# 1NC

## Off-Case

### 1NC DA

#### Obama’s continued use of political capital is critical to prevent a renewed push for sanctions that will destroy fragile negotiations --- impact is a nuclear Iran and conflict involving Israel and Saudi Arabia

Glass, 3/25 --- completed a Truman-Albright Fellowship at the Woodrow Wilson International Center for Scholars' Environmental Change and Security Program (3/25/2014, Jacob, “As Iran Nuclear Negotiations Begin, Threat of Increased Sanctions Looms Large,” <http://www.huffingtonpost.com/jacob-glass/as-iran-nuclear-negotiati_b_5024604.html>))

Last week Iran and the so-called P5+1 countries -- Russia, China, Britain, France, the U.S., plus Germany -- began a new round of negotiations in the Austrian capital of Vienna. While perhaps overshadowed by tensions on the Crimean Peninsula and missing Malaysian Flight 370, the talks mark a significant step towards resolving the Iranian nuclear crisis. Yet misguided calls by Congress to increase sanctions on Iran threaten to scuttle progress, and underscore the fragility of the negotiating process.

Over the past three decades, Iran has faced crippling sanctions imposed by America and the international community. Trade restrictions have steadily increased to block Iran's lucrative petroleum export market as well as the country's participation in the global banking system. All told, international sanctions have cost Iran over $100 billion in lost oil profits alone.

So called "carrot and stick" policies have long been fundamental to international diplomacy. The "stick" has been a sharp one, and has finally brought the Iranians to the negotiating table.

During his September visit to the UN General Assembly in New York, Iranian President Hassan Rouhani spoke with President Obama over the phone, marking the first direct communication between an American and Iranian president since 1979. On November 24, an interim "first-step" deal was reached to freeze Iran's nuclear development program and pave the way for a comprehensive agreement. The deal halts uranium enrichment above 3.5 percent and puts international observers on the ground in Iran, all but ensuring that negotiations cannot be used as a delay tactic.

Yet amid these positive signs that diplomacy is working, members of Congress have advocated for even more sanctions to be levied against Iran, specifically in the form of Senate Bill 1881, sponsored by Illinois Republican Mark Kirk and New Jersey Democrat Robert Menendez.

New sanctions would torpedo the Vienna talks and reverse the diplomatic progress that has been made.

Iranian officials have already promised to abandon negotiations if new sanctions are passed. Even our own allies, along with Russia and China, have opposed the move. Passing unilateral sanctions will splinter the fragile international coalition, needlessly antagonize Iranian negotiators, and make a violent conflict with Iran more likely. Diplomatic victory will only be achieved if the international community stands united before Iran.

To this point, the Obama administration has avoided a vote on SB 1881 by threatening a veto of the bill, and the administration's full court press to prevent Senate Democrats from supporting new sanctions has bought international negotiators time. Several influential Democrats, including Senator Richard Blumenthal from Connecticut, have agreed to postpone a vote on the bill, contingent on productive negotiations.

Although legislation imposing new sanctions has been avoided thus far, the pressure on Congressional Democrats to act will intensify as talks in Vienna move forward. This round of negotiations is widely projected to be more difficult than the November deal, and inflammatory rhetoric from Tehran is likely. Nevertheless, sanctions are not the answer. Instead, we must continue to let diplomacy run its course.

Sanctions have done their job by bringing Iran to the table. In return, Iran expects to be rewarded with sanctions relief. The passage of new trade restrictions would effectively withdraw the carrot, and hit Iran with another stick. Consider the negotiations over.

The risks of delaying new sanctions is slight. The sanctions relief Iran is receiving is valued between $6 and $7 billion, and represents only a small fraction of the remaining restrictions blocking Iran from using the international banking system and selling oil. Should Iran prove to be a dishonest negotiating partner, sanctions can be renewed and ratcheted up. Most importantly, international observers will be on the ground in Iran to prevent Tehran from racing towards a nuclear weapon while negotiations are ongoing.

At the same time, the benefits of successful diplomacy are immense, as a comprehensive deal would be a dramatic victory for U.S. non-proliferation efforts. Further, the dismantling of Iran's nuclear program would significantly ease tensions between its two biggest rivals in the region, Israel and Saudi Arabia.

Our congressional leaders must not be so confident as to think Iran is desperate for a deal. The unprecedented overtures of President Rouhani to the West are widely seen as a test to gauge if a favorable solution can be negotiated with the international community. Should he fail to do so, hardliners within the Iranian government will be empowered to revert back to a pre-Rouhani foreign policy dominated by isolation from the West and an aggressive nuclear development program.

Our senators are facing significant political pressure to resist multilateralism and pursue increased sanctions based on an uncompromising mistrust of Iran. But history judges leaders not upon their conformity with party politics, but upon the ultimate results they achieve. It's time to negotiate with the Iranians on good faith, and begin the serious work of establishing a meaningful nuclear agreement that could signal the beginning of a new era in Iranian-Western relations.

#### **Plan triggers defection of democratic allies**

Loomis, 7 --- Department of Government at Georgetown

(3/2/2007, Dr. Andrew J. Loomis is a Visiting Fellow at the Center for a New American Security, “Leveraging legitimacy in the crafting of U.S. foreign policy,” pg 35-36, <http://citation.allacademic.com//meta/p_mla_apa_research_citation/1/7/9/4/8/pages179487/p179487-36.php>)

Declining political authority encourages defection. American political analyst Norman **Ornstein writes** of the domestic context,

**In a system where a President has limited formal power, perception matters. The reputation for success**—the belief by other political actors that even when he looks down, a president will find a way to pull out a victory—**is the most valuable resource a chief executive can have**. **Conversely, the widespread belief that the Oval Office occupant is on the defensive, on the wane or without the ability to win under adversity can lead to disaster, as individual lawmakers calculate who will be on the winning side and negotiate accordingly.** In simple terms, winners win and **losers lose more often than not.**

**Failure begets failure. In short, a president experiencing declining amounts of political capital has diminished capacity to advance his goals.** As a result, political allies perceive a decreasing benefit in publicly tying themselves to the president, and an increasing benefit in allying with rising centers of authority. A president’s incapacity and his record of success are interlocked and reinforce each other. **Incapacity leads to political failure, which reinforces perceptions of incapacity. This feedback loop accelerates** decay both in leadership capacity and defection by key allies**.**

The central point of this review of the presidential literature is that **the sources of presidential influence—and thus their prospects for enjoying success in pursuing preferred foreign policies—go beyond the structural factors imbued by the Constitution**. Presidential authority is affected by ideational resources in the form of public perceptions of legitimacy. The public offers and rescinds its support in accordance with normative trends and historical patterns, non-material sources of power that affects the character of U.S. policy, foreign and domestic.

This brief review of the literature suggests how **legitimacy norms enhance presidential influence in ways that structural powers cannot explain**. Correspondingly, **increased executive power improves the prospects for policy success**. As a variety of cases indicate—from Woodrow Wilson’s failure to generate domestic support for the League of Nations to public pressure that is changing the current course of U.S. involvement in Iraq—the effective execution of foreign policy depends on public support. Public support turns on perceptions of policy legitimacy. As a result, policymakers—starting with the president—pay close attention to the receptivity that U.S. policy has with the domestic public. In this way, normative influences infiltrate policy-making processes and affect the character of policy decisions.

#### Causes Israel strikes

**Perr, 12/24/13 –** B.A. in Political Science from Rutgers University; technology marketing consultant based in Portland, Oregon. Jon has long been active in Democratic politics and public policy as an organizer and advisor in California and Massachusetts. His past roles include field staffer for Gary Hart for President (1984), organizer of Silicon Valley tech executives backing President Clinton's call for national education standards (1997), recruiter of tech executives for Al Gore's and John Kerry's presidential campaigns, and co-coordinator of MassTech for Robert Reich (2002).(Jon, “Senate sanctions bill could let Israel take U.S. to war against Iran” Daily Kos, [http://www.dailykos.com/story/2013/12/24/1265184/-Senate-sanctions-bill-could-let-Israel-take-U-S-to-war-against-Iran#](http://www.dailykos.com/story/2013/12/24/1265184/-Senate-sanctions-bill-could-let-Israel-take-U-S-to-war-against-Iran)

As 2013 draws to close, the negotiations over the Iranian nuclear program have entered a delicate stage. But in 2014, the tensions will escalate dramatically as a bipartisan group of Senators brings a new Iran sanctions bill to the floor for a vote. As many others have warned, that promise of new measures against Tehran will almost certainly blow up the interim deal reached by the Obama administration and its UN/EU partners in Geneva. But Congress' highly unusual intervention into the President's domain of foreign policy doesn't just make the prospect of an American conflict with Iran more likely. As it turns out, the Nuclear Weapon Free Iran Act essentially empowers Israel to decide whether the United States will go to war against Tehran.

On their own, the tough new sanctions imposed automatically if a final deal isn't completed in six months pose a daunting enough challenge for President Obama and Secretary of State Kerry. But it is the legislation's commitment to support an Israeli preventive strike against Iranian nuclear facilities that almost ensures the U.S. and Iran will come to blows. As Section 2b, part 5 of the draft mandates:

If the Government of Israel is compelled to take military action in legitimate self-defense against Iran's nuclear weapon program, the United States Government should stand with Israel and provide, in accordance with the law of the United States and the constitutional responsibility of Congress to authorize the use of military force, diplomatic, military, and economic support to the Government of Israel in its defense of its territory, people, and existence.

Now, the legislation being pushed by Senators Mark Kirk (R-IL), Chuck Schumer (D-NY) and Robert Menendez (D-NJ) does not automatically give the President an authorization to use force should Israel attack the Iranians. (The draft language above explicitly states that the U.S. government must act "in accordance with the law of the United States and the constitutional responsibility of Congress to authorize the use of military force.") But there should be little doubt that an AUMF would be forthcoming from Congressmen on both sides of the aisle. As Lindsey Graham, who with Menendez co-sponsored a similar, non-binding "stand with Israel" resolution in March told a Christians United for Israel (CUFI) conference in July:

"If nothing changes in Iran, come September, October, I will present a resolution that will authorize the use of military force to prevent Iran from developing a nuclear bomb."

Graham would have plenty of company from the hardest of hard liners in his party. In August 2012, Romney national security adviser and pardoned Iran-Contra architect Elliott Abrams called for a war authorization in the pages of the Weekly Standard. And just two weeks ago, Norman Podhoretz used his Wall Street Journal op-ed to urge the Obama administration to "strike Iran now" to avoid "the nuclear war sure to come."

But at the end of the day, the lack of an explicit AUMF in the Nuclear Weapon Free Iran Act doesn't mean its supporters aren't giving Prime Minister Benjamin Netanyahu de facto carte blanche to hit Iranian nuclear facilities. The ensuing Iranian retaliation against to Israeli and American interests would almost certainly trigger the commitment of U.S. forces anyway.

Even if the Israelis alone launched a strike against Iran's atomic sites, Tehran will almost certainly hit back against U.S. targets in the Straits of Hormuz, in the region, possibly in Europe and even potentially in the American homeland. Israel would face certain retaliation from Hezbollah rockets launched from Lebanon and Hamas missiles raining down from Gaza.

That's why former Bush Defense Secretary Bob Gates and CIA head Michael Hayden raising the alarms about the "disastrous" impact of the supposedly surgical strikes against the Ayatollah's nuclear infrastructure. As the New York Times reported in March 2012, "A classified war simulation held this month to assess the repercussions of an Israeli attack on Iran forecasts that the strike would lead to a wider regional war, which could draw in the United States and leave hundreds of Americans dead, according to American officials." And that September, a bipartisan group of U.S. foreign policy leaders including Brent Scowcroft, retired Admiral William Fallon, former Republican Senator (now Obama Pentagon chief) Chuck Hagel, retired General Anthony Zinni and former Ambassador Thomas Pickering concluded that American attacks with the objective of "ensuring that Iran never acquires a nuclear bomb" would "need to conduct a significantly expanded air and sea war over a prolonged period of time, likely several years." (Accomplishing regime change, the authors noted, would mean an occupation of Iran requiring a "commitment of resources and personnel greater than what the U.S. has expended over the past 10 years in the Iraq and Afghanistan wars combined.") The anticipated blowback?

Serious costs to U.S. interests would also be felt over the longer term, we believe, with problematic consequences for global and regional stability, including economic stability. A dynamic of escalation, action, and counteraction could produce serious unintended consequences that would significantly increase all of these costs and lead, potentially, to all-out regional war.

#### Israeli strikes cause great power war and collapse global economy

Rafael Reuveny 10, PhD, Professor in the School of Public and Environmental Affairs at Indiana University, "Unilateral Strike on Iran could trigger world Depression", Op-ed distributed through McClatchy Newspaper Co, <http://www.indiana.edu/~spea/news/speaking_out/reuveny_on_unilateral_strike_Iran.shtml>

A unilateral Israeli strike on Iran’s nuclear facilities would likely have dire consequences, including a regional war, global economic collapse and a major power clash. For an Israeli campaign to succeed, it must be quick and decisive. This requires an attack that would be so overwhelming that Iran would not dare to respond in full force. Such an outcome is extremely unlikely since the locations of some of Iran’s nuclear facilities are not fully known and known facilities are buried deep underground. All of these widely spread facilities are shielded by elaborate air defense systems constructed not only by the Iranians, but also the Chinese and, likely, the Russians as well. By now, Iran has also built redundant command and control systems and nuclear facilities, developed early-warning systems, acquired ballistic and cruise missiles and upgraded and enlarged its armed forces. Because Iran is well-prepared, a single, conventional Israeli strike — or even numerous strikes — could not destroy all of its capabilities, giving Iran time to respond. A regional war Unlike Iraq, whose nuclear program Israel destroyed in 1981**,** Iran has a second-strike capability comprised of a coalition of Iranian, Syrian, Lebanese, Hezbollah, Hamas, and, perhaps, Turkish forces. Internal pressure might compel Jordan, Egypt, and the Palestinian Authority to join the assault, turning a bad situation into a regional war. During the 1973 Arab-Israeli War, at the apex of its power, Israel was saved from defeat by President Nixon’s shipment of weapons and planes. Today, Israel’s numerical inferiority is greater, and it faces more determined and better-equipped opponents. Despite Israel’s touted defense systems, Iranian coalition missiles, armed forces, and terrorist attacks would likely wreak havoc on its enemy, leading to a prolonged tit-for-tat. In the absence of massive U.S. assistance, Israel’s military resources may quickly dwindle, forcing it to use its alleged nuclear weapons, as it had reportedly almost done in 1973. An Israeli nuclear attack would likely destroy most of Iran’s capabilities, but a crippled Iran and its coalition could still attack neighboring oil facilities, unleash global terrorism, plant mines in the Persian Gulf and impair maritime trade in the Mediterranean, Red Sea and Indian Ocean. Middle Eastern oil shipments would likely slow to a trickle as production declines due to the war and insurance companies decide to drop their risky Middle Eastern clients. Iran and Venezuela would likely stop selling oil to the United States and Europe. The world economy would head into a tailspin; international acrimony would rise; and Iraqi and Afghani citizens might fully turn on the United States, immediately requiring the deployment of more American troops. Russia, China, Venezuela, and maybe Brazil and Turkey — all of which essentially support Iran — could be tempted to form an alliance and openly challenge the U.S. hegemony. Replaying Nixon’s nightmare Russia and China might rearm their injured Iranian protege overnight, just as Nixon rearmed Israel, and threaten to intervene, just as the U.S.S.R. threatened to join Egypt and Syria in 1973. President Obama’s response would likely put U.S. forces on nuclear alert, replaying Nixon’s nightmarish scenario. Iran may well feel duty-bound to respond to a unilateral attack by its Israeli archenemy, but it knows that it could not take on the United States head-to-head. In contrast, if the United States leads the attack, Iran’s response would likely be muted. If Iran chooses to absorb an American-led strike, its allies would likely protest and send weapons, but would probably not risk using force.

¶ While no one has a crystal ball, leaders should be risk-averse when choosing war as a foreign policy tool. If attacking Iran is deemed necessary, Israel must wait for an American green light. A unilateral Israeli strike could ultimately spark World War III.

### 1NC T

#### Interpretation—Targeted killings are strikes carried about against pre-meditated, individually designated targets—signature strikes are distinct—differentiating between the two is key to education

Anderson 11—Kenneth Anderson, Professor of International Law at American University [August 29, 2011, “Distinguishing High Value Targeted Killing and “Signature” Attacks on Taliban Fighters,” http://www.volokh.com/2011/08/29/distinguishing-high-value-targeted-killing-and-signature-attacks-on-taliban-fighters/]

The CIA carries out two different types of drone strikes in the tribal areas of Pakistan—those against so-called high-value targets, including Mr. Rahman, and “signature” strikes targeting Taliban foot-soldiers who criss-cross the border with Afghanistan to fight U.S. forces there. High-value targets are added to a classified list that the CIA maintains and updates. The agency often doesn’t know the names of the signature targets, but it tracks their movements and activities for hours or days before striking them, U.S. officials say. Another way to put this is that, loosely speaking, the high value targets are part of a counterterrorism campaign – a worldwide one, reaching these days to Yemen and other places. It is targeted killing in its strict sense using drones – aimed at a distinct individual who has been identified by intelligence. The “signature” strikes, by contrast, are not strictly speaking “targeted killing,” because they are aimed at larger numbers of fighters who are targeted on the basis of being combatants, but not on the basis of individuated intelligence. They are fighting formations, being targeted on a mass basis as part of the counterinsurgency campaign in Afghanistan, as part of the basic CI doctrine of closing down cross-border safe havens and border interdiction of fighters. Both of these functions can be, and are, carried out by drones – though each strategic function could be carried out by other means, such as SEAL 6 or CIA human teams, in the case of targeted killing, or manned aircraft in the case of attacks on Taliban formations. The fundamental point is that they serve distinct strategic purposes. Targeted killing is not synonymous with drone warfare, just as counterterrorism is analytically distinct from counterinsurgency. (I discuss this in the opening sections of this draft chapter on SSRN.) This analytic point affects how one sees the levels of drone attacks going up or down over the years. Neither the total numbers of fighters killed nor the total number of drone strikes – going up or down over months – tells the whole story. Total numbers do not distinguish between the high value targets, being targeted as part of the top down dismantling of Al Qaeda as a transnational terrorist organization, on the one hand, and ordinary Taliban being killed in much larger numbers as part of counterinsurgency activities essentially part of the ground war in Afghanistan, on the other. Yet the distinction is crucial insofar as the two activities are, at the level of truly grand strategy, in support of each other – the war in Afghanistan and the global counterterrorism war both in support of the AUMF and US national security broadly – but at the level of ordinary strategic concerns, quite distinct in their requirements and conduct. If targeted killing against AQ leadership goes well in Pakistan, those might diminish at some point in the future; what happens in the war against the Afghan Taliban is distinct and has its own rhythm, and in that effort, drones are simply another form of air weapon, an alternative to manned aircraft in an overt, conventional war. Rising or falling numbers of drone strikes in the aggregate will not tell one very much without knowing what mission is at issue.

#### Vote neg—signature strikes and targeted killings are distinct operations with entirely separate lit bases and advantages—they kill precision and limits

Anderson 11—Kenneth Anderson, Professor of International Law at American University [September 23, 2011, “Efficiency in Bello and ad Bellum: Targeted Killing Through Drone Warfare,” http://papers.ssrn.com/sol3/papers.cfm?abstract\_id=1812124]

Although targeted killing and drone warfare are often closely connected, they are not the same and are not always associated with each other. We need to disaggregate the practices of targeted killing from the technologies of drone warfare. Targeted killing consists of using deadly force, characterized by the identification of and then strike against an individual marked to be killed. It is distinguished, among other things, by making an individualized determination of a person to be killed, rather than simply identifying, for example, a mass of enemy combatants to attack as a whole. Since it is a practice that involves the determination of an identified person, rather than a mass of armed and obvious combatants, it is a use of force that is by its function integrated with intelligence work, whether the intelligence actors involved are uniformed military or a civilian agency such as the CIA. Targeted killing might (and does) take place in the course of conventional warfare, through special operations or other mechanisms that narrowly focus operations through intelligence. But it might also take place outside of a conventional conflict, or perhaps far from the conventional battlefields of that conflict, sufficiently so operationally to best be understood as its own operational category of the use of force – “intelligence-driven,” often covert, and sometimes non-military intelligence agency use of force, typically aimed at “high value” targets in global counterterrorism operations. It might be covert or it might not – but it will be driven by intelligence, because of necessity it must identify and justify the choice of target (on operational, because resources are limited; or legal grounds; or, in practice, both). Targeted killing might use a variety of tactical methods by which to carry out the attack. The method might be by drones firing missiles – the focus of discussion here. But targeted killing – assassination, generically – is a very old method for using force and drones are new. Targeted killing in current military and CIA doctrine might, and often does, take place with covert civilian intelligence agents or military special operations forces – a human team carrying out the attack, rather than a drone aircraft operated from a distance. The Bin Laden raid exemplifies the human team-conducted targeted killing, of course, and in today’s tactical environment, the US often uses combined operations that have available both human teams and drones, to be deployed according to circumstances. Targeted killing is thus a tactic that might be carried out either by drones or human teams. If there are two ways to do targeted killing, there are also two functions for the use of drones – targeted killing as part of an “intelligence-driven” discrete use of force, on the one hand, and a role (really, roles) in conventional warfare. Drones have a role in an ever-increasing range of military operations that have no connection to “targeted killing.” For many reasons ranging from cost-effectiveness to mission-effectiveness, drones are becoming more ramified in their uses in military operations, and will certainly become more so. This is true starting with their fundamental use in surveillance, but is also true when used as weapons platforms. From the standpoint of conventional military operations and ordinary battlefields, drones are seen by the military as simply an alternative air weapons platform. One might use an over-the-horizon manned aircraft – or, depending on circumstances, one might instead use a drone as the weapons platform. It might be a missile launched from a drone by an operator, whether sitting in a vehicle near the fighting or farther away; it might be a weapon fired from a helicopter twenty miles away, but invisible to the fighters; it might be a missile fired from a US Navy vessel hundreds of miles away by personnel sitting at a console deep inside the ship. Future air-to-air fighter aircraft systems are very likely to be remotely piloted, in order to take advantage of superior maneuverability and greater stresses endurable without a human pilot. Remotely-piloted aircraft are the future of much military and, for that matter, civil aviation; this is a technological revolution that is taking place for reasons having less to do with military aviation than general changes in aviation technology. Missiles fired from a remotely-piloted standoff platform present the same legal issues as any other weapons system – the law of war categories of necessity and proportionality in targeting. To military professionals, therefore, the emphasis placed on “remoteness” from violence of drone weapons operators, and presumed psychological differences in operators versus pilots, is misplaced and indeed mystifying. Navy personnel firing missiles from ships are typically just as remote from the fighting, and yet one does not hear complaints about their indifference to violence and their “Playstation,” push-button approach to war. Air Force pilots more often than not fire from remote aircraft; pilots involved in the bombing campaign over Serbia in the Kosovo war sometimes flew in bombers taking off from the United States; bomber crews dropped their loads from high altitudes, guided by computer, with little connection to the “battlefield” and little conception of what they – what their targeting computers - were aiming at. Some of the crews in interviews described spending the flights of many hours at a time, flying from the Midwest and back, as a good chance to study for graduate school classes they were taking – not Playstation, but study hall. In many respects, the development of new sensor technologies make the pilots, targeters, and the now-extensive staff involved in a decision to fire a weapon from a drone far more aware of what is taking place at the target than other forms of remote targeting, from Navy ships or high altitude bombing. Very few of the actors on a technologically advanced battlefield are personally present in a way that makes the destruction and killing truly personal – and that is part of the point. Fighting up close and personal, on the critics’ psychological theories, seems to mean that it has greater significance to the actors and therefore leads to greater restraint. That is extremely unlikely and contrary to the experience of US warfighters. Lawful kinetic violence is more likely to increase when force protection is an issue, and overuse of force is more likely to increase when forces are under personal pressure and risk. The US military has known since Vietnam at least that increased safety for fighting personnel allows them greater latitude in using force, encourages and permits greater willingness to consider the least damaging alternatives, and that putting violence at a remove reduces the passions and fears of war and allows a coolly professional consideration of what kinds, and how much, violence is required to accomplish a lawful military mission. Remote weapon systems, whether robotic or simply missiles launched from a safe distance, in US doctrine are more than just a means for reducing risk to forces – they are an integral part of the means of allowing more time to consider less-harmful alternatives. This is an important point, given that drones today are being used for tasks that involve much greater uses of force than individualized targeted killing. Drones are used today, and with increasing frequency, to kill whole masses of enemy columns of Taliban fighters on the Pakistan border – in a way that would otherwise be carried out by manned attack aircraft. This is not targeted killing; this is conventional war operations. It is most easily framed in terms of the abstract strategic division of counterinsurgency from counterterrorism (though in practice the two are not so distinct as all that). In particular, drones are being deployed in the AfPak conflict as a counterinsurgency means of going after Taliban in their safe haven camps on the Pakistan side of the border. A fundamental tenet of counterinsurgency is that the safe havens have to be ended, and this has meant targeting much larger contingents of Taliban fighters than previously understood in the “targeted killing” deployment. This could be – and in some circumstances today is – being done by the military; it is also done by the CIA under orders of the President partly because of purely political concerns; much of it today seems to be a combined operation of military and CIA. Whoever conducts it and whatever legal issues it might raise, the point is that this activity is fundamentally counterinsurgency. The fighters are targeted in much larger numbers in the camps than would be the case in “targeted killing,” and this is a good instance of how targeted killing and drone warfare need to be differentiated. The targets are not individuated, either in the act of targeting or in the decision of who and where to target: this is simply an alternative air platform for doing what might otherwise be done with helicopters, fixed wing aircraft, or ground attack, in the course of conventional counterinsurgency operations. But it also means that the numbers killed in such operations are much larger, and consist often of ordinary fighters who would otherwise pile into trucks and cross back into Afghanistan, rather than individualized “high value” targets, whether Taliban or Al Qaeda.

### 1NC CP 1

#### The Executive branch of the United States federal government should ban signature strikes carried out by remotely-piloted vehicles and implement this through self-binding mechanisms including, but not limited to independent commissions to review and ensure compliance with the order and transparency measures that gives journalists access to White House decisionmaking.

#### Including self-binding mechanisms ensures effective constraints and executive credibility

Posner & Vermeule, 6 --- \*Prof of Law at U Chicago, AND \*\* Prof of Law at Harvard (9/19/2006, Eric A. Posner & Adrian Vermeule, “The Credible Executive,” <http://papers.ssrn.com/sol3/papers.cfm?abstract_id=931501)>)

We suggest that the executive’s credibility problem can be solved by second-order mechanisms of executive signaling. In the general case, well-motivated executives send credible signals by taking actions that are more costly for ill-motivated actors than for well-motivated ones, thus distinguishing themselves from their ill-motivated mimics. Among the specific mechanisms we discuss, an important subset involve executive self-binding, whereby executives commit themselves to a course of action that would impose higher costs on ill-motivated actors. Commitments themselves have value as signals of benign motivations.This departs from the usual approach in legal scholarship. Legal theory has often discussed self-binding by “government” or government officials. In constitutional theory, it is often suggested that constitutions represent an attempt by “the people” to bind “themselves” against their own future decisionmaking pathologies, or relatedly that constitutional prohibitions represent mechanisms by which governments commit themselves not to expropriate investments or to exploit their populations.71 Whether or not this picture is coherent,72 it is not the question we examine here, although some of the relevant considerations are similar.73 We are not concerned with binding the president so that he cannot abuse his powers, but with how he might bind himself or take other actions that enhance his credibility, so that he can generate support from the public and other members of the government. Furthermore, our question is subconstitutional; it is whether a well-motivated executive, acting within an established set of constitutional and statutory rules, can use signaling to generate public trust. Accordingly we proceed by assuming that no constitutional amendments or new statutes will be enacted. Within these constraints, what can a well-motivated executive do to bootstrap himself to credibility? The problem for the well-motivated executive is to credibly signal his benign motivations; in general, the solution is to engage in actions that are less costly for good types than for bad types. We begin with some relevant law; then examine a set of possible mechanisms, emphasizing both the conditions under which they might succeed and the conditions under which they might not; and then examine the costs of credibility. A. A Preliminary Note on Law and Self-Binding Many of our mechanisms are unproblematic from a legal perspective, as they involve presidential actions that are clearly lawful. But a few raise legal questions; in particular, those that involve self-binding.74 Can a president bind himself to respect particular first-order policies? With qualifications, the answer is “yes, at least to the same extent that a legislature can.” Formally, a duly promulgated executive rule or order binds even the executive unless and until it is validly abrogated, thereby establishing a new legal status quo.75 The legal authority to establish a new status quo allows a president to create inertia or political constraints that will affect his own future choices. In a practical sense, presidents, like legislatures, have great de facto power to adopt policies that shape the legal landscape for the future. A president might commit himself to a long-term project of defense procurement or infrastructure or foreign policy, narrowing his own future choices and generating new political coalitions that will act to defend the new rules or policies.More schematically, we may speak of formal and informal means of self-binding: (1) The president might use formal means to bind himself. This is possible in the sense that an executive order, if otherwise valid, legally binds the president while it is in effect and may be enforced by the courts. It is not possible in the sense that the president can always repeal the executive order if he can bear the political and reputational costs of doing so. (2) The president might use informal means to bind himself. This is not only possible but frequent and important. Issuing an executive rule providing for the appointment of special prosecutors, as Nixon did, is not a formal self-binding.76 However, there may be large political costs to repealing the order. This effect does not depend on the courts’ willingness to enforce the order, even against Nixon himself. Court enforcement makes the order legally binding while it is in place, but only political and reputational enforcement can protect it from repeal. Just as a dessert addict might announce to his friends that he is going on a no-dessert diet in order to raise the reputational costs of backsliding and thus commit himself, so too the repeal of an executive order may be seen as a breach of faith even if no other institution ever enforces it. In what follows, we will invoke both formal and informal mechanisms. For our purposes, the distinction between the authority to engage in de jure self-binding (legally limited and well-defined) and the power to engage in de facto self-binding (broad and amorphous) is secondary. So long as policies are deliberately chosen with a view to generating credibility, and do so by constraining the president’s own future choices in ways that impose greater costs on ill-motivated presidents than on well-motivated ones, it does not matter whether the constraint is formal or informal. B. Mechanisms What signaling mechanisms might a well-motivated executive adopt to credibly assure voters, legislators and judges that his policies rest on judgments about the public interest, rather than on power-maximization, partisanship or other nefarious motives? Intrabranch separation of powers. In an interesting treatment of related problems, Neal Katyal suggests that the failure of the Madisonian system counsels “internal separation of powers” within the executive branch.77 Abdication by Congress means that there are few effective checks on executive power; second-best substitutes are necessary. Katyal proposes some mechanisms that would be adopted by Congress, such as oversight hearings by the minority party, but his most creative proposals are for arrangements internal to the executive branch, such as redundancy and competition among agencies, stronger civil-service protections and internal adjudication of executive controversies by insulated “executive” decisionmakers who resemble judges in many ways.78Katyal’s argument is relevant because the mechanisms he discusses might be understood as signaling devices, but his overall approach is conceptually flawed, on two grounds. First, the assumption that second-best constraints on the executive should reproduce the Madisonian separation of powers within the executive branch is never defended. The idea seems to be that this is as close as we can get to the first-best, while holding constant everything else in our constitutional order. But the general theory of second-best states that approaching as closely as possible to the first-best will not necessarily be the preferred strategy;79 the best approach may be to adjust matters on other margins as well, in potentially unpredictable ways. If the Madisonian system has failed in the ways Katyal suggests, the best compensating adjustment might be, for all we know, to switch to a parliamentary system. (We assume that no large-scale changes of this sort are possible, whereas Katyal seemingly assumes that they are, or at least does not make clear his assumptions in this regard). Overall, Katyal’s view has a kind of fractal quality – each branch should reproduce within itself the very same separation of powers structure that also describes the whole system – but it is not explained why the constitutional order should be fractal. Second, Katyal’s proposals for internal separation of powers are self-defeating: the motivations that Katyal ascribes to the executive are inconsistent with the executive adopting or respecting the prescriptions Katyal recommends.80 Katyal never quite says so explicitly, but he clearly envisions the executive as a power-maximizing actor, in the sense that the president seeks to remove all constraints on his current choices.81 Such an executive would not adopt or enforce the internal separation of powers to check himself. Executive signaling is not, even in principle, a solution to the lack of constraints on a power-maximizing executive in the sense Katyal implicitly intends. Although an illmotivated executive might bind himself to enhance his strategic credibility, as explained above, he would not do so in order to restore the balance of powers. Nor is it possible, given Katyal’s premise of legislative passivity or abdication, that Congress would force the internal separation of powers on the executive. In what follows, we limit ourselves to proposals that are consistent with the motivations, beliefs, and political opportunities that we ascribe to the well-motivated executive, to whom the proposals are addressed. This limitation ensures that the proposals are not self-defeating, whatever their costs. The contrast here must not be drawn too simply. A well-motivated executive, in our sense, might well attempt to increase his power. The very point of demonstrating credibility is to encourage voters and legislators to increase the discretionary authority of the executive, where all will be made better off by doing so. Scholars such as Katyal who implicitly distrust the executive, however, do not subscribe to this picture of executive motivations. Rather, they see the executive as an unfaithful agent of the voters; the executive attempts to maximize his power even where fully-informed voters would prefer otherwise. An actor of that sort will have no incentive to adopt proposals intended to constrain that sort of actor. Independent commissions. We now turn to some conceptually coherent mechanisms of executive signaling. Somewhat analogously to Katyal’s idea of the internal separation of powers, a well-motivated executive might establish independent commissions to review policy decisions, either before or after the fact. Presidents do this routinely, especially after a policy has had disastrous outcomes, but sometimes beforehand as well. Independent commissions are typically blue-ribbon and bipartisan.82 We add to this familiar process the idea that the President might gain credibility by publicly committing or binding himself to give the commission authority on some dimension. The president might publicly promise to follow the recommendations of such a commission, or to allow the commission to exercise de facto veto power over a policy decision before it is made, or might promise before the policy is chosen that the commission will be given power to review its success after the fact. To be sure, there will always be some wiggle room in the terms of the promise, but that is true of almost all commitments, which raise the costs of wiggling out even if they do not completely prevent it. Consider whether George W. Bush’s credibility would have been enhanced had he appointed a blue-ribbon commission to examine the evidence for weapons of mass destruction in Iraq before the 2003 invasion, and publicly promised not to invade unless the commission found substantial evidence of their existence. Bush would have retained his preexisting legal authority to order the invasion even if the commission found the evidence inadequate, but the political costs of doing so would have been large. Knowing this, and knowing that Bush shared that knowledge, the public could have inferred that Bush’s professed motive – elimination of weapons of mass destruction – was also his real motive. Public promises that inflict reputational costs on badly motivated behavior help the well-motivated executive to credibly distinguish himself from the ill-motivated one. The more common version of this tactic is to appoint commissions after the relevant event, as George W. Bush did to investigate the faulty reports by intelligence agencies that Iraq possessed weapons of mass destruction.83 If the president appoints after-the-fact commissions, the commissions can enhance his credibility for the next event—by showing that he will be willing, after that event, to subject his statements to scrutiny by public experts. Here, however, the demonstration of credibility is weaker, because there is no commitment to appoint any after-the-fact commissions in the future – merely a plausible inference that the president’s future behavior will track his past behavior. Bipartisan appointments. In examples of the sort just mentioned, the signaling arises from public position-taking. The well-motivated executive might produce similar effects through appointments to office.84 A number of statutes require partisan balance on multimember commissions; although these statutes are outside the scope of our discussion, we note that presidents might approve them because they allow the president to commit to a policy that legislators favor, thus encouraging legislators to increase the scope of the delegation in the first place.85 For similar reasons, presidents may consent to restrictions on the removal of agency officials, because the restriction enables the president to commit to giving the agency some autonomy from the president’s preferences.86 Similar mechanisms can work even where no statutes are in the picture. As previously mentioned, during World War II, FDR appointed Republicans to important cabinet positions, making Stimson his Secretary of War. Clinton appointed William Cohen, a moderate Republican, as Secretary of Defense in order to shore up his credibility on security issues. Bipartisanship of this sort might improve the deliberation that precedes decisions, by impeding various forms of herding, cascades and groupthink;87 however, we focus on its credibility-generating effects. By (1) expanding the circle of those who share the president’s privileged access to information, (2) ensuring that policy is partly controlled by officials with preferences that differ from the president’s, and (3) inviting a potential whistleblower into the tent, bipartisanship helps to dispel the suspicion that policy decisions rest on partisan motives or extreme preferences, which in turn encourages broader delegations of discretion from the public and Congress. A commitment to bipartisanship is only one way in which appointments can generate credibility. Presidents might simply appoint a person with a reputation for integrity, as when President Nixon appointed Archibald Cox as special prosecutor (although plausibly Nixon did so because he was forced to do so by political constraints, rather than as a tactic for generating credibility). A person with well-known preferences on a particular issue, even if not of the other party or widely respected for impartiality, can serve as a credible whistleblower on that issue. Thus presidents routinely award cabinet posts to leaders of subsets of the president’s own party, leaders whose preferences are known to diverge from the president’s on the subject; one point of this is to credibly assure the relevant interest groups that the president will not deviate (too far) from their preferences. The Independent Counsel Statute institutionalized the special prosecutor and strengthened it. But the statute proved unpopular and was allowed to lapse in 1999.88 This experience raises two interesting questions. First, why have presidents confined themselves to appointing lawyers to investigate allegations of wrongdoing; why have they not appointed, say, independent policy experts to investigate allegations of policy failure? Second, why did the Independent Counsel Statute fail? Briefly, the statute failed because it was too difficult to control the behavior of the prosecutor, who was not given any incentive to keep his investigation within reasonable bounds.89 Not surprisingly, policy investigators would be even less constrained since they would not be confined by the law, and at the same time, without legal powers they would probably be ignored on partisan grounds. A commission composed of members with diverse viewpoints is harder to ignore, if the members agree with each other. More generally, the decision by presidents to bring into their administrations members of other parties, or persons with a reputation for bipartisanship and integrity, illustrates the formation of domestic coalitions of the willing. Presidents can informally bargain around the formal separation of powers90 by employing subsets of Congress, or of the opposing party, to generate credibility while maintaining a measure of institutional control. FDR was willing to appoint Knox and Stimson, but not to give the Republicans in Congress a veto. Truman was willing to ally with Arthur Vandenbergh but not with all the Republicans; Clinton was willing to appoint William Cohen but not Newt Gingrich. George W. Bush likewise made a gesture towards credibility by briefing members of the Senate Intelligence Committee – including Democrats – on the administration’s secret surveillance program(s), which provided a useful talking point when the existence of the program(s) was revealed to the public. Counter-partisanship. Related to bipartisanship is what might be called counterpartisanship: presidents have greater credibility when they choose policies that cut against the grain of their party’s platform or their own presumed preferences.91 Only Nixon could go to China, and only Clinton could engineer welfare reform. Voters and publics rationally employ a political heuristic: the relevant policy, which voters are incapable of directly assessing, must be highly beneficial if it is chosen by a president who is predisposed against it by convictions or partisan loyalty.92 Accordingly, those who wish to move U.S. terrorism policy towards greater security and less liberty might do well to support the election of a Democrat.93 By the same logic, George W. Bush is widely suspected of nefarious motives when he rounds up alleged enemy combatants, but not when he creates a massive prescription drug benefit. Counter-partisanship can powerfully enhance the president’s credibility, but it depends heavily on a lucky alignment of political stars. A peace-loving president has credibility when he declares a military emergency but not when he appeases; a belligerent president has credibility when he offers peace but not when he advocates military solutions. A lucky nation has a well-motivated president with a belligerent reputation when international tensions diminish (Ronald Reagan) and a president with a pacific reputation when they grow (Abraham Lincoln, who opposed the Mexican War). But a nation is not always lucky. Transparency. The well-motivated executive might commit to transparency, as a way to reduce the costs to outsiders of monitoring his actions.94 The FDR strategy of inviting potential whistleblowers from the opposite party into government is a special case of this; the implicit threat is that the whistleblower will make public any evidence of partisan motivations. The more ambitious case involves actually exposing the executive’s decisionmaking processes to observation. To the extent that an ill-motivated executive cannot publicly acknowledge his motivations or publicly instruct subordinates to take them into account in decisionmaking, transparency will exclude those motivations from the decisionmaking process. The public will know that only a well-motivated executive would promise transparency in the first place, and the public can therefore draw an inference to credibility.Credibility is especially enhanced when transparency is effected through journalists with reputations for integrity or with political preferences opposite to those of the president. Thus George W. Bush gave Bob Woodward unprecedented access to White House decisionmaking, and perhaps even to classified intelligence,95 with the expectation that the material would be published. This sort of disclosure to journalists is not real-time transparency – no one expects meetings of the National Security Council to appear on CSPAN – but the anticipation of future disclosure can have a disciplining effect in the present. By inviting this disciplining effect, the administration engages in signaling in the present through (the threat of) future transparency.

### 1NC CP 2

#### The United States federal government should restrict the President’s war powers authority for signatures strikes carried out by remotely-piloted vehicles to geographic locations where the government has given consent.

#### The United States federal government should ban signatures strikes carried out by remotely-piloted vehicles in Yemen.

#### Consent solves the norms advantage – respects sovereignty, creates an international precedent of drone restraint, and assures allies. And allows for strikes in Somalia.

ADAM ENTOUS, SIOBHAN GORMAN and EVAN PEREZ, 9/26/12, WSJ, U.S. Unease Over Drone Strikes, http://online.wsj.com/article/SB10000872396390444100404577641520858011452.html

About once a month, the Central Intelligence Agency sends a fax to a general at Pakistan's intelligence service outlining broad areas where the U.S. intends to conduct strikes with drone aircraft, according to U.S. officials. The Pakistanis, who in public oppose the program, don't respond. On this basis, plus the fact that Pakistan continues to clear airspace in the targeted areas, the U.S. government concludes it has tacit consent to conduct strikes within the borders of a sovereign nation, according to officials familiar with the program. Representatives of the White House's National Security Council and CIA declined to discuss Pakistani consent, saying such information is classified. In public speeches, Obama administration officials have portrayed the U.S.'s use of drones to kill wanted militants around the world as being on firm legal ground. In those speeches, officials stopped short of directly discussing the CIA's drone program in Pakistan because the operations are covert. Now, the rationale used by the administration, interpreting Pakistan's acquiescence as a green light, has set off alarms among some administration legal officials. In particular, lawyers at the State Department, including top legal adviser Harold Koh, believe this rationale veers near the edge of what can be considered permission, though they still think the program is legal, officials say. Two senior administration officials described the approach as interpreting Pakistan's silence as a "yes." One dubbed the U.S. approach "cowboy behavior." In a reflection of the program's long-term legal uncertainty and precedent-setting nature, a group of lawyers in the administration known as "the council of counsels" is trying to develop a more sustainable framework for how governments should use such weapons. The effort is designed to fend off legal challenges at home as well as to ease allies' concerns about increasing legal scrutiny from civil-liberties groups and others. The White House also is worried about setting precedents for other countries, including Russia or China, that might conduct targeted killings as such weapons proliferate in the future, officials say. Because there is little precedent for the classified U.S. drone program, international law doesn't speak directly to how it might operate. That makes the question of securing consent all the more critical, legal specialists say. In public, Pakistan has repeatedly expressed opposition to the drone program, and about 10 months ago closed the CIA's only drone base in the country. In private, some Pakistani officials say they don't consider their actions equivalent to providing consent. They say Pakistan has considered shooting down a drone to reassert control over the country's airspace but shelved the idea as needlessly provocative. Pakistan also has considered challenging the legality of the program at the United Nations. "No country and no people have suffered more in the epic struggle against terrorism than Pakistan," Pakistan President Asif Ali Zardari told the U.N. General Assembly Tuesday. "Drone strikes and civilian casualties on our territory add to the complexity of our battle for hearts and minds through this epic struggle." A former Pakistani official who remains close to the program said Pakistan believes the CIA continues to send notifications for the sole purpose of giving it legal cover. It is possible Pakistan is playing both sides. Ashley Deeks, a former State Department assistant legal adviser under Mr. Koh who is now at the University of Virginia, said a lack of a Pakistani response to U.S. notifications might be a way for Pakistan to meet seemingly contradictory goals—letting the CIA continue using its airspace but also distancing the government of Pakistan from the program, which is deeply unpopular among Pakistanis. Legal experts say U.S. law gives the government broad latitude to pursue al Qaeda and its affiliates wherever they may be. A joint resolution of Congress after the Sept. 11, 2001, attacks authorized the president to use force against the planners of the attacks and those who harbor them. Then-President George W. Bush that month signed a classified order known as a "finding" authorizing covert action against al Qaeda. Government consent provides the firmest legal footing, legal experts say. The U.S. has that in Yemen, whose government assists with U.S. strikes against an al Qaeda affiliate. In Somalia, the nominal government, which controls little territory, has welcomed U.S. military strikes against militants. In an April speech, White House counterterrorism adviser John Brennan said the administration has concluded there is nothing in international law barring the U.S. from using lethal force against a threat to the U.S., despite the absence of a declared war, provided the country involved consents or is unable or unwilling to take action against the threat. On the international stage, matters are less clear-cut. The unwilling-or-unable doctrine, which was first publicly stated by the George W. Bush administration and has been affirmed by the Obama administration, remains open to challenge abroad, legal experts say. Conducting drone strikes in a country against its will could be seen as an act of war. Benjamin Wittes, a senior fellow at the Brookings Institution, said the U.S. drone approach in Pakistan is getting closer to the edge. "It doesn't mean it is illegal, but you are at the margins of what can reasonably be construed as consent," he said. Kenneth Anderson, a law professor at American University, defended the right to conduct drone operations without consent if a country refuses to address the threat. He added, however, that such a program can't be sustained by secret winks and nods. "Strategic ambiguity is a real bad long-term policy because it eventually blows up in your face," Mr. Anderson said. "It's not stable." Senior U.S. officials worry about maintaining the support of an important ally—the U.K.—where officials have begun to express concerns privately about the extent of Pakistan's consent.

#### The net benefit is Somalia

#### The plan prevents drones strikes against key targets in Somalia, the CP allows them as long as there is consent –strikes in Somalia key to containing al-Shabaab – impacts are trade, terrorism, and African stability

Roach and Walser – 12

Morgan Lorraine Roach is a Research Associate, and Ray Walser, PhD, is Senior Policy Analyst for Latin America, in the Douglas and Sarah Allison Center for Foreign Policy Studies, a division of the Kathryn and Shelby Cullom Davis Institute for International Studies, at The Heritage Foundation, Saving Somalia: The Next Steps for the Obama Administration, May 18, 2012, http://www.heritage.org/research/reports/2012/05/saving-somalia-the-next-steps-for-the-obama-administration

In the past twenty years, the African continent has made progress toward democratic governance. Civilians now govern many countries once under military rule; political parties have emerged in what were previously single-party states; observance of civil liberties and political rights has strengthened; and inter-state conflict has diminished. However, some African countries have bucked this trend and either maintained an undemocratic status quo or plunged into chaos. Somalia, more so than any other African state, continues to be synonymous with intractable anarchy—a well-earned distinction, given that, for two decades, Somalia has lacked a functioning central government while serving as a haven for terrorism and piracy. Since the infamous Battle for Mogadishu in 1993, the United States has constrained its engagement in the Horn of Africa.[1] While Somalia’s challenges impact the United States, it is not considered a U.S. foreign policy priority—an unfortunate relegation that has undermined national security. With the United States and its allies under constant threat from terrorists, Somalia poses an international security risk not only to U.S. interests in the region, but also to the broader international community. Piracy, another condition of Somalia’s failed state status, imperils the flow of commerce and costs the shipping industry and consumers billions of dollars per year. Furthermore, the ongoing anarchy has prevented the Somali people from receiving the most basic services. The Obama Administration has taken steps, though limited, toward engagement with Somalia’s local governing entities while supporting the Transitional Federal Government (TFG).[2] This “dual track” approach only addresses half of the problem, as continued recognition of the TFG offers little hope of moving beyond the status quo—order, stability, and democracy must come from within. U.S. policymakers should instead embrace a comprehensive strategy that places renewed emphasis on responsible democratic governance and the construction of a pluralistic and functioning Somali state. To accomplish this objective, the U.S., regional stakeholders, and the Somali people must build a strategy based on broader power sharing, genuine security, and viable economic opportunities. Only then can the root causes of the failed Somali state be addressed. In order to understand the current crisis, it is necessary to examine several key components of Somalia’s collapse, including the evolution of U.S. engagement with Somalia, why such engagement has failed, and the critical factors that fueled Somalia’s decline. An analysis of these components reveals, first and foremost, the need to establish a democratic government in Somalia, as well as several other initial steps the Obama Administration could take to begin resolving the crisis. Rather than engaging in more failed attempts at “nation building,” the U.S. should set the conditions that will allow Somalis to secure a more prosperous and secure future, while mitigating threats to U.S. security. Nation Building Not the Answer For over two decades Somalia has lacked a legitimate, functioning national government. With the collapse of General Siyad Barre’s authoritarian regime in 1991, the country plummeted into anarchy as rival leaders jousted for territorial dominance.[3] In 1992, the international community acted and the United Nations Security Council (UNSC) launched an operation to deliver humanitarian aid. Later that year, President George H. W. Bush authorized Operation Restore Hope to provide security support to the United Nations. The Clinton Administration altered Operation Restore Hope, transforming it from a short-term humanitarian mission to a longer-term operation dedicated to Somalia’s reconstruction. This change in policy yielded deadly consequences. Outraged by what was perceived as foreign intervention, warlords—including General Mohammed Farah Aideed, the leader primarily responsible for Barre’s ouster, waged war against U.N. peacekeeping troops. In response, the U.S. dispatched Special Forces to arrest General Aideed in October 1993, only to have eighteen elite U.S. soldiers and hundreds of Somalis killed in a military clash referred to as Black Hawk Down.[4] Shocked by what was, at the time, the greatest loss of American servicemen in combat since Vietnam, President Clinton abandoned the mission and, by the end of March 1994, all U.S. forces were withdrawn from Somalia. Fight for Governance In 2000, after a dozen attempts to establish a central government, Djibouti convened the Somalia National Peace Conference (SNPC), which, in turn, established the Transitional National Government (TNG). The initial mandate of the TNG ended in August 2003, and was unsuccessful in solidifying authority; a rival governmental movement known as the Somalia Reconciliation and Restoration Council (SRRC) opposed the TNG.[5] Anticipating the failure of the TNG to establish permanent governance, Kenya hosted the 2002 Somalia National Reconciliation Conference.[6] By the end of the conference in October 2004, the TNG and the SRCC agreed to the formation of a “Transitional Nation Charter,” thereby creating the Transitional Federal Government (TFG). The TFG represents Somalia’s 14th attempt to establish a permanent government. As a result of ongoing battles between rival warlords, the TFG was unable to enter Somalia until 2005, and, therefore, lacked legitimacy with the majority of Somalis. Even when the TFG entered Somalia, it was forced to govern from Baidoa, 250km outside Mogadishu.[7] While the international community struggled to establish governance during the 1990s, Somalia’s local Islamic courts started to take root. Various Islamist organizations—although primarily al-Ittihad al-Islamiya (Islamic Unity or AIAI), a radical militant group affiliated with al-Qaeda—organized local tribunals and their militias under the banner of the Islamic Courts Union (ICU). ICU forced many warlords out of power, and even claimed Mogadishu in June 2006. Eventually, the ICU reorganized itself into the Council of Islamic Courts (CIC) and expanded its authority throughout much of southern and central Somalia. Despite its brutal tendencies, the Council enjoyed broad support from the Somali people as its militias restored relative order. Ethiopia, a majority Christian nation with a substantial Muslim minority, dreaded the expansionary and destabilizing potential of Somali Islamism. As such, on Christmas Eve 2006, Ethiopian Prime Minister Meles Zenawi launched a military invasion of Somalia, decimating CIC militias. A year later the CIC was removed from power, thereby allowing the TFG to move to Mogadishu. The TFG’s arrival, however, did not lead to the establishment of a permanent government. Rather, the TFG’s authority depended upon the presence of the African Union’s peacekeeping mission in Somalia (AMISOM). Given the system under which it was founded, the TFG’s inability to govern is hardly surprising. Specifically, during the 2002 Nairobi Peace Process, the architects of the TFG instituted a top-down approach to governance known as the “clan quota system,” whereby TFG members were appointed—not elected.[8] Rather than working toward stability and prosperity for the country as a whole, each government official sought to narrowly address his clan’s interests.[9] Equally disturbing is the TFG’s complete disregard for the fundamentals of good governance. Rampant fraud and corruption have run unchecked and, when foreign monies are involved, even increased, thereby adding to the suffering of the Somali people. When East Africa’s Intergovernmental Authority on Development (IGAD) appointed the TFG in 2004, it chose Colonel Abdullahi Yusuf Ahmed, a veteran warlord as president, and Ali Mohamed Gedi, a veterinarian with no political experience, as prime minister.[10] Rather than select individuals who best represent the interests of the Somali people, Ahmed and Gedi appointed relatives and political allies to various positions within government and molded the TFG to serve their objectives.[11] Al-Shabaab: Terror Threat Despite international backing, the TFG has proved itself incapable of tackling the most existential threat to the Somali people: terrorism. In 1992, al-Qaeda founder Osama bin Laden, operating out of Sudan, sent his lieutenant, Abu Hafs al-Masri, on repeated scouting missions to Somalia. Offering a willing recruiting pool and a lack of governance, Somalia was ripe for al-Qaeda expansion. Somalia’s clan dynamics and expensive operating costs, however, proved challenging and al-Qaeda suspended its initiative. Despite this setback, al-Qaeda continues to use Somalia as a recruiting ground and a safe haven.[12] When the CIC took control of Mogadishu in 2006, members of al-Shabaab served in its militant branch. Following the Ethiopian invasion and the overthrow of the CIC, al-Shabaab dispersed throughout the country. Once the CIC was disbanded it split into two factions: the moderates and the radicals. The moderates, led by Sheikh Sharif Sheikh, turned themselves into Kenyan authorities and later joined the TFG.[13] The radical elements of the CIC also split, forming two groups, al-Shabaab and Hizbul Islam, headed by Hassan Dahir Aweys.[14] Following the CIC’s breakup, the leadership of al-Shabaab passed to Ahmed Abdi Aw-Mohamed “Godane,” and the now deceased Aden Hashi Ayro. Having both trained with al-Qaeda in the 1990s, they sought to model their chain of command, ideology, strategy, and tactics on those of al-Qaeda.[15] Though al-Shabaab formalized its ties with al-Qaeda in February, it was previously considered an affiliate.[16] Unlike al-Qaeda, whose primary objective remains the establishment of a global caliphate, al-Shabaab’s leaders seek the establishment and expansion of a “Greater Somalia,” and the imposition of Sharia law through jihad.[17] In addition to its support from al-Qaeda, al-Shabaab’s expansion and growing influence in the region are made possible by support from the government of Eritrea. Since 2007, the Eritrean government has provided political and material support for al-Shabaab in the form of arms, munitions, and training.[18] Eritrea’s readiness to back al-Shabaab derives from its long-term resentment toward Ethiopia, from which it gained independence in 1993.[19] Reports by the United Nations Sanctions Monitoring Group on Somalia (SMG) have repeatedly found evidence of Eritrea’s support for terrorism. In July 2007, the SMG reported: Huge quantities of arms have been provided to the Shabab by and through Eritrea…the weapons in caches and otherwise in possession of the Shabab include an unknown number of surface-to-air missiles, suicide belts, and explosives with timers and detonators.[20] Subsequent SMG reports have yielded similar results. In his 2009 testimony before the U.S. Senate Committee on Foreign Relations, the Assistant Secretary of State for African Affairs, Johnnie Carson, stated, “We have clear evidence that Eritrea is supporting these extremist elements, including credible reports that the Government of Eritrea continues to supply weapons and munitions to extremists and terrorist elements.”[21] In December 2009, the U.N., acting under Resolution 1907, sanctioned the government of Eritrea for backing militants in Somalia. The sanctions included an arms embargo, travel bans, and asset freezes on businesses and government officials.[22] Despite these sanctions, the Government of Eritrea remains defiant, and therefore, last December, the U.N. Security Council voted in favor of Resolution 2023, which requires foreign companies involved in Eritrea’s mining industry to ensure that profits are not used to benefit terrorism. Earlier drafts of the resolution included bans on foreign investment in the mining sector and the blockage of a remittance tax on Eritreans living overseas. However, such steps were opposed when some European member states, Russia, and China raised objections, arguing that such sanctions would hurt the Eritrean people rather than prevent the government’s support of terrorism.[23] The U.S. has taken little direct action or levied bilateral sanctions against Eritrea for its support for terrorism. While the United States ended bilateral support to Eritrea in 2005, in fiscal year (FY) 2004 the U.S. government provided over $65 million in humanitarian aid, including $58.1 million in food assistance and $3.47 million in refugee support.[24] Al-Shabaab Emboldened On July 11, 2010, terrorism in Somalia reached a turning point when al-Shabaab launched its first transnational attacks with synchronized bombings in Kampala, Uganda. The Kampala attacks emphasized a bolder and more dangerous al-Shabaab. Traditionally al-Shabaab limited its targets to those in Somalia. However, the Kampala attacks, though directed at Uganda’s military support to the TFG, highlighted al-Shabaab’s aspirations to have an impact beyond Somalia. It also raised questions about al-Shabaab’s ability to contribute to the destabilization of East Africa. Al-Shabaab’s attack on Kampala served as a wake-up call for both the African Union (AU) and the U.S. When al-Shabaab first expanded its operations in 2007–2008, the Bush Administration officially designated al-Shabaab as a Foreign Terrorist Organization.[25] Although the threat from al-Shabaab continues to grow, the Obama Administration has made it clear that direct U.S. military engagement in Somalia is to be limited. In March 2010, Assistant Secretary Johnnie Carson stated that the United States “has no desire to Americanize the conflict in Somalia.”[26] Nevertheless, the U.S. responded to the threat before and after the Kampala attacks by increasing its counterterrorism operations in the region via the intelligence community, the deployment of proxy forces, armed drones, and Special Forces missions. While it is difficult to determine how many strikes the U.S. intelligence community has carried out, former ambassador to Ethiopia David Shinn estimates that, since 2007, there have been nearly a dozen U.S. covert strikes on terrorist targets in the region.[27] The U.S. military has previously targeted militants through helicopter raids, Special Forces operations, and sea-launched cruise missiles.[28] In 2010, the White House implemented a new approach to counterterrorism via the 2010 National Security Strategy.[29] In his testimony before the U.S. Senate Armed Services Committee, Daniel Benjamin, Ambassador-at-Large and Coordinator for Counterterrorism at the State Department, stated that the strategy emphasizes tactical counterterrorism efforts aimed at “taking individual terrorists off the streets.”[30] The strategy includes the increased use of armed Reaper and Predator drones—low-risk weapons that employ a level of force consonant with the specific goal of a given operation. Furthermore, drone attacks are discriminate, as they are launched against a specific target and reduce the risk of collateral damage.[31] The U.S. intelligence community believes it has achieved considerable returns from its increased use of drone strikes. Last June, the U.S. conducted its first known drone operation in Somalia—an attack on a vehicle convoy in the southern city of Kismayo, an established al-Shabaab stronghold. The strike wounded two senior al-Shabaab operatives who may have been targeted as a result of their relationship with the late Yemeni al-Qaeda in the Arabian Peninsula (AQAP) leader Anwar al-Awlaki.[32]

**Trade solves war**

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

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

## Case

### 1NC Yemen

#### Signature strikes aren’t worse for civilian casualties – makes the impact inevitable

Taylor 2013 - Senior Fellow at the Center for Policy & Research (July 24, Paul, “Signature Strikes are as Old as War” <http://transparentpolicy.org/2013/07/signature-strikes-are-as-old-as-war/>)

Signature strikes may not be new, but our new techniques are helping reduce civilian harm, despite the “evidence” Still, the US military and intelligence community is becoming impressively proficient at identifying and locating individual members of the enemy. Despite the much publicized (but mostly classified) report recently published by the Center for Naval Analysis’ Larry Lewis, most reliable evidence says that drones, even when used for signature strikes, are much more discriminant and precise, killing or injuring fewer civilians per strike, and far fewer per militant killed. Much of the evidence to the contrary is in fact gained from anonymous sources linked to the Pakistani military or to the militants themselves. Given the sourcing–the enemy and their patrons–it is a little surprising that the claimed number of civilian deaths is in fact so low, even including signature strikes. Maybe these sources are willing to double the number of civilian casualties, but tripling it seems a bridge too far (except for a stalwart few who transparently either fudge their numbers or need to retake middle school pre-algebra). As a case in point, even the Bureau of Investigative Journalism, who appears at first to be an honest broker of information on drone strikes, upon deeper investigation, are highly biased. They reported yesterday that the number of civilian deaths due to drone strikes in Pakistan has been underreported by 81. They describe this as a “high civilian death toll,” but for a campaign waged over the course of nine years, this is actually an extremely low death toll. I challenge anyone to find another military campaign that lasted nine years yet killed fewer than 45 civilians per year (according to their numbers). However, even these numbers are suspect, as can be seen from their source document, a leaked Pakistani summary of drone strike casualties. Setting aside the arithmetic problems (4+5=8? Apparently, in Pakistan. See line 78), several problems indicate unreliability. First, the number of civilians killed is not always as clear as the Bureau would have it. In the vast majority of “civilian” casualty cases, the number of civilians are not specified, and is indictated only by inclusion of the word “civilian” in the remarks column. It is not clear whether this means all dead and wounded were civilians or whether one or some of them were. However, in other cases, the number is given, or the remarks indicate that they were “all civilians.” Second, and more damning, only two references were made to militants out of the nearly 750 dead in 84 attacks. However, one entry refers to “miscreants,” and several others list foreigners as among the dead. This raises the suspicion that the number of militants killed is actually under-reported, and thus the possibility that some listed as civilians are in fact militants. Third, and worst of all for the reliability of this information, it is apparently obtained secondhand and from afar. Several of the entries indicate that the information is “reported” or “yet to be received.” Local elders and even local political administrations are often pro-Taliban or otherwise compromised (e.g. by bribery which constitutes the majority of their income). The hard truth is that coming to even a good, ball-parked number of civilian dead is extremely difficult. But what is clear is that the US drone campaign, even when using signature strikes, has a remarkably low rate of civilian casualties when compared to other available options, given their advanced optics, long loiter times, and precision munitions. Those who advocate against drones tend to focus on the technology, when what they are actually opposed to is the use of force in general. This is a laudable sentiment, but these same folks never seem to be willing to offer workable alternatives.

#### Terror risk is low

Mueller, 14 --- Professor of Poli Sci at Ohio State

(1/8/2014, John, “Has the threat from terrorism been exaggerated?” <http://www.thecommentator.com/article/4579/has_the_threat_from_terrorism_been_exaggerated>))

Two years after the raid on Osama bin Laden’s hideaway, terrorism alarmists remain in peak form explaining that although al-Qaeda has been weakened it still manages to present a grave threat. Various well-honed techniques are applied to support this contention. One is to espy and assess various “linkages” or “connections” of “ties” or “threads” between and among a range of disparate terrorists or terrorist groups, most of which appear rather gossamer and of only limited consequence on closer examination. Another is to exaggerate the importance and effectiveness of the “affiliated groups” linked to al-Qaeda central. In particular, alarmists point to the al-Qaeda affiliate in chaotic Yemen, ominously hailing it as the “deadliest” and the “most aggressive” of these and a “major threat.” Yet its chief efforts at international terrorism have failed abysmally: an underwear bomb and laser printer bombs on cargo planes. With that track record, the group may pose a problem or concern, but it scarcely presents a “major threat” outside of war zones. More generally, “al-Qaeda is its own worst enemy,” as Robert Grenier, a former top CIA counterterrorism official, notes. “Where they have succeeded initially, they very quickly discredit themselves.” Any terrorist threat within the developed world seems even less impressive. The Boston terrorists of 2013 were the first in the United States since 9/11 in which Islamist terrorists actually were able to assemble and detonate bombs -- albeit very primitive ones. But except for that, they do not seem to have been more competent than most of their predecessors. Amazingly, they apparently thought they could somehow get away with their deed even though they chose to set their bombs off at the most-photographed spot on the planet at the time. Moreover, they had no coherent plan of escape and, as commonly found, no ability to explain how killing a few random people would advance their cause. While the scope of the tragedy in Boston should not be minimized, it should also be noted that if the terrorists’ aim was to kill a large number of people, their bombs failed miserably. As recent cases in Colorado and Connecticut sadly demonstrate, far more fatalities have been inflicted by gunmen. Before Boston, some 16 people had been killed by Islamist terrorists in the United States in the years since 2001, and all of these were murdered by people who were essentially acting alone. By contrast, in the 1970s, organized terrorists inflicted hundreds of attacks, mostly bombings, in the United States, killing 72. As concern about organized attacks has diminished, fear of “lone wolf” attacks has grown in recent years, and one official assessment contends that “lone offenders currently present the greatest threat.” This is a reasonable observation, but those concerned should keep in mind that, as analyst Max Abrahms has noted, while lone wolves may be difficult to police, they have carried out only two of the 1,900 most deadly terrorist attacks over the last four decades. The key question, at least outside of war zones, is not, “are we safer?” but “how safe are we?” At current rates, an American’s chance of becoming a victim of terrorism in the U.S., even with 9/11 in the calculation, is about 1 in 3.5 million per year. In comparison, that same American stands a 1 in 22,000 yearly chance of becoming a homicide victim, a 1 in 8,000 chance of perishing in an auto accident, and a 1 in 500 chance of dying from cancer. These calculations are based, of course, on historical data. However, alarmists who would reject such history need to explain why they think terrorists will suddenly become vastly more competent in the future. But no one seems to be making that argument. Indeed, notes one reporter, U.S. officials now say that al-Qaeda has become less capable of a large attack like 9/11. But she also says that they made this disclosure only on condition of anonymity out of fear that “publicly identifying themselves could make them a target” of terrorists. In contrast, one terrorism specialist, Peter Bergen, has observed in heroic full attribution mode that, “The last terror attack (in the West) was seven years ago in London,” that there “haven’t been any major attacks in the U.S.,” and that “they are recruiting no-hopers and dead-enders.” Terrorists do, of course, exist -- as they have throughout history. They may even get lucky again sometime. Thus, concern and watchfulness about terrorism is justified. But counterterrorism expenditures that are wildly disproportionate to the limited hazard terrorism presents are neither wise nor responsible.

### 1NC Norms

#### No drone prolif—their evidence reflects hype and state posturing

Zenko and Kreps 3/10

[3/10/14, Sarah Kreps is an assistant professor in the Department of Government, the co-director of the Cornell Law School International Law-International Relations Colloquium, and an affiliate of the Einaudi Center for International Studies’ Foreign Policy Initiative and Micah Zenko is the Douglas Dillon Fellow in the Center for Preventive Action (CPA) at the Council on Foreign Relations (CFR), “The Drone Invasion Has Been Greatly Exaggerated”, <http://www.foreignpolicy.com/articles/2014/03/10/drone_invasion_greatly_exaggerated_us_exports>]

A casual observer of recent reporting and analysis of unmanned aerial vehicles (UAVs) -- most commonly referred to as drones -- might assume that the world is already awash in drones of all shapes, sizes, and capabilities. Amazon's contrived hint of drone-delivered packages only tantalized the public's imagination back in December, and seemingly new uses for drones are found each day, from identifying rhinoceros poachers, to border control, to tracking whaling ships. But this apparent runaway train of drone proliferation (and its misreported uses) is actually stymieing efforts to promote or influence responsible armed-drone exports and their uses. Because if drones are already ubiquitous, then efforts to control their spread -- whether through tight export controls or pressure on major producers to restrict their transfers, which Barack Obama's administration is now contemplating in a long, contentious interagency review of U.S. drone exports -- are unnecessary and even misguided. The problem with this now commonly stated assumption -- that the world is fully equipped with drones -- is that while these news articles hyping a drones arms race are exciting, they are also misleading. Take, for example, a report on March 5 that North Korea has developed an armed drone that it could use to threaten the region. The problem is that the capability is little more than a kamikaze missile, a far cry from the American version that the drone is purportedly intended to resemble. Contrary to these sensationalist accounts, the international market for armed drones -- the most potentially threatening and destabilizing type -- is quite small. Actually, it's minuscule, projected to be about $8.35 billion by 2018, around which time the global defense market is expected to reach $1.88 trillion, which would mean that drone expenditures will make up less than 0.5 percent of the world's defense spending. Even though global drone expenditures are expected to grow roughly a billion dollars a year (though they actually fell from $6.6 billion to $5.2 billion between 2012 and 2013), the business of UAVs will remain little more than a small focus of defense spending outside the United States for the next decade. Part of the reason the public is so easily manipulated is that much of what is known about the development of armed drones is clouded in secrecy. Some countries, including the United States, maintain covert programs for obvious reasons like maintaining the strategic element of surprise, while others, such as Iran, boast of armed drones that have not been demonstrably used in order to garner national prestige. There are also government announcements of deadlines for developing them that appear to go unmet, as well as aspirational statements by drone manufacturers for orders that are never fulfilled. Drone sales have indeed increased markedly over the past few years. A decade ago, analysts estimated that global spending on commercial and military drones would be $2 billion in 2005, and the amount projected over the next decade was estimated to be nearly $11 billion. In 2013, $5.2 billion was spent on drones -- a 21 percent decrease from the previous year -- with $89 billion projected for the next 10 years combined. Of that amount, only an estimated 11 percent, or $9.9 billion, is expected to be used to purchase armed drones. However, it is important to keep these numbers in perspective. According to IHS Jane's, global defense spending in 2013 was $1.54 trillion. The global market still belongs overwhelmingly to the United States and Israel, which were estimated in 2012 to comprise three-quarters of all drone sales. A November 2012 report estimated that U.S. defense firms Northrop Grumman and General Atomics accounted for 40 percent and 25 percent, respectively, of worldwide drone manufacturing. No other company had more than 3 percent of the market share. In 2013, the Stockholm International Peace Research Institute estimated that Israel was responsible for 41 percent of drone exports between 2001 and 2011. However, China has reportedly sold two of its smaller armed drones to the United Arab Emirates and Pakistan, raising concerns about whether China would export its larger Predator-equivalent drone (the CH-4) to countries such as Iran. According to the Teal Group, over the next decade 51 percent of global drone procurement and 65 percent of global research and development on drones will be solely American. This should not be surprising given that the United States has been the lead actor in the development and use of all drones and that the Pentagon's budget is bigger than the next 10 largest defense budgets combined.

#### EU power is incapable of solving global problems

Maleski 1 (Denko, pg. http://www.newbalkanpolitics.org.mk/OldSite/Issue\_5/denko.eu.eng.asp)

The lesson that we learned ten years ago is that the European Union lacks a common will when resolving serious crises on the continent. The lack of a common will results from the conflicting national interests of the European states, states that have difficulty in translating them into a joint foreign and security policy. The anecdote related to Kissinger, who, at someone’s remark that Europe thinks in this or that way, demanded the impossible - its telephone number -, is still didactic. In other words, it will be some time before the Danes and the Greeks, or the British and the Portuguese, have mutually shared views of the foreign and the security policy of the EU. Nevertheless, three EU member states strongly support the idea of European forces in Macedonia: Greece, France and Spain. What are their interests?

#### Turkish conflict won’t escalate—Syria proves their restrained in their use in military

Hurriyet Daily News, 10-7

[Hurriyet Daily News, “Is there a military intervention in Syria?,” October 7th 2011, http://www.hurriyetdailynews.com/n.php?n=is-there-a-military-intervention-in-syria-2011-10-07]

Foreign Minister Ahmet Davutoğlu was my guest on my 32.Gün (32nd Day) show on Oct. 6. For a while, the question, “Are we going to war with Syria?” was haunting me. How could it not after the prime minister said he would not “be a mere spectator to what was going on in Syria” and the Turkish Armed Forces started exercises at the Syrian border. The impression I got from the talk with Davutoğlu was not that a war would erupt or a military intervention was on the table. But it is as such that Assad will not be able to stay in power anymore. Turkey’s concern is the spread of an internal conflict in Syria and that we are faced with a major migration wave. As far as I understand, military measures are more toward obstructing this possible immigration.

#### Global drone norms are impossible

McGinnis, senior professor – Northwestern Law, ‘10

(John O. 104 Nw. U. L. Rev. Colloquy 366)

It is hard to overstate the extent to which advances in robotics, which are driven by AI, are transforming the United States military. During the Afghanistan and Iraq wars, more and more Unmanned Aerial Vehicles (UAVs) of different kinds were used. For example, in 2001, there were ten unmanned "Predators" in use, and at the end of 2007, there were 180. n42 Unmanned aircraft, which depend on substantial computational capacity, are an increasingly important part of our military and may prove to be the [\*374] majority of aircraft by 2020. n43 Even below the skies, robots perform im-portant tasks such as mine removal. n44 Already in development are robots that would wield lasers as a kind of special infantryman focused on killing snipers. n45 Others will act as paramedics. n46 It is not an exaggeration to predict that war twenty or twenty-five years from now may be fought predominantly by robots. The AI-driven battlefield gives rise to a different set of fears than those raised by the potential autonomy of AI. Here, the concern is that human malevolence will lead to these ever more capable machines wreaking ever more havoc and destruction. III. THE FUTILITY OF THE RELINQUISHMENT OF AI AND THE PROHIBITION OF BATTLEFIELD RO-BOTS Joy argues for "relinquishment"--i.e., the abandonment of technologies that can lead to strong AI. Those who are concerned about the use of AI technology on the battlefield would focus more specifically on weapons powered by AI. But whether the objective is relinquishment or the constraint of new weaponry, any such program must be translated into a specific set of legal prohibitions. These prohibitions, at least under current technology and current geopolitics, are certain to be ineffective. Thus, nations are unlikely to unilaterally relinquish the technology behind accelerating compu-tational power or the research to further accelerate that technology. Indeed, were the United States to relinquish such technology, the whole world would be the loser. The United States is both a flourishing commercial republic that benefits from global peace and prosperity, and the world's hegemon, capable of supplying the public goods of global peace and security. Because it gains a greater share of the prosperity that is afforded by peace than do other nations, it has incentives to shoulder the burdens to maintain a global peace that benefits not only the United States but the rest of the world. n47 By relinquishing the power of AI, the United States would in fact be giving greater incentives to rogue nations to develop it. Thus, the only realistic alternative to unilateral relinquishment would be a global agreement for relinquishment or regulation of AI-driven weaponry. But such an agreement would face the same insuperable obstacles nuclear disarma-ment has faced. As recent events with Iran and North Korea demonstrate, n48 it seems difficult if not impossible to per-suade rogue nations [\*375] to relinquish nuclear arms. Not only are these weapons a source of geopolitical strength and prestige for such nations, but verifying any prohibition on the preparation and production of these weapons is a task beyond the capability of international institutions. The verification problems are far greater with respect to the technologies relating to artificial intelligence. Relative-ly few technologies are involved in building a nuclear bomb, but arriving at strong artificial intelligence has many routes and still more that are likely to be discovered. Moreover, building a nuclear bomb requires substantial infrastruc-ture. n49 Artificial intelligence research can be done in a garage. Constructing a nuclear bomb requires very substantial resources beyond that of most groups other than nation-states. n50 Researching artificial intelligence is done by institu-tions no richer than colleges and perhaps would require even less substantial resources.

#### Long timeframe – their author

Zenko 2013 (Micah Zenko is the Douglas Dillon fellow in the Center for Preventive Action (CPA) at the Council on Foreign Relations (CFR). Previously, he worked for five years at the Harvard Kennedy School and in Washington, DC, at the Brookings Institution, Congressional Research Service, and State Department's Office of Policy Planning, Council Special Report No. 65, January 2013, “U.S. Drone Strike Policies”, i.cfr.org/content/publications/attachments/Drones\_CSR65.pdf‎)

Much like policies governing the use of nuclear weapons, offensive cyber capabilities, and space, developing rules and frameworks for innovative weapons systems, much less reaching a consensus within the U.S. government, is a long and arduous process. In its second term, the Obama administration has a narrow policy window of opportunity to pursue reforms of the targeted killings program. The Obama administration can proactively shape U.S. and international use of armed drones in nonbattlefield settings through transparency, self-restraint, and engagement, or it can continue with its current policies and risk the consequences. To better secure the ability to conduct drone strikes, and potentially influence how others will use armed drones in the future, the United States should undertake the following specific policy recommendations.

#### 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.

### 1NC Solvency

#### Signature strikes are already banned

Schmitt 2012 – has shared two Pulitzer prizes (Eric, August 25, “U.S. to Step Up Drone Strikes Inside Yemen” <http://www.nytimes.com/2012/04/26/world/middleeast/us-to-step-up-drone-strikes-inside-yemen.html?pagewanted=print>)

The White House has given the Central Intelligence Agency and the Pentagon broader authority to carry out drone strikes in Yemen against terrorists who imperil the United States, reflecting rising concerns about the country as a safe haven for Al Qaeda, a senior administration official said Wednesday night. The policy shift, approved this month, allows the C.I.A. and the military’s Joint Special Operations Command to strike militants in Yemen who may be plotting attacks against the United States, but whose identities might not be completely known, an authority that already exists in Pakistan, the official said. Previously, the United States focused on a list of known leaders of the Qaeda affiliate in Yemen, which many American officials now says poses a bigger immediate threat to the United States than do militants in Pakistan. “This broadens the aperture slightly” for the C.I.A. and the military command, the official said, noting that any targets must be approved by the White House and top administration officials before the strikes can take place. The gradual expansion of the drone program in Yemen illustrates a spirited debate within the administration between the C.I.A. and some military counterterrorism officers who want to attack Qaeda fighters and commanders aggressively in Yemen, and some diplomats and other government officials who are wary that increasing the drone strikes could drag the United States into another regional conflict in the Middle East. The new policy does not permit strikes against groups of low-level fighters or weapons depots — so-called “signature strikes” — because of the administration’s concern about civilian casualties, the official said.

# 2NC

# 2nc

## XO

### Cards

#### the exec will change definitions to circumvent

Hafetz, 11/5 --- law professor at Seton Hall

(11/5/2013, Jonathan, “Outrage Fatigue: The Danger of Getting Used to Gitmo,” http://www.worldpoliticsreview.com/articles/13311/outrage-fatigue-the-danger-of-getting-used-to-gitmo))

The Obama administration has shown no shortage of creative lawyering in justifying U.S. military involvement in Libya and Syria as well as in expanding America’s use of targeted drone strikes. In those instances, the administration has interpreted presidential authority robustly, while narrowly construing congressional attempts to cabin that authority, as in the War Powers Resolution. Yet, when it comes to releasing Guantanamo detainees, the administration remains sheepish. It has failed to apply the same interpretive approach to congressional transfer restrictions despite what the president has described as the clear national security interests in closing the prison. Only external events, such as the hunger strike, now seem to prompt any action. And even there, the urgency tends to dissipate once the public pressure and media attention fades.

#### A network of national security officials actually determines policy --- enacting external checks just legitimates them without providing any constraint

Glennon, 14 --- Professor of International Law at Tufts (Michael, Harvard National Security Journal, “National Security and Double Government,” <http://harvardnsj.org/wp-content/uploads/2014/01/Glennon-Final.pdf)>)

VI. Conclusion

U.S. national security policy has scarcely changed from the Bush to the Obama Administration. The theory of Walter Bagehot explains why. Bagehot described the emergence in 19th-century Britain of a “disguised republic” consisting of officials who actually exercised governmental power but remained unnoticed by the public, which continued to believe that visible, formal institutions exercised legal authority.601 Dual institutions of governance, one public and the other concealed, were referred to by Bagehot as “double government.”602 A similar process of bifurcated institutional evolution has occurred in the United States, but in reverse: a network has emerged within the federal government that exercises predominant power with respect to national security matters. It has evolved in response to structural incentives rather than invidious intent, and it consists of the several hundred executive officials who manage the military, intelligence, diplomatic, and law enforcement agencies responsible for protecting the nation’s security. These officials are as little disposed to stake out new policies as they are to abandon old ones. They define security more in military and intelligence terms rather than in political or diplomatic ones.

Enough examples exist to persuade the public that the network is subject to judicial, legislative, and executive constraints. This appearance is important to its operation, for the network derives legitimacy from the ostensible authority of the public, constitutional branches of the government. The appearance of accountability is, however, largely an illusion fostered by those institutions’ pedigree, ritual, intelligibility, mystery, and superficial harmony with the network’s ambitions. The courts, Congress, and even the presidency in reality impose little constraint. Judicial review is negligible; congressional oversight dysfunctional; and presidential control nominal. Past efforts to revive these institutions have thus fallen flat. Future reform efforts are no more likely to succeed, relying as they must upon those same institutions to restore power to themselves by exercising the very power that they lack. External constraints—public opinion and the press—are insufficient to check it. Both are manipulable, and their vitality depends heavily upon the vigor of constitutionally established institutions, which would not have withered had those external constraints had real force. Nor is it likely that any such constraints can be restored through governmental efforts to inculcate greater civic virtue, which would ultimately concentrate power even further. Institutional restoration can come only from an energized body politic. The prevailing incentive structure, however, encourages the public to become less, not more, informed and engaged.

#### The affirmative focuses on the wrong area of government --- U.S. national security decisions are made by executive officials, separate from even the President.

Glennon, 14 --- Professor of International Law at Tufts (Michael, Harvard National Security Journal, “National Security and Double Government,” <http://harvardnsj.org/wp-content/uploads/2014/01/Glennon-Final.pdf)>)

As it did in the early days of Britain’s monarchy, power in the United States lay initially in one set of institutions—the President, Congress, and the courts. These are America’s “dignified” institutions. Later, however, a second institution emerged to safeguard the nation’s security. This, America’s “efficient” institution (actually, as will be seen, more a network than an institution) consists of the several hundred executive officials who sit atop the military, intelligence, diplomatic, and law enforcement departments and agencies that have as their mission the protection of America’s international and internal security. Large segments of the public continue to believe that America’s constitutionally established, dignified institutions are the locus of governmental power; by promoting that impression, both sets of institutions maintain public support. But when it comes to defining and protecting national security, the public’s impression is mistaken. America’s efficient institution makes most of the key decisions concerning national security, removed from public view and from the constitutional restrictions that check America’s dignified institutions. The United States has, in short, moved beyond a mere imperial presidency to a bifurcated system—a structure of double government—in which even the President now exercises little substantive control over the overall direction of U.S. national security policy. Whereas Britain’s dual institutions evolved towards a concealed republic, America’s have evolved in the opposite direction, toward greater centralization, less accountability, and emergent autocracy.

## CP

### Sig Strikes Key

#### Byman is about sig strikes

#### US uses sig strikes in Somalia to counter al-Shabaab’s influence

Currier ‘13

(Cora-, “Everything We Know So Far About Drone Strikes”, http://www.propublica.org/article/everything-we-know-so-far-about-drone-strikes)

The drone war is carried out remotely, from the U.S. and a network of secret bases around the world. The Washington Post got a glimpse – through examining construction contracts and showing up uninvited – at the base in the tiny African nation of Djibouti from which many of the strikes on Yemen and Somalia are carried out. Earlier this year, Wired pieced together an account of the war against Somalia’s al-Shabaab militant group and the U.S.’s expanded military presence throughout Africa.¶ The number of strikes in Pakistan has ebbed in recent years, from a peak of more than 100 in 2010, to an estimated 46 last year. Meanwhile, the pace in Yemen picked up, with more than 40 last year. But there have been seven strikes in Pakistan in the first ten days of 2013.¶ The number of strikes in Pakistan has ebbed in recent years, from a peak of more than 100 in 2010, to an estimated 46 last year. Meanwhile, the pace in Yemen picked up, with more than 40 last year. But there have been seven strikes in Pakistan in the first ten days of 2013.¶ Drone War Jargon¶ AUMF The Authorization for Use of Military Force, an act of Congress passed days after the 9/11 attacks, giving the president authority to take "all necessary and appropriate force" against anyone involved in the attack or harboring those who were. Both Bush and Obama have claimed broad authorities to detain and kill terror suspects based on the AUMF.¶ AQAP Al Qaeda in the Arabian Peninsula is the Yemen-based al Qaeda affiliate tied to the attempted Christmas Day airplane bombing in 2009. Over the past year, the U.S. has ramped up strikes against AQAP, targeting leaders as well as unspecified militants.¶ DISPOSITION MATRIX A system for tracking terror targets and assessing when – and where – they could be killed or captured. The Washington Post reported this fall that the Disposition Matrix is an attempt to codify for the long haul the administration's "kill lists."¶ How are targets chosen?¶ A series of articles based largely on anonymous comments from administration officials have given partial picture of how the U.S. picks targets and carries out strikes. Two recent reports – from researchers at Columbia Law School and from the Council on Foreign Relations– also give detailed overviews of what’s known about the process.¶ The CIA and the military have reportedly long maintained overlapping “kill lists.” According to news reports last spring, the military’s list was hashed out in Pentagon-run interagency meetings, with the White House approving proposed targets. Obama would authorize particularly sensitive missions himself.¶ This year, the process reportedly changed, to concentrate the review of individuals and targeting criteria in the White House. According to the Washington Post, the reviews now happen at regular interagency meetings at the National Counterterrorism Center. Recommendations are sent to a panel of National Security Council officials. Final revisions go through White House counterterror adviser John Brennan to the president. Several profiles have highlighted Brennan’s powerful and controversial role in shaping the trajectory of the targeted killing program. This week, Obama nominated Brennan to head the CIA.¶ At least some CIA strikes don’t have to get White House signoff. The director of the CIA can reportedly green-light strikes in Pakistan. In a 2011 interview, John Rizzo, previously the CIA’s top lawyer, said agency attorneys did an exhaustive review of each target.¶ According to the Washington Post, the Obama administration's recent effort to impose more stringent requirements for kill lists and signature strikes exempts the CIA's campaign in Pakistan. The CIA will have at least a year to continue strikes in Pakistan according to its own protocols.¶ Doesn’t the U.S. sometimes target people whose names they don’t know?¶ Yes. While administration officials often have frequently framed drone strikes as going after “high-level al Qaeda leaders who are planning attacks” against the U.S., many strikes go after apparent militants whose identities the U.S. doesn’t know. The so-called “signature strikes” began under Bush in early 2008 and were expanded by Obama. Exactly what portion of strikes are signature strikes isn’t clear.¶ At various points the CIA’s use of signature strikes in Pakistan in particular have caused tensions with the White House and State Department. One official told the New York Times about a joke that for the CIA, “three guys doing jumping jacks,” was a terrorist training camp.¶ In Yemen and Somalia, there is debate about whether the militants targeted by the U.S. are in fact plotting against the U.S. or instead fighting against their own country. Micah Zenko, a fellow at the Council on Foreign Relations who has been critical of the drone program, toldProPublica that the U.S. is essentially running “a counterinsurgency air force” for allied countries. At times, strikes have relied on local intelligence that later proves faulty. The Los Angeles Times recently examined the case of a Yemeni man killed by a U.S. drone and the complex web of allegiances and politics surrounding his death.

### Solvency

#### Obtaining consent solves rule of law and respect for sovereignty – it’s a core principle of international law

Rosa Brooks – 1ac author – 2013, Drones and Cognitive Dissonance, Rosa Brooks is a law professor at Georgetown University and a Schwartz senior fellow at the New America Foundation. She served as a counselor to the U.S. defense undersecretary for policy from 2009 to 2011 and previously served as a senior advisor at the U.S. State Department, http://scholarship.law.georgetown.edu/cgi/viewcontent.cgi?article=2266&context=facpub

Right now, the United States has a decided technological advantage when it comes to armed drones, but that situation will not last long. Rather than continue on the present path, our government should use this window to advance a robust legal and normative framework that will help protect against abuses by those states whose leaders can rarely be trusted. Unfortunately, we are doing exactly the opposite. Instead of articulating norms based on transparency and accountability, the US is effectively legitimizing the sorts of policies that have traditionally been used by authoritarian regimes, handing other countries – perhaps China Russia, Iran or North Korea – a playbook for how to use legal arguments to foment instability and get away with murder. Take the issue of sovereignty. Sovereignty has long been a core concept of the Westphalian international legal order.55 The basic idea is that within the international arena, all states are formally considered equal and possessed of the right to control their own internal affairs free from the interference of other states. One expression of this idea is the principle of non-intervention, which means, among other things, that it is generally a fundamental violation of international law for one sovereign state to use force inside the borders of another sovereign state.56 There are some well-established exceptions, but these are few in number. For example, a state can lawfully use force inside another sovereign state with that state’s invitation or consent, in self-defense “in the event of an armed attack”, 57 or when force is authorized by the U.N. Security Council, pursuant to the U.N. Charter. 58 The principle of sovereignty might appear to pose substantial problems for US drone policy: How can the US lawfully use force to kill suspected terrorists inside Pakistan, or Somalia, or Yemen, or -- hypothetically -- in other states in the future? Obviously, the US does not have Security Council authorization for drone strikes in those states, so the justification has to rest either on consent or on some theory of self-defense. Thus, the DOJ white paper blithely asserts that targeted killings carried out by the United States don’t violate another state’s sovereignty as long as that state either consents or is “unwilling or unable to suppress the threat posed by the individual being targeted.”

### NB

#### **Trade solves all conflict, inequality, and is a decision rule**

Palmer 02 – senior fellow¶ at the Cato and director of Cato¶ University (Tom G., Fall 2002, “Globalization Is Grrrreat!,” <http://www.cato.org/sites/cato.org/files/pubs/pdf/catosletterv1n2.pdf>)

Globalization Leads to Peace by ¶ Diminishing the Incentives for ¶ Conflict. Protectionism is based on a¶ mentality and a corresponding set of¶ policies that emphasize the opposing ¶ interests of nations. Free trade, in contrast, links nations together in peace.¶ There’s an old adage: when goods cannot cross borders, armies surely will. ¶ Trade Creates Wealth. Imagine that¶ someone created a machine that would¶ allow you to push through one door¶ things you can make cheaply and¶ through the other door would come¶ things you’d like to have but that cost¶ you more to produce. Australians could¶ herd sheep in one door and out the¶ other door would come cars and photocopiers. And Japanese could push VCRs¶ and stereos through one door and pull¶ petroleum, wheat, and aircraft through¶ the other. The inventor of that machine¶ would be hailed as a benefactor of¶ mankind—until Ralph Nader or Pat¶ Buchanan showed that it was … a port!¶ Then, instead of being hailed as a benefactor, the “inventor” would be vilified¶ as a destroyer of jobs—and unpatriotic,¶ to boot. But what’s the difference between such a marvelous machine and¶ trade? Trade Leads to Benefits for All. The¶ most common error of protectionists is¶ to confuse absolute advantage with comparative advantage. Even if the person in¶ the front row is better at everything than¶ I am, we each benefit from trade if he¶ specializes in what he does best and I¶ specialize in what I do best. The old example of the typist and the lawyer applies across borders as well as within offices. The lawyer can both write legal¶ briefs and type better than the typist, but¶ both benefit by the lawyer specializing¶ in writing legal briefs, which cost less in¶ terms of lost typing output, and the typist typing them up, which costs less in¶ terms of lost legal argumentation, since¶ the typist is better at typing than at arguing law. Total joint output is higher¶ and each receives more income. That’s¶ one reason why trade is so closely connected with peace, as well. It’s because¶ people can see their fellow humans as¶ partners in mutually beneficial cooperation, rather than as deadly rivals, that¶ human society is possible in the first¶ place. Trade is at the very foundation of¶ human civilization. Free Trade Is the Fastest Route to¶ the Elimination of Child Labor.¶ Around the world approximately 250¶ million children labor. The percentage¶ of children who labor has fallen—not¶ risen—with rising trade and globalization, and for pretty obvious reasons.¶ Poor countries are not poor because¶ children work. Children work because¶ they are poor. When people become¶ richer through production and free exchange, they send their children to¶ school, rather than to the fields. Global¶ trade is the fastest route to the elimination of child labor and its replacement¶ by child education.¶ Trade, Openness, and Globalization¶ Support Accountable, Democratic¶ Government and the Rule of Law. ¶ As trade barriers have fallen, the share of¶ world governments classified by Freedom House as democracies has increased dramatically. Of the top 40 percent ranked according to economic¶ openness in Economic Freedom of the¶ World (copublished by the Cato Institute), 90 percent are rated “free” by¶ Freedom House. By contrast, in the bottom 20 percent, that is, the most closed¶ economies, fewer than 20 percent are¶ rated “free” and more than 50 percent¶ are rated “not free.” Mexico is a good¶ case in point; the opening of the Mexican economy through the North American Free Trade Agreement made possible the victory of President Vincente¶ Fox and the breaking of the monopoly¶ on power of the Institutional Revolutionary Party. Supporters of democratically accountable government and the¶ rule of law should support globalization.¶ Free Trade Is a Fundamental Human¶ Right. The anti-globalizers and protectionists start with the assumption that¶ they have the right to use force to stop¶ you and me from engaging in voluntary¶ exchange. But fundamental rights¶ should be equal for all humans, and the¶ right to engage in trade is a fundamental right, one enjoyed by all humans, regardless of on which side of a border¶ they may live. Free trade is not a privilege; it is a human right. ¶ Trading is distinctively human. It distinguishes us from all the other animals.¶ It’s based on our faculty of reason and¶ our ability to persuade. As Adam Smith¶ noted in a lecture on March 30, 1763,¶ “The offering of a shilling, which to us¶ appears to have so plain and simple a¶ meaning, is in reality offering an argument to persuade one to do so and so as¶ it is for his interest.” As he noted, other¶ animals may cooperate, but they don’t¶ trade, and they don’t trade because they¶ don’t employ reason to persuade. ¶ Not only is trade distinctively¶ human, it is also a distinctive feature of¶ civilization, as Homer observed in The¶ Odyssey. In Book 9, when Odysseus tells¶ of reaching the land of the Cyclops, he¶ offers some thoughts on why the Cyclops is a “lawless brute.” Odysseus observes that ¶ The Cyclops have no ships with¶ crimson prows,¶ No shipwrights there to build them¶ good trim craft¶ That could sail them out to foreign¶ ports of call¶ As most men risk the seas to trade¶ with other men.¶ The Cyclops is a savage because he does¶ not trade. He lives in the preferred¶ world of the anti-globalizers, a world¶ without trade, a world in which all production is local.¶ Protectionism should be rejected not¶ merely because it is inefficient. It should¶ also be rejected because it leads to conflict and war, because it is immoral, and¶ because it is uncivilized.

#### Africa impact

**Glick 7,** **Middle East fellow at the Center for Security Policy**, Condi’s African holiday,http://www.carolineglick.com/e/2007/12/condis-african-holiday.php?pf=yes

The Horn of **Africa is a dangerous and strategically vital place. Small wars**, which rage continuously, **can easily escalate into big wars. Local conflicts have regional and global aspects. All of the conflicts in this tinderbox, which controls shipping lanes** from the Indian Ocean into the Red Sea, **can** **potentially give rise to** regional, and indeed **global conflagrations between** competing regional actors and **global powers**

# 1NR

## T

### 2NC AT W/M

#### Targeting and signature strikes are distinct—each has a different process which affects both aff and neg ground

Greenberg and Leiter 13—\*Karen J. Greenberg, Director, Center on National Security, Fordham Law School AND \*\*Michael E. Leiter, Senior Counsel to the Chief Executive Officer, Palantir Technologies; Former Director, National Counterterrorism Center [March 1, 2013, “Assessing U.S. Drone Strike Policies,” http://www.cfr.org/counterterrorism/assessing-us-drone-strike-policies/p30144]

GREENBERG: Mike, can you just clarify a question that I think is underlying a couple of the questions from members, and that is, we keep using the term "targeted killing" and "individuals." But there's been a lot of writing about the fact that these targeted killings are not about individuals, but are about areas where individuals who are assumed to be part of the al-Qaida network congregate. In other words, signature killings. And while it may sound like it's very specific, when you actually read what it is, it's not about targeting an individual, which is different than collateral damage. And I just -- can you clarify that for people?

LEITER: I can clarify some of it. Some of it is appropriately still classified and I don't talk about that stuff because I don't want to go to jail. But you really have three things. As you described, you have targeting individuals. This is something that we've been quite open about in the Bush administration and the Obama administration. It's knowing who the person is and going after that individual.

You then have signature strikes, which are not targeting an area, as you describe, but understanding a set of characteristics that consistently identify individuals as being associated with al-Qaida. Now, that's going to be involved in who those people are communicating with, how they're behaving, where they're operating, what they're doing when they're operating. But you still have -- you have intelligence that they're associated with al-Qaida. You just don't know that it's Bob Smith of al-Qaida. You may not know the person's name at all. That is a signature strike.

And then you have collateral damage. And collateral damage can occur in either one of those two previous ones, when you're targeting an individual or you're targeting via signature. Collateral damage is what you have to avoid. I think Jameel would say that signature strikes, if they're done properly, can be consistent with the laws of war, but my take is that he doesn't think that they are now. I do think, consistent with what Micah said, that the administration should be clear about how any of these strikes and all the rules about collateral damage, no matter who is doing them, are consistent with the laws of war, and are -- (custom or ?) international law and treaty obligations.

### 2NC AT C/I

#### Their interp turns the targeted killing area into regulating any type of drone use—massively expands both the amount of topical affs and the lit base we have to research

Mellor 13—Ewan E. Mellor – European University Institute [“Why policy relevance is a moral necessity: Just war theory, impact, and UAVs,” Paper Prepared for BISA Conference 2013]

Despite some of the problems with the specific figures, an impressive amount of research has been done by scholars and journalists on the policies related to the use of drones and this research provides a basis for judging these policies in the light of the principles of the just war tradition. To begin with it is necessary to disaggregate the types of drone strikes that are carried out, as they have different implications and raise different questions.

The first, and perhaps best known, types of strike are the personality strikes.24 These are strikes on a specific individual who is being targeted due to evidence linking them directly to militant activity. Whilst these are often portrayed as strikes on senior leaders or individuals involved in important terrorist operations, the evidence suggests that the majority of those targeted are low level members with little role in ongoing operations.25 Whilst these low level members may be legitimate targets under the laws of armed conflict, they would not be under international human rights law. Even under the laws of armed conflict questions arise regarding the proportionality of such strikes.

The second type of attack is the signature strike. These strikes target unknown and unidentified individuals based on a pattern of activity that is believed to be associated with membership of a militant organisation.26 The US has never acknowledged these types of strikes and has never detailed the criteria for assessing whether behaviour is suspicious enough to warrant targeting and killing; however, the joke within the US State Department that if the CIA saw three men exercising in a field they would consider it a terrorist training camp suggests that there were concerns within the administration that the criteria were not discriminating enough.27

The third type of attack is the double-tap strike. In these attacks a drone will attack a target on the basis of either personality or signature criteria and will then remain in the area and a second strike (and potentially more follow-up strikes) will be carried out against those who come to the aid of the victims of the first strike.28 As a result, researchers and journalists have learnt that locals will often wait a substantial period of time before going to the site a drone strike, delaying aid from reaching any injured survivors.29 These types of strikes make no effort to distinguish between combatants and non-combatants and seem to be designed specifically to ensure that those originally targeted will be killed, either in the follow up strike or through lack of medical care. These strikes have also never been officially acknowledged by the US so it is impossible to ascertain how and under what body of law these strikes are justified or what the decision making procedure is for authorising such a strike.

#### Generics don’t check—signature strikes and targeted killings are different strategies with different literature bases. The distinction is important because it allows the aff to regulate a less controversial area—this bypasses core negative ground which means there are no generics to check against new affs

Dunn and Wolff 13—\*David Hastings Dunn, Reader in International Politics and Head of Department in the Department of Political Science and International Studies at the University of Birmingham, UK, AND \*\*Stefan Wolff, Professor of International Security at the University of Birmingham in the UK [March 2013, “Drone Use in Counter-Insurgency and Counter-Terrorism: Policy or Policy Component?,” in Hitting the Target?: How New Capabilities are Shaping International Intervention, ed. Aaronson & Johnson, http://www.rusi.org/downloads/assets/Hitting\_the\_Target.pdf]

Yet an important distinction needs to be drawn here between acting on operational intelligence that corroborates existing intelligence and confirms the presence of a specific pre-determined target and its elimination – so-called ‘targeted strikes’ (or less euphemistically, ‘targeted killings’) – and acting on an algorithmic analysis of operational intelligence alone, determining on the spot whether a development on the ground suggests terrorist activity or association and thus fulfils certain (albeit, to date, publicly not disclosed) criteria for triggering an armed response by the remote pilot of a drone – so-called ‘signature strikes’.6

Targeted strikes rely on corroborating pre-existing intelligence: they serve the particular purpose of eliminating specific individuals that are deemed crucial to enemy capabilities and are meant to diminish opponents’ operational, tactical and strategic capabilities, primarily by killing mid- and top-level leadership cadres. To the extent that evidence is available, it suggests that targeted strikes are highly effective in achieving these objectives, while simultaneously generating relatively little blowback, precisely because they target individual (terrorist) leaders and cause few, if any, civilian casualties. This explains, to a significant degree, why the blowback effect in Yemen – where the overwhelming majority of drone strikes have been targeted strikes – has been less pronounced than in Pakistan and Afghanistan.7

Signature strikes, in contrast, can still be effective in diminishing operational, tactical and strategic enemy capabilities, but they do so to a certain degree by chance and also have a much higher probability of causing civilian casualties. Using drones for signature strikes decreases the dependence on pre-existing intelligence about particular leaders and their movements and more fully utilises their potential to carry out effective surveillance and respond to the conclusions drawn from it immediately. Signature strikes have been the predominant approach to drone usage in Pakistan and Afghanistan.8 Such strikes have had the effect of decimating the rank and file of the Taliban and their associates – but they have also caused large numbers of civilian casualties and, at a minimum, weakened the respective host governments’ legitimacy and forced them to condemn publicly, and in no uncertain terms, the infringement of their states’ sovereignty by the US. In turn, this has strained already difficult relations between countries which have more common than divergent interests when it comes to regional stability and the fight against international terrorist networks. That signature strikes have a high probability of going wrong and that such failures prove extremely counterproductive is also illustrated by a widely reported case from Yemen, in which twelve civilians were killed in the proximity of a car identified as belonging to an Al-Qa’ida member.9

The kind of persistent and intimidating presence of a drone policy geared towards signature strikes, and the obvious risks and consequences involved in repeatedly making wrong decisions, are both counterproductive in themselves and corrosive of efforts that seek to undercut the local support enjoyed by insurgent and terrorist networks, as well as the mutual assistance that they can offer each other. Put differently, signature strikes, in contrast to targeted killings, do anything but help to disentangle the links between insurgents and terrorists.

#### Framing issue—precision frames the quality of the limit—even if you think their definition is reasonable and provides some valuable education, it’s not predictable because it blurs an important distinction grounded in the lit base—our 1NC Andersen evidence indicates that targeted killings work with a CT doctrine, but signature strikes are counterinsurgency—this means they are under distinct strategies and areas of literature—that causes topic explosion

Sebastian Jose Silva, 2003. University of Montreal Master’s candidate. “Death for life : a study of targeted killing by States in international law,” https://papyrus.bib.umontreal.ca/xmlui/bitstream/handle/1866/2372/11474222.PDF;jsessionid=4D1530E8E8F2DEE3B4C68BA4B7997F3B?sequence=1.

As defined by Steven R. David, targeted killing is the "intentional slaying of a specific individual or group of individuals undertaken with explicit governmental approval.,,25 Though concise, the problem with this definition is that it fails to specify the intended targets and ignores the context in which they are carried out. By failing to define targeted killings as measures of counter-terrorism, killings of all types may indiscriminately fall under its mantle with devastating consequences. As such, the killing of political leaders in peacetime, which amounts to assassination, can fall within its scope. The same can be said about the killing of specific enemy combatants in armed conflict, which amounts to targeted military strikes, and the intentional slaying of common criminals, dissidents, or opposition leaders. Actions carried-out by governments within their jurisdictions can also be interpreted as targeted killings. Although the killing of terrorists abroad may constitute lawful and proportionate self-defense in response to armed attacks, the use of such measures by states for an unspecified number of reasons renders shady their very suggestion. David's definition is essentially correct but over-inclusive.

### AT: Zilinskas

Goes negative

Zilinskas 8 Justinas Žilinskas is Member at International Humanitarian Fact-Finding Commission Lithuania Education Management, “TARGETED KILLING UNDER INTERNATIONAL HUMANITARIAN LAW,” DOA: 9-18-13, y2k

2.3.3. Definition

Literature does not provide a commonly accepted definition. For instance, it has been defined as ‘the intentional slaying of a group or individuals undertaken with explicit governmental approval’ [29]. Yet, in our view this definition is falling short of two major elements. Firstly, it should contain reference to the actual targets, namely persons suspected of terrorism. Secondly, it lacks reference to the fact that in the examples given above there was premeditation associated with ‘targeted killings’ [6, p. 280]. In the article at hand the definition of targeted killing to be applied is the following: ‘the premeditated killing of a specific target (person/persons) suspected of terrorism, with explicit or implicit governmental approval’.

### AT Heller

#### Pakistan

Brown 2013 (July 25, Hayes, “Report: U.S. Drops Signature Strikes In Pakistan” <http://thinkprogress.org/security/2013/07/25/2356391/pakistan-drones-signature-strikes/>)

The United States has ended the use of so-called signature drone strikes in Pakistan, and the total number of incidents involving armed unmanned aerial vehicles there has plummeted, according to a new report from the Associated Press. In gathering hours upon hours of footage of a given location, drones allow analysts to piece together “pattern of life” data, which are then examined for clues that suspected terrorists are using the area for planning or staging purposes. The evidence used to justify strikes against these locations — “signature strikes” — doesn’t include the appearance of known terrorists, but rather often circumstantial proof such as large gatherings of men between the ages of 16-55, where they’ve traveled while under surveillance and whether or not they were in the vicinity of known targets when the strike occurred. According to the Obama administration, however, drone strikes carried out since the president took office have all been against high-level members of the Taliban and al-Qaeda, making these drones a valuable tool in the fight against terrorism. Despite that insistence, President Obama announced in May that the use of drone strikes and other applications of force in fighting terrorism will be streamlined to a more limited set of targets, with a higher level of scrutiny applied when determining them. That decision was codified in the administration’s new “playbook” on counterterrorism tactics around the same time. According to a letter from Attorney General Eric Holder to Congress, in future drone strikes “will impose the same standard for strikes on foreign enemies now used only for American citizens deemed to be terrorists.” That choice has apparently resulted in a corresponding drop in strikes within Pakistan, long the primary theater for Central Intelligence Agency-flown unmanned aerial vehicles. So far in 2013, there have been only 16 drone strikes carried out in Pakistan, compared to estimates of a peak of 122 in 2010 and 48 over the course of last year. Obama’s pledge and the drop in strikes suggests that the controversial — and until recently unacknowledged — method of targeting potential terrorists for execution is winding down. It’s the use of signature strikes that has been blamed for many of the civilian deaths attributed to drones — deaths that the Obama administration has so far yet to acknowledge outside of a few specific incidents. Despite that, according to the AP, the CIA “instructed to be more cautious with its attacks” including limiting signature strikes substantially. The Agency agreed to the curtailing, “feeling the drone program may be under threat from public scrutiny.” Pakistan is the one area where the CIA was determined to keep its control of the drones they fly, as reports surfaced that control of most drones would be transferred to the Pentagon.

### AT Sell

#### Their Sell card concludes negative

Sell 12 Daniel Sell, B.A. in History, Capital University, 2004; M.A. in Slavic and East European Studies, The Ohio State  
University, 2008; J.D. Candidate, Capital University Law School, May 2013, “The United States’ Policy of Targeted Killing and the Use of Force: Another Exception to the United Nation’s Use of Force Regime, <http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2167770>, DOA: 9-16-13, y2k

Additionally, another issue to consider in defining targeted killing is that the policy is used in various contexts and employs the use of different means and methods.31 As the United Nations has noted, “[t]argeted killings . . . take place in a variety of contexts and may be committed by governments and their agents in times of peace as well as armed conflict, or by organized armed groups in armed conflict.”32 As concerns the methods used, they may “include sniper fire, shooting at close range, missiles from helicopters, gunships, drones, the use of car bombs, and poison.”33

----GMU’S CARD ENDS---

Nonetheless, despite the various methods employed when conducting targeted killings, there is a “common element in all these contexts.”34 This common element is “that lethal force is intentionally and deliberately used, with a degree of pre-meditation, against an individual or individuals specifically identified in advance by the perpetrator.”35 One useful definition provided in the United Nations Report is that “targeted killing is the intentional, premeditated and deliberate use of lethal force, by States or their agents acting under colour of law, or by an organized armed group in armed conflict, against a specific individual who is not in the physical custody of the perpetrator.”36 A second definition, provided by Nils Melzer, a legal advisor for the International Committee of the Red Cross, states that targeted killing “denotes the use of lethal force attributable to a subject of international law with the intent, premeditation and deliberation to kill individually selected persons who are not in the physical custody of those targeting them.”37 A third definition, provided by Gary D. Solis, retired Professor of Law of the United States Military Academy, states that targeted killing is “the intentional killing of a specific civilian or unlawful combatant who cannot reasonably be apprehended, who is taking a direct part in hostilities, the targeting done at the direction of the state, in the context of an international or non-international armed conflict.”38 All three of these definitions39 have their own strengths, but neither one of them is sufficient by itself. Thus, it is important to create a single definition based on these three provided definitions. Melzer’s and the United Nations’ definitions are primarily the same, only using different wording.40 They both include five main elements: 41 (1) use of lethal force;42 (2) intent, premeditation and deliberation to kill;43 (3) targeting of individually selected persons;44 (4) lack of physical custody;45 and (5) attributability to a su