#### Military compliance key to implementation

Yoo 9

Yoo, professor of law – U California, Berkeley, ‘9¶ (John, 58 Duke L.J. 2277)

A number of broader changes in both civilian and military personnel may exacerbate the gap in their preferences on particular policy questions. The change that has attracted much notice is the [\*2301] growing difference between civil-ian and military values and perspectives, which has expressed itself in a number of ways. Scholars have observed that the officer corps, for example, has become increasingly Republican in the last few decades, the likely result of self-selection, Republican party outreach, and the decline in the Democratic party's hawkish wing after the Vietnam War. n123 As a result, the agency model would predict more friction during periods of Democratic control of the executive branch, but it would not have predicted the high levels of conflict under Bush. The introduction of the all-volunteer force after Vietnam has reduced the number of veterans in society at large and in the civilian political leadership in particular, a dynamic enhanced by the reduction of the military's size after the Cold War and a drop in the number of bases through-out the country. n124 Civilians and military officers have come to have a growing difference in both their opinions and their experience. There is nothing normatively wrong with a difference in preferences between civilians and the military. It is inher-ent in the principal-agent relationship. Principals want to save time and resources by delegating authority to agents. The latter naturally desire autonomy in pursuing their missions. It is also not surprising that in an area as fraught with signif-icance as the nation's security, there will be strong differences in preferences beyond questions solely of institutional independence. The phrase "shirking," when used in the literature on business organizations, implies that managers are attempting to benefit themselves financially at the expense of the shareholders - but it does not have that implication in the analysis of the public sector. Rather, as here, it refers to examples when agents seek to pursue their own interests rather than those of civilians. Shirking, in fact, may better advance overall American national security, should military policy preferences actually prove superior to civilian preferences on an individual question. But it would come at the cost of a reduction in civilian control of the military.

#### Turns heg

Owens 12

Mackubin Thomas Owens, professor of national security affairs in the National Security Affairs Department of the Naval War College, Spring 2012, WHAT MILITARY OFFICERS NEED TO KNOW ABOUT CIVIL-MILITARY RELATIONS, http://www.usnwc.edu/getattachment/1ef74daf-ebff-4aa4-866e-e1dd201d780e/What-Military-Officers-Need-to-Know-about-Civil-Mi.aspx

CIVILIAN CONTROL INVOLVES NOT ONLY THE EXECUTIVE BRANCH¶ It involves Congress as well. As the constitutional scholar Edward Corwin once famously observed, the Constitution is an “invitation to struggle for the privilege of directing American foreign policy” between Congress and the president.13 But there is a similar tension at work with regard to civil-military relations. Those who neglect the congressional role in American civil-military relations are missing an important element.14¶ The military has two civilian masters, and this has implications for civil-military relations that officers must understand. For instance, while the president and secretary of defense control the military when it comes to the use of force, including strategy and rules of engagement, Congress controls the military directly with regard to force size, equipment, and organization, and indirectly regarding doctrine and personnel. Indeed, Congress is the “force planner” of last resort.¶ The U.S. military accepts civilian control by both Congress and the president but offers advice intended to maintain its own institutional and professional autonomy. On use of force, the military is usually granted a good deal of leeway regarding the terms and conditions for such use.¶ By not dissenting from executive-branch policy, American military officers implicitly agree to support presidential decisions on the budget and the use of force, but they also must recognize an obligation to provide their alternative personal views in response to Congress. However, officers must recognize that Congress exerts its control with less regard for military preferences than for the political considerations of its individual members and committees. Thus congressional control of the military is strongly influenced by political considerations, by what Samuel Huntington called “structural,” or domestic, imperatives as opposed to strategic ones.¶ When the president and Congress are in agreement, the military complies. When the two branches are in disagreement, the military tends to side with the branch that most favors its own views, but never to the point of direct disobedience to orders of the commander in chief. Military officers are obligated to share their views with Congress. Doing so should not be treated as an “end run” undermining civilian control of the military.15¶ THE ABSENCE OF A COUP¶ The absence of a coup does not indicate that civil-military relations are healthy or that civilian control has not eroded. All too often, officers seem to believe that if the United States does not face the prospect of a Latin American– or African-style military coup d’état, all is well in the realm of civil-military relations. But this is a straw man. A number of scholars, including Richard Kohn, Peter Feaver, the late Russell Weigley, Michael Desch, and Eliot Cohen, have argued that although there is no threat of a coup on the part of the military, American civil-military relations have nonetheless deteriorated over the past two decades.16¶ Their concern is that the American military “has grown in influence to the point of being able to impose its own perspective on many policies and decisions,” which manifests itself in “repeated efforts on the part of the armed forces to frustrate or evade civilian authority when that opposition seems likely to preclude outcomes the military dislikes.” The result is an unhealthy civil-military pattern that “could alter the character of American government and undermine national defense.”

#### CMR collapse overwhelms the aff—leads to national collapse

Schulman 12

Mark Shulman, Assistant Dean for Graduate Programs and International Affairs and an Adjunct Professor of Law, Pace University School of Law, January 2012, SUPPORT AND DEFEND: CIVIL-MILITARY RELATIONS IN THE AGE OF OBAMA, 35 Fordham Int'l L.J. 409

This Article starts out by explaining why robust civil-military relations matter. Without meaningful and reliable civilian control of the military, governments lose some measure of control over the destiny of their nation. In extreme circumstances it can even lead an overthrow of government. Part I discusses A More Perfect Military: How the Constitution Can Make Our Military Stronger by law professor Diane Mazur, a new book that examines recent civil-military relations in the United States. Her carefully constructed work maintains that since the Vietnam era, the United States Supreme Court has hewn the armed forces from general society in order to create a separate--and more socially conservative--sphere. Part II discusses The Decline and Fall of the American Republic by constitutional scholar Bruce Ackerman, a wise and wide-ranging book that argues that the nation's polity is in decline and that the increasingly politicized armed forces may ultimately lead to a coup. Part III asks where we go from here. The important books under discussion attribute a thinning of the civilian control over the military to legal and political decisions made over the past thirty years. They explain some of the most critical implications of this transformation and they offer sensible proposals about how to improve that critical relationship for the sake of enhancing the effectiveness of our armed forces and the vitality of our republic. But, neither work examines the evolving nature of great power politics since the end of the Cold War, the effects new technologies have on long-standing distinctions and borders, or the relative rise of nonstate actors including Al Qaeda--three sets of exogenous factors that inevitably drive changes in the civil-military relationship. So in the end, these books point to a more ambitious enterprise, reexamining the relationship between force and twenty-first century society.¶ The remarkable events of the Arab Spring in 2011 illuminate important truths about the nature of governments and governance. Most notably, in order to rule, civilian leadership must exercise consistent and reliable control over the state's security apparatus. In the case of repressive regimes, stability may not be normatively desirable, but it remains significant nonetheless. Without the ability to control the army, almost any regime will fall. This lesson may seem obvious or axiomatic, but it bears repeating and illustrating. The Tunisian military's refusal to support the long-standing regime in the face of a popular uprising condemned President Zine El Abidine [\*412] Ben Ali to a rapid fall from power. n4 Shortly thereafter, the world watched anxiously to see whether the Egyptian military would remain loyal to the regime of President Hosni Mubarak or shift the balance of power to the protesters crowding Cairo's Tahrir Square. Much like their counterparts in Tunisia, the Egyptian military tried to play the role of an honest broker, effectively denying support to the president and thus ensuring the protesters the space in which to give effect to their revolution. n5 Months after Mubarak fled Cairo, the military continues to exercise power, running the interim government. n6 In contrast, the armed forces of Bahrain and Syria have thus far remained mostly obedient to their governments, which in turn have, to date, survived. n7 The case of Libya illustrates a third way. The Libyan military split on supporting the regime of Muammar Muhammad el-Qaddafi, resulting in a bitter and protracted civil war. n8 In every instance where the military has fully supported the government, the government survived. Where the military turned against the national leadership, the governments fell. And where the military has vacillated, violent conflict and political indeterminacy ensued.¶ These examples demonstrate several elemental points. Civilian control of the military is not necessarily binary. When a nation's armed forces take orders from the civilian leadership, the government has a good chance of retaining power. When the military is not absolutely obedient, the regime's ability to govern is significantly diminished. When the military defects, a change in leadership invariably results. The events of the Arab Spring offer a timely and poignant reminder of a role that armed forces play in the life and death of a state--a role generally downplayed, but nevertheless very real in the United States. When the government does not exercise a monopoly on the use of large-scale violence, the regime's effectiveness and longevity becomes less certain. This lesson might seem self-evident, but it is worth spelling out because of its momentous implications.

#### Nuclear war

Pinkerton 3

(Fellow @ New America Foundation, http://www.techcentralstation.com/1051/defensewrapper.jsp?PID=1051-350&CID=1051-020403A)

Historically, the only way that the slow bureaucratic creep of government is reversed is through revolution or war. And that could happen. But there's a problem: the next American revolution won't be fought with muskets. It could well be waged with proliferated wonder-weapons. That is, about the time that American yeopersons decide to resist the encroachment of the United Nations, or the European Union—or the United States government—the level of destructive power in a future conflict could remove the choice expressed by Patrick Henry in his ringing cry, "Give me liberty, or give me death." The next big war could kill everybody, free and unfree alike.

## Norms

### 2NC No Modeling

#### Zero chance of precedent setting – other countries don’t act based on the United States policy

Wright 12

(Robert Wright, finalist for the Pulitzer Prize, former writer and editor at The Atlantic, “The Incoherence of a Drone-Strike Advocate” NOV 14 2012, <http://www.theatlantic.com/international/archive/2012/11/the-incoherence-of-a-drone-strike-advocate/265256/>, KB)

Naureen Shah of Columbia Law School, a guest on the show, had raised the possibility that America is setting a dangerous precedent with drone strikes. If other people start doing what America does--fire drones into nations that house somebody they want dead--couldn't this come back to haunt us? And haunt the whole world? Shouldn't the U.S. be helping to establish a global norm against this sort of thing? Host Warren Olney asked Boot to respond.¶ Boot started out with this observation:¶ I think the precedent setting argument is overblown, because I don't think other countries act based necessarily on what we do and in fact we've seen lots of Americans be killed by acts of terrorism over the last several decades, none of them by drones but they've certainly been killed with car bombs and other means.¶ That's true--no deaths by terrorist drone strike so far. But I think a fairly undeniable premise of the question was that the arsenal of terrorists and other nations may change as time passes. So answering it by reference to their current arsenal isn't very illuminating. In 1945, if I had raised the possibility that the Soviet Union might one day have nuclear weapons, it wouldn't have made sense for you to dismiss that possibility by noting that none of the Soviet bombs dropped during World War II were nuclear, right?¶ As if he was reading my mind, Boot immediately went on to address the prospect of drone technology spreading. Here's what he said:¶ You know, drones are a pretty high tech instrument to employ and they're going to be outside the reach of most terrorist groups and even most countries. But whether we use them or not, the technology is propagating out there. We're seeing Hezbollah operate Iranian supplied drones over Israel, for example, and our giving up our use of drones is not going to prevent Iran or others from using drones on their own. So I wouldn't worry too much about the so called precedent it sets..."

#### No one will follow US lead on drones – especially Russia and China

Boot ‘11

[Max Boot is a leading military historian and foreign-policy analyst. The Jeane J. Kirkpatrick Senior Fellow in National Security Studies at the Council on Foreign Relations in New York, he is the author of the critically acclaimed New York Times bestseller "Invisible Armies: An Epic History of Guerrilla Warfare from Ancient Times to the Present." <http://www.commentarymagazine.com/2011/10/09/drone-arms-race/> ETB]

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.

#### U.S. drone use doesn’t set a precedent, restraint doesn’t solve it, and norms don’t apply to drones at all in the first place

Amitai Etzioni 13, professor of international relations at George Washington University, March/April 2013, “The Great Drone Debate,” Military Review, <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 hardto-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 self constraining 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 causal link between U.S. drone doctrine and other’ countries choices---means can’t set a precedent

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.

#### Social science proves no modeling- US signals are dismissed

Zenko ‘13

[Micah, Council on Foreign Relations Center for Preventive Action Douglas Dillon fellow, "The Signal and the Noise," Foreign Policy, 2-2-13, www.foreignpolicy.com/articles/2013/02/20/the\_signal\_and\_the\_noise, accessed 6-12-13]

Later, Gen. Austin observed of cutting forces from the Middle East: "Once you reduce the presence in the region, you could very well signal the wrong things to our adversaries." Sen. Kelly Ayotte echoed his observation, claiming that President Obama's plan to withdraw 34,000 thousand U.S. troops from Afghanistan within one year "leaves us dangerously low on military personnel...it's going to send a clear signal that America's commitment to Afghanistan is going wobbly." Similarly, during a separate House Armed Services Committee hearing, Deputy Secretary of Defense Ashton Carter ominously warned of the possibility of sequestration: "Perhaps most important, the world is watching. Our friends and allies are watching, potential foes -- all over the world." These routine and unchallenged assertions highlight what is perhaps the most widely agreed-upon conventional wisdom in U.S. foreign and national security policymaking: the inherent power of signaling. This psychological capability rests on two core assumptions: All relevant international audiences can or will accurately interpret the signals conveyed, and upon correctly comprehending this signal, these audiences will act as intended by U.S. policymakers. Many policymakers and pundits fundamentally believe that the Pentagon is an omni-directional radar that uniformly transmits signals via presidential declarations, defense spending levels, visits with defense ministers, or troop deployments to receptive antennas. A bit of digging, however, exposes cracks in the premises underlying signaling theories. There is a half-century of social science research demonstrating the cultural and cognitive biases that make communication difficult between two humans. Why would this be any different between two states, or between a state and non-state actor? Unlike foreign policy signaling in the context of disputes or escalating crises -- of which there is an extensive body of research into types and effectiveness -- policymakers' claims about signaling are merely made in a peacetime vacuum. These signals are never articulated with a precision that could be tested or falsified, and thus policymakers cannot be judged misleading or wrong. Paired with the faith in signaling is the assumption that policymakers can read the minds of potential or actual friends and adversaries. During the cycle of congressional hearings this spring, you can rest assured that elected representatives and expert witnesses will claim to know what the Iranian supreme leader thinks, how "the Taliban" perceives White House pronouncements about Afghanistan, or how allies in East Asia will react to sequestration. This self-assuredness is referred to as the illusion of transparency by psychologists, or how "people overestimate others' ability to know them, and...also overestimate their ability to know others." Policymakers also conceive of signaling as a one-way transmission: something that the United States does and others absorb. You rarely read or hear critical thinking from U.S. policymakers about how to interpret the signals from others states. Moreover, since U.S. officials correctly downplay the attention-seeking actions of adversaries -- such as Iran's near-weekly pronouncement of inventing a new drone or missile -- wouldn't it be safer to assume that the majority of U.S. signals are similarly dismissed? During my encounters with foreign officials, few take U.S. government pronouncements seriously, and instead assume they are made to appease domestic audiences.

### 2NC China No Use Drones

#### China is empirically cautious in its use of force to resolve territorial disputes

Erickson and Strange 5-29

Erickson, associate professor at the Naval War College and Associate in Research at Harvard University's Fairbank Centre, and Strange, researcher at the Naval War College's China Maritime Studies Institute and graduate student at Zhejiang University, 5-29-13 (Andrew and Austin, China has drones. Now how will it use them? Foreign Affairs, McClatchy-Tribune, 29 May 2013, http://www.nationmultimedia.com/opinion/China-has-drones-Now-how-will-it-use-them-30207095.html, da 8-3-13) PC

The restrictive position that Beijing takes on sovereignty in international forums will further constrain its use of drones. China is not likely to publicly deploy drones for precision strikes or in other military assignments without first having been granted a credible mandate to do so. The gold standard of such an authorisation is a resolution passed by the UN Security Council, the stamp of approval that has permitted Chinese humanitarian interventions in Africa and anti-piracy operations in the Gulf of Aden. China might consider using drones abroad with some sort of regional authorisation, such as a country giving Beijing explicit permission to launch a drone strike within its territory. But even with the endorsement of the international community or specific states, China would have to weigh any benefits of a drone strike abroad against the potential for mishaps and perceptions that it was infringing on other countries' sovereignty - something Beijing regularly decries when others do it.

## Afghan

### Nato

1NC cards says NATO proved utterly useless when we traded off with NATO to take over Libya

#### Nato totally useless.

Kaplan ‘5

([Robert D. Kaplan](http://www.theatlantic.com/robert-d-kaplan/) “How We Would Fight China” The Atlantic Monthly, June <http://www.theatlantic.com/magazine/archive/2005/06/how-we-would-fight-china/3959/>)

The first thing to understand is that the alliance system of the latter half of the twentieth century is dead. Warfare by committee, as practiced by NATO, has simply become too cumbersome in an age that requires light and lethal strikes. During the fighting in Kosovo in 1999 (a limited air campaign against a toothless enemy during a time of Euro-American harmony; a campaign, in other words, that should have been easy to prosecute) dramatic fissures appeared in the then-nineteen-member NATO alliance. The organization's end effectively came with the U.S. invasion of Afghanistan, in the aftermath of which, despite talk of a broad-based coalition, European militaries have usually done little more than patrol and move into areas already pacified by U.S. soldiers and Marines—a job more suggestive of the United Nations. NATO today is a medium for the expansion of bilateral training missions between the United States and formerly communist countries and republics: the Marines in Bulgaria and Romania, the Navy in Albania, the Army in Poland and the Czech Republic, Special Operations Forces in Georgia—the list goes on and on. Much of NATO has become a farm system for the major-league U.S. military.

### Caucusus

Gresh ’12

Countires will work togethetr Afghanistan, Russia and China increase military presence, Russia and China don’t want regional instabuility so they will do all they can to prevent it

#### No escalation—great powers don’t want it

**Kucera 10**—regular contributor to U.S. News and World Report, Slate and EurasiaNet (Joshua, Central Asia Security Vacuum, 16 June 2010, http://the-diplomat.com/2010/06/16/central-asia%E2%80%99s-security-vacuum/)

Note – CSTO = Collective Security Treaty Organization

Yet when brutal violence broke out in one of the CSTO member countries, Kyrgyzstan, just days later, the group didn’t respond rapidly at all. Kyrgyzstan’s interim president, Roza Otunbayeva, even asked Russia to intervene, but Russian President Dmitry Medvedev responded that Russians would only do so under the auspices of the CSTO. And nearly a week after the start of the violence—which some estimate has killed more than 1000 people and threatens to tear the country apart—the CSTO has still not gotten involved, but says it is ‘considering’ intervening. ‘We did not rule out the use of any means which are in the CSTO’s potential, and the use of which is possible regardless of the development of the situation in Kyrgyzstan,’ Russian National Security Chief Nikolai Patrushev said Monday. On June 10-11, another regional security group, the Shanghai Cooperation Organisation, held its annual summit in Tashkent, Uzbekistan. The SCO has similar collective security aims as the CSTO, and includes Russia, China and most of the Central Asian republics, including Kyrgyzstan. But despite the violence that was going on even as the SCO countries’ presidents met in Uzbekistan, that group also didn’t involve itself in the conflict, and made only a tepid statement calling for calm. Civil society groups in Kyrgyzstan and Uzbekistan (much of the violence is directed toward ethnic Uzbeks in Kyrgyzstan, and the centre of the violence, the city of Osh, is right on the border of Uzbekistan) called on the United Nations to intervene. And Otunbayeva said she didn’t ask the US for help. Even Uzbekistan, which many in Kyrgyzstan and elsewhere feared might try to intervene on behalf of ethnic Uzbeks, has instead opted to stay out of the fray, and issued a statement blaming outsiders for ‘provoking’ the brutal violence. The violence has exposed a security vacuum in Central Asia that no one appears interested in filling. In spite of all of the armchair geopoliticians who have declared that a ‘new Great Game’ is on in Central Asia, the major powers seem distinctly reluctant to expand their spheres of influence there. Why? It’s possible that, amid a tentative US-Russia rapprochement and an apparent pro-Western turn in Russian foreign policy, neither side wants to antagonize the other. The United States, obviously, also is overextended in Iraq and Afghanistan and has little interest in getting in the middle of an ethnic conflict in Kyrgyzstan. It’s possible that the CSTO Rapid Reaction Force isn’t ready for a serious intervention as would be required in Kyrgyzstan. (It’s also possible that Russia’s reluctance is merely a demure gesture to ensure that they don’t seem too eager to get involved; only time will tell.)

#### No war—lesson learning and tension management

Irina **Zviagel'skaia**, leading research fellow at the Institute of Oriental Studies, the Russian Academy of Sciences, Moscow, June **2005**. “Russia and Central Asia: Problems of Security,” Central Asia at the End of the Transition, ed. Boris Rumer, <http://books.google.com/books?id=cnXVyW1QIIYC&pg=PA86&lpg=PA86&dq=%22central+asia%22+numerous+challenges+stability&source=web&ots=-3Uve6KFdU&sig=62TKLdSLAgBp6rszCPvbUBtjjVY&hl=en#PPR5,M1>.

Notwithstanding these numerous challenges, in general the countries of Central Asia have demonstrated stability in the course of their existence as independent states. This region, in contrast to the Caucasus, has not witnessed armed conflicts between states, or wars driven by separatist or irredentist movements. To be sure, such movements do in fact exist, and interethnic tensions are constantly felt. The exception, as already noted, is Tajikistan, where a civil war unfolded in the early 1990s. However, it was precisely the **lessons** of Tajikistan that **have been learned** by the regimes in other states. Nowhere else has a single leader permitted the creation of organized opposition. Although differing in the degree of harshness used to repress political opponents, these former leaders of the Communist Party of the Soviet Union are well versed in political-bureaucratic games and have demonstrated a high level of survivability.

### China

#### No escalation—no vital interests for great power war in Central Asia.

Weitz ‘6

Richard Weitz, senior fellow and associate director of the Center for Future Security Strategies at the Hudson Institute, Summer 2006. The Washington Quarterly, lexis.

Central Asian security affairs have become much more complex than during the original nineteenth-century great game between czarist Russia and the United Kingdom. At that time, these two governments could largely dominate local affairs, but today a variety of influential actors are involved in the region. The early 1990s witnessed a vigorous competition between Turkey and Iran for influence in Central Asia. More recently, India and Pakistan have pursued a mixture of cooperative and competitive policies in the region that have influenced and been affected by their broader relationship. The now independent Central Asian countries also invariably affect the region's international relations as they seek to maneuver among the major powers without compromising their newfound autonomy. Although Russia, China, and the United States substantially affect regional security issues, they cannot dictate outcomes the way imperial governments frequently did a century ago. Concerns about a renewed great game are thus exaggerated. The contest for influence in the region does notdirectly challenge the vital national interests of China, Russia, or the United States, the most important extraregional countries in Central Asian security affairs. Unless restrained, however, competitive pressures risk impeding opportunities for beneficial cooperation among these countries. The three external great powers have incentives to compete for local allies, energy resources, and military advantage, but they also share substantial interests, especially in reducing terrorism and drug trafficking. If properly aligned, the major multilateral security organizations active in Central Asia could provide opportunities for cooperative diplomacy in a region where bilateral ties traditionally have predominated.

# 1NR

## CP

### 2NC Agent CP’s Good

#### 1 – Education – core topic education is not whether to restrict, but who does it – discussing implementation is key

Elmore 80

Prof. Public Affairs at University of Washington, PolySci Quarterly 79-80, p. 605, 1980

The emergence of implementation as a subject for policy analysis coincides closely with the discovery by policy analysts that decisions are not self-executing. Analysis of policy choices matter very little if the mechanism for implementing those choices is poorly understood in answering the question, "What percentage of the work of achieving a desired governmental action is done when the preferred analytic alternative has been identified?" Allison estimated that in the normal case, it was about 10 percent, leaving the remaining 90 percent in the realm of implementation.

#### 3 – Predictable – 1nc evidence proves - XOs are a core part of pres powers lit

Rudalevige ‘12

[Rudalevige, A. (March 2012). The contemporary presidency: executive orders and presidential unilateralism.  Presidential Studies Quarterly, 42, 1. p.138(23). ETB]

In the last decade or so, students of the American presidency have renewed their interest in the formal authorities and unilateral possibilities of presidential power, driven both by methodological logic and by events. On the theoretic side, scholars working within the broad framework of the "new institutionalism," especially its rational choice variant, have made a case that the formal, legal, and organizational aspects of the presidency--and the incentives and constraints for presidential behavior these implied--had been too long neglected in favor of impressionistic accounts of the "personal presidency." A focus on the formal powers that underlay the presidential office, and the way these could be used to enhance an incumbent's influence, was needed to fill that gap (e.g., Howell 2003; Kelley 2007; Moe 1985, 1993; Moe and Howell 1999). After all, as Kenneth Mayer argued (2001, 11), "in most cases, presidents retain a broad capacity to take significant action on their own, action that is meaningful both in substantive policy terms and in the sense of protecting and furthering the president's political and strategic interests."¶ The assertive--even "imperial"--stance taken by recent presidents provided empirical grist for this mill. President George W. Bush was particularly notable in acting aggressively to expand his office's powers vis-a-vis other political actors (Cooper 2002; Goldsmith 2007; Rudalevige 2005, 2010; Savage 2007). Redressing the perceived constriction of the presidential office after the Watergate/Vietnam years provided a new rationale for unilateral command--even before the terrorist attacks of September 11, 2001. Barack Obama, while disavowing some of his predecessor's rationales, has acted in a similar manner in a number of areas. The assassination of American citizens acting with al-Qaeda in Yemen; the evasion of the War Powers Resolution in Libya; the use of the state secrets act in fending off judicial inquiry--all these suggest a continuing approach to presidential authority that overrides shifts in the incumbent's personality.¶ From either direction, the upshot has been important recent work on a presidential administrative toolkit that includes appointments (Lewis 2008), signing statements (Evans 2011; Kelley and Marshall 2010; Korzi 2011), executive agreements (Krutz and Peake 2009), proclamations (Rottinghaus and Bailey 2010; Rottinghaus and Maier 2007), rulemaking and guidance (Graham 2010; Kerwin and Furlong 2010), and especially executive orders (Gibson 2009; Howell 2003; Mayer 1999, 2001; Rodrigues 2007; Warber 2006; Wigton 1996). Indeed, at this point it is safe to say that a standard textbook in the field could not--as it did even after Watergate--exclude "executive orders" and "signing statements" from the index (Koenig 1975). The study of the contemporary presidency thus requires serious attention to that office's executive authority.

#### 4. Reject the arg, not the team

### 2NC AT: Links To Politics

## DA

### 2NC Overview

#### Probability – terrorism is the only risk for extinction – state-on-state war is largely obsolete

Hooker 12

[Colonel Richard D. Hooker, Jr., commands the XVIII Airborne Corps Combat ¶ Support Brigade (“Dragon Brigade”) now deployed to Iraq. He commanded an infantry battalion in the 82d Airborne Division and has served as Special Assistant to the ¶ Chairman of the Joint Chiefs, with the Office of the Chief of Staff of the Army, as Aide ¶ de Camp to the Secretary of the Army, and with the National Security Council. Colonel ¶ Hooker holds an M.S. in national security studies from the National Defense University ¶ and M.A. and Ph.D. degrees from the University of Virginia in international relations Winter 2011-12 “Beyond Vom Kriege: The Character and Conduct of Modern War” Strategic Studies Institute http://strategicstudiesinstitute.army.mil/pubs/parameters/Articles/2011winter/Hooker2.pdf]

Modern war, at least as practiced in the West, trades on American and ¶ European technology and wealth, not on manpower and ideology. Western militaries are typically small, professional organizations officered by the middle ¶ class and filled by working-class volunteers. Their wars are universally “out ¶ of area”—that is, not fought in direct defense of national borders—placing a ¶ premium on short, sharp campaigns won with relatively few casualties. Although ¶ land forces remain indispensable, whenever possible Western militaries fight ¶ at a distance using standoff precision weapons, whose accuracy and lethality make it difficult or impossible for less-sophisticated adversaries to fight ¶ conventionally with any chance of success. Increasingly, the West’s advantage ¶ in rapid data transmission on the battlefield is changing how American and ¶ European militaries wage war, as control and use of information assumes decisive importance. ¶ The qualitative gap between the armed forces of the West and their ¶ likely opponents is not likely to narrow for the foreseeable future. In this sense ¶ the West’s absolute military advantage, arguably in force since the Battle of ¶ Lepanto in 1571, is likely to persist for generations. Although challengers may ¶ pursue niche technologies like anti-ship weapons, theater ballistic or cruise ¶ missiles, or computer attack systems, their inability to match the capital expenditures and technological sophistication of the United States and its NATO ¶ allies will make military parity highly doubtful, even when they act in coalitions. Nor will nuclear weapons change this calculus. While the small nuclear ¶ arsenals of potential adversary states may yield some deterrent benefits, their ¶ offensive use as weapons of war (as distinct from their use in terrorism) is ¶ doubtful given the vastly more capable nuclear forces belonging to the United ¶ States, Britain, and France. ¶ This gap in economic and technological capacity suggests other ¶ approaches for weaker adversaries. Here there is real danger. A quick look at ¶ the protracted insurgencies of the past one hundred years is not encouraging. In ¶ China, Vietnam, and Algeria, the West or its surrogates struggled for decades ¶ and lost. Russia is experiencing the same agony in Chechnya. Even Western ¶ “successes” in Nicaragua, El Salvador, Malaysia, and Aden proved painful and ¶ debilitating.¶ 14¶ The ability of Western democracies to sustain major military ¶ ventures over time, particularly in the face of casualties suffered for less than ¶ truly vital stakes, represents a real vulnerability. The sheer cost of maintaining ¶ large fighting forces in action at great distances from the homeland is a liability ¶ that can be exploited by opponents able to tie down Western forces in extended ¶ conflicts. ¶ The costs of waging long, drawn-out conflicts will be counted in more ¶ than dollars and lives. By a curious logic, the loss of many Americans in a single ¶ event or short campaign is less harmful to our political and military institutions ¶ than the steady drain of casualties over time. By necessity, the military adapts ¶ to the narrower exigencies of the moment, focusing on the immediate fight, ¶ at some cost to the future investment, professional growth, and broader warfighting competencies which can be vital in other potential conflicts of greater ¶ import. A subsidiary effect is loss of confidence in the military as an institution ¶ when it is engaged in protracted operations involving mounting losses without ¶ apparent progress. It is too soon to tell if ongoing military operations in Iraq ¶ and Afghanistan will yield timely and fruitful results. But if they do not, the ¶ long-term effect on the health of the American military could and probably will ¶ be damaging. ¶ The experience of the Vietnam conflict, while not an exact fit, suggests ¶ that very long and enervating campaigns, fought for less than truly vital objectives, delay necessary modernization, absorb military resources earmarked for ¶ other, more dangerous contingencies, drive long-service professionals out of ¶ the force, and make it harder to recruit qualified personnel. These direct effects ¶ may then be mirrored more indirectly in declining popular support, more ¶ strident domestic political conflict, damage to alliances and mutual security ¶ arrangements, and economic dislocation. These factors will fall more heavily ¶ on ground forces, since air and naval forces typically spend less time deployed ¶ in the combat theater between rotations, suffer fewer losses, and retain career ¶ personnel in higher numbers. ¶ Viewed as a case study in the application of Clausewitzian thought, ¶ current military operations offer a vivid contrast to the wars fought in ¶ Afghanistan in 2001-02 and in Iraq in the spring of 2003. There, coalition ¶ military power could be directed against organized military forces operating ¶ under the control of regularly constituted political entities. Political objectives ¶ could be readily translated into military tasks directed against functioning ¶ state structures (“destroy the Taliban and deny al Qaeda refuge in Afghanistan; ¶ destroy the Iraqi military and topple Saddam’s regime”). ¶ In the aftermath, the focus shifted to nation-building, a more amorphous and ambiguous undertaking with fuzzier military tasks. In Iraq, for ¶ example, there is no central locus of decisionmaking power against which ¶ military force can be applied. Large-scale combat operations are rare, and military force, while a key supporting effort, is focused on stabilizing conditions ¶ so that the main effort of political reconciliation and economic reconstruction ¶ can proceed. Resistance appears to be local and fragmented, directed by a loose ¶ collection of Sunni Baathist remnants, Shia religious zealots, foreign jihadists, ¶ and, increasingly, local tribal fighters seeking revenge for the incidental deaths ¶ of family and tribal members. Access to military supplies and to new recruits is ¶ enabled both by neighboring powers like Iran and Syria and by local religious ¶ and cultural sentiment. ¶ In many ways the military problem in Iraq is harder today than it was ¶ during major combat operations. Only rarely can we expect to know in advance ¶ our enemy’s intentions, location, and methods. In this sense, seizing and maintaining the initiative, at least tactically, is a difficult challenge. ¶ Clausewitz was well aware of this environment, which he called ¶ “people’s war.” We can be confident that he would be uncomfor table with openended and hard-to-define strategic objectives. However much we may scoff ¶ at classical notions of strategy, with their “unsophisticated” and “unnuanced” ¶ focus on destroying enemy armies, seizing enemy capitals, installing more ¶ pliable regimes, and cowing hostile populations, ignoring them has led to poor ¶ historical results. A close reading of Vom Kriege shows that Clausewitz did ¶ not neglect the nature of the problem so much as he cautioned against ventures ¶ which could not be thoroughly rationalized. Put another way, he recognized ¶ there are limits to the power of any state and that those limits must be carefully ¶ calculated before, and not after, the decision to go to war. ¶ In Iraq, it may well be that American and coalition forces will destroy ¶ a critical mass of insurgents sufficient to collapse large-scale organized resistance, an outcome devoutly to be wished for. But if so, we are in a race against ¶ time. For the American Army and Marine Corps, and for our British and other ¶ coalition partners, the current level of commitment probably does not represent ¶ a sustainable steady state unless the forces available are considerably increased. ¶ If the security situation does not improve to permit major reductions in troop ¶ strength, eventually the strain will tell. At that point, the voting publics of ¶ the coalition partners and their governments may face difficult choices about ¶ whether and how to proceed.¶ 15¶ These choices will be tempered by the knowledge that the homeland ¶ itself has now become a battleground. Open societies with heterogeneous populations make Western states particularly vulnerable to terrorist attack, always ¶ an option open to hostile states or the terrorist groups they harbor. And however ¶ professional, the armies of the West are not driven by religious or ideological zeal. That too can be a weapon—as the Americans and French learned in ¶ Indochina and as we see today in the Middle East. ¶ The foregoing suggests that in future wars the United States and its ¶ Western allies will attempt to fight short, sharp campaigns with superior technology and overwhelming firepower delivered at standoff ranges, hoping to ¶ achieve a decisive military result quickly with few casualties. In contrast to the ¶ industrial or attrition-based strategies of the past, in future wars we will seek ¶ to destroy discrete targets leading to the collapse of key centers of gravity and ¶ overall system failure, rather than annihilating an opponent’s military forces in ¶ the field. Our likely opponents have two options: to inflict high losses early in ¶ a conflict (most probably with weapons of mass destruction, perhaps delivered ¶ unconventionally) in an attempt to turn public opinion against the war; or to ¶ avoid direct military confrontation and draw the conflict out over time, perhaps ¶ in conjunction with terrorist attacks delivered against the homeland, to drain ¶ away American and European resolve. ¶ In either case our enemies will not attempt to mirror our strengths and ¶ capabilities. Our airplanes and warships will not fight like systems, as in the ¶ past, but instead will serve as weapon platforms, either manned or unmanned, ¶ to deliver precision strikes against land targets. Those targets will increasingly ¶ be found under ground or in large urban areas, intermixed with civilian populations and cultural sites that hinder the use of standoff weapons.

#### Status quo solves their impacts – the taboo checks nuclear conflict but a terrorist attack breaks it

Gizewski 1996

(Peter, Senior Associate, Peace and Conflict Studies Programme, University of Toronto, International Journal, Summer, p. 419)

Recognizing that the prohibitionary norm is no cure-all for future nuclear dangers should not obscure the large contribution it has made to international security. From its earliest days, the general impact of the taboo has been overwhelmingly positive, and the long tradition of nuclear abstinence owes much to its existence and to the allegiance it has increasingly commanded. Emerging gradually, at times in the face of considerable challenge, and in part by good fortune, it has stigmatized the use of nuclear weapons, rendering them increasingly illegitimate and unusable instruments of statecraft in the eyes of the vast majority of states in the international system. While largely tacit, informal, and owing much to force of habit, its existence now forms a barrier to the use of nuclear weapons which in some respects is no less valuable than the Non-Proliferation Treaty itself. Whether the taboo will continue to command the allegiance it has in the past is less clear. Given emerging international realities, it may well be that the norm is fast entering the period of its greatest importance and its most serious challenge. Efforts to preserve and extend it – both in the West and to other cultures – are necessary and essential to international security. In their absence, not only could the norm suffer, but the long nuclear peace which has blessed the globe for over five decades may come to an abrupt and tragic end.

#### Turns case ---

#### Congress will give Obama unfettered power due to concerns of an attack

Brooks 13

(Rosa Brooks, “Mission Creep in the War on Terror” March 14, 2013, <http://www.foreignpolicy.com/articles/2013/03/14/mission_creep_in_the_war_on_terror>, KB)

AUMF or no AUMF, if the United States finds credible evidence of an imminent and grave terrorist attack -- of the 9/11 variety -- no one's going to give the president a hard time if he kills the bad guys before they have a chance to attack us. And trust me: If the president has solid evidence of such an impending attack, it won't matter if the terrorists are an al Qaeda offshoot or a rogue group of Canadian girl scouts.¶ And if, despite our best efforts at prevention, another serious terrorist attack occurs in the future, Congress will undoubtedly be quick to give the president any additional authorities he needs -- with the same speed with which Congress passed its 2001 authorization to use force.¶ In the end, it's not that complicated. If we can't shoehorn drone strikes against every "associate of an associate" of al Qaeda into the 2001 AUMF, we should stop trying to stretch or change the law. Instead, we should scale back the targeted killings.¶ It's past time for a serious overhaul of U.S. counterterrorism strategy. This needs to include a rigorous cost-benefit analysis of U.S. drone strikes, one that takes into account issues both of domestic legality and international legitimacy, and evaluates the impact of targeted killings on regional stability, terrorist recruiting, extremist sentiment, and the future behavior of powerful states such as Russia and China. If we undertake such a rigorous cost-benefit analysis, I suspect we'll come to see scaling back drone strikes less as an inconvenience than as a strategic necessity -- and we may come to a new appreciation of counterterrorism measures that don't involve missiles raining from the sky.¶ This doesn't mean we should never use armed drones -- drones, like any other weapons-delivery mechanism, will at times be justifiable and useful. But it does mean we should rediscover a long-standing American tradition: reserving the use of exceptional authorities for rare and exceptional circumstances.

### 2NC Afghanistan Impact

#### Targeted killings are key to Afghan stability post-withdrawal

Byman 13

Daniel Byman 13, 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, July/August 2013, “Why Drones Work,” Foreign Affairs, Vol. 92, No. 4

In places where terrorists are actively plotting against the United States, however, drones give Washington the ability to limit its military commitments abroad while keeping Americans safe. Afghanistan, for example, could again become a Taliban-run haven for terrorists after U.S. forces depart next year. Drones can greatly reduce the risk of this happening. Hovering in the skies above, they can keep Taliban leaders on the run and hinder al Qaeda's ability to plot another 9/11.

### 2NR Zones of Conflict Link – Turns Yemen/Pakistan

#### Turns Yemen/Pakistan --- Judicial review would eliminate targeted killing authority outside of declared war zones and drastically narrow the standard of combatants’ participation in hostilities---it’s unique because the executive hasn’t been forced to litigate the policy in any court

Haijar 12

Lisa Hajjar 12, professor of sociology at the University of California -- Santa Barbara, 8/9/12, “Litigating the New Frontier in the War on Terror,” <http://www.jadaliyya.com/pages/index/6801/litigating-the-new-frontier-in-the-war-on-terror>

Now CCR and the ACLU are pioneering into the new frontier, the US targeted killing policy, which has escalated dramatically since Barack Obama took office in 2009. In July, the two organizations filed a lawsuit against Defense Secretary Leon Panetta, CIA Director David Petraeus, and two commanders of the Joint Special Operations Command (JSOC). Although thousands have been killed by drones and targeted raids, the grease that opens the courtroom door in this case is the American citizenship status of three of the dead: Anwar al-Awlaki, Samir Khan, and Abdulrahman al-Awlaki. ¶ This lawsuit is pioneering because it is the first challenge in a US court to the legality of the consequences of the targeted killing policy. It is not the first case, however. After the Washington Post reported in January 2010 that Anwar al-Awlaki had been put on the Obama administration’s “kill list,” his father Nasser, with the ACLU and CCR, brought a lawsuit challenging the legality of executive authorization for extrajudicial execution of a citizen. That case was dismissed when the court ruled that the senior al-Awlaki lacked standing because the government had no plans to kill him. ¶ Now that Anwar al-Awlaki, his 16-year-old son Abdulrahman and Khan are dead, there is a different kind of case to be made. The plaintiffs are Nasser al-Awlaki and Sarah Khan, mother of Samir. The complaint charges the defendants with violating the Fourth and Fifth Amendments of the Constitution by authorizing attacks that killed three citizens. Everyone in the US, regardless of citizenship status, is covered by the Constitution. But beyond the shores, only citizens have constitutional rights not to be deprived of life without due process of law. Or at least that is a right the lawsuit aims to demonstrate by pursuing consequences for those responsible for its violation. ¶ Of the three dead citizens, only Anwar al-Awlaki was targeted on purpose. Khan had the misfortune of being with him on 30 September 2011 when the jointly operated CIA-JSOC drone struck. Why Abdulrahman was killed in an attack two weeks later remains shrouded in secrecy, like the policy in general. ¶ Anwar al-Awlaki was accused by the government of being a leader of al-Qaeda in the Arabian Peninsula and waging war on the US. The authorization to kill him had been varnished with a legal opinion written in 2010 by lawyers in the Justice Department’s Office of Legal Counsel, the same office that, under the previous administration, had provided legal cover for the use of torture. Although the Obama administration has resolutely refused to declassify that opinion, thus depriving the public of a fuller understanding of the legal rationales for the targeted killing of citizens, its contents were leaked to the New York Times in October of last year. (In a separate case, the ACLU along with the New York Times is suing the government under FOIA to release that document and other information about the targeting of citizens.) ¶ The ACLU and CCR are making a case with broad implications for executive discretion and the legality and limits of the use of lethal force. Citing the killing of Anwar al-Awlaki specifically, the complaint challenges the drone war in Yemen more broadly on the grounds that the US “was not engaged in an armed conflict with or within” that country. That charge has shadowed the targeted killing policy since the first operation—also in Yemen—in 2002, and would have implications for drone warfare in Pakistan, East Africa and other areas where the US is not officially “at war.” But the killing of a citizen on purpose outside a war zone provided the opening to challenge it. The Obama administration, like the Bush administration, relies on the Authorization To Use Military Force, passed by Congress days after the 9/11 terrorist attacks, to assert the prerogative to attack perceived threats wherever they may be. This case would put the powers granted to the president under the AUMF into judicial play in a new way. ¶ The complaint also challenges the government’s interpretation of “direct participation in hostilities.” The blurry and contested meaning of direct participation has gotten a lot of judicial play via habeas challenges to the detention of people in Guantánamo and in the context of charges prosecuted through the military commissions. But this case, in which the allegation of direct participation is coupled with the use of lethal force, elevates the issue to a new level. ¶ The killing of Khan and Abdulrahman, who were not alleged to be participating in hostilities, would bring the issue of “collateral damage” into the courtroom. If the case is goes forward, the government will be forced to answer questions about decision making and operational compliance with international humanitarian law rules on proportionality and distinction. Did the government kill them—and, by implication, other untargeted civilians—by “mistake”? And if so, is the whole clandestine kill process mistake-prone? ¶ So far, the government has not had to answer such questions, at least not in a court of law. To the extent that any answers have been provided about targeted killing in general and the killing of citizens in particular, they have come mostly in the form of leaks from unnamed sources and carefully scripted public remarks by top officials. ¶ The targeted killing policy is the latest incarnation of unfettered executive superpower discretion. The policy has been criticized for violating international law, including from European allies and the UN Special Rapporteur on Extrajudicial, Arbitrary or Summary Executions. Popular opinion in the US, however, runs strongly in favor of this policy; target killing is one of the very few things the Obama administration does that enjoys strong bipartisan support. For this reason, litigation is so important because it is the only available means of challenging the policy, and the killing of three citizens provided the opportunity to do so. ¶ If this case is not dismissed on state secrets grounds, as the government is likely to argue in its response to the complaint which is due in the fall, it will expose a new horizon for litigating the conduct of war. Even if the case is dismissed, CCR and the ACLU deserve commendation for once again pioneering into the murky landscape of the “war on terror” to press for governmental transparency, accountability and adherence to the law.

### Link Framing - Low Link Threshold/Any Constraint

#### The link threshold’s as low as possible---internal executive standards are already as stringent as they can be without compromising mission effectiveness

McNeal 13

Gregory McNeal 13, Associate Professor of Law, Pepperdine University, 3/5/13, “Targeted Killing and Accountability,” <http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1819583>

In Part I we discussed the broad legal and policy determinations that lead to the creation of kill-lists, in Part II we narrowed our focus to the bureaucratic and political vetting of those lists. Now the article turns to the legal and policy considerations that inform the kinetic implementation of the targeted killing policy. When it comes time to eliminate a person on the kill-list, the United States has developed an extensive pre-execution set of policies, doctrine and practices designed to ensure that a target is in fact the person on the kill-list. Similarly, once that target is correctly identified, an elaborate process exists for estimating and mitigating the incidental harm to nearby civilians and civilian objects (so called collateral damage) that might flow from attacking the kill-list target. Discussing the mixture of law and policy applicable to the execution of a targeted killing is critical because in most contemporary operations the policy guidelines, special instructions, and rules of engagement are so restrictive that legal issues will rarely be the determinative factor in a strike.225 Rather, policy instruments will often prohibit attacks against persons that would clearly qualify as lawful targets under the law of armed conflict, and those instructions will place such a low threshold for acceptable collateral damage that attacks are usually prohibited before an operation could ever inflict “excessive” harm to civilians.226 As will be discussed in the end of this Part, where policy instruments differ as to strike authority or “acceptable collateral damage” (e.g strikes in Pakistan versus Afghanistan) we see a difference in the number of reported civilian casualties per strike, suggesting that policy instruments can have a significant impact on the conduct of targeted killings.

#### Internal executive constraints are tight enough that some justified strikes are already precluded---no threshold to reduce them further

Etzioni 13

Amitai Etzioni 13, professor of international relations at George Washington University, March/April 2013, “The Great Drone Debate,” Military Review, <http://usacac.army.mil/CAC2/MilitaryReview/Archives/English/MilitaryReview_20130430_art004.pdf>

The more sensitive the target, (i.e., the more likely that innocent civilians might be involved), the higher in the ranks that approval must be sought, sometimes extending all the way to the president or the director of the CIA. President Obama is reported to personally review the ﬁles of all known terrorists before he approves their inclusion in a hit list.16¶ Michael Scheuer, formerly of the CIA, scoffs at the charge that the review process is not rigorous. He reports that the procedure for nominating individuals for targeted killings is so exhaustive that the CIA often failed to kill those who ought to have been eliminated. Quoted in a 2011 article for Newsweek, Scheuer stated that each nomination, including a short document and “an appendix with supporting information,” was passed along to departmental lawyers, who were “very picky. Often this caused a missed opportunity. The whole idea that people got shot because someone has a hunch—I only wish that was true.”17¶ John Brennan puts together a weekly “potential target list” based on Pentagon recommendations, which his staff then discusses with other agencies (such as the State Department) before making ﬁnal recommendations to the president, according to the Associated Press. It is the president who then makes the ﬁnal decision regarding whether to target someone with a kinetic strike.

#### The threshold for mission interference is low---targeting opportunities turn in matters of minutes

Yoo 12

John Yoo 12, Professor of Law, University of California at Berkeley, School of Law; Visiting Scholar, American Enterprise Institute, 2011/12, “Assassination or Targeted Killings After 9/11,” New York Law School Law Review, <http://www.nylslawreview.com/wordpress/wp-content/uploads/2011/08/Yoo-56-1.pdf>

Satellite imagery, sophisticated electronic surveillance, unmanned drones, and precision-guided munitions allow American intelligence and U.S. military forces to strike enemy targets virtually anywhere in the world at any time. Today, the United States can reach beyond the traditional battlefield. It no longer relies on strategic bombing of the enemy and its support structure. Once U.S. intelligence agents receive information that, for instance, an enemy leader is in a safe house in western Pakistan or in a car in Yemen, they can deploy force in hours, if not minutes, rather than the days or weeks it used to take to plan and execute attacks. These capabilities allow the United States to match the unconventional organization and tactics of al-Qaeda with a surgical response that can target its leaders without the extensive harm to civilians that has characterized previous wars.

#### The plan’s precedent causes further constraint --- undermines overall war powers

Paul 8

Christopher, Senior Social Scientist; Professor, Pardee RAND Graduate School Pittsburgh Office Education Ph.D., M.A., and B.A. in sociology, University of California, Los Angeles, “US Presidential War Powers: Legacy Chains in Military Intervention Decisionmaking\* ,” Journal of Peace Research, Vol. 45, No. 5 (Sep., 2008), pp. 665-679

Finegold & Skocpol (1995: 222) describe policy legacies: Past and present policies are connected in at least three different ways. First, past policies give rise to analogies that affect how public officials think about contemporary policy issues. Second, past policies suggest lessons that help us to understand the processes by which contemporary policies are formulated and implemented and by which the conse quences of contemporary policies will be determined. Third, past policies impose limitations that reduce the range of policy choices available as responses to contemporary problems. All three of the ways in which they connect past policy to present policy can be viewed as changes in the institutional context in which policy is made. These legacies are institutionalized in two different ways: first, through changes in formal rules or procedures, and second, in the 'taken for granteds', 'schemas', and accepted wisdom of policy makers and ordinary citizens alike (Sewell, 1992: 1-29). While a policy or event can leave multiple legacies, it often leaves a single major legacy. For example, the War Powers Resolution for mally changed the relationship between the president and the congress with regard to war-making and the deployment of troops. Subsequent military interventions were influenced by this change and have, in turn, left their own legacy (legal scholars might call it precedent) as a link in that chain. Legacy chains can be modified, trans formed, or reinforced as they step through each 'link' in the chain. As another example, US involvement in Vietnam left a legacy in the sphere of press/military relations which affected the intervention in Grenada in 1983 (the press was completely excluded for the first 48 hours of the operation). The press legacy chain begun in Vietnam also affected the Panama invasion of 1989 (a press pool was activated, in country, but excluded from the action), but the legacy had been trans formed slightly by the Grenada invasion (the press pool system itself grew out of complaint regarding press exclusion in Grenada) (Paul & Kim, 2004). Because of the different ways in which policy legacies are institutionalized, some legacies have unintended institutional cons quences. The War Powers Resolution was intended to curtail presidential war-making powers and return some authority to the con gress. In practice, the joint resolution failed to force presidents to include congressional participation in their intervention decision making, but it had the unintended conse quence of forcing them to change the way they planned interventions to comply with the letter of the law (see the extended ex ample presented later in the article).1

### Link - Resolve

#### Signaling – plan demonstrates lack of U.S. resolve – emboldens challengers

Lambro 5/29/13

Donald, “OBAMA TOO EAGER TO WIND DOWN WAR ON TERRORISM”, <http://www.humanevents.com/2013/05/29/obama-too-eager-to-wind-down-war-on-terrorism/>

But now, under pressure from the drone program’s leftist critics, the administration is preparing **strategic changes in** its **operations**: **narrowing** rules of engagement and curbing the CIA’s enlarged role in **drone war**fare by turning it over to our military forces.¶ The tone of Obama’s address and the changes he wants to implement — which include **closing** the **Guantanamo** Bay military prison — have **triggered a firestorm of** Republican **criticism**.¶ Needless to say, **the** president’s many **GOP** critics **do not agree** with his repeated insistence that **al-Qaida is “on the path to defeat**,” the questionable theme in last week’s national security address.¶ “**We show** this **lack of resolve**, **talking about the war being over**,” said South Carolina Sen. Lindsey Graham, who thinks Obama is **sending a message of weakness** at a time when terrorists have stepped up their plots against us at home and abroad.¶ “**What do you think the Iranians are thinking**? At the end of the day, **this is the most tone-deaf president I ever could imagine**,” Graham said.

### 2NC Solve Terror

#### Prefer our evidence---critics are wrong---drones are highly effective at counter-terror, and don’t cause high civilian casualties or blowback

Young 12

Alex Young 13, Associate Staff, Harvard International Review, 2/25/13, “A Defense of Drones,” Harvard International Review, <http://hir.harvard.edu/a-defense-of-drones>

The War on Terror is no longer a traditional conflict. The diffuse, decentralized nature of terrorist organizations had already made this an unconventional war; now, the use of unmanned aircraft has added another non-traditional layer. Conventional military strategies have failed in Iraq and Afghanistan: the United States has, in many cases, stopped sending people into combat, opting instead for airstrikes by unmanned aerial vehicles. Over the past decade, US military and intelligence agencies have expanded their use of unmanned Predator and Reaper drones; these robotic aircraft are generally used to carry out targeted strikes against known members of terrorist groups. US reliance on drones in Afghanistan, Pakistan, Yemen, and other countries has changed the nature of the war on terror.¶ This strategy is not without controversy. The Obama administration’s heavy use of unmanned drones in the War on Terror has come under fire from a variety of opponents, including human rights groups, think tanks, and even foreign governments. Critics claim that drone strikes cause civilian casualties, incorrectly target only the most prominent leaders of terrorist groups, and create backlash against the US. To hear some tell it, the use of drones exacerbates, rather than solves, the problem of terrorism.¶ The reality is not so bleak: drones are very good at what they do. Unmanned attacks are highly effective when it comes to eliminating specific members of terrorist organizations, disrupting terrorist networks without creating too much collateral damage. Their effectiveness makes drone strikes a vital part of US counterterrorism strategy.¶ Predator and Reaper drones are not the indiscriminate civilian-killers that some make them out to be: strikes are targeted and selective. This has become increasingly true as drone technology has improved, and as the military has learned how best to use them. A confluence of factors has made drone strikes much better at eliminating enemy militants while avoiding civilians: drones now carry warheads that produce smaller blast radiuses, and the missiles carrying those warheads are guided using laser, millimeter-wave, and infrared seekers. The result has been less destructive drone strikes that reach their intended target more reliably. A number of non-technological shifts have also made drones a more useful tool: Peter Bergen, a national security analyst for CNN, summarized on July 13th, 2012 that more careful oversight, a deeper network of local informants, and better coordination between the US and Pakistani intelligence communities have also contributed to better accuracy. Data gathered by the Long War Journal indicates that the civilian casualty rate for 2012 and the beginning of 2013 is only 4.5 percent. Even Pakistani Major General Ghayur Mehmood acknowledges that, “most of the targets [of drone strikes] are hard-core militants.” Imprecise drone strikes that cause many civilian casualties are now a thing of the past. This improved accuracy may also help to mitigate anti-American sentiment that stems from civilian casualties.

#### Targeted killings play irreplaceable functions in counter-terrorism

#### 1 – Leader decapitation - drones are key - militants can’t replace senior leaders

Johnston 13

Patrick B. Johnston 13, Associate Political Scientist, RAND Corporation, and Anoop Sarbahi, postdoctoral scholar in the Department of Political Science at the University of California, Los Angeles, July 2013, “The Impact of U.S. Drone Strikes on Terrorism in Pakistan and Afghanistan,” <http://patrickjohnston.info/materials/drones.pdf>

We expect drone strikes that kill terrorist leaders will be associated with reductions in terrorist attacks. Previous research convincingly demonstrates that conducting effective terrorist attacks requires skilled individuals, many of whom are well-educated and come from upper middle- class backgrounds. 21 Indeed, captured documents containing detailed biographical data on foreign al Qa’ida militants in Iraq illustrate that among the foreign terrorists—who are conventionally known to be more sophisticated than local fighters—their most commonly listed “occupation” prior to arriving in Iraq was that of “student.” For militants for whom information on “experience” was available, “computers” was the most commonly listed experience type, just ahead of “weapons.”22¶ In the context of northwest Pakistan, where militant freedom of movement is limited by the threat of drone strikes, we expect that militant groups will be unable to replace senior leaders killed in drone strikes because recruiting and deploying them, perhaps from a foreign country with a Salafi jihadist base, will be costly and difficult. This is not to say that leaders killed in drone strikes are irreplaceable. On the contrary, other militants are likely to be elevated within their organization to replace them. But we also anticipate that those elevated to replace killed leaders will be, on average, of lower quality to the organization than their predecessors. Thus, we predict that the loss of leaders will be associated with the degradation of terrorists’ ability to produce violence. This logic implies Hypothesis 3:

H3: All else equal, drone strikes that kill one or mor e terrorist leader(s) will lead to a decrease in terrorist violence.

#### Data is on our side

Johnston 13

Patrick B. Johnston 13, Associate Political Scientist, RAND Corporation, and Anoop Sarbahi, postdoctoral scholar in the Department of Political Science at the University of California, Los Angeles, July 2013, “The Impact of U.S. Drone Strikes on Terrorism in Pakistan and Afghanistan,” <http://patrickjohnston.info/materials/drones.pdf>

Given that killing terrorist leaders or HVIs in terrorist organizations is the purpose of drone strikes, we evaluate whether patterns of militant attacks differ following strikes in which a militant leader was killed. Table 3 provides tests of Hypotheses 3 and 4 against the four metrics of militant violence examined here using the same 2FESL specifications as in table 2. The results are largely consistent with Hypothesis 3—that killing militant leaders is associated with decreased violence. There is little support for Hypothesis 4, that killing HVIs has counterproductive effects on violence. Controlling for the number of drone strikes per agency-week, the first column of table 3 shows that drone strikes that kill a HVI are associated with reductions in the number of militant incidents that occur. This result is statistically significant at the one-percent level. There is, however, weaker evidence that HVI removals reduce militant lethality and IED attacks.45¶ Overall, the evidence is somewhat consistent with the argument that individuals matter for a terrorist organization’s ability to produce violence at sustained rates. Along with other evidence from macro-level studies of leadership decapitation, the present results suggest that critics who argue against the efficacy of removing key figures may be overemphasizing the extent to which such individuals can be readily replaced.46

#### 2 – Resolve - Drones are key to effective power projection and demonstrations of resolve - both are key to global counter-terrorism

Hazelton 13

Jacqueline L. Hazelton 13, visiting professor in the University of Rochester Department of Political Science and was previously a research fellow at the Belfer Center, Harvard Kennedy School, Winter-Spring 2013, “Drones: What Are They Good For?,” Parameters, Vol. 42.4/43.1

Drones, like other air and sea platforms, are a form of power projection. They give the United States the ability to mount tactical assaults without necessarily putting US personnel directly in harm’s way, potentially evoking domestic opposition. They also allow the United States to avoid putting its forces in foreign territory, potentially eliciting a nationalistic response. Drones are similar to Special Forces in their direct targeting ability, but they can reach remote locations and, again, do not place US troops directly in peril. Nevertheless, drone strikes do require cooperation by individuals and states on the ground. The United States needs, for example, basing rights, agreements to host launch and recovery personnel and search-and-rescue teams, and overflight permissions.7¶ A significant concern raised in the public debate is that drones make killing too easy. This is a critical issue that connects to questions about US grand strategy and whether drones encourage imperial overreach.8 But because the United States uses a variety of tools to conduct targeted killings—from the Special Forces raid on Osama bin Laden’s Pakistani compound to the missile strike on Dora Farms, where Saddam Hussein and his sons were believed to be sheltering early in the Iraq War—I suggest there is more to gain analytically by first focusing on understanding the tactic, that is, what targeted killing may and may not achieve as a foreign policy tool, then addressing concerns specific to the platform.9¶ The second core question pertains to the strategic utility of drone strikes for a state. What political goals can drone strikes achieve? In considering this question, I use a theoretical prism that identifies the fundamental political goals of the state’s use of force to defend, deter, compel, and, sometimes, swagger.10¶ It is possible to consider targeted killings, specifically those conducted by drones, as an element in a defensive strategy. This strategy would be intended to ward off attack and reduce possible damage by killing leaders and facilitators plotting violence against the United States, and disrupting their operations. It is also possible to argue targeted killings deter future attacks by denying armed groups the capability to conduct those attacks, and punishing those planning violence against the United States and its interests. The deterrence-by-denial argument requires consideration not only of targeted killings but also drone strikes to directly degrade targeted groups’ capabilities in other ways (e.g., cause equipment and supply shortages, operational and strategic paralysis, and disruption of operations). ¶ Drone strikes in this analysis might also deter cooperation with a group based on fear or doubt about the group’s likely success.11 It is harder to argue that targeted killings might exercise a compelling effect by threatening greater pain if the targeted organization does not change its behavior.12 Successful compellence requires displaying to the adversary the will and capability to cause terrible pain if the adversary does not change its behavior. The ethical and legal context of drone use by the United States make it unlikely at first glance that policymakers would choose to use drone strikes to cause pain to an adversary by deliberately targeting innocents. In terms of causing pain to the adversary directly, the death or threat of death to a plotter is an organization’s cost of doing business, not a taste of suffering to come if it does not change its behavior.13¶ There are several other possible strategic effects of drone strikes. Swaggering, here displaying US military power and its seemingly effortless global reach, arguably demonstrates resolve, a quality that has been underlined as an element of US counterterrorism policy.14 Drone strikes can also be seen as the straightforward use of brute force to destroy those who would threaten the United States or its allies.15 In addition, they are an alliance tool supporting other states, such as Yemen and Pakistan.

#### That’s key to deterrence

Blum 12

Gabriella Blum 10, Assistant Professor of Law, Harvard Law School, and Philip Heymann, the James Barr Professor of Law, Harvard Law School, June 27, 2010, “Law and Policy of Targeted Killing,” Harvard National Security Journal, http://harvardnsj.org/wp-content/uploads/2010/06/Vol-1\_Blum-Heymann\_Final.pdf

At the most basic level, targeted killings, which are generally undertaken with less risk to the attacking force than are arrest operations, may be effective. According to some reports, the killing of leaders of Palestinian armed groups weakened the will and ability of these groups to execute suicide attacks against Israelis. By deterring the leaders of terrorist organizations and creating in some cases a structural vacuum, waves of targeted killing operations were followed by a lull in subsequent terrorist attacks, and in some instances, brought the leaders of Palestinian factions to call for a ceasefire. The Obama administration embraced the targeted killing tactic, holding it to be the most effective way to get at Al-Qaeda and Taliban members in the ungoverned and ungovernable tribal areas along the Afghanistan-Pakistan border or in third countries.¶ Despite the adverse effects such operations may have on the attitudes of the local population toward the country employing targeted killings, the demonstration of superiority in force and resolve may also dishearten the supporters of terrorism.¶ Publicly acknowledged targeted killings are furthermore an effective way of appeasing domestic audiences, who expect the government “to do something” when they are attacked by terrorists. The visibility and open aggression of the operation delivers a clearer message of “cracking down on terrorism” than covert or preventive measures that do not yield immediate demonstrable results. The result in Israel has been to make a vast majority of citizens supportive of targeted killings, despite the latter’s potential adverse effects. And, perhaps surprisingly, of all the coercive counterterrorism techniques employed by the United States, targeted killings have so far attracted the least public criticism.

#### 3 – Destroying plots - drones prevent terrorists from carrying out attacks

Stratfor 12

Strategic Forecasting, global intelligence firm, 1/12/12, “Armed UAV Operations 10 Years On,” http://www.stratfor.com/weekly/armed-uav-operations-10-years

One of the most notable uses of the Predator and Reaper has been in the counterterrorism role, both as an intelligence, surveillance and reconnaissance (ISR) platform and as an on-call strike platform. These armed UAVs are operated both by the U.S. Air Force and, in some cases (as with operations conducted over Pakistan), the CIA. Even before the 9/11 attacks, the armed Predator then in development was being considered as a means not only of keeping tabs on Osama bin Laden but also of killing him. Since then, armed UAVs have proved their worth both in the offensive strike role against specific targets and as a means of maintaining a constant level of threat. ¶ The value of the counterterrorism ISR that can be collected by large UAVs alone is limited since so much depends on how and where they are deployed and what they are looking for. This mission requires not only sophisticated signals but also actionable human intelligence. But as a front-line element of a larger, integrated collection strategy, the armed UAV has proved to be a viable and enduring element of the U.S. counterterrorism strategy worldwide. ¶ The ability to loiter is central and has a value far beyond the physical capabilities of a single airframe in a specific orbit. Operating higher than helicopters and with a lower signature than manned, jet-powered fighter aircraft, the UAV is neither visibly nor audibly obvious (though the degree of inconspicuousness depends on, among other things, weather and altitude). Because UAVs are so discreet, potential targets must work under the assumption that an armed UAV is orbiting within striking distance at all times. ¶ Such a constant threat can place considerable psychological pressure on the prey, even when the predator is large and loud. During the two battles of Fallujah, Iraq, in April and November 2004, AC-130 gunships proved particularly devastating for insurgents pinned in certain quadrants of the city, but AC-130s were limited in number and availability. When it was not possible to keep an AC-130 on station at night (in order to keep the insurgents' heads down), unarmed C-130 transports were flown in the same orbits at altitudes where the distinctive sound of a C-130 could be clearly discerned on the ground, thus maintaining the perception of a possible AC-130 reprisal against any insurgent offensive. ¶ Indeed, it is difficult to overstate the psychological and operational impact of this tactic on a group that experiences successful strikes on its members, even if the strikes are conducted only rarely. Counterterrorism targets in areas where UAVs are known to operate must work under tight communications discipline and constraints, since having their cellular or satellite phone conversations tapped risks not only penetration of communications but immediate and potentially lethal attacks. ¶ The UAV threat was hardly the only factor, but consider how Osama bin Laden's communiques declined from comparatively regular and timely videos to rare audiotapes. In 2001, bin Laden was operating with immense freedom of maneuver and impunity despite the manhunt already under way for him. That situation changed even as he fled to Pakistan, and the combination of aggressive signals as well as UAV- and space-based ISR efforts further constrained his operational bandwidth and relevance as he was forced to focus more and more on his own personal survival. ¶ The UAV threat affects not only the targeted individuals themselves but also their entire organizations. When the failure to adhere to security protocols can immediately yield lethal results, the natural response is to constrict communications and cease contact with untrusted allies, affiliates and subordinates. When the minutiae of security protocols start to matter, the standard for having full faith, trust and confidence among those belonging to or connected with a terrorist organization become much higher. And the more that organization's survival is at stake, the more it must focus on survival, thereby reducing its capacity to engage in ambitious operations. On a deeper level, there is also the value of sowing distrust and paranoia within an organization. This has the same ultimate effect of increasing internal distrust and thereby undermining the spare capacity for the pursuit of larger, external objectives.