# Round 5

# 1NC

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#### Obama holding off new Iranian sanctions now – credibility key. No thumpers

WSJ 12 – 19 – 13 [Obama Issues Rare Veto Threat on Iran Bill; Bipartisan Senate Bill Would Slap Tehran With New Sanctions. Lee, Carol EView Profile. Wall Street Journal (Online) [New York, N.Y] 19 Dec 2013: n/a.]

The White House issued a rare veto threat in response to a bipartisan Senate bill that would slap Iran with new sanctions if it violates an interim deal reached last month to curb its nuclear program.

The threat sets up a standoff in the new year between President Barack Obama and more than two dozen Senate Democrats and Republicans who introduced the legislation on Thursday. The challenge to Mr. Obama is particularly stark because half of the lawmakers sponsoring the new bill are from his own party.

The bill could also imperil Mr. Obama's efforts to reach a diplomatic end to the decadelong standoff over Iran's nuclear program, which administration officials hope will be a signature achievement of his second term.

Iranian officials have repeatedly threatened in recent days to back out of negotiations with the U.S. and other global powers over Tehran's nuclear program if Washington enacts new sanctions.

White House Press Secretary Jay Carney criticized the Senate move, saying such sanctions would undermine Mr. Obama's diplomatic efforts "no matter how they're structured."

"We don't think it will be enacted. We certainly don't think it should be enacted," Mr. Carney said. "If it were to pass, the president would veto it."

Iranian officials didn't comment Thursday on the introduction of the legislation. But in recent days they have described Iranian President Hasan Rouhani as in a power struggle with hard-liners in Iran's military and clergy over the November agreement with the five permanent members of the United Nations Security Council and Germany, a bloc called the P5+1.

Any moves by the U.S. to impose new sanctions on Tehran, said these officials, could weaken Mr. Rouhani's hand.

"Naturally, there is opposition to this agreement, both inside Iran and elsewhere," said Iran's Ambassador to France Ali Ahani, at a conference last weekend. "There are people who say you can't trust the Americans."

In Washington, Mr. Obama has little political capital with a divided Congress that has given him few recent victories. He is already bracing for tough legislative battles next year.

Republicans are weighing a fight over the need to raise the debt limit early next year, and Mr. Obama is set to give a speech in January outlining potentially sweeping changes to the government's contested spying programs. The programs, like Iran diplomacy, have prompted some members of the president's own Democratic Party to criticize his administration.

A presidential veto, while unusual for Mr. Obama--particularly on Democratic-backed legislation--could appease all sides. Mr. Obama may strengthen his hand in negotiations by keeping Congress at bay, while lawmakers who are under pressure over Iran get to vote for additional sanctions.

And a veto threat by Mr. Obama could provide American diplomats with a way to assure Iran that they are earnest about the diplomacy. Iran last week objected to U.S. moves to enforce existing U.S. sanctions against alleged violations by more than a dozen Iranian individuals and businesses.

But the White House also risks seeing Mr. Obama's veto overridden, if Republicans in the Senate remain unified and Democrats continue to feel emboldened to challenge the party line.

Mr. Obama, Secretary of State John Kerry and other top administration officials have worked vigorously to keep Congress from enacting new sanctions against Iran while the U.S. and other world powers negotiate a long-term diplomatic agreement with Tehran to curb its nuclear program. Iran says its program is for peaceful purposes only.

#### Plan kills Obama’s agenda

KRINER 10 Assistant professor of political science at Boston University [Douglas L. Kriner, “After the Rubicon: Congress, Presidents, and the Politics of Waging War”, page 276-77]

One of the mechanisms by which congressional opposition influences presidential cost-benefit calculations is by sending signals of American disunity to the target state. Measuring the effects of such congressional signals on the calculations of the target state is always difficult. In the case of Iraq it is exceedingly so, given the lack of data on the non-state insurgent actors who were the true “target” of the American occupation after the fall of the Hussein regime. Similarly, in the absence of archival documents, such as those from the Reagan Presidential Library presented in chapter 5, it is all but impossible to measure the effects of congressional signals on the administration’s perceptions of the military costs it would have to pay to achieve its objectives militarily.

By contrast. measuring the domestic political costs of congressional opposition, while still difficult, is at least a tractable endeavor. Chapter 2 posited two primary pathways through which congressional opposition could raise the political costs of staying the course militarily for the president. First. high-profile congressional challenges to a use of force can affect real or anticipated public opinion and bring popular pressures to bear on the president to change course. Second, congressional opposition to the president’s conduct of military affairs can compel him to spend considerable political capital in the military arena to the detriment of other major items on his programmatic agenda. On both of these dimensions, congressional opposition to the war in Iraq appears to have had the predicted effect.

#### US/Iran war & Iranian prolif

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

The administration has also pressured Congress to suspend plans for new sanctions legislation against Iran. The sources said the White House effort has encountered resistance from both Democrats and Republicans, particularly those in the defense and foreign affairs committees.

“I urge the White House and the Senate to learn from the lessons of the past and not offer sanctions relief in return for the false hopes and empty promises of the Iranian regime,” Rep. Ileana Ros-Lehtinen, chairwoman of the House Middle East and North Africa Subcommittee, said. “Instead, new rounds of sanctions must be implemented to gain further leverage because any misstep in calculations at this juncture will have devastating and irreversible consequences that will be difficult to correct retroactively.”

On Nov. 12, the White House warned that additional sanctions on Iran would mean war with the United States. White House press secretary Jay Carney, in remarks meant to intensify pressure on Congress, said sanctions would end the prospect of any diplomatic solution to Iran’s crisis.

“The American people do not want a march to war,” Carney said. “It is important to understand that if pursuing a resolution diplomatically is disallowed or ruled out, what options then do we and our allies have to prevent Iran from acquiring a nuclear weapon?”

Still, the Senate Banking Committee has agreed to delay any vote on sanctions legislation until a briefing by Secretary of State John Kerry on Nov. 13. The sources said Kerry was expected to brief the committee on the P5+1 talks in Geneva that almost led to an agreement with Teheran.

“The secretary will be clear that putting new sanctions in place would be a mistake,” State Department spokeswoman Jen Psaki said on Nov. 12. “We are still determining if there’s a diplomatic path forward. What we are asking for right now is a pause, a temporary pause, in sanctions.”

#### Iran war escalates

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

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

### 1NC CP

#### The United States federal government will initiate binding consultation with United States military leaders including, at least, the Joint Chiefs of Staff, Combatant Commanders, and relevant generals and admirals, over whether The United States federal government should establish a quantum of information framework requiring a clear and convincing standard for targeted killing outside zones of active hostilities.

#### The United States federal government will implement the results of the consultation.

#### Solves the aff – LACK of consultation prior and binding UNIQUELY collapses CMR

Wong 2008, Leonard Wong, Strategic Studies Institute, Prof. @ Harvard, “CIVIL-MILITARY RELATIONS IN A POST-9/11 WORLD”, http://www.strategicstudiesinstitute.army.mil/pdffiles/pub873.pdf

Panel III: The Civilian-Military Relationship in Perspective: What Has Changed?¶ The third panel began by describing the re- cent changes in the national security arena. Cur-rently there is a lack of consensus on what the threats, opportunities, and appropriate missions are for the military. This is partly due to an un- precedented degree of challenge with two ongo- ing wars, major shifts in power, nuclear weap- ons, global warming, growing debt, and soaring defense costs. The nation is contending with a form of warfare that seems to compress the stra- tegic and tactical resulting in a blurring of lines between military expertise and civilian oversight. Recent civil-military clashes that occurred during the buildup to the Iraq War add to the complex environment. The high visibility of these experi- ences provides the potential for overcorrection in balancing the civil-military relationship. One panelist asserted that perhaps it would be prudent to stop worrying about civilians control- ling the military. It is not a zero-sum game, and it is a poor assumption that this conflict is bad. Conflict between the military and civilian leader- ship can actually be acceptable if it is regulated. For this to happen, however, it is important to un- derstand both the military and civilian cultures.¶ Another panelist, after studying the backgrounds of several successful senior military leaders, noted that success came with being comfortable working in a bureaucracy, occasionally pushing back against civilian leaders, and understanding the philosophical approach of civilian overseers. The panel considered several factors as to why the current civil-military relationship may be dif- ferent from the relationship in the past. First, there may be more acrimony and perceptions of disagreement. These perceptions result from changes in technology with blogs and emails pro- viding faster access to leaks and disagreements. Or, it could be that the military is viewing its role as not only giving military advice, but also as set- ting things right. Finally, more civil-military ten- sion may exist simply because of the increased politicization of the Iraq War.¶ A panelist pointed out that many people be- lieve that in the usual debate about civil-military relations, there is a bright line dividing what the military and civilians should do. In reality, that line is not as bright as anticipated. One of the unintended consequences of Goldwater-Nichols was that the Combatant Commanders gained more power from the Services and OSD. This power shift, as well as other recent changes, e.g., the increasing role of contractors and the chang- ing rules of engagement, has challenged the civil- military relationship.¶ Concluding Thoughts.¶ The conference ended with some integrating observations. One noted that the civil-military re-lationship includes more than just civilian control. It also involves the allocation and exercise of war powers and the impact of the civil-military rela- tionship on those powers. A problem with the civil-military relationship has emerged over the last quarter-century that has caused the exercise of war powers to shift from Congress to the Presi-dent. Interestingly, the military has an obedient relationship with the Executive Branch, a weak relationship with Congress, and a relationship with society that is so good that it is detrimental. The American public, probably in reaction to the lessons of Vietnam, has tremendous support for those in uniform. As a result, citizens are sus- pect of anything or anyone not supporting sol-¶ 3¶ diers. With this public attitude of unquestioned support, Congress is inhibited from checking presidential power. Additionally, American soci- ety feels a social responsibility (which could also be labeled as “guilt”) towards the military for en- during hardships that the vast majority of society has opted to avoid. Trying to make the soldiers’ lot the best it can be is often the only outlet for this societal obligation. Unfortunately, this perceived social responsibility combines with the military’s obedient relationship with the Executive Branch, the military’s weak relationship with Congress, and the inability of Congress to serve as a coun- terbalance to executive power, thus rendering the War Powers Act useless.¶ Another conclusion asserted is that we may not yet understand what is different in today’s civil-military relationship. Even when discussing civilian control, there is a tension about what in- timidation means and how it might appear from different perspectives. Additionally, an occa- sional erroneous belief is that stating policy with-¶ out considering all the factors, to include military expertise, is acceptable. In a recurring theme of the colloquium, the suggestion was put forward that all parties involved in civil-military relations should be educated and equipped to participate in the relationship.

#### Loss of CMR risks nuclear conflict

Ricks 2012, THOMAS E. RICKS, member of Harvard University's Senior Advisory Council on the Project on U.S. Civil-Military Relations, Center for a New American Security, Pulitzer Prize winning former reporter for the Wall Street Journal and Washington Post, Foreign Policy Mag, 6/5,2012, “Covert Wars, Waged Virally”, <http://www.nytimes.com/2012/06/06/books/confront-and-conceal-by-david-sanger.html>

Mr. Sanger’s sure touch in discussing foreign policy falters when he addresses the Pentagon. He incorrectly states that “battlespace” is a term of cyberwar, when it actually is United States military jargon for any sort of battlefield, conventional or not. More important, Mr. Sanger seems unaware that a large number of military officers agreed with President Obama that Iraq was a “war of choice,” and a huge mistake. Nor by the time Mr. Obama took office was “much of the military ... running on autopilot.” Rather, after five years of sweating and bleeding in Iraq and Afghanistan, the military was engaged in a good deal of soul-searching about those wars. The “surge” in Iraq was largely the product of military dissidents who believed that invading Iraq had been a mistake. These are minor blemishes in an important book. I raise them mainly because of the warning signal they send about civil-military relations under President Obama. White House mistrust and suspicion of generals is not a recipe for an effective use of military force because it impedes the candid sort of discussion that consciously brings to the surface differences, examines assumptions and hammers out sustainable strategies. Rather, it suggests that Mr. Obama and those around him are repeating some of the dysfunctionality that characterized the dealings of Presidents Kennedy and Johnson with the Pentagon during the descent into the Vietnam War. With Syria hanging fire, a nuclear-armed Pakistan on the brink and the Afghan war dragging on, that is not a reassuring state of affairs.

### 1NC Critique

#### Security politics are self defeating – restraints on the executive are only a guise for further imperialism

Aziz RANA Law at Cornell 11 [“Who Decides on Security?” Cornell Law Faculty Working Papers, Paper 87, http://scholarship.law.cornell.edu/clsops\_papers/87 p. 1-7]

Today politicians and legal scholars routinely invoke fears that the balance between liberty and security has swung drastically in the direction of government’s coercive powers. In the post-September 11 era, such worries are so commonplace that in the words of one commentator, “it has become part of the drinking water of this country that there has been a trade-off of liberty for security.”1 According to civil libertarians, centralizing executive power and removing the legal constraints that inhibit state violence (all in the name of heightened security) mean the steady erosion of both popular deliberation and the rule of law. For Jeremy Waldron, current practices, from coercive interrogation to terrorism surveillance and diminished detainee rights, provide government the ability not only to intimidate external enemies but also internal dissidents and legitimate political opponents. As he writes, “We have to worry that the very means given to the government to combat our enemies will be used by the government against its enemies.”2 Especially disconcerting for many commentators, executive judgments—due to fears of infiltration and security leaks—are often cloaked in secrecy. This lack of transparency undermines a core value of democratic decisionmaking: popular scrutiny of government action. As U.S. Circuit Judge Damon Keith famously declared in a case involving secret deportations by the executive branch, “Democracies die behind closed doors. . . . When government begins closing doors, it selectively controls information rightfully belonging to the people. Selective information is misinformation.”3 In the view of no less an establishment figure than Neal Katyal, now the Principal Deputy Solicitor General, such security measures transform the current presidency into “the most dangerous branch,” one that “subsumes much of the tripartite structure of government.”4 Widespread concerns with the government’s security infrastructure are by no means a new phenomenon. In fact, such voices are part of a sixty-year history of reform aimed at limiting state (particularly presidential) discretion and preventing likely abuses. What is remarkable about these reform efforts is that, every generation, critics articulate the same basic anxieties and present virtually identical procedural solutions. These procedural solutions focus on enhancing the institutional strength of both Congress and the courts to rein in the unitary executive. They either promote new statutory schemes that codify legislative responsibilities or call for greater court activism. As early as the 1940s, Clinton Rossiter argued that only a clearly established legal framework in which Congress enjoyed the power to declare and terminate states of emergency would prevent executive tyranny and rights violations in times of crisis.5 After the Iran-Contra scandal, Harold Koh, now State Department Legal Adviser, once more raised this approach, calling for passage of a National Security Charter that explicitly enumerated the powers of both the executive and the legislature, promoting greater balance between the branches and explicit constraints on government action.6 More recently, Bruce Ackerman has defended the need for an “emergency constitution” premised on congressional oversight and procedurally specified practices.7 As for increased judicial vigilance, Arthur Schlesinger argued nearly forty years ago, in his seminal book The Imperial Presidency (1973), that the courts “had to reclaim their own dignity and meet their own responsibilities” by abandoning deference and by offering a meaningful check to the political branches.8 Today, Lawrence Tribe and Patrick Gudridge once more imagine that, by providing a powerful voice of dissent, the courts can play a critical role in balancing the branches. They write that adjudication can “generate[]—even if largely (or, at times, only) in eloquent and cogently reasoned dissent—an apt language for potent criticism.”9 The hope—returned to by constitutional scholars for decades—has been that by creating clear legal guidelines for security matters and by increasing the role of the legislative and judicial branches, government abuse can be stemmed. Yet despite this reformist belief, presidential and military prerogatives continue to expand even when the courts or Congress intervene. Indeed, the ultimate result has primarily been to entrench further the system of discretion and centralization. In the case of congressional legislation (from the 200 standby statutes on the books to the postSeptember 11 and Iraq War Authorizations for the Use of Military Force to the Detainee Treatment Act and the Military Commissions Acts), this has often entailed Congress self-consciously playing the role of junior partner—buttressing executive practices by providing its own constitutional imprimatur to them. Thus, rather than rolling back security practices, greater congressional involvement has tended to further strengthen and internalize emergency norms within the ordinary operation of politics.10 As just one example, the USA PATRIOT Act, while no doubt controversial, has been renewed by Congress a remarkable ten consecutive times without any meaningful curtailments.11 Such realities underscore the dominant drift of security arrangements, a drift unhindered by scholarly suggestions and reform initiatives. Indeed, if anything, today’s scholarship finds itself mired in an argumentative loop, re-presenting inadequate remedies and seemingly incapable of recognizing past failures. What explains both the persistent expansion of the federal government’s security framework as well as the inability of civil libertarian solutions to curb this expansion? In this article I argue that the current reform debate ignores the broader ideological context that shapes how the balance between liberty and security is struck. In particular, the very meaning of security has not remained static but rather has changed dramatically since World War II and the beginning of the Cold War. This shift has principally concerned the basic question of who decides on issues of war and emergency. And as the following pages explore, at the center of this shift has been a transformation in legal and political judgments about the capacity of citizens to make informed and knowledgeable decisions in security domains. Yet, while underlying assumptions about popular knowledge—its strengths and limitations—have played a key role in shaping security practices in each era of American constitutional history, this role has not been explored in any sustained way in the scholarly literature. As an initial effort to delineate the relationship between knowledge and security, I will argue that throughout most of the American experience, the dominant ideological perspective saw security as grounded in protecting citizens from threats to their property and physical well-being (especially those threats posed by external warfare and domestic insurrection). Drawing from a philosophical tradition extending back to John Locke, politicians and thinkers—ranging from Alexander Hamilton and James Madison at the founding to Abraham Lincoln and Roger Taney—maintained that most citizens understood the forms of danger that imperiled their physical safety. The average individual knew that securing collective life was in his or her own interest, and also knew the institutional arrangements and practices that would fulfill this paramount interest. A widespread knowledge of security needs was presumed to be embedded in social experience, indicating that citizens had the skill to take part in democratic discussion regarding how best to protect property or to respond to forms of external violence. Thus the question of who decides was answered decisively in favor of the general public and those institutions—especially majoritarian legislatures and juries—most closely bound to the public’s wishes. What marks the present moment as distinct is an increasing repudiation of these assumptions about shared and general social knowledge. Today the dominant approach to security presumes that conditions of modern complexity (marked by heightened bureaucracy, institutional specialization, global interdependence, and technological development) mean that while protection from external danger remains a paramount interest of ordinary citizens, these citizens rarely possess the capacity to pursue such objectives adequately. Rather than viewing security as a matter open to popular understanding and collective assessment, in ways both small and large the prevailing concept sees threat as sociologically complex and as requiring elite modes of expertise. Insulated decision-makers in the executive branch, armed with the specialized skills of the professional military, are assumed to be best equipped to make sense of complicated and often conflicting information about safety and self-defense.12 The result is that the other branches—let alone the public writ large—face a profound legitimacy deficit whenever they call for transparency or seek to challenge presidential discretion. Not surprisingly, the tendency of procedural reform efforts has been to place greater decision-making power in the other branches and then to watch those branches delegate such power back to the very same executive bodies. How did the governing, expertise-oriented concept of security gain such theoretical and institutional dominance and what alternative formulations exist to challenge its ideological supremacy? In offering an answer to these questions, I begin in Part II by examining the principal philosophical alternatives that existed prior to the emergence of today’s approach, one of which grounded early American thought on security issues. I refer to these alternatives in the Anglo-American tradition as broadly ‘Hobbesian’ and ‘Lockean’ and develop them through a close reading of the two thinkers’ accounts of security. For all their internal differences, what is noteworthy for my purposes is that each approach rejected the idea—pervasive at present—that there exists a basic divide between elite understanding and mass uncertainty. In other words, John Locke and even Thomas Hobbes (famous as the philosopher of absolutism) presented accounts of security and self-defense that I argue were normatively more democratic than the current framework. Part III will then explore how the Lockean perspective in particular took constitutional root in early American life, focusing especially on the views of the founders and on the intellectual and legal climate in the mid nineteenth century. In Part IV, I will continue by detailing the steady emergence beginning during the New Deal of our prevailing idea of security, with its emphasis on professional expertise and insulated decision-making. This discussion highlights the work of Pendleton Herring, a political scientist and policymaker in the 1930s and 1940s who co-wrote the National Security Act of 1947 and played a critical role in tying notions of elite specialization to a new language of ‘national security.’ Part V will then show how Herring’s ‘national security’ vision increasingly became internalized by judicial actors during and after World War II. I argue that the emblematic figure in this development was Supreme Court Justice Felix Frankfurter, who not only defended security expertise but actually sought to redefine the very meaning of democracy in terms of such expertise. For Frankfurter, the ideal of an ‘open society’ was one premised on meritocracy, or the belief that decisions should be made by those whose natural talents make them most capable of reaching the technically correct outcome. According to Frankfurter, the rise of security expertise meant the welcome spread of meritocratic commitments to a critical and complex arena of policymaking. In this discussion, I focus especially on a series of Frankfurter opinions, including in Ex parte Quirin (1942), Hirabayashi v. United States (1943), Korematsu v. United States (1944), and Youngstown Steel & Tube Co. v. Sawyer (1952), and connect these opinions to contemporary cases such as Holder v. Humanitarian Law Project (2010). Finally, by way of conclusion, I note how today’s security concept—normatively sustained by Frankfurter’s judgments about merit and elite authority—shapes current discussions over threat and foreign policy in ways that often inhibit rather than promote actual security. I then end with some reflections on what would be required to alter governing arrangements. As a final introductory note, a clarification of what I mean by the term ‘security’ is in order. Despite its continuous invocation in public life, the concept remains slippery and surprisingly under-theorized. As Jeremy Waldron writes, “Although we know that ‘security’ is a vague and ambiguous concept, and though we should suspect that its vagueness is a source of danger when talk of trade-offs is in the air, still there has been little or no attempt in the literature of legal and political theory to bring any sort of clarity to the concept.”13 As a general matter, security refers to protection from those threats that imperil survival—both of the individual and of a given society’s collective institutions or way of life. At its broadest, these threats are multidimensional and can result from phenomena as wide-ranging as environmental disasters or food shortages. Thus, political actors with divergent ideological commitments defend the often competing goals of social security, economic security, financial security, collective security, human security, food security, environmental security, and—the granddaddy of them all—national security. But for my purposes, when invoked without any modifier the word ‘security’ refers to more specific questions of common defense and physical safety. These questions, emphasizing issues of war and peace, are largely coterminous with what Franklin Delano Roosevelt famously referred to in his “Four Freedoms” State of the Union Adresss as “the freedom from fear”: namely ensuring that citizens are protected from external and internal acts of “physical aggression.”14 This definitional choice is meant to serve two connected theoretical objectives. First, as a conceptual matter it is important to keep the term security analytically separate from ‘national security’—a phrase ubiquitous in current legal and political debate. While on the face of it, both terms might appear synonymous, my claim in the following pages is that ‘national security’ is in fact a relatively novel concept, which emerged in the mid twentieth century as a particular vision of how to address issues of common defense and personal safety. Thus national security embodies only one of a number of competing theoretical and historical approaches to matters of external violence and warfare. Second, and relatedly, it has become a truism in political philosophy that the concept of liberty is plural and multifaceted.15 In other words, different ideals of liberty presuppose distinct visions of political life and possibility. Yet far less attention has been paid to the fact that security is similarly a plural concept, embodying divergent assumptions about social ordering. In fact, competing notions of security—by offering different answers to the question of “who decides?”—can be more or less compatible with democratic ideals. If anything, the problem of the contemporary moment is the dominance of a security concept that systematically challenges those sociological and normative assumptions required to sustain popular involvement in matters of threat and safety.

#### National security frame justifies extinction in the name of saving human life.

Dillon 96—Michael, University of Lancaster [October 4, 1996, “Politics of Security: Towards a Political Philosophy of Continental Thought”]

The way of sharpening and focusing this thought into a precise question is first provided, however, by referring back to Foucault; for whom Heidegger was the philosopher. Of all recent thinkers, Foucault was amongst the most committed to the task of writing the history of the present in the light of the history of philosophy as metaphysics. 4 That is why, when first thinking about the prominence of security in modern politics, I first found Foucault’s mode of questioning so stimulating. There was, it seemed to me, a parallel to be drawn between what he saw the technology of disciplinary power/knowledge doing to the body and what the principle of security does to politics.

What truths about the human condition, he therefore prompted me to ask, are thought to be secreted in security? What work does securing security do for and upon us? What power-effects issue out of the regimes of truth of security? If the truth of security compels us to secure security, why, how and where is that grounding compulsion grounded? How was it that seeking security became such an insistent and relentless (inter)national preoccupation for humankind? What sort of project is the pursuit of security, and how does it relate to other modern human concerns and enterprises, such as seeking freedom and knowledge through representative-calculative thought, technology and subjectification? Above all, how are we to account—amongst all the manifest contradictions of our current (inter)national systems of security: which incarcerate rather than liberate; radically endanger rather than make safe; and engender fear rather than create assurance—for that terminal paradox of our modern (inter)national politics of security which Foucault captured so well in the quotation that heads this chapter. 5 A terminal paradox which not only subverts its own predicate of security, most spectacularly by rendering the future of terrestrial existence conditional on the strategies and calculations of its hybrid regime of sovereignty and governmentality, but which also seems to furnish a new predicate of global life, a new experience in the context of which the political has to be recovered and to which it must then address itself: the globalisation of politics of security in the global extension of nihilism and technology, and the advent of the real prospect of human species extinction.

#### Reject the national security state – key to solve executive dominance

Aziz RANA Law at Cornell 11 [“Who Decides on Security?” Cornell Law Faculty Working Papers, Paper 87, http://scholarship.law.cornell.edu/clsops\_papers/87 p. 45-51]

If both objective sociological claims at the center of the modern security concept are themselves profoundly contested, what does this mean for reform efforts that seek to recalibrate the relationship between liberty and security? Above all, it indicates that the central problem with the procedural solutions offered by constitutional scholars—emphasizing new statutory frameworks or greater judicial assertiveness—is that they mistake a question of politics for one of law. In other words, such scholars ignore the extent to which governing practices are the product of background political judgments about threat, democratic knowledge, professional expertise, and the necessity for insulated decision-making. To the extent that Americans are convinced that they face continuous danger from hidden and potentially limitless assailants—danger too complex for the average citizen to comprehend independently—it is inevitable that institutions (regardless of legal reform initiatives) will operate to centralize power in those hands presumed to enjoy military and security expertise. Thus, any systematic effort to challenge the current framing of the relationship between security and liberty must begin by challenging the underlying assumptions about knowledge and security upon which legal and political arrangements rest. Without a sustained and public debate about the validity of security expertise, its supporting institutions, and the broader legitimacy of secret information, there can be no substantive shift in our constitutional politics. The problem at present, however, is that no popular base exists to raise these questions. Unless such a base emerges, we can expect our prevailing security arrangements to become ever more entrenched.

### 1NC CP

#### The Executive branch should issue an executive order establishing a quantum of information framework requiring a clear and convincing standard for targeted killing outside zones of active hostilities. The Executive branch should publicly articulate its legal rationale for its targeted killing policy, including the process and safeguards in place for target selection.

#### Solves

Roberts 13—Kristin Roberts, News Editor, National Journal [March 22, 2013, “When the Whole World Has Drones,” http://www.nationaljournal.com/magazine/when-the-whole-world-has-drones-20130321]

But even without raising standards, tightening up drone-specific restrictions in the standing control regime, or creating a new control agreement (which is never easy to pull off absent a bad-state actor threatening attack), just the process of lining up U.S. policy with U.S. practice would go a long way toward establishing the kind of precedent on use of this technology that America—in five, 10, or 15 years—might find helpful in arguing against another’s actions.

A not-insignificant faction of U.S. defense and intelligence experts, Dennis Blair among them, thinks norms play little to no role in global security. And they have evidence in support. The missile-technology regime, for example, might be credited with slowing some program development, but it certainly has not stopped non-signatories—North Korea and Iran—from buying, building, and selling missile systems. But norms established by technology-leading countries, even when not written into legal agreements among nations, have shown success in containing the use and spread of some weapons, including land mines, blinding lasers, and nuclear bombs.

Arguably more significant than spotty legal regimes, however, is the behavior of the United States. “History shows that how states adopt and use new military capabilities is often influenced by how other states have—or have not—used them in the past,” Zenko argued. Despite the legal and policy complexity of this issue, it is something the American people have, if slowly, come to care about. Given the attention that Rand Paul’s filibuster garnered, it is not inconceivable that public pressure on drone operations could force the kind of unforeseen change to U.S. policy that it did most recently on “enhanced interrogation” of terrorists.

The case against open, transparent rule-making is that it might only hamstring American options while doing little good elsewhere—as if other countries aren’t closely watching this debate and taking notes for their own future policymaking. But the White House’s refusal to answer questions about its drone use with anything but “no comment” ensures that the rest of the world is free to fill in the blanks where and when it chooses. And the United States will have already surrendered the moment in which it could have provided not just a technical operations manual for other nations but a legal and moral one as well.

## Case

### 1NC Solvency

#### Zone of active conflict guarantees non-compliance—no universal definition and it’s operationally impossible

Wood 13—David Wood has been a journalist since 1970, a staff correspondent successively for Time Magazine, the Los Angeles Times, Newhouse News Service, The Baltimore Sun and Politics Daily [February 14, 2013, http://www.huffingtonpost.com/2013/02/14/drone-attacks-legal-debate\_n\_2687980.html?utm\_hp\_ref=david-wood]

Yemen was different. The White House was not sending tens of thousands of troops, and there was no solemn Oval Office speech summoning the nation to battle there. However, though few knew it at the time, earlier that year Yemen had been officially designated as a "combat zone" making the killings legal, at least in the eyes of the CIA and the White House of George W. Bush.

But ever since that first "non-battlefield" drone strike, generals and legal scholars, pundits and politicians have argued passionately about what, exactly, constitutes an armed conflict, or a war zone, or a battlefield, and what is outside armed conflict.

The distinction matters. "Inside an armed conflict, you are allowed to kill people without warning. Outside, you are not," says Notre Dame law professor Mary Ellen O'Connell, a specialist in international laws of war and conflict. "That makes it pretty important to know whether you're on a battlefield or not."

And not just if you're standing on a battlefield. As difficult as it is to pin down the law of armed conflict, "it's really important to raise these questions, because we've been lulled since 9/11 into the sense that our government has the ability to decide through its intelligence agencies who is a bad guy and to kill him and the people around him," O'Connell told The Huffington Post. "I don't want to see them drag the law down and lose the world as a place in which the law is held as a high standard."

Difficult questions about international law are boiling up because of the Obama administration's accelerating use of armed drones against what it says are suspected terrorists in Pakistan, Yemen and Somalia, and potentially elsewhere as well.

In his State of the Union address Tuesday, President Obama seemingly acknowledged the growing public unease about the program's troubling secrecy and whether the strikes are justified and legal. He would, he promised, be "even more transparent" about how the strikes comply with the law.

That vague wording promises that the bitter disagreements over what the law says, and how it applies, are only going to get more heated.

"I don't think we are ever going to have a precise answer," says Laurie R. Blank, director of the International Humanitarian Law Center at Emory University School of Law and the author of several books on war and international law. In the long history of warfare, there have been clear-cut cases where existing law applies, mostly when two governments are at war in a geographically defined area.

"But the nature of the world today is that it makes it difficult to put war into neat and tidy packages," Blank says.

War and the law have come a long way from that muddy day in October almost 600 years ago when British infantry and archers memorably clashed with French knights near the Normandy village of Maisoncelles. It was a modest, neatly-defined battle, or armed conflict: the belligerents were drawn up at either end of a small wheat field; the bristling battle lines were barely 1,000 yards apart, and when the carnage was over in a few hours, a pair of professional referees declared British King Henry V the winner and named the battle Agincourt, after a nearby castle.

By contrast, many of today's conflicts range over time and space, and belligerents morph from terrorist to civilian to warrior. Do a few suicide bombings in Islamabad define a war zone? Does the taking of hostages at an Algerian gas plant constitute an international armed conflict? Does a skyjacking plot conceived in Afghanistan and planned in Germany, which kills 3,000 people in New York and Washington, create legal war zones or armed conflicts in all four places? What if one of the plotters is hiding in Cleveland?

How far does the concept of self-defense go? Can someone just declare an area to be a free-fire "battlefield"? If the United States is at war with terrorists, and there are terrorists inside the United States, can they be targeted with armed drones? If a Taliban sneaks across the Afghan border with Iran, can the U.S. target him there? And is Iran then justified under the U.N. rule of self defense to plant a terrorist bomb in Times Square?

Could an al Qaeda terrorist protect himself by becoming an American citizen?

These are among the questions that remain for the Obama White House to clear up. But there are no simple answers.

The administration has argued, for instance, that in some places like Paris, or Cleveland, the police can handle an al Qaeda suspect as a matter of law enforcement. But when a terrorist is operating in a place like Yemen, where the government "is unable or unwilling to suppress the threat," the president has the authority to order a strike, according to the Department of Justice white paper on the legal basis for drone attacks, which surfaced last week.

That explanation -- that killing is okay in a "weak" state -- hardly quieted the debate on Capitol Hill.

If geography doesn't settle the matter of what is an armed conflict, what does? The International Committee of the Red Cross, the independent, neutral organization which oversees the 1949 Geneva Conventions and associated international humanitarian law, recognizes two types of armed conflict: international conflict, between two nations, and "non-international conflict," involving a state and an armed group, or two armed groups -- basically everything else but international conflict.

According to the ICRC, to qualify as a non-international armed conflict, the fighting must be protracted and intense. As it is, for example, in Afghanistan.

Given that the fighting between the United States and anyone in Yemen is neither protracted nor intense -- but rather consists of sporadic drone attacks and other targeted killings -- it would seem that the U.S. drone attacks in Yemen do not qualify and thus are illegal.

That's the argument advanced by O'Connell, and it was noted and abruptly dismissed by the Obama lawyers who wrote the white paper. Their argument was not that the fighting was protracted and intense. They argued that the law doesn't apply.

"There is little judicial or other authoritative precedent that speaks directly to the question of the geographic scope of a non-international armed conflict in which one of the parties is a transnational, non-state actor and where the principal theater of operations is not within the territory of the nation that is a party to the conflict," the anonymous authors of the white paper wrote.

This back-and-forth argument, about whether a conflict can be defined by its battle space or intensity, is irrelevant, says Geoffrey Corn, a career Army officer who served as the senior Army advisor on the law of war. A conflict ought to be defined by the threat, he told The Huffington Post.

"Trying to define the military hot zone is inconsistent with military logic, with the history of warfare and inconsistent with the laws of armed conflict," said Corn, who teaches at South Texas College of Law, in Houston. "Plus, it invests your opponent with the perverse incentive to conduct operations from some place not involved in the struggle, in order to gain immunity." In other words, to skip across the border into sanctuary.

According to Corn, the idea of a geographical battle zone was dismissed in 1982, when the Argentine cruiser Belgrano was sunk by British forces during the Falklands War. While the Argentines claimed the attack was a war crime because the cruiser was not in the Falklands exclusion zone and had in fact turned away from the British fleet, London asserted it was legal because once Britain and Argentina engaged in hostilities, any target was fair game, no matter where.

#### Military history proves geographic limitations don’t work—strategic necessity overwhelms

Corn 13—Geoffrey Corn, South Texas College of Law, Professor of Law and Presidential Research Professor, J.D., [“Geography of Armed Conflict: Why it is a Mistake to Fish for the Red Herring,” http://papers.ssrn.com/sol3/papers.cfm?abstract\_id=2179720]

While the TAC typology seemed to defy accepted international law cat-egorizations of armed conflict, it was never really remarkable. National se-curity strategy is always threat driven: intelligence defines the risk created by various threats; and strategy is developed to prioritize national effort to protect the nation from these threasecurity policy makers determine that military power must be used as one of these tools, this is translated into a military mission. That mission is then refined in the form of military strategy, which seeks to identify threat vul-nerabilities and match combat capabilities to address them.44 Once again, the nature of the threat becomes the dominant driving force in this strate-gic analysis. Thus, when the threat capability and/or vulnerability is identi-fied outside a “hot zone,” it in no way nullifies the imperative of addressing the threat. In short, as others have noted, once the armed conflict door is open, threat-based strategy—focusing military action in response to threat dynamics in order to destroy or disable threat capabilities—is essentially opportunity driven: the conflict follows the belligerent target.45

In conventional inter-State armed conflict, this process is almost axio-matic. One need only consider events such as the sinking of the Bismarck in the South Atlantic during the opening phase of World War II46 or the “small war” in East Africa between Great Britain and Germany during World War I.47 These episodes, like countless others throughout history, indicate that the scope of armed conflict is threat driven. But the more un-conventional the threat becomes, the less comfortable this concept feels. When non-international armed conflicts were almost exclusively internal in nature, this produced very little concern. It is a mistake, however, to as-sume this was the result of some inherent international legal invalidity of extending such conflicts beyond the territory of one State or perhaps the border regions of geographically contiguous States. Instead, like all armed conflicts, it was the combined impact of threat dynamics and diplomatic and policy considerations that drove the natural geographic constraint as-sociated with internal armed conflicts. Indeed, examples of cross-border spillover operations bolster this conclusion. From Vietnam, to Turkey, to South Africa, to Angola, to Rwanda, to Afghanistan, when States perceived the strategic necessity of expanding an internal armed conflict into the ter-ritory of a neighboring State based on the threat dynamics, they have al-ways done so.48

#### Obama will circumvent war restrictions—empirics prove we can always just change definitions

Levine 12—David Levine, Law Clerk; J.D., May 2012, University of Michigan Law School [2013 SURVEY OF BOOKS RELATED TO THE LAW: BOOK NOTICE: A TIME FOR PRESIDENTIAL POWER? WAR TIME AND THE CONSTRAINED EXECUTIVE, 111 Mich. L. Rev. 1195, Lexis]

Both the Declare War Clause n49 and the War Powers Resolution n50 give Congress some control over exactly when "wartime" exists. While the U.S. military was deployed to Libya during the spring and summer of 2011, the Obama Administration advanced the argument that, under the circumstances, it was bound by neither clause. n51 If Dudziak is worried about "war's presence as an ongoing feature of American democracy" (p. 136), Libya is a potent case study with implications for the use of force over the coming decades.

Article I, Section 8 of the U.S. Constitution grants to Congress the power to "declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water." n52 Although there is substantial debate on the precise scope of these powers, n53 this clause at least provides some measure of congressional control over significant commitments of U.S. forces to battle. However, it has long been accepted that presidents, acting pursuant to the commander-in-chief power, may "introduce[] armed forces into situations in which they encounter[], or risk[] encountering, hostilities, but which [are] not "wars' in either the common meaning or the [\*1207] constitutional sense." n54 Successive administrations have adopted some variant of that view and have invariably deployed U.S. forces abroad in a limited manner based on this inherent authority. n55

The Obama Administration has adopted this position - that a president has inherent constitutional authority to deploy forces outside of war - and even sought to clarify it. In the Office of Legal Counsel's ("OLC") memo to President Obama on the authority to use military force in Libya, n56 the Administration acknowledged that the Declare War Clause is a "possible constitutionally-based limit on ... presidential authority to employ military force." n57 The memo reasoned that the Constitution speaks only to Congress's ability to shape engagements that are "wars," and that presidents have deployed forces in limited contexts from the earliest days of the Union. n58 Acknowledging those facts, the memo concluded that the constitutional limit on congressional power must be the conceptual line between war and not war. In locating this boundary, the memo looked to the "anticipated nature, scope, and duration" of the conflict to which President Obama was introducing forces. n59 OLC found that the "war" standard "will be satisfied only by prolonged and substantial military engagements, typically involving exposure of U.S. military personnel to significant risk over a substantial period." n60

The Obama Administration's position was not out of sync with previous presidential practice - the Declare War Clause did not require congressional approval prior to executive deployment of troops. In analyzing the "nature, scope, and duration" questions, the memo looked first to the type of missions that U.S. forces would be engaged in. The air missions envisioned for the Libya operation did not pose the threat of withdrawal difficulty or escalation risk that might indicate "a greater need for approval [from Congress] at the outset." n61 The nature of the mission, then, was not similar to full "war." Similarly, the scope of the intended operation was primarily limited, at the time the memo was written, to enforcing a no-fly zone. n62 Consequently, [\*1208] the operation's expected duration was not long. Thus, concluded OLC, "the use of force by the United States in Libya [did not rise] to the level of a "war' in the constitutional sense." n63 While this conclusion may have been uncontroversial, it highlights Dudziak's concerns over the manipulation of the idea of "wartime," concerns that were heightened by the Obama Administration's War Powers Resolution analysis. Congress passed the War Powers Resolution in 1973 in an attempt to rein in executive power in the wake of the Vietnam War. n64 The resolution provides that the president shall "in every possible instance ... consult with Congress before introducing United States Armed Forces into hostilities or into situations where imminent involvement in hostilities is clearly indicated by the circumstances." n65 Additionally, when the president sends U.S. forces "into hostilities or into situations where imminent involvement in hostilities is clearly indicated," the resolution requires him to submit a report to Congress describing the circumstances of the deployment and the expected involvement of U.S. troops in the "hostilities." n66 Within sixty days of receiving that report, Congress must either declare war or in some other way extend the deployment; in the absence of some ratifying action, the resolution requires that the president withdraw U.S. forces. n67 Though eschewing the plainly confrontational route of directly challenging Congress's power under the War Powers Resolution, the Obama Administration implicitly challenged Congress's ability to affect future operations. In declining to withdraw forces, despite Congress's lack of approving legislation, President Obama claimed that the conflict in Libya could not be deemed "hostilities" as that term is used in the resolution. This argument was made both in a letter to Congress during the summer of 2011 n68 and in congressional testimony given by Harold Koh, the State Department Legal Advisor under the Obama Administration. n69 [\*1209] Koh's testimony provides the most complete recitation of the Obama Administration's analysis and focuses on four factors that distinguish the fighting in Libya (or at least the United States' participation) from "hostilities": the scope of the mission, the exposure of U.S. forces, the risk of escalation, and the nature of the tactics to be used. First, "the mission is limited." n70 That is, the objectives of the overall campaign led by the North American Treaty Organization ("NATO") were confined to a "civilian protection operation ... implementing a U.N. Security Council resolution." n71 Second, the "exposure" of the U.S. forces involved was narrow - the conflict did not "involve active exchanges of fire with hostile forces" in ways that would endanger U.S. service members' safety. n72 Third, the fact that the "risk of escalation [was] limited" weighed in favor of not categorizing the conflict as "hostilities." n73 Finally, the "military means" the United States used in Libya were limited in nature. n74 The majority of missions were focused on "providing intelligence capabilities and refueling assets." n75 Those American flights that were air-to-ground missions were a mix of suppression-of-enemy-air-defenses operations to enforce a no-fly zone and strikes by armed Predator drones. n76 As a point of comparison, Koh noted that "the total number of U.S. munitions dropped has been a tiny fraction of the number dropped in Kosovo." n77 With the exception of this final factor, these considerations are quite similar to the factors that define whether a conflict is a "war" for constitutional purposes. n78

The result of this reasoning is a substantially relaxed restraint on presidential authority to use force abroad going forward. As armed drones begin [\*1210] to make up a larger portion of the United States' arsenal, n79 and as other protective technologies, such as standoff munitions n80 and electronic warfare techniques, gain traction, it is far more likely that the "exposure" of U.S. forces will decrease substantially. The force used in Yemen and the Horn of Africa is illustrative of this new paradigm where U.S. service members are not "involved [in] active exchanges of fire with hostile forces," n81 but rather machines use force by acting as human proxies. To the same point, if the "military means" used in Libya are markers of something short of "hostilities," the United States is only likely to see the use of those means increase in the coming decades. Pressing the logic of Koh's testimony, leeway for unilateral executive action will increase as the makeup of our arsenal continues to modernize. n82

Dudziak worries about the invocation of "wartime" as an argument for the perpetual exercise of extraordinary powers. The Libya scenario, of course, is somewhat different - the president has argued that the absence of "war" leaves him a residuum of power such that he may use force abroad without congressional input. The two positions are of a piece, though. Dudziak argues that legacy conceptions of "wartime" and "peacetime" have left us vulnerable to the former's use, in and of itself, as a reason for increased executive power. Such literal thinking - that "war" is something specific or that the word "hostilities" has certain limits - also opens the door to the Obama Administration's defense of its position on Libya. And looking at the substance of that position leaves much to be desired.

Both Koh's testimony and the OLC memo pay lip service to the idea that the policy considerations underlying their position are consistent with the policy considerations of the Framers with respect to the Declare War Clause and Congress with respect to the War Powers Resolution. But the primary, if not the only, consideration mentioned is the loss of U.S. forces. That concern is front and center when analyzing the "exposure" of service [\*1211] members, n83 and it is also on display with respect to discussions about the nature and scope of an operation. n84 This is not the only policy consideration that one might intuit from those two provisions, however. Using lethal force abroad is a very serious matter, and the U.S. polity might rationally want input from the more representative branch in deciding when, where, and how that force is used in its name. In that same vein, permitting one individual to embroil the nation in foreign conflicts - limited or otherwise - without the input of another coequal branch of government is potentially dangerous. n85

As Dudziak's framework highlights the limits of the Obama Administration's argument for expansive power, so does the Administration's novel dissection of "hostilities" illustrate the limits of Dudziak's analysis. Dudziak presents a narrative arc bending toward the expansion of wartime and, as a result, increased presidential power. That is not the case with Libya: the president finds power in "not war" rather than in "wartime." If the American public is guilty, as Dudziak asserts, of using the outmoded and misleadingly concrete terminology of "wartime" to describe an increasingly complex phenomenon, Dudziak herself is guilty of operating within a paradigm where wartime necessarily equals more executive power (than does "not war"), a paradigm that has been supplanted by a more nuanced reality. Although [\*1212] Dudziak identifies the dangers of manipulating the boundaries of wartime, her catalog of manipulations remains incomplete because of the inherent limits of her framework.

This realization does not detract from Dudziak's warnings about the perils of endless wartime, however. Indeed, the powers that President Obama has claimed seem, perhaps, more palatable after a decade in which war has been invoked as an argument for many executive powers that would, in other eras, seem extraordinary. Though he has not explicitly invoked war during the Libya crisis, President Obama has certainly shown a willingness to manipulate its definition in the service of expanded executive power in ways that seem sure to increase "war's presence as an ongoing feature of American democracy" (p. 136).

Conclusion Dudziak presents a compelling argument and supports it well. War Time is potent as a rhetorical device and as a way to frame decisionmaking. This is especially so for the executive branch of the U.S. government, for which wartime has generally meant increased, and ever more expansive, power. As the United States continues to transit an era in which the lines between "war" and "peace" become increasingly blurred and violent adversaries are a constant, the temptation to claim wartime powers - to render the extraordinary ordinary - is significant.

This Notice has argued that, contrary to Dudziak's concerns, the temptation is not absolute. Indeed, in some instances - notably, detention operations in Iraq and Afghanistan - we are still able to differentiate between "war" and "peace" in ways that have hard legal meaning for the actors involved. And, importantly, the executive still feels compelled to abide by these distinctions and act in accordance with the law rather than claim wartime exceptionalism.

That the temptation is not absolute, however, does not mean that it is not real or that Dudziak's concerns have not manifested themselves. This detachment of expansive power from temporally bound periods has opened the door for, and in some ways incentivized, limiting wartime rather than expanding it. While President Obama has recognized the legal constraints that "war" imposes, he has also followed in the footsteps of executives who have attempted to manipulate the definition of "war" itself (and now the definition of "hostilities") in order to evade those constraints as much as possible. To the extent he has succeeded in that evasion, he has confirmed what seems to be Dudziak's greatest fear: that "military engagement no longer seems to require the support of the American people, but instead their inattention" (p. 132).

#### Collapses military power – turns case and causes wars of attrition

Newton 12—Professor of Law @ Vanderbilt University [Michael A. Newton, “Inadvertent Implications of the War Powers Resolution,” Case Western Reserve Journal of International Law, Vol. 45, No. 1, 2012]

The corollary to this modern reality, and the second of three inadvertent implications of the Resolution, is that our enemies now focus on American political will as the Achilles heel of our vast capabilities. Prior to the War Powers Resolution, President Eisenhower understood that it was necessary to "seek the cooperation of the Congress. Only with that can we give the reassurance needed to deter aggression." 62 President Clinton understood the importance of clear communication with the Congress and the American people in order to sustain the political legitimacy that is a vital element of modern military operations. Justifying his bombing of targets in Sudan, he argued that the "risks from inaction, to America and the world, would be far greater than action, for that would embolden our enemies, leaving their ability and their willingness to strike us intact."13 In his letter to Congress "consistent with the War Powers Resolution," the president reported that the strikes "were a necessary and proportionate response to the imminent threat of further terrorist attacks against U.S. personnel and facilities" and "were intended to prevent and deter additional attacks by a clearly identified terrorist threat."6 ' The following day, in a radio address to the nation, the president explained his decision to take military action, stating, "Our goals were to disrupt bin Laden's terrorist network and destroy elements of its infrastructure in Afghanistan and Sudan. And our goal was to destroy, in Sudan, the factory with which bin Laden's network gas."\*6 Citing "compelling evidence that the bin Laden network was poised to strike at us again" and was seeking to acquire chemical weapons, the president declared that we simply could not ignore the threat posed, and hence ordered the strikes. 66 Similarly, President Clinton understood that intervention in Bosnia could not be successful absent some national consensus, which had been slow to form during the long Bosnian civil war.6 1

Secretary of State George Schultz provided perhaps the most poignant and pointed example of this truism in his testimony to Congress regarding the deployment of US Marines into Lebanon to separate the warring factions in 1982. On September 21, 1983, he testified before the Senate Foreign Relations Committee and provided a chilling premonition of the bombing that would come only one month later and kill 241 Americans, which was the bloodiest day in the Marine Corps since the battle of Iwo Jima.6" Seeking to bolster legislative support and to better explain the strategic objectives, he explained that:

It is not the mission of our marines or of the [Multinational Force in Lebanon] as a whole to maintain the military balance in Lebanon by themselves. Nevertheless, their presence remains one crucial pillar of the structure of stability behind the legitimate Government of Lebanon, and an important weight in the scales.

To remove the marines would put both the Government and what we are trying to achieve in jeopardy. This is why our domestic controversy over the war powers has been so disturbing. Uncertainty about the American commitment can only weaken our effectiveness. Doubts about our staying power can only cause political aggressors to discount our presence or to intensify their attacks in hopes of hastening our departure.

An accommodation between the President and Congress to resolve this dispute will help dispel those doubts about our staying power and strengthen our political hand." Pg. 189-190

### 1NC Drone Prolif

#### No reverse casual modeling internal link --- we can’t reverse the precedent that has already been set

Boot 11 (Max Boot, Jeane J. Kirkpatrick Senior Fellow in National Security Studies at the Council on Foreign Relations in New York, leading military historian and foreign-policy analyst, “We Cannot Afford to Stop Drone Strikes,” Commentary Magazine, October 9, 2011, http://www.commentarymagazine.com/2011/10/09/drone-arms-race/)

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

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

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

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

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

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

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

#### No risk of drone wars

Joseph Singh 12, researcher at the Center for a New American Security, 8/13/12, “Betting Against a Drone Arms Race,” http://nation.time.com/2012/08/13/betting-against-a-drone-arms-race/#ixzz2eSvaZnfQ

In short, the doomsday drone scenario Ignatieff and Sharkey predict results from an excessive focus on rapidly-evolving military technology.

Instead, we must return to what we know about state behavior in an anarchistic international order. Nations will confront the same principles of deterrence, for example, when deciding to launch a targeted killing operation regardless of whether they conduct it through a drone or a covert amphibious assault team.

Drones may make waging war more domestically palatable, but they don’t change the very serious risks of retaliation for an attacking state. Any state otherwise deterred from using force abroad will not significantly increase its power projection on account of acquiring drones.

What’s more, the very states whose use of drones could threaten U.S. security—countries like China—are not democratic, which means that the possible political ramifications of the low risk of casualties resulting from drone use are irrelevant. For all their military benefits, putting drones into play requires an ability to meet the political and security risks associated with their use.

Despite these realities, there remain a host of defensible arguments one could employ to discredit the Obama drone strategy. The legal justification for targeted killings in areas not internationally recognized as war zones is uncertain at best.

Further, the short-term gains yielded by targeted killing operations in Pakistan, Somalia and Yemen, while debilitating to Al Qaeda leadership in the short-term, may serve to destroy already tenacious bilateral relations in the region and radicalize local populations.

Yet, the past decade’s experience with drones bears no evidence of impending instability in the global strategic landscape. Conflict may not be any less likely in the era of drones, but the nature of 21st Century warfare remains fundamentally unaltered despite their arrival in large numbers.

#### Drones won’t decrease barriers to use of force

Anderson 13—Kenneth, Professor of International Law at American University [May 24, 2013, “The Case for Drones,” Commentary Magazine, http://www.realclearpolitics.com/articles/2013/05/24/the\_case\_for\_drones\_118548.html]

Finally, drone warfare is often objected to on the premise that the reduced risks to one’s own soldiers might tempt political leaders to resort to force more than they should. As a moral objection, however, this is simply wrong. It is probably true that drone warfare makes it easier to use force—though the proposition that it is “too easy” depends entirely on whether one sees any particular use of force as just or unjust. While many assume that the use of force needs to be made more difficult, in the case of humanitarian intervention, where NATO countries are loath to risk their forces, one might say it is exactly the other way around.

In any case, it is an immoral argument that posits soldiers as mere means to pressure political leadership. Soldiers take risks against the enemy for reasons of military necessity. But they don’t exist to put pressure on their own political leaders. That would be to use them as hostages.

It is a most remarkable state of affairs, however, that advocacy and campaigning groups—dedicated over the decades to demanding that war’s risks to civilians be reduced—have so thoroughly bought into an argument that the fundamental problem of drones is that they threaten to make war less harmful to civilians as well as soldiers.

### Caucuses Drone Prolif

#### Their Clayton internal link doesn’t even attempt to say that norms solve. It concedes that arms race dynamics create inevitable incentives for drones. You should also be skeptical of a journalist’s escalation claims, given that people have been crying wolf about this conflict since 1993.

#### No reason drones are key. There have been fears of miscalculation based off sniper attacks on the border for years. The aff does nothing to resolve the Nagorno-Karabakh conflict. At best drones simply get replaced by other technology.

#### Always saber-rattling. Never war.

Joshua Kucera, 12/28/2011. Freelance journalist specializing in Central Asia and the Caucasus. “Predicting Conflict in 2012: Karabakh? Tajikistan? Uzbekistan? Iran?” EurasiaNet, http://www.eurasianet.org/node/64765.

In Nagorno Karabakh, Jackson sees a continuation of tension, but no escalation:

Along the Line of Contact in Karabakh, the grim litany of skirmishes and deaths by sniper fire will rumble along. Both Armenia and Azerbaijan are now deploying drones along the LoC, so expect the conflict to gain a new, aerial dimension (we’ve seen the first signs already). Sabre-rattling, military exercises and soaring defence budgets will all continue, **but - as previously –** don’t expect a new shooting war.

\*Alex Jackson is an independent writer focusing on politics, security, economics and energy in the Caspian region and conducting research and analysis for a number of think tanks.

#### ICG makes these escalation predictions yearly. It’s just fear-mongering.

Marina Ananikyan, 9/27/2013. “Who pays ICG for forecasting new war in Karabakh?” PanArmenian, http://www.panarmenian.net/eng/news/170539/Who\_pays\_ICG\_for\_forecasting\_new\_war\_in\_Karabakh.

A well known International Crisis Group issued yet another analysis on the Karabakh conflict. As usual, the pessimistic ICG forecasts resumption of a war, escalation of tensions, however, being untruthful in an attempt to preserve the appearance of objectivity.

In its overview titled Armenia and Azerbaijan: A Season of Risks, the group predicts that “should a full-scale conflict between Armenia and Azerbaijan break out again, some or all of the regional powers – Russia, Turkey and Iran – could be drawn in, directly.”

“Vigorous international engagement is needed to lessen chances of violent escalation during coming weeks and months,” the Group believes, setting hopes on Russia: “Russia, which is highly influential in all aspects of the conflict and would be the most directly affected of the Minsk co-chairs by a new war, should act more decisively to broker an agreement. It could advance this by announcing a suspension of arms supplies to both sides.”

Now, about being untruthful. In its analysis, the Group says. “Peace talks on Nagorno-Karabakh bogged down in 2011, accelerating an arms race and intensifying strident rhetoric. Terms like “Blitzkrieg’’, “pre-emptive strike’’ and ‘‘total war” have gained currency with both sides’ planners.”

The truth is, Armenian side does not engage in military rhetoric, the latter being Azerbaijan’s “privilege,” with the country’s leadership missing no chance to express their aggressive moods. Armenia’s “strident rhetoric” is limited to mere expressions of readiness to resist Azeri attacks.

Same with “accelerating an arms race.” Baku is the one overtly purchasing and manufacturing inordinate amounts of weaponry, in violation of all international quotas to compensate for lack of expertise in its army, which has already been defeated once.

But back to the analysis. “An immediate concern is military miscalculation, with implications that could far exceed those of a localized post-Soviet frozen conflict, as the South Caucasus, a region where big powers meet and compete, is now also a major energy corridor. Clashes increasingly occur along the Azerbaijani-Armenian frontier far from Nagorno Karabakh, the conflict’s original focus,” the analysis says.

Now what the analysis dubs as “clashes” are incessant Azeri-staged provocations, with Baku sinking as low as shelling Armenian villages or preventing a doctor from aiding a person blown up on a mine who later bled to death, as they did only recently.

As the analysis notes, “the possibility of internal political unrest in both countries increases the uncertainty. Unrest at home might tempt leaders to deflect attention by raising military tensions or to embark on risky attempts to capitalize on their adversary’s troubles.”

Last year, Sabine Freizer, Director of the European Programs in the International Crisis Group gave yet another prediction of an oncoming war in Karabakh.

“Armenian -Azerbaijani clashes may grow into a war in the region, where BP Company and its partners invested USD 35 billion in energy projects. Both parties to the conflict maintain weak control of the line of contact. Large-scale hostilities may soon erupt by accident, as a consequence of retaliatory measures taken,” she said.

Probably reluctant to seem Cassandra-like and be slammed by Yerevan or Baku, Sabine Freizer hurried to add, “Neither Azerbaijan, nor Armenia intend to wage large-scale offensive in short terms. In case of renewal of hostilities, the war will by protracted due to militarily parity of the sides. Besides, the security guarantees issued by Russia and Turkey may get them involved,” she said, adding that Russia’s military base in Gyumri may extend Armenia assistance, with both countries being CSTO member-states and Azerbaijan having close ethnic, political and economic ties with Turkey.

Luckily, Freizer’s predictions failed to come true, similarly to previous analysis-based forecasts of the ICG. The question is, who pays the Group to issue somber predictions and escalate the tension over the issue? Because the only thing the ICG managed to achieve throughout the years is become resented - both in Armenia and Azerbaijan.

#### Russia won’t get drawn in to central Asian conflicts.

**Rivera 03**, Assistanat Prof of Government at Hamilton, 3/22/03 (Political Science Quarterly)

Other observers, however, painted a very different picture of post-Soviet Russia and defended the Kremlin against the imperialist charge. Explicitly taking issue with many of the aforementioned authors, Stephen Sestanovich argued in 1994 that "**the dominant interest now guiding Russian policy is [not intimidation or destabilization but] stability. For now, the picture of an expansionist juggernaut is--at the very least--far ahead of the facts**." (6) U.S. Ambassador to Moscow Thomas Pickering similarly maintained that "**charges of resurgent Russian imperialism have been overstated. ... After the Soviet Union collapsed, Moscow pursued policies--such as drastically cutting military spending--that severely limited its ability to rebuild the empire, even if it had wanted to**." (7) In an overview of points of agreement and contention in U.S.--Russian relations given just prior to Bill Clinton's participation in the Moscow summit of May 1995, **Pickering went even further by describing Russia's relations with its CIS neighbors as containing "some positive trends which we strongly support." In particular, the Ambassador praised Russia for its policies toward Ukraine, the Baltics, Moldova, and Nagorno-Karabakh**. (8) Most dramatically, Leon Aron put the "Yeltsin revolution" in historical perspective by asserting that "**not since the middle of the sixteenth century when the Russian expansion began, has there been a Russia less aggressive, less belligerent, less threatening to neighbors and the world than the Russia we see today**." (9)

### China Drone Prolif

#### Precedent is irrelevant because China is using their drones for fundamentally different activities --- they are committed to developing the tech in order to use against the U.S. or other countries to maintain supremacy in the SCS.

NYT, 9/20/2013. “Hacking U.S. Secrets, China Pushes for Drones,” New York Times, http://www.nytimes.com/2013/09/21/world/asia/hacking-us-secrets-china-pushes-for-drones.html?pagewanted=all&\_r=0.

China is now dispatching its own drones into potential combat arenas. Every major arms manufacturer in China has a research center devoted to drones, according to Chinese and foreign military analysts. Those companies have shown off dozens of models to potential foreign buyers at international air shows.

Chinese officials this month sent a drone near disputed islands administered by Japan; debated using a weaponized drone last year to [kill a criminal suspect in Myanmar](http://www.nytimes.com/2013/02/21/world/asia/chinese-plan-to-use-drone-highlights-military-advances.html); and sold homemade drones resembling the Predator, an American model, to other countries for less than a million dollars each. Meanwhile, [online photographs reveal a stealth combat drone](http://www.globaltimes.cn/content/780712.shtml), the Lijian, or Stealth Sword, in a runway test in May.

Military analysts say China has long tried to replicate foreign drone designs. Some Chinese drones appearing at recent air shows have closely resembled foreign ones. Ian M. Easton, a military analyst at the [Project 2049 Institute](http://project2049.net/documents/uav_easton_hsiao.pdf) in Virginia, said cyberespionage was one tool in an extensive effort over years to purchase or develop drones domestically using all available technology, foreign and domestic.

Chinese engineers and officials have done reverse engineering, studied open source material and debriefed American drone experts who attend conferences and other meetings in China. “This can save them years of design work and mistakes,” Mr. Easton said.

The Chinese military has not released statistics on the size of its drone fleet, but a Taiwan Defense Ministry report said that as of mid-2011, the Chinese Air Force alone had more than 280 drone units, and analysts say the other branches have thousands, which means China’s fleet count is second only to the 7,000 or so of the United States. “The military significance of China’s move into unmanned systems is alarming,” said [a 2012 report by the Defense Science Board](http://www.acq.osd.mil/dsb/reports/AutonomyReport.pdf), a Pentagon advisory committee.

China’s domestic security apparatus, whose $124 billion official budget this year is larger than that of the military, is also keenly interested in drones, which raises questions about the potential use of drones for surveillance and possibly even attacks inside China, including in restive areas of Xinjiang and Tibet. Drone technology conferences here are attended by both military and domestic security officials. An international conference on nonmilitary drones is scheduled to take place in Beijing from Sept. 25 to 28.

A signal moment in China’s drone use came on Sept. 9, when the navy sent a surveillance drone near the disputed Diaoyu Islands, which Japan administers and calls the Senkakus. Japanese interceptor jets scrambled to confront it. This was the first time China had ever deployed a drone over the East China Sea. The Chinese Defense Ministry said “regular drills” had taken place “at relevant areas in the East China Sea, which conform to relevant international laws and practices.”

The drone appeared to be a BZK-005, a long-range aircraft used by the Chinese Navy that made its public debut in 2006 at China’s air show in Zhuhai, said an American official.

Mr. Easton said deploying the drone near disputed waters and islands “was very much a first” for China and had caught Japanese officials off guard.

“I think this is really just the beginning of a much broader trend we’re going to see — for China to increase its ability to monitor the East China Sea and the Western Pacific, beyond the Philippines, and to increase the operational envelope of their strike capabilities,” he said.

The Chinese military, with its constant focus on potential war over Taiwan and an eye on China’s growing territorial disputes, is at the vanguard of preparing drones for use in maritime situations. That is unlike the United States, which has used drones to[hunt and kill suspected terrorists and guerrilla fighters](http://www.theatlantic.com/magazine/archive/2013/09/the-killing-machines-how-to-think-about-drones/309434/?single_page=true), mostly in Pakistan and Afghanistan.

American drones “are not designed to enter into contested or denied air space,” Mr. Easton said. “So they would be unable to fight in any conflict with China.”

China, on the other hand, is building drones, also called unmanned aerial vehicles, precisely to operate in contested spaces. “It’s a very useful instrument for safeguarding maritime sovereignty,” said Xu Guangyu, a retired major general and director of the China Arms Control and Disarmament Association. “China will gradually step up its use of U.A.V.’s in this area.”

Chinese strategists have discussed using drones in attack situations if war with the United States were to break out in the Pacific, according to the Project 2049 report. Citing Chinese military technical material, the report said the People’s Liberation Army’s “operational thinkers and scientists envision attacking U.S. aircraft-carrier battle groups with swarms of multimission U.A.V.’s in the event of conflict.”

University research centers are at the core of China’s drone program. The oldest research and production center for drones is the Northwestern Polytechnical University in Xi’an, where design work began in 1958. The ASN Technology Group, linked to the school, said on its Web site that it produces 90 percent of Chinese drones.

#### They wont be advanced enough for a LONG TIME --- not advanced enough, no manpower, and no experience

**Zhou 12** (Dillon Zhou, graduate of the International Relations Program at the University of Massachusetts Boston, “China Drones Prompts Fears of a Drone Race With the US,” Policymic, December 2012, http://www.policymic.com/articles/19753/china-drones-prompt-fears-of-a-drone-race-with-the-us)

**There are several facts that provide** some **solace** to the U.S. **as China's drones are far from being a**real challenge to the American drone program.

First, the **Chinese drones are nowhere as sophisticated as U.S. drones in** their **range and proper hardware for optic systems and motors**

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to power the "dragons." The DSB report notes that the **U.S. technical systems are almost unrivaled** at present.

Second, **China lacks the manpower to properly support their** new fleet of **drones.** Whereas **the U.S. has been training** and honing a large force of **UAV pilots,** technicians **and** operation **managers for 15 years.**

Finally, **the U.S. drone program is about 20 years ahead of the Chinese program.** The current models on show are considered to be prototypes and not finished products. **The Chinese** also **have not** had a chance to gain **real experience with** their **drones during real operation.**

#### Even with the tech, China won’t use drones dangerously --- they fear international backlash and setting a precedent for US drone use in East Asia

**Erickson and Strange 13** (Andrew Erickson, associate professor at the Naval War College, Associate in Research at Harvard University's Fairbank Centre, Austin Strange, researcher at the Naval War College's China Maritime Studies Institute, graduate student at Zhejiang University, “China Has Drones. Now How Will it Use Them?” Foreign Affairs, May 29, 2013, http://www.nationmultimedia.com/opinion/China-has-drones-Now-how-will-it-use-them-30207095.html)

**Beijing,** however, **is unlikely to use its drones lightly. It already faces tremendous criticism from** much of **the international community for its** perceived **brazenness in** continental and maritime **sovereignty disputes. With its leaders attempting to allay notions that China's rise poses a threat to the region, injecting drones** conspicuously into these disputes **would prove counterproductive. China** also **fears setting a precedent for** the **use of drones in East Asian hotspots that the U**nited **S**tates **could eventually exploit.** For now, **Beijing is showing that it understands these risks,** and to date it has limited its use of drones in these areas to surveillance, according to recent public statements from China's Defence Ministry.

### Impact D – China

#### Plenty of preventative options to prevent escalation

Glaser, 12—a senior fellow with the Freeman Chair in China Studies and a senior associate with the Pacific Forum, Center for Strategic and International Studies (Bonnie, Armed Clash in the South China Sea, April 2012, <http://www.cfr.org/east-asia/armed-clash-south-china-sea/p27883>)

If preventive options fail to avert a crisis from developing, policymakers have several options available to mitigate the potential negative effects.¶ Defusing a U.S.-China Incident¶ The history of crisis management in U.S.-China relations suggests that leaders in both countries go to great lengths to prevent a crisis from escalating to military conflict. Nevertheless, pre-crisis steps could be taken to limit the harmful consequences of a confrontation. Political agreements could be reached that would increase the possibility that communication mechanisms in place would be employed in a crisis. Steps should be taken to enhance operational safety at sea between U.S. and Chinese ships. Confidence-building measures should also be implemented to build trust and promote cooperation.¶ Mitigating a Regional Crisis with China¶ Dispatching air and naval forces to the immediate vicinity of an armed clash to defend U.S. interests and deter further escalation should always be considered an option. Such actions, however, must be balanced against the possibility that they will produce the opposite effect, encouraging an even stronger response from China and causing further escalation of a confrontation. A less risky option would be to threaten nonmilitary consequences—diplomatic and economic sanctions––to force China to back off and deter further military action. But here again such measures may only inflame hostilities and escalate the crisis. It is also doubtful in any case whether such measures would be supported by many in the region given China's economic importance.¶ Several less provocative responses might contain a budding crisis while avoiding further escalation. One option for the United States would be to encourage a mediated dialogue between involved parties. However, while Southeast Asian states may welcome a neutral mediator, China would probably oppose it. Thus, such an effort would likely fail.¶ Direct communication between military officials can be effective in de-escalating a crisis. States involved should establish communication mechanisms, include provisions for both scheduled and short-notice emergency meetings, and mandate consultation during a crisis. Emergency meetings would focus on addressing the specific provocative action that brought about the crisis. Operational hotlines, including phone lines and radio frequencies with clear protocols and points of contact, should also be set up. To be effective, hotlines should be set up and used prior to a crisis, though even then there is no guarantee that they will be used by both sides if a crisis erupts. China and Vietnam have already agreed to establish a hotline; this could be a model for other states in the region and China. The goal would not be to resolve underlying issues, but to contain tensions in the event of a minor skirmish and prevent escalation.

### Terror

#### Turn—Drones cause terrorism—ideological gains for insurgents outweigh tactical kinetic victories

Groves 13—Major Bryan Groves is currently the Deputy Director of the Combating Terrorism Center at the U.S. Military Academy at West Point. A graduate from Yale University's Masters of Arts in IR program, he is a Special Forces Officer and has served in Iraq and Bosnia [“America's Trajectory in the Long War1: Redirecting Our Efforts Toward Strategic Effects Versus Simply Tactical Gains,” *Studies in Conflict & Terrorism*, Vol. 36, Issue 1, 2013, Taylor & Francis, Accessed through Emory Libraries]

Stuck at the Tactical and Operational Levels

During the Long War the American effort has been stuck at the tactical and operational levels. The reason for this is that American leaders have had their attention focused too narrowly, missing that the “center of gravity” in the struggle resides in the non-fighting populations of both sides. To effect lasting change, America needs to address the ideological battle, point out inconsistencies in enemy narratives and actions, and stem the flow of new recruits into the terrorist groups.

Instead, the United States has been focused on making a series of changes that have been tactical or operational in scope. One is the significant intelligence collection effort and reorganization among the U.S. intelligence apparatus. President George W. Bush's creation of the Department of Homeland Security (DHS) and alignment of some twenty agencies under it is another. The government's passage of the Patriot Act to authorize more robust counterterrorism measures was a third new counterterrorism measure. Fourth and for better or worse, the United States used the prison facilities at Guantanamo Bay, along with renditions, to handle the difficult aspects of the legal battle against terrorists that democracies face. The primary focus of each of these aspects of the fight has been to keep America safe and prevent terror attacks against U.S. interests.

This objective is strategic in nature, but there has been an ends–means mismatch. The main means by which the government has sought to accomplish its counterterrorism goals have been to kill or capture and prosecute bad guys. By its very nature, gains won through these means are likely to be temporary because of the resilient nature and tremendous regenerative capacity of the enemy. For each operative that America kills or put behind bars, Al Qaeda, Taliban, and other like-minded groups have proven capable in maintaining a rate of new recruits that has the potential to keep pace with their losses. Whether they actually are able to do so depends on a number of factors. Some of the variables include the level of resources the U.S. levies against the group in a particular region, the resonance of their message with the local population, and the host nation's capacity and willingness to counter the organization.

A common way in which terrorist groups are able to maintain their numerical strength is because they have become exceptionally good at the “new media,” which facilitates a steady flow of recruits, their radicalization, and effective mobilization toward violence on behalf of the group's objective. This is especially true of Al Qaeda. Instead of relying on “old media” or traditional television and radio outlets, Al Qaeda has developed the ability to produce and disseminate its own first-rate videos. 28 This allows them to control the message, both in its creation and in its distribution. Recognizing the need to send nuanced versions of their message to different audiences, Al Qaeda has become quite sophisticated in its approach, eclipsing other terrorist organizations and serving as a model for them. 29

The enemy's decentralized network and metamorphosis into an ideological movement (a “network of networks”) are other reasons they have rendered our kinetic victories to be of limited duration. America's military pressure definitely disrupts the enemy's ability to plan, coordinate, and conduct successful attacks—especially spectacular attacks. But they also contribute to further radicalizing elements of the Ummah (global Muslim population), especially when civilian casualties result from military strikes, though inadvertent on the American part, the perception is substantially different among some Muslim segments. Global jihadists view our strikes as a justification for their struggle. They argue their case to illicit fence sitters among the Ummah to join in solidarity with them and recognize armed jihad as the only solution. And, without other efforts to build bridges with Muslim communities domestically, the United States is in danger of furthering a polarizing trend among average Americans that could lead us in an opposite direction of our long-held “melting pot” identity. Government at all levels needs to address this issue to foster greater integration and prevent fracturing along religious, ethnic, or socioeconomic lines. 30

#### Terrorism is a self-defeating tactic—letting them punch themselves out is a better strategy than drones

Groves 13—Major Bryan Groves is currently the Deputy Director of the Combating Terrorism Center at the U.S. Military Academy at West Point. A graduate from Yale University's Masters of Arts in IR program, he is a Special Forces Officer and has served in Iraq and Bosnia [“America's Trajectory in the Long War1: Redirecting Our Efforts Toward Strategic Effects Versus Simply Tactical Gains,” *Studies in Conflict & Terrorism*, Vol. 36, Issue 1, 2013, Taylor & Francis, Accessed through Emory Libraries]

Although Al Qaeda claims that they do not target Muslims, 14 the reality is that 85 percent of the victims from attacks claimed by AQAM from 2004 to 2008 are from Muslim majority countries, while the number climbs to 98 percent when looking at the years 2006–2008, thereby excluding the 2004 Madrid train and the 2005 London subway/bus bombings. 15 The various agencies of the federal government should articulate facets of the positive and negative message more clearly and more repeatedly as an underlying aspect of their responsibilities in the Overseas Contingency Operation. This can stretch from the State Department and the U.S. Agency for International Development to Treasury, the intelligence community, the National Counter Terrorism Center, and the Department of Justice. Agencies would, of course, be best served to focus on messages relevant to their “jurisdictions.” For instance, the Treasury Department should emphasize terrorists’ use of front charities to fundraise for their organizations and how Treasury's actions (and that of international partners) have made inroads at freezing terrorist bank accounts.

In addition to the responsibility that each agency has to communicate effectively, the United States needs a department whose mission is information campaigns and strategic communication. America would benefit from having a department whose sole job was to focus on these areas, even if it would require working through potentially problematic aspects of such an organization. 16 Instead of having a situation where strategic communication is neglected at best, if attempted at all, the United States would have a resourced institution that would help the country gain expertise in the field, plus have a recognized group of people to turn to for these vital tasks. Anwar al-Awlaki 17 and Samir Khan developed Inspire Magazine to reach an American audience with his radical message of violent Islamism. In the late summer of 2011, the United States established the Center for Strategic Counterterrorism Communication (CSCC) as an interagency group housed at the State Department. The creation of this office demonstrates recognition by the Obama administration of the need for such an organization. However, a gap still remains to develop an entity that can help the country better dialogue with the Muslim and Arab world, 18 and for multiple purposes, not just for counterterrorism.

Fifth, increased domestic radicalization and polarization, especially visible in the spring and summer of 2010, along with a rising drumbeat of homegrown terrorist plots and attacks 19 has further frustrated any potential strategic efforts. Increased participation by Americans in the jihad, Americans serving as spokesmen for Al Qaeda and Al-Shabaab, and two Americans travelling to Somalia to become suicide bombers are all examples of growing domestic radicalization. Additionally, an inability to de-radicalize Samir Khan, or at least prevent his mobilization and voluntary departure from the country, is a failure of leadership, understanding, and creativity. 20 The following incidents, plots, and groups offer further evidence: the 2002 arrest of the Lackawanna Six and the Portland Seven, the 2004 arrest of the Virginia Paintball Jihad Cell, the 2007 Fort Dix Plot, David Coleman Headley's reconnaissance of the November 2008 Mumbai attacks, the May 2009 Newburgh Plot to shoot down military planes and to bomb New York synagogues, Carlos Bledsoe's June 2009 drive-by shooting at a military recruiting station in Arkansas, the July 2009 arrest of the North Carolina terror group led by Daniel Patrick Boyd, the September 2009 Najibulla Zazi–New York City backpack (subway) plot, the November 2009 MAJ Nidal Hassan Fort Hood shooting, the December 2009 underwear bomber over Detroit, the May 2010 Times Square attempted bombing by Faisal Shahzad, and the November 2010 Al Qaeda in the Arabian Peninsula (AQAP) printer plot.

Finally, American leaders have failed to recognize that the “center of gravity” in the struggle resides in the non-fighting populations of both sides. Concern regarding which terrorist leaders America and its allies should target next consumes the intelligence and military apparatus, and to some degree it should. This is all the more reason, however, why national leaders in Washington must maintain a broader perspective, clearly define the political objectives, utilize appropriate means to reach them, and establish a new department to aid in areas of the struggle where the country is lacking.

From the global jihadists’ vantage point, they are dependent on a “renewable resource” (i.e., new Muslim recruits). The source will not remain “renewable” indefinitely if they continue to kill fellow Muslims at high rates and demonstrate substantial inconsistencies between word and deed. In fact, if left to their own devices one esteemed jihadi scholar believes international jihadis will precipitate their own demise. 21 Since either internal or external factors can lead to the end of a terrorist organization, 22 the relevant question in this case is: how can the United States best use external factors to precipitate the collapse of AQAM along its internal fault lines? 23

The United States must determine how lasting success will be made and then act accordingly. Its prioritization of the kinetic fight over the past ten years indicates that the United States has believed kill or capture missions is where the true payoff will occur—or at least that that aspect of the fight deserves the most resources. Presidents Bush and Obama, and the Congress, may really believe this. Alternatively, it may be that America's military and technical prowess facilitates a focus on military means. And, as a country that loves to experience immediate gratification and measure progress in tangible ways, a kinetic fight lends itself well to its audience. However, numbers of enemy killed or captured is ultimately an unsatisfying metric because it does not address the resonance of the American message versus that of Al Qaeda and likeminded affiliates. The metric also does not measure whether those individuals initially neutral or resistant to Al Qaeda's message are now more sympathetic of terrorist aims, favoring calls for armed jihad over the values they see America representing.

The United States is finally beginning to demonstrate an understanding that long-term progress will not come simply through sustained kinetic operations, but from actions that communicate the inconsistencies inherent in Al Qaeda's message and that stem the flow of recruits to its ranks. The U.S. government has recently developed a few interagency groups focused on countering violent extremism. These groups are thinking about the problem of domestic radicalization, especially among American Muslim communities, and how to develop effective local and national efforts to address it. Congress heard testimony during the second week in March 2011 regarding this phenomenon, an additional recognition of the potential problem that scholars once thought America's multiculturalism rendered a non issue. 24 Should America determine that this is an important way to affect its own security, and that of its allies around the world, it must make a concerted effort and do more in this arena.

But how will we know when we are succeeding? Daniel Byman lists three semi tangible indications of success in this war: (1) low levels of death, (2) the level of fear is reduced, and (3) counterterrorism is done at an acceptable cost. 25 In addition to these markers, a couple of the intangible indicators that will signal American success in the Long War will be the ability to treat terrorism as isolated crimes instead of part of a broader terrorist campaign, and an American psyche resilient not only against thwarted or failed terrorist attacks, but also against successful attacks. 26 A final condition for success is a society that is largely inoculated against radicalization. There will always be fringe elements in any society, but the key is that the radical messages on either side of an issue are unable to go main stream. 27

#### Terror threat has markedly declined – This will be the best ev read on this question

**Bergen 12/3**/13 - CNN's national security analyst [Peter Bergen, “Hyping the terror threat?,” CNN, updated 2:16 PM EST, Tue December 3, 2013, pg. http://www.cnn.com/2013/12/03/opinion/bergen-u-s-terror-risk/

Both Feinstein and Rogers are able public servants who, as the heads of the two U.S. intelligence oversight committees, are paid to worry about the collective safety of Americans, and they are two of the most prominent defenders of the NSA's controversial surveillance programs, which they defend as necessary for American security.

But is there any real reason to think that Americans are no safer than was the case a couple of years back? Not according to a study by the New America Foundation of every militant indicted in the United States who is affiliated with al Qaeda

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or with a like-minded group or is motivated by al Qaeda's ideology.

In fact, the total number of such indicted extremists has declined substantially from 33 in 2010 to nine in 2013. And the number of individuals indicted for plotting attacks within the United States, as opposed to being indicted for traveling to join a terrorist group overseas or for sending money to a foreign terrorist group, also declined from 12 in 2011 to only three in 2013.

Of course, a declining number of indictments doesn't mean that the militant threat has disappeared. One of the militants indicted in 2013 was Dzhokhar Tsarnaev, who is one of the brothers alleged to be responsible for the Boston Marathon bombings in April. But a sharply declining number of indictments does suggest that fewer and fewer militants are targeting the United States.

Recent attack plots in the United States also do not show signs of direction from foreign terrorist organizations such as al Qaeda, but instead are conducted by individuals who are influenced by the ideology of violent jihad, usually because of what they read or watch on the Internet.

None of the 21 homegrown extremists known to have been involved in plots against the United States between 2011 and 2013 received training abroad from a terrorist organization -- the kind of training that can turn an angry, young man into a deadly, well-trained, angry, young man.

Of these extremists, only Tamerlan Tsarnaev, one of the alleged Boston bombers, is known to have had any contact with militants overseas, but it is unclear to what extent, if any, these contacts played in the Boston Marathon bombings.

In short, the data on al-Qaeda-linked or -influenced militants indicted in the United States suggests that the threat of terrorism has actually markedly declined over the past couple of years.

Where Feinstein and Rogers were on much firmer ground in their interview with Crowley was when they pointed to the resurgence of a number of al Qaeda groups in the Middle East.

Al Qaeda's affiliates in Syria control much of the north of the country and are the most effective forces fighting the regime of Bashar al-Assad.

In neighboring Iraq, al Qaeda has enjoyed a renaissance of late, which partly accounts for the fact that the violence in Iraq today is as bad as it was in 2008.

The Syrian war is certainly a magnet for militants from across the Muslim world, including hundreds from Europe, and European governments are rightly concerned that returning veterans of the Syrian conflict could foment terrorism in Europe.

But, at least for the moment, these al Qaeda groups in Syria and Iraq are completely focused on overthrowing the Assad regime or attacking what they regard as the Shia-dominated government of Iraq. And, at least so far, these groups have shown no ability to attack in Europe, let alone in the United States.

#### No nuclear terrorism – no capability nor intent reject their alarmism

* Many reasons to doubt both the capability and interest of terrorists getting nuclear devices
* Dangers of a loose nuke from Russia is far over-stated
* Even if a terrorist group got a nuclear weapon using it would be very difficult
* Terrorists and connections between rogue states is exaggerates
* Iran and North Korea are not going to give terrorists nukes because their arsenals are small
* What can go wrong will go wrong – multiple intensifying and compounding probability make terrorist failure inevitable
* Their evidence uses worst case scenarios which is alarmist and false
* Insider documents within Al-Qaeda show they don’t want nuclear weapons and prefer convention weapons
* Their evidence about them wanting nukes is wrong the 90s and out of date
* Even if they did want a nuke it was only to deter a U.S. invasion

Gavin 2010, Francis J. Gavin is Tom Slick Professor of International Affairs and Director of the Robert S. Strauss Center¶ for International Security and Law, Lyndon B. Johnson School of Public Affairs, University of Texas at Austin, 2010, International Security, Vol. 34, No. 3 (Winter 2009/10), pp. 7–37¶ © 2010 by the President and Fellows of Harvard College and the Massachusetts Institute of Technology, “Same As It Ever Was ¶ Nuclear Alarmism, Proliferation, and the¶ Cold War”, http://www.mitpressjournals.org/doi/pdf/10.1162/isec.2010.34.3.7

Nuclear Terrorism. The possibility of a terrorist nuclear attack on the¶ United States is widely believed to be a grave, even apocalyptic, threat and a¶ likely possibility, a belief supported by numerous statements by public¶ ofªcials. Since the collapse of the Soviet Union, “the inevitability of the spread¶ of nuclear terrorism” and of a “successful terrorist attack” have been taken for¶ granted.48¶ Coherent policies to reduce the risk of a nonstate actor using nuclear weapons clearly need to be developed. In particular, the rise of the Abdul Qadeer¶ Khan nuclear technology network should give pause.49 But again, the news is¶ not as grim as nuclear alarmists would suggest. Much has already been done¶ to secure the supply of nuclear materials, and relatively simple steps can produce further improvements. Moreover, there are reasons to doubt both the capabilities and even the interest many terrorist groups have in detonating a¶ nuclear device on U.S. soil. As Adam Garªnkle writes, “The threat of nuclear¶ terrorism is very remote.”50¶ Experts disagree on whether nonstate actors have the scientific, engineering,¶ financial, natural resource, security, and logistical capacities to build a nuclear¶ bomb from scratch. According to terrorism expert Robin Frost, the danger of a¶ “nuclear black market” and loose nukes from Russia may be overstated. Even¶ if a terrorist group did acquire a nuclear weapon, delivering and detonating it¶ against a U.S. target would present tremendous technical and logistical¶ difficulties.51 Finally, the feared nexus between terrorists and rogue regimes¶ may be exaggerated. As nuclear proliferation expert Joseph Cirincione argues,¶ states such as Iran and North Korea are “not the most likely sources for terrorists since their stockpiles, if any, are small and exceedingly precious, and hence¶ well-guarded.”52 Chubin states that there “is no reason to believe that Iran today, any more than Sadaam Hussein earlier, would transfer WMD [weapons of¶ mass destruction] technology to terrorist groups like al-Qaida or Hezbollah.”53¶ Even if a terrorist group were to acquire a nuclear device, expert Michael¶ Levi demonstrates that effective planning can prevent catastrophe: for nuclear terrorists, what “can go wrong might go wrong, and when it comes to¶ nuclear terrorism, a broader, integrated defense, just like controls at the source¶ of weapons and materials, can multiply, intensify, and compound the possibilities of terrorist failure, possibly driving terrorist groups to reject nuclear terrorism altogether.” Warning of the danger of a terrorist acquiring a nuclear¶ weapon, most analyses are based on the inaccurate image of an “infallible tenfoot-tall enemy.” This type of alarmism, writes Levi, impedes the development¶ of thoughtful strategies that could deter, prevent, or mitigate a terrorist attack:¶ “Worst-case estimates have their place, but the possible failure-averse, conservative, resource-limited ªve-foot-tall nuclear terrorist, who is subject not only¶ to the laws of physics but also to Murphy’s law of nuclear terrorism, needs to¶ become just as central to our evaluations of strategies.”54¶ A recent study contends that al-Qaida’s interest in acquiring and using nuclear weapons may be overstated. Anne Stenersen, a terrorism expert, claims¶ that “looking at statements and activities at various levels within the al-Qaida network, it becomes clear that the network’s interest in using unconventional¶ means is in fact much lower than commonly thought.”55 She further states that¶ “CBRN [chemical, biological, radiological, and nuclear] weapons do not play a¶ central part in al-Qaida’s strategy.”56 In the 1990s, members of al-Qaida debated whether to obtain a nuclear device. Those in favor sought the weapons¶ primarily to deter a U.S. attack on al-Qaida’s bases in Afghanistan. This assessment reveals an organization at odds with that laid out by nuclear alarmists of¶ terrorists obsessed with using nuclear weapons against the United States regardless of the consequences. Stenersen asserts, “Although there have been¶ various reports stating that al-Qaida attempted to buy nuclear material in the¶ nineties, and possibly recruited skilled scientists, it appears that al-Qaida central have not dedicated a lot of time or effort to developing a high-end CBRN¶ capability.... Al-Qaida central never had a coherent strategy to obtain¶ CBRN: instead, its members were divided on the issue, and there was an¶ awareness that militarily effective weapons were extremely difficult to obtain.”57 Most terrorist groups “assess nuclear terrorism through the lens of¶ their political goals and may judge that it does not advance their interests.”58¶ As Frost has written, “The risk of nuclear terrorism, especially true nuclear terrorism employing bombs powered by nuclear fission, is overstated, and that¶ popular wisdom on the topic is significantly fiawed.”59

#### No impact to nuclear detonation on Russian soil

Thompson 2010, Nicholas Thompson is a senior editor at The New Yorker, where he edits and assigns feature stories. He is also a contributing editor at Bloomberg Television, a technology contributor at CNN International, and a co-founder of The Atavist, a software company and digital magazine. His book, “The Hawk and the Dove: Paul Nitze, George Kennan, and the History of the Cold War,” was published in 2009 and hailed as “brilliant” by The Washington Post and “brimming with fascinating revelations” by The New York Times. The Washington Times said it “may be the most important political biography in recent memory.”Prior to The New Yorker, Mr. Thompson was a senior editor at Wired, a senior editor at Legal Affairs and an editor at the Washington Monthly. He has written about politics, technology, and the law for numerous publications, and he is currently a senior fellow in the American Strategy Program at the New America Foundation. He has appeared multiple times on every major cable and broadcast news network, he appears every Thursday morning to discuss technology on CNNI’s “News Stream,” and he writes weekly about technology for The New Yorker’s web site. He is a member of the Council on Foreign Relations, a member of the Young Leaders Council on The National Committee on American Foreign Policy, and a Whitehead Fellow at the Foreign Policy Association. January 2nd, 2010, “Could Al Qaeda set off Russia’s Dead Hand nuclear system?”, <http://thehawkandthedove.nickthompson.com/index.php/2010/01/could-al-qaeda-set-off-russias-dead-hand-nuclear-system/>

Yesterday I got a good question from a reader: “what happens when someone like Al Qaeda detonates a bomb on Russian soil in an attempt to have a response triggered against the US?” The answer is: Likely nothing. Assuming the system works the same way as when it was constructed, there are three safeguards that would prevent this launch. The first is that the system lies idle most of the time. It has to be turned on specifically, during a crisis, when Russia is worried that the US is considering a strike. Secondly, if the system can communicate with the humans in command of the arsenal, it turns off. And, lastly, humans have to push the final button to launch. So, to succeed in starting a nuclear conflagration, Al Qaeda would have to strike when U.S. and Russian tensions were at an extraordinary level; it would have to blow up the main command and control centers in Moscow; and, somehow, the men manning the system in a bunker would have to be convinced that the strike came from the U.S. All of that happening is extremely unlikely.

# 2NC

## JCS

### CMR

#### CMR outweighs and turns case – Pakistan is on the brink – CMR is key to effective control of Pakistan and strategy making – its also modeled which prevents Pakistan civil war – its nuclear – spills over draws in Asia – That’s Ricks – he also says CMR is key to solve Afghanistan – that goes nuclear

Starr 1 (December 13, Chair of Central Asia-Caucasus Institute at John Hopkins University, “The War Against Terrorism and U.S. Bilateral Relations with the Nations of Central Asia,” Testimony before Senate Subcommittee on Central Asia and the Southern Caucasus)

BLUE

All of the Central Asian states have identified these issues as their main security threat, and Afghanistan as the locus of that threat. So has Russia, which has used the issue to justify the stationing of troops in four of the five countries of the region. [Continued…] The Central Asians face a similar danger with respect to our efforts in Afghanistan. Some Americans hold that we should destroy Bin Laden, Al Queda, and the Taliban and then leave the post-war stabilization and reconstruction to others. Such a course runs the danger of condemning all Central Asia to further waves of instability from the South. But in the next round it will not only be Russia that is tempted to throw its weight around in the region but possibly China, or even Iran or India. All have as much right to claim Central Asia as their “backyard” as Russia has had until now. Central Asia may be a distant region but when these nuclear powers begin bumping heads there it will create terrifying threats to world peace that the U.S. cannot ignore.

#### AND – Ricks says its key to maintain an inevitable Syrian collapse – goes nuclear

Patrick Abram Seale, is a British journalist and author who specialises in the Middle East, as well as a literary agent and art dealer. He is a former correspondent for The Observer and has interviewed many of the Middle East's most prominent leaders and personalities, MARCH 28, 2011, “The Syrian Time Bomb”, http://www.foreignpolicy.com/articles/2011/03/28/the\_syrian\_timebomb?page=0,0

On all these fronts -- Iran, Iraq, Turkey, Lebanon, Palestine, Israel -- Syria is a key player. But its internal problems now threaten to reshuffle the cards, adding to the general sense of insecurity and latent violence in the region. And of all the threats facing the Middle East, perhaps the greatest -- greater even than of another Arab-Israeli clash -- is that of rampant sectarianism, poisoning relationships between and within states, and breeding hate, intolerance, and mistrust. Several of the modern states of the Middle East -- and Syria is no exception -- were built on a mosaic of ancient religions, sects, and ethnic groups held uneasily and sometimes uncomfortably together by central government. But governments have themselves been far from neutral, favoring one community over another in cynical power plays. Many Sunni Muslims in Syria and throughout the region feel that Assad's Syria has unduly favored the Alawites, a sect of Shiite Islam, who constitute some 12 percent of the population but control a vastly greater percentage of the country's wealth. Open conflict between Sunnis and Alawites in Syria would profoundly disturb the whole region, creating a nightmare scenario for Washington and other Western capitals. Meanwhile, Washington seems at a loss as to how to respond to the growing unrest in Syria. In tempered language, the administration has condemned the use of violence against civilians and encouraged political reform. But the undertones are evident: Stability in Syria may still preferable to yet another experiment in Arab governance. Assad will need to act quickly and decisively -- and one hopes not harshly -- to quell the rising current of dissent. Indeed, Secretary of State Hillary Clinton seemed to offer the regime some modest support this weekend, noting that she believed Bashar to be a "reformer." But reform has never been a primary goal of the Assad clan, which has long favored stability over change. This edifice may now be crumbling, and the United States would be wise to spend a little less time thinking about Libya and a little more time thinking about a state that truly has implications on U.S. national interests. If things go south in Syria, blood-thirsty sectarian demons risk being unleashed, and the entire region could be consumed in an orgy of violence.

#### AND - Lack of CMR turns case – it makes their impacts inevitable

Murdock et al 05 Clark Murdock, et al, a senior adviser in the Center for Strategic and International Studies International Security Program July 2005, “Beyond Goldwater-Nichols: U.S. Government and Defense Reform for a New Strategic Era,” http://csis.org/files/media/csis/pubs/bgn\_ph2\_report.pdf, p. 44

Finally, the civilian agencies of the United States government simply lack the capacity to rapidly deploy personnel to conduct operations on the ground. In practical terms, this lack of operational capacity in the agencies other than DoD has had two profound effects on the U.S. military in operation after operation. First, it has expanded the military’s mission substantially, as men and women in uniform have been forced to take on tasks(such as economic reconstruction and judicial reform)that might be more appropriately or better performed by civilian experts. Second, it has extended the duration of the military’s mission, as milestones central to its exit strategy, such as the reconstitution of local police forces or the holding of elections, are delayed. This critical issue will be examined and addressed in detail in the next chapter.

At the end of the day, unity of effort across the U.S. government is not just about being more efficient or even more effective in operations. **It can determine whether the United States succeeds or fails in a given intervention**. It can also determine whether the ultimate costs of success – both dollars spent and lives lost or forever changed – are as low as possible or higher than necessary. In this sense, **unity** of effort is not just something that is nice to have; it **is imperative**.

Achieving Greater Unity of Effort

The demand for the United States and the international community to conduct complex contingency operations of one sort or another is likely to remain quite high. **Whether** aimed at **denying terrorists safe haven, spreading** free-market **democracy, stopping genocide, restoring stability, or keeping weapons of mass destruction out of hostile hands,** complex contingency operations will be a defining feature of the early 21st century. **Because these** operations **are fundamentally interagency in character** – requiring contributions from multiple agencies – **achieving unity of effort in their execution will be critical to reducing both the risks of failure and the costs of success**.

#### AND - Makes the plan ineffective – the military will roll them

Sulmasy 7 - Glenn Sulmasy, Judge Advocate, Associate Professor of Law, U.S. Coast Guard Academy, and John Yoo, Professor of Law, Boalt Hall School of Law, University of California, Berkeley; Visiting Scholar, American Enterprise Institute, 54 UCLA L. Rev. 1815, August, 2007, Lexis

Military resistance to civilian policies with which military leaders disagree could take several forms short of an outright refusal to obey orders. Military officers can leak information to derail civilian initiatives. They could "slow roll" civilian orders by delaying implementation. They could inflate the estimates of the resources needed, or the possible casualties and time needed to achieve a military objective. And perhaps a relatively unnoticed but effective measure is to divide the principal - if the number of institutions forming the principal increases, it will be more difficult to monitor the performance of the agent and to hold it accountable. [\*1829] Deborah Avant argues, for example, that civilians exercise greater control of the military in Great Britain than in the United States, because the parliamentary system merges the executive and legislative branches of the government. 61 Greater agency slack may result from information asymmetries that may favor the military, such as information and expertise about warfare, adverse selection that may cause the promotion of officers resentful of civilian meddling, and moral hazard in which the inability of civilians to directly observe the performance of the military may allow the military to pursue its own preferences.

#### AND – Effective CMR is a pre-requisite for the case – its key to all strategic effectiveness of any strategy regardless of hard or soft power

Jurkovic 13 Edi Jurkovic Bachelor of Arts University of Defense, Serbia, Director: Solon Simmons, Professor School for Conflict Analysis and Resolution Spring Semester 2013 George Mason University Fairfax, VA Civil-Military Cooperation: When The Military Drops Rifles and Picks Up Wrenches A Thesis submitted in partial fulfillment of the requirements for the degree of Master of Science in Conflict Analysis and Resolution at George Mason University

Civil-military cooperation is not a fancy name for a spurious activity but **a real need, especially in complex emergencies**. This study suggests, as did Diamond and McDonald, that a multi-track approach to peacebuilding provides the most sustainable outcome. Therefore, both sides need to put aside their differences and turn toward cooperation, if not for the sake of people in need, then to speed up the process and return home or be ready to be deployed to another crisis-stricken area. **With the increase of the earth’s population, more crises across the globe are likely to draw in CAR practitioners.** Therefore **both entities need to be fully ready for maximal engagement in a crisis.**

#### AND – CMR solves the aff

Gowan 2013 Richard Gowan is the associate director for Crisis Management and Peace Operations at New York University’s Center on International Cooperation and a senior policy fellow at the European Council on Foreign Relations. His new column for World Politics Review, Diplomatic Fallout, will focus on diplomats, international officials and the crises they manage. It will appear every Monday. Diplomatic Fallout: Obama, Kerry Face Global Diplomacy Shortage By Richard Gowan, on 07 Jan 2013, Column http://www.worldpoliticsreview.com/articles/12600/diplomatic-fallout-obama-kerry-face-global-diplomacy-shortage

Ultimately, diplomats and foreign ministers exist to guide and manage the inevitable conflicts, whether economic, political or military, that develop between countries. In a period of shifting global power politics, such conflicts are both especially likely and difficult to resolve**. This makes a network of capable foreign ministries** that can calculate, mitigate and resolve clashes of all types **more important than ever**. There are good recent examples of careful diplomacy making a difference. Hillary Clinton’s assiduous courting of Southeast Asian nations has markedly improved cooperation in the region, although this delicate process has alienated China. Kerry presumably hopes to pull off similar coups. A durable regional settlement in Central and South Asia to guarantee Afghanistan’s future is one possible, albeit hard, goal. **A mechanism for managing conflicts** in the Middle East **is** arguably even **more urgent** -- and harder.

### 2NC – Link

#### Lack of consultation is the biggest internal link to CMR – even if there are other fights consultation is the determining factor

Ackerman 08 – National Security Correspondent, [Spencer, 11/13/08, Productive Obama-Military Relationship Possible, The Washington Independent. <http://washingtonindependent.com/18335/productive-obama-military-relationship-possible>]

Another challenge for Obama, beyond Petraeus and Iraq, would be senior officers’ desire “to get back to preparing –and procuring — for the big, conventional Russia-China scenario the U.S. military institutionally prefers,” the anonymous Pentagon official said. But the current financial crisis and massive budget deficits create their own pressures on defense spending. All interviewed said there were no shortage of potential pitfalls in the new Obama-military relationship. Two wars, a persistent threat from Al Qaeda, an overstretched ground force and a likely Pentagon budget crunch guarantee difficult decisions in the next four years. “The single biggest mistake Obama could make would be to “completely discount the advice of the military senior leadership and those of his combat commanders who have the most experience dealing with the issues,” said the anonymous senior Army officer. “Even if he does not discount it, but is perceived to discount it, the relationship will be largely going back to the Clinton era, and will take years to repair. That’s not something you want to do in a time of war, which most of the nation has forgotten.”

#### Recognition is important – ignoring them causes backlash

Owens 2012, Mackubin Thomas Owens is professor of national security affairs at the Naval War College and editor of Orbis. He is the recipient of the 2012 Andrew Goodpaster Prize awarded by the American Veterans Center for excellence in military-related research for his 2011 book, U.S. Civil-Military Relations Since 9/11: Renegotiating the Civil-Military Bargain, 8/6,2012, “

Mac Owens on the forgotten dimensions of American civil-military relations”, <http://ricks.foreignpolicy.com.ezproxy.baylor.edu/posts/2012/08/06/mac_owens_on_the_forgotten_dimensions_of_american_civil_military_relations>

The reverse is true as well. The military has to be at the policy and strategy table in order to ensure that its advice regarding options and risk are being heard. In this regard, it is important to recognize that there is a difference between being "political" and being "partisan." Military officers must be "political" in the sense of understanding the political environment and being able to navigate its currents. But they must be non-partisan and resist becoming an adjunct of a political party.

#### Link turns case

Kohn, 2 — Professor at University of North Carolina and Chief of Air Force history at the U.S Air Force (Richard H., “The Erosion of Civilian Control of the Military in the United States Today”)

If one measures civilian control not by the superficial standard of who signs the papers and passes the laws but by the relative influence of the uniformed military and civilian policy makers in the two great areas of concern in military affairs—national security policy, and the use of force to protect the country and project power abroad—then civilian control has deteriorated significantly in the last generation. In theory, civilians have the authority to issue virtually any order and organize the military in any fashion they choose. But in practice, the relationship is far more complex. Both sides frequently disagree among themselves. Further, the military can evade or circumscribe civilian authority by framing the alternatives or tailoring their advice or predicting nasty consequences; by leaking information or appealing to public opinion (through various indirect channels, like lobbying groups or retired generals and admirals); or by approaching friends in the Congress for support. They can even **fail to implement decisions**, or carry them out in such a way as to stymie their intent. The reality is that civilian control is not a fact but a process, measured across a spectrum—something situational, dependent on the people, issues, and the political and military forces involved. We are not talking about a coup here, or anything else demonstrably illegal; we are talking about who calls the tune in military affairs in the United States today.26

### 2NC – Uniqueness

#### CMR is at a turning point – the direction of the nation in the next few months is critical

Tilghman 2013, Andrew Tilghman, Staff writer, June 12, 2013, Navy Times, “JCS chief: Time to rethink civil-military relations”, http://www.navytimes.com/article/20130712/NEWS05/307120023/

The nation’s top military officer is urging troops to brace for a postwar era in which the relationship between the military and the civilian population it is sworn to protect will change in fundamental ways.¶ Army Gen. Martin Dempsey offered a rare public reflection on the cultural link between the all-volunteer force and civilian society and sought to dispel stereotypes that have arisen since 2001.¶ “Together, we need to discuss who we are and what our wars mean to us,” Dempsey, the chairman of the Joint Chiefs, wrote in a July 3 op-ed in The Washington Post. His office subsequently provided essentially the same piece to Military Times.¶ “Now is the defining moment in our relationship with the 9/11 veterans,” Dempsey wrote, urging the country to gain a better understanding of who those returning warriors are as individuals. “All of us in uniform volunteered to serve, but that doesn’t make us all heroes. Many of us have seen the horrors of war, but that doesn’t make us all victims. Today’s warriors and their stories are more diverse than these simple characterizations suggest.”¶ Dempsey’s call for a national discussion comes at a challenging time for civil-military relations, according to several experts, career officers and others who spoke to Military Times.¶ In Washington, a fierce debate is in full swing about the future of defense spending that could veer into a bitter battle over pay and benefits for the people who serve in uniform. Across the country, veterans are returning in large numbers, some of them struggling to adjust or suffering from physical or psychological injuries. And as the war in Afghanistan winds down, the military may begin to lose its privileged place in American culture.¶ “The moral contract between the people and the military is changing. It changes after every war,” said James Burk, a civil-military affairs expert who teaches at Texas A&M University. “I think Dempsey is taking a stand against polarization and calling for a serious discussion about what the military community needs and how we achieve those objectives.”¶ Sensitive issues¶ Dempsey also touched briefly on proposed changes to pay and benefits in light of the current budget squeeze.¶ “We owe much to our veterans and their families, but we shouldn’t view all proposed defense cuts as an attack on them,” Dempsey wrote. “Modest reforms to pay and compensation will improve readiness and modernization.”¶ He also trod lightly on issues underlying the budget debate, cautioning service members not to assume they have a special or unique claim to national service.¶ “We are an all-volunteer force, but we are not all who volunteer,” Dempsey wrote. “Service has always been fundamental to being an American. Across our country, police officers, fire fighters, teachers, coaches, pastors, scout masters, business people and many others serve their communities every day. Military service makes us different, but the desire to contribute permeates every corner of the United States.”¶ Peter Feaver, a former Bush administration adviser during the Iraq War who is now a professor at Duke University, said Dempsey may be concerned about the long-term effects of the special status afforded to service members during the past decade-plus of war.¶ “He is a warning against the pride that the military may take after a decade of having privileged access to the nation’s resources and the pride of place, whether it’s in terms of our national ceremonies or sporting events or letting those in military uniforms board a plane first.” Feaver said.¶ That’s a valid concern, said Marine Maj. Peter Munson, the author of “War, Welfare & Democracy: Rethinking America’s Quest for the End of History.”¶ “The military has been lionized in these recent conflicts and I don’t think that is necessarily healthy,” Munson said in an interview after reading Dempsey’s op-ed.¶ “I think there is a certain subculture in the military that has grown to expect the perks and admiration and adulation. I think that a lot of folks are starting to feel that way without realizing it,” he said. “While I certainly think that what the military has done over the past decade is admirable, we don’t want to feel entitled to a certain treatment different from other citizens. Ours should be a culture of selfless service and selfless leadership.”¶ Munson applauded Dempsey’s call for a national discussion.¶ “I think now is the time to address these things before the memories of these recent battles fade from the limelight and before any bitterness sets in about budget cuts,” he said.¶ A 'bond of trust'¶ Dempsey has made safeguarding the health of civil-military relations a focus of his tenure as the Pentagon’s top officer. During last year’s presidential campaign, he publicly scolded some veterans groups for endorsing candidates, saying that the military community must “remain apolitical” or else “erode that bond of trust we have with the American people.”¶ Dempsey also has written extensively about the professionalization and unique responsibilities of the officer corps and warned about the prospect of the all-voluteer force growing apart from the civilian world.¶ He said civilians have an important role to play in bridging that gap, but he also said today’s troops have a special responsibility to preserve the military’s connection with civilians and avoid becoming isolated.

#### Despite concerns the military will fall in line – consultation however is key

Scales 2013, Robert H. Scales, PhD, Military history from Duke, Retired U.S. Army major general and former commandant of the U.S. Army War College. He now works as a military analyst, news commentator, and author, Sep 5, 2013, “A war the Pentagon doesn’t want”, http://www.washingtonpost.com/opinions/us-military-planners-dont-support-war-with-syria/2013/09/05/10a07114-15bb-11e3-be6e-dc6ae8a5b3a8\_story.html

They are repelled by the hypocrisy of a media blitz that warns against the return of Hitlerism but privately acknowledges that the motive for risking American lives is our “responsibility to protect” the world’s innocents. Prospective U.S. action in Syria is not about threats to American security. The U.S. military’s civilian masters privately are proud that they are motivated by guilt over slaughters in Rwanda, Sudan and Kosovo and not by any systemic threat to our country.

They are outraged by the fact that what may happen is an act of war and a willingness to risk American lives to make up for a slip of the tongue about “red lines.” These acts would be for retribution and to restore the reputation of a president. Our serving professionals make the point that killing more Syrians won’t deter Iranian resolve to confront us. The Iranians have already gotten the message.

Our people lament our loneliness. Our senior soldiers take pride in their past commitments to fight alongside allies and within coalitions that shared our strategic goals. This war, however, will be ours alone.

They are tired of wannabe soldiers who remain enamored of the lure of bloodless machine warfare. “Look,” one told me, “if you want to end this decisively, send in the troops and let them defeat the Syrian army. If the nation doesn’t think Syria is worth serious commitment, then leave them alone.” But they also warn that Syria is not Libya or Serbia. Perhaps the United States has become too used to fighting third-rate armies. As the Israelis learned in 1973, the Syrians are tough and mean-spirited killers with nothing to lose.

Our military members understand and take seriously their oath to defend the constitutional authority of their civilian masters. They understand that the United States is the only liberal democracy that has never been ruled by its military. But today’s soldiers know war and resent civilian policymakers who want the military to fight a war that neither they nor their loved ones will experience firsthand.

Civilian control of the armed services doesn’t mean that civilians shouldn’t listen to those who have seen war. Our most respected soldier president, Dwight Eisenhower, possessed the gravitas and courage to say no to war eight times during his presidency. He ended the Korean War and refused to aid the French in Indochina; he said no to his former wartime friends Britain and France when they demanded U.S. participation in the capture of the Suez Canal. And he resisted liberal democrats who wanted to aid the newly formed nation of South Vietnam. We all know what happened after his successor ignored Eisenhower’s advice. My generation got to go to war.

## Case

### Norms

#### Countries will use drones when they prove beneficial. Norms won’t enter the equation.

Ben Lerner, 3/25/2013. Vice President for Government Relations at the Center for Security Policy in Washington, D.C. “[Judging ‘Drones’ From Afar](http://spectator.org/archives/2013/03/25/judging-drones-from-afar),” The American Spectator, http://spectator.org/archives/2013/03/25/judging-drones-from-afar/1.

Since the nomination of John Brennan to Director of Central Intelligence, the past few weeks have seen intensified debate within the United States on the American use of unmanned aerial vehicles (UAVs, also referred to as drones), both overseas and stateside. Due process, separation of powers, citizenship, use of force — all these concepts have been pulled into the discourse as our government grapples with the rules that should govern UAVs and their various applications.

So far, whether you are on the Rand Paul or Lindsey Graham end of the spectrum, the debate on American UAV policy has been engaged with the understanding that the United States will decide these issues for itself. Up to now, the United States government has not explicitly called for binding international norms on UAV use, whether through a treaty, code of conduct, or other such vehicle.

As a matter of national security, this ought to remain the case. The question is: Will it?

This question is important in light of a recent Reuters [headline](http://www.reuters.com/article/2013/03/17/us-usa-security-drones-idUSBRE92G02720130317): “As drone monopoly frays, Obama seeks global rules.”

The piece goes on:

President Barack Obama, who vastly expanded U.S. drone strikes against terrorism suspects overseas under the cloak of secrecy, is now openly seeking to influence global guidelines for their use as China and other countries pursue their own drone programs…

“People say what’s going to happen when the Chinese and the Russians get this technology? The president is well aware of those concerns and wants to set the standard for the international community on these tools,” said Tommy Vietor, until earlier this month a White House spokesman.

As it turns out, Vietor’s comment does not really match up with the Reuters headline. It would not appear, based on this statement President Obama is seeking “global rules” for UAVs, but rather that he is attempting to stay ahead of international events in this area and establish the American standard for UAV use as the standard that other nations should follow.

Those international events are significant. UAV technology has proliferated substantially in recent years, and not just among allies like the United Kingdom, [Israel](http://www.foxnews.com/world/2012/12/29/exclusive-inside-track-on-israels-reconnaissance-drones/) and [Colombia](http://latino.foxnews.com/latino/news/2012/10/26/colombia-to-develop-its-own-drone-program-to-combat-drug-trafficking/). The Project 2049 Institute recently [published](http://project2049.net/documents/uav_easton_hsiao.pdf) a critical study on China’s UAV program, detailing its architecture as well as some of the tactical innovations that the People’s Liberation Army (PLA) has in mind. The report states in part:

[A]ccording to several military-technical materials reviewed for this study, PLA operational thinkers and scientists envision attacking U.S. aircraft carrier battle groups with swarms of multi-mission UAVs in the event of conflict.… The ultimate goal of combined UAV and missile campaigns would be to penetrate otherwise robust defense networks through tightly coordinated operations planned to optimize the probability of overwhelming targets.

Meanwhile, the Iranians are experimenting with their own UAV capabilities, including through use by proxies such as Hezbollah, which last year [launched](http://www.reuters.com/article/2012/10/14/us-lebanon-israel-drone-iran-idUSBRE89D09N20121014) a UAV into Israel. Pakistan and Turkey, rapidly exiting their pro-American orbits (such as they were), are entering this space as well: The Pakistani military last fall [revealed](http://www.guardian.co.uk/world/2012/nov/13/drones-pakistan)that it is working on developing its own combat UAV, while reports from the same time period [indicate](http://www.upi.com/Business_News/Security-Industry/2012/11/20/Turkey-begins-UAV-production/UPI-27121353444057/) that Turkey will supply its army with indigenously produced UAVs by the end of this year.

This proliferation is also forming the backdrop against which the United Nations is conducting an investigation of UAV use in counter-terrorism operations in order to determine, [according to](http://www.nytimes.com/2013/01/25/world/europe/un-panel-to-investigate-rise-in-drone-strikes.html?_r=0)special investigator for the U.N. Human Rights Council Ben Emmerson, “whether there is a plausible allegation of unlawful killing.” The New York Times, in covering this development, conveys Emmerson’s less-than-convincing reassurances that this is not about the United States and its allies:

The immediate focus, Mr. Emmerson said in an interview, would be on 25 selected drone strikes that had been conducted in recent years in Afghanistan, Pakistan, Yemen, Somalia and the Palestinian territories. That put the panel’s spotlight on the United States, Britain and Israel, the nations that have conducted drone attacks in those areas, but Mr. Emmerson said the inquiry would not be singling out the United States or any other countries.

While it appears that Reuters’ inference — that President Obama is seeking out an international agreement on UAVs in response to events like these — is inaccurate, it remains plausible that he would take us down this path. Let’s not forget that President Obama has been a major supporter of multilateral agreements that limit American sovereignty, including the U.N. Law of the Sea Treaty, the Comprehensive Test Ban Treaty, the Convention on the Rights of Persons with Disabilities, and others.

If President Obama pursues global rules for UAVs, such an initiative could also have the added benefit, from his perspective, of atoning for sins committed against his far-left political base. If waging, and escalating, UAV warfare has rendered the President a disciple of Vice President Cheney in the eyes of the enraged left, volunteering to restrain our own UAV use through the creation and application of global rules might make up for the transgression.

Whatever the potential motivations for trying to codify international rules for using UAVs, such a move would be ill advised. While in theory, every nation that signs onto a treaty governing UAVs will be bound by its requirements, it is unlikely to play out this way in practice. It strains credulity to assume that China, Russia, Iran, and other non-democratic actors will not selectively apply (at best) such rules to themselves while using them as a cudgel with which to bash their rivals and score political points. The United States and its democratic allies, meanwhile, are more likely to adhere to the commitments for which they signed up. The net result: we are boxed in as far as our own self-defense, while other nations with less regard for the rule of law go use their UAVs to take out whomever, whenever, contorting said “rules” as they see fit. One need only look at China’s [manipulation](http://thediplomat.com/flashpoints-blog/2012/02/17/why-to-forget-unclos/) of the Law of the Sea Treaty to justify its vast territorial claims at the expense of its neighbors to see how this often plays out.

And who would enforce the treaty’s rules — a third party tribunal? Would it be an apparatus of the United Nations, the same U.N. that assures us that it is not coming after the United States or its allies specifically, even as its investigation takes on as its “immediate focus” UAV operations recently conducted by those countries?

#### Genie’s out of the bottle—can’t reverse drone prolif

Byman 13—Daniel Byman is a Professor in the Security Studies Program at the Edmund A. Walsh School of Foreign Service at Georgetown University and a Senior Fellow at the Saban Center for Middle East Policy at the Brookings Institution [“Why Drones Work,” *Foreign Affairs*, Jul/Aug2013, Vol. 92 Issue 4, p. 32-43, EBSCO]

FOLLOW THE LEADER

The fact remains that by using drones so much, Washington risks setting a troublesome precedent with regard to extrajudicial and extraterritorial killings. Zeke Johnson of Amnesty International contends that "when the U.S. government violates international law, that sets a precedent and provides an excuse for the rest of the world to do the same." And it is alarming to think what leaders such as Syrian President Bashar al-Assad, who has used deadly force against peaceful pro-democracy demonstrators he has deemed terrorists, would do with drones of their own. Similarly, Iran could mockingly cite the U.S. precedent to justify sending drones after rebels in Syria. Even Brennan has conceded that the administration is "establishing precedents that other nations may follow."

Controlling the spread of drone technology will prove impossible; that horse left the barn years ago. Drones are highly capable weapons that are easy to produce, and so there is no chance that Washington can stop other militaries from acquiring and using them. Nearly 90 other countries already have surveillance drones in their arsenals, and China is producing several inexpensive models for export. Armed drones are more difficult to produce and deploy, but they, too, will likely spread rapidly. Beijing even recently announced (although later denied) that it had considered sending a drone to Myanmar (also called Burma) to kill a wanted drug trafficker hiding there.

#### Drone prolif inevitable --- military advantages.

Roderic Alley, 2013. Senior Fellow at Victoria University of Wellington’s Centre for Strategic Studies. “The Drone Debate Sudden Bullet or Slow Boomerang?” CSS Discussion Paper 14/13, <http://mercury.ethz.ch/serviceengine/Files/ISN/169163/ipublicationdocument_singledocument/118498b9-5e63-48be-a874-dcabb3de3006/en/DP1413OnlineVersion.pdf>.

For military purposes, drone proliferation has been spurred by the advantages of mission versatility, strike accuracy, and relative economic cost. So, too, is the absence of own force casualties a major consideration. An ability to loiter for considerable periods adds to the quantum, if not quality of intelligence gathering, reconnaissance utility, and target identification functions. These weapons accelerate responsiveness: a drone fired missile can travel faster than the speed of sound, striking a target within seconds ahead of earshot. Their remotely controlled accuracy can reduce target area casualties; ostensibly a factor in the Obama Administration‟s enhanced use following the al-Majala cruise missile strikes in Yemen of December 2009 which killed 55 people with the assistance of cluster munitions.2

Military drones perform credibly when undertaking the so-called „dull, dangerous and dirty‟ tasks, for example routine surveillance functions, operations in high ground to air threat locations, and monitoring areas suspected of contamination by unexploded ordinance or landmines. And drone use can support deterrence objectives as in covering continued troop withdrawal from combat theatres such as Afghanistan. Although their supporting personnel requirements are extensive, these systems are relatively less expensive than manned aircraft.

Already substantial, the growth and international transfer of these systems is set to continue climbing. Miniaturisation is moving ahead rapidly, including devices carried by field rucksack, having a 10 kilometre range, fired from a mortar like tube, and operating to real time hand-held control. The 2.5 kg Switchblade, for example, can not only identify targets, but if necessary attack them through kamikaze-type strikes. What is purchased may offer dual use potential through reconfiguration for military purposes. Expanding rapidly are sought- after non-military functions embracing police intelligence, border surveillance, crop evaluation, search and rescue, forest fire identification, disaster relief, road accident monitoring, and law enforcement. And in a sign of the times, there is now drone use by the paparazzi.

#### Drones don’t lower the threshold for conflict.

Samuel Issacharoff and Richard H. Pildes, 6/1/2013. NYU School of Law. “Drones and the Dilemma of Modern Warfare,” New York University Public Law and Legal Theory Working Papers, Paper 404, http://lsr.nellco.org/nyu\_plltwp/404/.

In our view, there are four myths about the modern use of drones to target specific, identifiable individuals for lethal force. The first myth is that targeting specific individuals for death is a modern innovation in military practice. But targeted killings have long been a part of military practice; the invention of the long rifle, for example, gave snipers the ability to pick off opposing field officers. The modern practice, however, begins with the discrete act of seeking out military enemies outside normal wartime engagements based on an individualized assessment of the threat they present. The use of lethal force is not incidental to a battlefield objective of capturing a particular piece of territory but becomes a distinct response to the generalized threat posed by a particular individual. Killing is now not secondary to a distinct military objective but becomes the objective itself because of a specific determination about the threat posed by the continued operation of an individual. At a more fundamental level, as Eyal Benvenisti argues, the laws of war had two major premises that fail in modern asymmetric conflict. First, it was possible to distinguish military and civilian objectives, and, second, battle could be directed to military objectives, as with the capturing of territory or overtaking a military installation. Neither premise necessarily characterizes military engagements in asymmetric war – or put another way, the military objective becomes killing itself. 28 The object of the targeted attack changes as well, in a way that seems morally defensible. Drones enable military planners to focus on high-level targets, and there is a further morality in that – we should appreciate a technology that can discriminate between low-level and high-level combatants, and minimize the loss of life to foot soldiers of the other side by concentrating fire on the leaders. Precision targeted killings should be seen as a substantial humanitarian advance in warfare, assuming that use of force is justified in the first place. Whereas the tradition LOAC placed the foot soldier at greatest risk of being killed in combat, the new targeted killing regime initially redirected lethal force to the command structure of the enemy. In our view, it is a mistake to focus exclusively on the level of force being used without also understanding that the targets (if accurately identified) bear a moral culpability for unlawful warfare completely distinct from anything that could be attributed to conventional soldiers in a stateauthorized war, especially in the case of conscript armies. As the technology improved, most notably with drones, the targets could expand from the command structure to operational centers, as with attacks on remote sites at which enemy combatants trained or assembled. A second myth concerning targeted killings as a new form of warfare is that this ability to project force from a distance itself raises new legal issues. But this view is simply an exercise at drawing a technological line that, in our view, has little moral or legal force in and of itself. Drones present the same legal issues as any other weapons system involving the delivery of lethal force. Advances in military technology have always been about the ability to project force from a distance. Drones are a technology, the latest technological development in the history of warfare, but they do not change the legal issues, under either domestic or international law, relevant to deciding whether particular uses of force are justified. In technologically advanced countries, militaries have long been in the business of delivering lethal force at great distances from their targets. The U.S. Navy has engaged enemy personnel by firing cruise missiles from ships in the Mediterranean into Libya, Iraq, and Sudan. Air Force pilots frequently take off from bases far removed from the actual theater of conflict and drop their bombs based on computer-generated targeting information from thousands of feet above the ground; the bombing campaign over Serbia during the Kosovo war, for example, involved pilots taking off from the Midwest in the United States and returning there. Ancient advances, such as catapults and longbows, involved the delivery of force from a distance, instead of hand-to-hand personalized combat. U.S. drone operations reportedly follow the same rules of engagement and use the same procedures as manned aircraft that use weapons to support ground troops. 29 At least the military’s use of drones operates within the same military chain of command, subject to civilian oversight, as all other uses of military force. 30 One can view the technological advances that make drone warfare possible with horror or with fascination, but the idea of projected force beyond hand-to-hand warfare does not of itself present radically new legal issues. As the philosopher David Luban rightly concludes, targeted killings “are no different in principle from other wartime killings, and they have to be judged by the same standards of necessity and proportionality applied to warfare in general: sometimes they are justified, sometimes not.” 31 A third prevalent misconception, in our view, is that drones and targeted killing pose a major threat to the humanitarian purposes and aims of the laws of war. The key principles of the laws of war are the principles of necessity, distinction and proportionality – the principles that force should intentionally be used only against military targets and that the damage to individual citizens should be minimized and proportionate. Drones, as against other uses of military force, better realize these principles than any other technology currently available. Indeed, they allow for the most discriminating uses of force in the history of military technology and warfare, in contexts in which the use of force is otherwise justified. If the alternative is sending US ground forces into Yemen or the frontier regions of Pakistan, the result will be far greater loss of civilian life, and far greater loss of combatant lives, than with drone technology. A more subtle concern that perhaps underlies the humanitarian critique of targeted killings is that drone warfare might make the use of force “too easy.” Since powerful states do not have to put their own pilots or soldiers directly at risk, will they resort to force and violence more easily? This is a serious issue, but some historical perspective might help put this concern in a broader frame. Throughout the modern history of warfare, there has been concern that humanitarian developments in the way war is conducted will, perversely, make it more likely that states will go to war. The argument is essentially that there is a Faustian tradeoff between the laws of war and the initial decision to go to war. This is an enduring, moral complex issue that has attended virtually every effort in the paradoxical-sounding project of making warfare more humane; pacifists in the 19th century objected to the formation of the International Committee of the Red Cross and its efforts to mitigate the horrors of war. 32 Moreover, the same paradox surrounds even purely humanitarian aid during wartime; in some contexts, access to such aid has become a strong economic incentive to continue the war, for the very purpose of extracting more of this financial assistance. 33 A more complicated picture emerges if we shift from the perspective of the civilian leaders who authorize the use of force to those who actually deliver that force. One of the consequences created by individuating the responsibility of specific enemies, combined with drone technology, is the possibility of a much greater sense of personal responsibility and accountability on the part of drone operators for lethal uses of force than that exhibited by prior generations of fighters. At least some drone operators report exactly this kind of experience of personal responsibility for their actions, including their mistakes, that was much less likely in earlier generations when “the enemy” was faceless and undifferentiated in most circumstances. 34 Of course, if such a perverse tradeoff does end up driving state practice, the same concern could be applied to the use of force for humanitarian purposes, as in Libya. Did the use of drones in the Libya operation make humanitarian interventions “too easy?” The right question, it seems to us, should focus on whether the use of force is justified in the first place. Moreover, one should be careful not to romanticize traditional combat and the pressures toward excessive violence it nearly always unleashes. To the extent the humanitarian critique of the use of drones is that sending in ground troops acts as a restraint on the use of force, compared to the use of force from remote locations, such as with drones technology, this idea might have matters backwards, at least once the decision to use force at all has been made (and made, hopefully, for appropriate and lawful reasons). Dramatic overuse of force is most likely when scared kids come under attack on an active battlefield and respond with massive uses of force directed at only vaguely identified targets. Remoteness from the immediate battlefield – with operators able to see much more of what is going on – almost surely enables much more deliberative responses. One Air Force combat officer who became a drone operator supports this conclusion; he comments that compared to conventional combat, both in the air and on the ground, the distance involved with drones enable operations to be “deliberate instead of reactionary;” 35 compared to manned combat flights, he experienced drones as affording “the ability to think clearly at zero knots and one G”; 36 and he observed that other “methods of warfare could be, and often were, much more destructive” 37 —indeed, he goes so far as to comment that when marines were sent into operations, they “broke things and killed people” while drones enabled U.S. military force to be “less brutal.” 38 Whether one accepts or not this particular self-reported drone operator experience, a realistic appraisal of all the costs and benefits of the use of drones must confront the “compared to what” question. Perhaps in some contexts, if drones were not available, no force would be used; but in many cases, it seems likely that much greater force would be used instead. Put another way, powerful nation-states are unlikely to remain passive in the face of significant risks to the physical security of their citizens and property that emanate from other nations that are unwilling or unable to control these threats. Nor is it clear why states should be understood to have a moral obligation to permit their citizens and territory to be attacked. If states have the capacity to do so, they will neutralize these threats through killing or capture; and at times, the humanitarian costs of capture, in terms of harm to and loss of innocent life will be great, and at other times, capture might not be practicable for any number of reasons (a complex issue to which we return below). As a result, it seems to us that any general humanitarian critique of the targeted killing has a moral obligation to offer a credible, practical alternative that a state can realistically employ to protect the lives of its citizens and that better serves the humanitarian aims of the laws of war.

#### Public backlash to civilian casualties means drones don’t lower the threshold.

Scott Shane, 7/14/2012. National security reporter for The New York Times. “The Moral Case for Drones,” New York Times, http://www.nytimes.com/2012/07/15/sunday-review/the-moral-case-for-drones.html?\_r=0.

The drone’s promise of precision killing and perfect safety for operators is so seductive, in fact, that some scholars have raised a different moral question: Do drones threaten to lower the threshold for lethal violence?

“In the just-war tradition, there’s the notion that you only wage war as a last resort,” said[Daniel R. Brunstetter](http://www.faculty.uci.edu/profile.cfm?faculty_id=5355), a political scientist at the University of California at Irvine who fears that drones are becoming “a default strategy to be used almost anywhere.”

With hundreds of terrorist suspects killed under President Obama and just one taken into custody overseas, some question whether drones have become not a more precise alternative to bombing but a convenient substitute for capture. If so, drones may actually be encouraging unnecessary killing.

Few imagined such debates in 2000, when American security officials first began to think about arming the Predator surveillance drone, with which they had spotted Osama bin Laden at his Afghanistan base, said Henry A. Crumpton, then deputy chief of the C.I.A.’s counterterrorism center, who tells the story in his recent memoir, “The Art of Intelligence.”

“We never said, ‘Let’s build a more humane weapon,’ ” Mr. Crumpton said. “We said, ‘Let’s be as precise as possible, because that’s our mission — to kill Bin Laden and the people right around him.’ ”

Since then, Mr. Crumpton said, the drone war has prompted an intense focus on civilian casualties, which in a YouTube world have become harder to hide. He argues that technological change is producing a growing intolerance for the routine slaughter of earlier wars.

“Look at the firebombing of Dresden, and compare what we’re doing today,” Mr. Crumpton said. “The public’s expectations have been raised dramatically around the world, and that’s good news.”

#### Russia won’t get drawn in to central Asian conflicts.

**Rivera 03**, Assistanat Prof of Government at Hamilton, 3/22/03 (Political Science Quarterly)

Other observers, however, painted a very different picture of post-Soviet Russia and defended the Kremlin against the imperialist charge. Explicitly taking issue with many of the aforementioned authors, Stephen Sestanovich argued in 1994 that "**the dominant interest now guiding Russian policy is [not intimidation or destabilization but] stability. For now, the picture of an expansionist juggernaut is--at the very least--far ahead of the facts**." (6) U.S. Ambassador to Moscow Thomas Pickering similarly maintained that "**charges of resurgent Russian imperialism have been overstated. ... After the Soviet Union collapsed, Moscow pursued policies--such as drastically cutting military spending--that severely limited its ability to rebuild the empire, even if it had wanted to**." (7) In an overview of points of agreement and contention in U.S.--Russian relations given just prior to Bill Clinton's participation in the Moscow summit of May 1995, **Pickering went even further by describing Russia's relations with its CIS neighbors as containing "some positive trends which we strongly support." In particular, the Ambassador praised Russia for its policies toward Ukraine, the Baltics, Moldova, and Nagorno-Karabakh**. (8) Most dramatically, Leon Aron put the "Yeltsin revolution" in historical perspective by asserting that "**not since the middle of the sixteenth century when the Russian expansion began, has there been a Russia less aggressive, less belligerent, less threatening to neighbors and the world than the Russia we see today**." (9)

#### And, no risk of instability – Azerbaijan stability proves.

**Rivera 03**, Assistanat Prof of Government at Hamilton, 3/22/03 (Political Science Quarterly)

Other Eurasian "hot spots" experienced notable reductions in conflict and tensions in the second half of the 1990s as well. In the early part of the decade, **Azerbaijan** had been wracked by ethnic civil war, self-interested meddling by the Russian military, and a patently unconstitutional yet successful putsch against a democratically elected president. It was "a classic example of a 'failed state,' a place marked by such an appalling level of chaos, confusion, and self-destruction that it almost did not deserve to exist." (91) However, the country **subsequently entered a period of political stability made possible by a cessation of hostilities with its Armenian inhabitants and neighbors.** As Rajan Menon observes, "It was **because of Russian mediation that a cease-fire was negotiated among the leaders of Armenia, Nagorno-Karabakh, and Azerbaijan** in May 1994. **The cease-fire has held** and saved an untold number of lives." (92) Moreover, after the return to power of former First Secretary of the Communist Party of Aze rbaijan Heydar Aliyev, **Baku concluded numerous multi-billion dollar oil deals that set the country on the road to economic prosperity**. (93) In fact, **between 1996 and 2000 Azerbaijan experienced the highest economic growth of any of the more than two dozen postcommunist states**. (94) Thomas Goltz sums up the pendulum swing of Azeri fortunes as follows: "The change in the title of this edition of the book [from 'Requiem for a Would-be Republic'] should speak volumes. **No longer a dirge for a dead country, it is now a diary account of the rebirth, in blood and agony, of a post-Soviet republic with a future**."

#### Even with the tech, China won’t use drones dangerously --- they fear international backlash and setting a precedent for US drone use in East Asia

**Erickson and Strange 13** (Andrew Erickson, associate professor at the Naval War College, Associate in Research at Harvard University's Fairbank Centre, Austin Strange, researcher at the Naval War College's China Maritime Studies Institute, graduate student at Zhejiang University, “China Has Drones. Now How Will it Use Them?” Foreign Affairs, May 29, 2013, http://www.nationmultimedia.com/opinion/China-has-drones-Now-how-will-it-use-them-30207095.html)

**Beijing,** however, **is unlikely to use its drones lightly. It already faces tremendous criticism from** much of **the international community for its** perceived **brazenness in** continental and maritime **sovereignty disputes. With its leaders attempting to allay notions that China's rise poses a threat to the region, injecting drones** conspicuously into these disputes **would prove counterproductive. China** also **fears setting a precedent for** the **use of drones in East Asian hotspots that the U**nited **S**tates **could eventually exploit.** For now, **Beijing is showing that it understands these risks,** and to date it has limited its use of drones in these areas to surveillance, according to recent public statements from China's Defence Ministry.

#### China’s drones have no motor tech, no imagery, and no control --- there’s zero industrial base to produce these regardless of any interest their evidence describes --- China’s best are inelegant prototypes

**Axe 11** (David Axe, “Where are China’s Killer Drones?” Wired, February 8, 2011, http://www.wired.com/dangerroom/2011/02/where-are-chinas-killer-drones/)

Against this fast-expanding fleet of killer drones, **China has just a handful of inelegant UAV prototypes.** There were two dozen different aerial bots on display at the Zhuhai Airshow in southern China last year, but almost all of them were small, flimsy models that John Pike, from Globalsecurity.org, called “easy to do.”

China does possess prototypes for at least four medium-size drones similar in dimension to the Predator and Reaper. These include the propeller-driven Yilong and BZK-005 and the jet-poweredTianchi and WJ-600. The BZK-005 is the only one of these four drones to show up in a photo depicting a seemingly operational environment. That photo, seen above, was leaked onto the Internet in October 2009 and showed just two BZK-005s at what appeared to be an active PLAAF airstrip. Otherwise, China’s four medium drones appear to be mere prototypes. And only the WJ-600 is said to be capable of carrying weapons.

**What’s holding China back? Engines,** for one. **Chinese industry has not proved capable of developing reliable military-grade motors. That’s been** the biggest thing **holding back China’s** new fighters and choppers — and now apparently **drones,** too.

“Another obstacle probably is real-time, on-time delivery of precision photo imagery,” observed Arthur Ding, an analyst based in Taiwan. The Pentagon possesses scores of **communications satellites** for linking drones, ground troops and imagery analysts; China has just a handful of similar spacecraft. The same communication **problem could** also **inhibit the PLA’s ability to control its UAVs.**

#### China’s sovereignty position checks their impact --- China wouldn’t dare use drones wrongly

**Erickson and Strange 13** (Andrew Erickson, associate professor at the Naval War College, Associate in Research at Harvard University's Fairbank Centre, Austin Strange, researcher at the Naval War College's China Maritime Studies Institute, graduate student at Zhejiang University, “China Has Drones. Now How Will it Use Them?” Foreign Affairs, May 29, 2013, http://www.nationmultimedia.com/opinion/China-has-drones-Now-how-will-it-use-them-30207095.html)

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

### Terror

#### Collapses govt—causes a military coup

Michael J Boyle 13, Assistant Professor of Political Science at La Salle University, former Lecturer in International Relations and Research Fellow at the Centre for the Study of Terrorism and Political Violence at the University of St Andrews, PhD from Cambridge University, January 2013, “The costs and consequences of drone warfare,” International Affairs 89: 1 (2013) 1–29, <http://www.chathamhouse.org/sites/default/files/public/International%20Affairs/2013/89_1/89_1Boyle.pdf>

The escalation of drone strikes in Pakistan to its current tempo—one every few days—directly contradicts the long-term American strategic goal of boosting the capacity and legitimacy of the government in Islamabad. Drone attacks are more than just temporary incidents that erase all traces of an enemy. They have lasting political effects that can weaken existing governments, undermine their legitimacy and add to the ranks of their enemies. These political effects come about because drones provide a powerful signal to the population of a targeted state that the perpetrator considers the sovereignty of their government to be negligible. The popular perception that a government is powerless to stop drone attacks on its territory can be crippling to the incumbent regime, and can embolden its domestic rivals to challenge it through violence. Such continual violations of the territorial integrity of a state also have direct consequences for the legitimacy of its government. Following a meeting with General David Petraeus, Pakistani President Asif Ali Zardari described the political costs of drones succinctly, saying that ‘continuing drone attacks on our country, which result in loss of precious lives or property, are counterproductive and difficult to explain by a democratically elected government. It is creating a credibility gap.’75 Similarly, the Pakistani High Commissioner to London Wajid Shamsul Hasan said in August 2012 that what has been the whole outcome of these drone attacks is that you have directly or indirectly contributed to destabilizing or undermining the democratic government. Because people really make fun of the democratic government—when you pass a resolution against drone attacks in the parliament and nothing happens. The Americans don’t listen to you, and they continue to violate your territory.76

The appearance of powerlessness in the face of drones is corrosive to the appearance of competence and legitimacy of the Pakistani government. The growing perception that the Pakistani civilian government is unable to stop drone attacks is particularly dangerous in a context where 87 per cent of all Pakistanis are dissatisfied with the direction of the country and where the military, which has launched coups before, remains a popular force.77

#### Strikes are destabilitizing the Paki civilian government and increasing militancy (Paki collapse Impact)

**Farley 12**—JD from Emory University [Benjamin R. Farley (M.A., The George Washington University Elliott Schoolof International Affairs), “Drones and Democracy: Missing Out on Accountability?,” South Texas Law Review, Vol. 54, No. 2, 2012]

In fact, policy failure associated with the overreliance on force-due at least in part to lowered barriers from drone-enabled accountability avoidance-may be occurring already. Airstrikes are deeply unpopular in both Yemen207 and Pakistan,208 and although the strikes have proven critical to degrading al-Qaeda and associated forces in Pakistan, increased uses of force may be contributing to instability, the spread of militancy, and the failure of U.S. policy objectives there.2 09 Similarly, the success of drone strikes in Pakistan must be balanced against the costs associated with the increasingly contentious U.S.-Pakistani relationship, which is attributable at least in part to the number and intensity of drone strikes. 210 These costs include undermining the civilian Pakistani government and contributing to the closure of Pakistan to NATO supplies transiting to Afghanistan,2 11 thus forcing the U.S. and NATO to rely instead on several repressive central Asian states.2 12 Arguably the damage to U.S.-Pakistan relations and the destabilizing influence of U.S. operations in Yemen would be mitigated by fewer such operations-and there would be fewer U.S. operations in both Pakistan and Yemen if U.S. policymakers were more constrained by use-offorce accountability mechanisms. Pg. 420-422

#### Pakistan instability causes loose nukes and Indian intervention --- goes nuclear

Michael O’Hanlon 5, senior fellow with the Center for 21st Century Security and Intelligence and director of research for the Foreign Policy program at the Brookings Institution, visiting lecturer at Princeton University, an adjunct professor at Johns Hopkins University, and a member of the International Institute for Strategic Studies

PhD in public and international affairs from Princeton, Apr 27 2005, “Dealing with the Collapse of a Nuclear-Armed State: The Cases of North Korea and Pakistan,” http://www.princeton.edu/~ppns/papers/ohanlon.pdf

Were Pakistan to collapse, it is unclear what the United States and like-minded states would or should do. As with North Korea, it is highly unlikely that “surgical strikes” to destroy the nuclear weapons could be conducted before extremists could make a grab at them. The United States probably would not know their location – at a minimum, scores of sites controlled by Special Forces or elite Army units would be presumed candidates – and no Pakistani government would likely help external forces with targeting information. The chances of learning the locations would probably be greater than in the North Korean case, given the greater openness of Pakistani society and its ties with the outside world; but U.S.-Pakistani military cooperation, cut off for a decade in the 1990s, is still quite modest, and the likelihood that Washington would be provided such information or otherwise obtain it should be considered small.

If a surgical strike, series of surgical strikes, or commando-style raids were not possible, the only option would be to try to restore order before the weapons could be taken by extremists and transferred to terrorists. The United States and other outside powers might, for example, respond to a request by the Pakistani government to help restore order. Given the embarrassment associated with requesting such outside help, the Pakistani government might delay asking until quite late, thus complicating an already challenging operation. If the international community could act fast enough, it might help defeat an insurrection. Another option would be to protect Pakistan’s borders, therefore making it harder to sneak nuclear weapons out of the country, while only providing technical support to the Pakistani armed forces as they tried to quell the insurrection. Given the enormous stakes, the United States would literally have to do anything it could to prevent nuclear weapons from getting into the wrong hands.¶ India would, of course, have a strong incentive to ensure the security of Pakistan’s nuclear weapons. It also would have the advantage of proximity; it could undoubtedly mount a large response within a week, but its role would be complicated to say the least. In the case of a dissolved Pakistani state, India likely would not hesitate to intervene; however, in the more probable scenario in which Pakistan were fraying but not yet collapsed, India’s intervention could unify Pakistan’s factions against the invader, even leading to the deliberate use of Pakistani weapons against India. In such a scenario, with Pakistan’s territorial integrity and sovereignty on the line and its weapons put into a “use or lose” state by the approach of the Indian Army, nuclear dangers have long been considered to run very high.

#### Nuke war

Pitt 9—New York Times and internationally best-selling author [William Rivers, “Unstable Pakistan threatens the world” http://www.arabamericannews.com/news/index.php?mod=article&cat=commentary&article=2183]

As familiar as this sounds, it did not take place where we have come to expect such terrible events. This, unfortunately, is a whole new ballgame. It is part of another conflict that is brewing, one which puts what is happening in Iraq and Afghanistan in deep shade, and which represents a grave and growing threat to us all. Pakistan is now trembling on the edge of violent chaos, and is doing so with nuclear weapons in its hip pocket, right in the middle of one of the most dangerous neighborhoods in the world.¶ The situation in brief: Pakistan for years has been a nation in turmoil, run by a shaky government supported by a corrupted system, dominated by a blatantly criminal security service, and threatened by a large fundamentalist Islamic population with deep ties to the Taliban in Afghanistan. All this is piled atop an ongoing standoff with neighboring India that has been the center of political gravity in the region for more than half a century. The fact that Pakistan, and India, and Russia, and China all possess nuclear weapons and share the same space means any ongoing or escalating violence over there has the real potential to crack open the very gates of Hell itself.

Recently, the Taliban made a military push into the northwest Pakistani region around the Swat Valley. According to a recent Reuters report:

The (Pakistani) army deployed troops in Swat in October 2007 and used artillery and gunship helicopters to reassert control. But insecurity mounted after a civilian government came to power last year and tried to reach a negotiated settlement. A peace accord fell apart in May 2008. After that, hundreds — including soldiers, militants and civilians — died in battles. Militants unleashed a reign of terror, killing and beheading politicians, singers, soldiers and opponents. They banned female education and destroyed nearly 200 girls' schools.

About 1,200 people were killed since late 2007 and 250,000 to 500,000 fled, leaving the militants in virtual control. Pakistan offered on February 16 to introduce Islamic law in the Swat valley and neighboring areas in a bid to take the steam out of the insurgency. The militants announced an indefinite cease-fire after the army said it was halting operations in the region. President Asif Ali Zardari signed a regulation imposing sharia in the area last month. But the Taliban refused to give up their guns and pushed into Buner and another district adjacent to Swat, intent on spreading their rule.

The United States, already embroiled in a war against Taliban forces in Afghanistan, must now face the possibility that Pakistan could collapse under the mounting threat of Taliban forces there. Military and diplomatic advisers to President Obama, uncertain how best to proceed, now face one of the great nightmare scenarios of our time. "Recent militant gains in Pakistan," reported The New York Times on Monday, "have so alarmed the White House that the national security adviser, Gen. James L. Jones, described the situation as 'one of the very most serious problems we face.'"

"Security was deteriorating rapidly," reported The Washington Post on Monday, "particularly in the mountains along the Afghan border that harbor al-Qaeda and the Taliban, intelligence chiefs reported, and there were signs that those groups were working with indigenous extremists in Pakistan's populous Punjabi heartland. The Pakistani government was mired in political bickering. The army, still fixated on its historical adversary India, remained ill-equipped and unwilling to throw its full weight into the counterinsurgency fight. But despite the threat the intelligence conveyed, Obama has only limited options for dealing with it. Anti-American feeling in Pakistan is high, and a U.S. combat presence is prohibited. The United States is fighting Pakistan-based extremists by proxy, through an army over which it has little control, in alliance with a government in which it has little confidence."

It is believed Pakistan is currently in possession of between 60 and 100 nuclear weapons. Because Pakistan's stability is threatened by the wide swath of its population that shares ethnic, cultural and religious connections to the fundamentalist Islamic populace of Afghanistan, fears over what could happen to those nuclear weapons if the Pakistani government collapses are very real.

"As the insurgency of the Taliban and Al Qaeda spreads in Pakistan," reported the Times last week, "senior American officials say they are increasingly concerned about new vulnerabilities for Pakistan's nuclear arsenal, including the potential for militants to snatch a weapon in transport or to insert sympathizers into laboratories or fuel-production facilities. In public, the administration has only hinted at those concerns, repeating the formulation that the Bush administration used: that it has faith in the Pakistani Army. But that cooperation, according to officials who would not speak for attribution because of the sensitivity surrounding the exchanges between Washington and Islamabad, has been sharply limited when the subject has turned to the vulnerabilities in the Pakistani nuclear infrastructure."

"The prospect of turmoil in Pakistan sends shivers up the spines of those U.S. officials charged with keeping tabs on foreign nuclear weapons," reported Time Magazine last month. "Pakistan is thought to possess about 100 — the U.S. isn't sure of the total, and may not know where all of them are. Still, if Pakistan collapses, the U.S. military is primed to enter the country and secure as many of those weapons as it can, according to U.S. officials. Pakistani officials insist their personnel safeguards are stringent, but a sleeper cell could cause big trouble, U.S. officials say."¶ In other words, a shaky Pakistan spells trouble for everyone, especially if America loses the footrace to secure those weapons in the event of the worst-case scenario. If Pakistani militants ever succeed in toppling the government, several very dangerous events could happen at once. Nuclear-armed India could be galvanized into military action of some kind, as could nuclear-armed China or nuclear-armed Russia. If the Pakistani government does fall, and all those Pakistani nukes are not immediately accounted for and secured, the specter (or reality) of loose nukes falling into the hands of terrorist organizations could place the entire world on a collision course with unimaginable disaster.

We have all been paying a great deal of attention to Iraq and Afghanistan, and rightly so. The developing situation in Pakistan, however, needs to be placed immediately on the front burner. The Obama administration appears to be gravely serious about addressing the situation. So should we all.

# 1NR

## Drones Bad

### 2NC Overview

#### You should reject their arguments – they perceive terrorism as a strategy – terrorism is a tactic – any attack and decap targets individuals – they cant do shit

#### Prioritize strategic considerations over tactical ones

Cronin 13—Audrey Kurth Cronin is Professor of Public Policy at George Mason University. Dr. Cronin was Specialist in Terrorism at the Congressional Research Service, where she was responsible for advising Members of Congress in the aftermath of 9/11. She has also served periodically in the Executive branch, including in the Office of the Secretary of Defense/Policy, where she drafted portions of the Secretary’s strategic plan; the Office of the Secretary of the Navy, and the American Embassy in Moscow. [July/August 2013, “Why Drones Fail,” *Foreign Affairs*, Accessed through Emory Libraries]

The war-weary United States, for which the phrase “boots on the ground” has become politically toxic, prefers to eliminate its terrorist foes from the skies. The tool of choice: unmanned aerial vehicles, also known as drones. In Pakistan, Somalia, and Yemen -- often far away from any battlefield where American troops are engaged -- Washington has responded to budding threats with targeted killings.

Like any other weapon, armed drones can be tactically useful. But are they helping advance the strategic goals of U.S. counterterrorism? Although terrorism is a tactic, it can succeed only on the strategic level, by leveraging a shocking event for political gain. To be effective, counterterrorism must itself respond with a coherent strategy. The problem for Washington today is that its drone program has taken on a life of its own, to the point where tactics are driving strategy rather than the other way around.

The main goals of U.S. counterterrorism are threefold: the strategic defeat of al Qaeda and groups affiliated with it, the containment of local conflicts so that they do not breed new enemies, and the preservation of the security of the American people. Drones do not serve all these goals. Although they can protect the American people from attacks in the short term, they are not helping to defeat al Qaeda, and they may be creating sworn enemies out of a sea of local insurgents. It would be a mistake to embrace killer drones as the centerpiece of U.S. counterterrorism.

#### Drones just cause terror groups to metastasize. They are ironically saying drones work, yet still say the threat of terror is high after a decade long war

Cronin 13—Audrey Kurth Cronin is Professor of Public Policy at George Mason University. Dr. Cronin was Specialist in Terrorism at the Congressional Research Service, where she was responsible for advising Members of Congress in the aftermath of 9/11. She has also served periodically in the Executive branch, including in the Office of the Secretary of Defense/Policy, where she drafted portions of the Secretary’s strategic plan; the Office of the Secretary of the Navy, and the American Embassy in Moscow. [July/August 2013, “Why Drones Fail,” *Foreign Affairs*, Accessed through Emory Libraries]

The long-term effect of drone strikes may be that the al Qaeda threat continues to metastasize. An alphabet soup of groups with long-standing local grievances now claim some connection to al Qaeda, including al Qaeda in the Arabian Peninsula, al Qaeda in the Islamic Maghreb, al Qaeda in Iraq, al Shabab (in Somalia), and Boko Haram (in Nigeria). This diversification should come as no surprise. The spread of terrorist groups has historically resulted from campaigns of decapitation and repression. Russia’s assassinations of Chechen leaders between 2002 and 2006, for example, changed the conflict in Chechnya from a separatist insurgency to a broader radical movement in the Caucasus. The Russians killed virtually every major Chechen leader, pummeled Grozny to rubble, and brought Chechnya firmly under Russian control. In that sense, the campaign worked. But violence spread to the nearby regions of Dagestan, Ingushetia, and North Ossetia. Those who argue that the United States should stay the course with drones tend to be the same people who warn that the al Qaeda threat is spreading throughout the Middle East and North Africa. They need to consider whether drone strikes are contributing to this dynamic.

For the moment, there is no conclusive evidence that can prove whether drone strikes create more enemies than they kill. Some academics, including the Pakistan scholar C. Christine Fair and Christopher Swift, who has studied Yemen, argue that no widespread blowback against the United States can yet be detected. They argue that many locals grudgingly support drones and recognize their utility in beating back al Qaeda. Others, however, including the Yemen scholar Gregory Johnsen, warn of a simmering resentment that is driving recruits to al Qaeda. Much of the evidence is highly contested, and the sample sizes used tend to be small and biased toward local officials and educated professionals, who are the easiest to interview but the least likely to become terrorists.

In short, the picture is mixed: drones are killing operatives who aspire to attack the United States today or tomorrow. But they are also increasing the likelihood of attacks over the long term, by embittering locals and cultivating a desire for vengeance.

### 2NC Recruitment

#### Drones cause terrorism—ideological gains for insurgents outweigh tactical kinetic victories gains won through these means are likely to be temporary because of the resilient nature and tremendous regenerative capacity of the enemy.

#### Propaganda is a good measure for the ability of a group—especially al Qaeda

Walsh and Smith 13—\*James Igoe Walsh is a professor of political science at the University of North Carolina at Charlotte. \*\*Megan Smith is a graduate of the University of North Carolina at Charlotte [“Do Drone Strikes Degrade Al Qaeda? Evidence From Propaganda Output,” *Terrorism and Political Violence*, Volume 25, Issue 2, 2013, Taylor & Francis, Accessed through Emory Libraries]

Do Targeted Killings Degrade Terrorist Organizations?

“Drones” are unmanned aerial vehicles (UAVs). They are capable of loitering over conflict areas for extended periods of time, allowing pilots who might be stationed far from the scene of the conflict to gather real-time intelligence with communications and video sensors. Some drones, such as the RQ1 Predator that has been utilized by the United States in Afghanistan, Pakistan, and other conflict areas, are armed with air-to-ground missiles. Drone strikes are a form of targeted killings, defined as 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.” 3 The United States has used armed drones to target leaders and militants affiliated with Al Qaeda and other groups who are based in northwestern Pakistan. Drone strikes have become a crucial component of United States anti-insurgent campaigns, as the Pakistani government does not permit the United States to use ground forces in the country. 4 Drone strikes allow the United States to continue operating in a less politically sensitive and less intrusive manner than traditional forms of warfare, such as ground troops. Proponents of the program insist that the strikes have dealt irreparable damage to Al Qaeda, killing hundreds of militants, and dozens of high-ranking targets. They hold that drone strikes have important advantages over more traditional forms of warfare. The unmanned vehicles allow the United States to operate without putting pilots and support personnel at risk. The drone's abilities to loiter and to collect multiple streams of intelligence allow for more careful targeting and result in the death and injury of fewer non-combatants. Each drone mission involves around 180 individuals who pilot the aircraft remotely, analyze intelligence from its sensors and integrate this with intelligence from other sources, estimate if civilians might be harmed in an attack, and make decisions to launch the drone's missiles. 5

There is considerable debate in the academic literature about the effectiveness of targeted killings in disrupting terrorist and insurgent organizations. Hafez and Hatfield find that targeted killings had no effect on subsequent terrorist attacks by Palestinian groups. 6 An analysis by Jaeger and Paserman finds that targeted killings correlate with fewer suicide bombing deaths and decrease Palestinian terrorist groups’ interest in launching attacks. 7 Jordan holds that targeted killings can lead to the collapse of smaller, less established organizations whose grievances are not grounded in religion, but that targeted killings are ineffective and sometimes counter-productive in other cases. 8

Most of these studies measure the outcome of interest, the disruption of a targeted group, and its ability to engage in continued violence. Hafez and Hatfield and Jaeger and Paserman, for example, use as their dependent variables the number of terrorist attacks launched by Palestinian groups against Israeli targets. Terrorist and insurgent violence is, of course, an important measure of a group's political and military capacity. It may not be an ideal measure of disruption in the case of Al Qaeda. Al Qaeda does not always claim credit for acts of violence that it commits. It also operates in a region with a great deal of political violence, including terrorist attacks directed against civilians and insurgent attacks on Pakistani, Afghan, and international military forces. This makes it difficult to determine if a particular attack should be attributed to Al Qaeda. There is an active debate about the relative strength and role Al Qaeda plays in directly planning, organizing, and carrying out acts of violence throughout the world. Sageman argues that “al Qaeda Central,” the base of the terrorist organization network in Pakistan, is no longer primarily concerned with actively planning attacks overseas. Rather, the main threat to the West is grassroots terrorist “wannabes” who have been enabled by the Internet—and it is Al Qaeda's new operational purpose to inspire these individuals and smaller homegrown terrorist groups to action. 9 Hoffman holds that homegrown terrorist organizations are largely a “myth,” and that Al Qaeda Central remains active in planning attacks. However, Hoffman also notes that this does not mean that Al Qaeda Central directly carries out many acts of violence. It frequently works through intermediaries and affiliates in south Asia and other parts of the world who undertake most of the tactical planning and organizing of attacks. 10

Another reason why terrorist or insurgent violence is not the only reasonable measure of a group's capacity is that the effects of targeted killings on terrorist or insurgent violence may operate with a lag. This lag is likely to be considerable for organizations that are not organized in a strict hierarchy. Terrorist groups that are hierarchically organized are more vulnerable to targeted killings that eliminate individuals at the top of the chain of command. Many terrorist and insurgent groups adopt decentralized or networked forms of organization to minimize this vulnerability. This means that the targeted killing of one leader is unlikely to have an immediate effect on the organization's capacity to act. Al Qaeda is one group that has adopted a less hierarchical form of organization. 11 This means that it may take many strikes against many targets for the drone campaign to have a discernable effect on the organization's ability to engage in violence.

An alternative and complementary way to assess the disruption of a militant group would be to measure changes in its internal activities and organizational characteristics. Financial flows, recruitment patterns, personnel turnover, planning activities, and so on would all be useful ways to measure any effects of targeted killings. But militant groups seek to shield such information from outsiders, since it could provide their foes with intelligence that is useful in attacking the group. We focus on the propaganda output of Al Qaeda as a measure of disruption. Propaganda output is necessarily public information, since it is meant to be communicated widely outside of the group that produces it. As discussed below, propaganda is a central function of Al Qaeda, so it should be vulnerable to the effects of drone strikes. If drones have been effective in disrupting the internal organization and activities of Al Qaeda, we should be able to observe this in changes in the group's propaganda output.

#### Ezotini just asserts the pew poll is correct, misses the function of different groups, some groups in Egypt just say that the US is worse, and polling in Islamabad v. FATAH where I DOUBT there was an effective poll corrected things.

#### Says no impact to drone prolif

Etzioni 13 (Amitai Etzioni is a university professor and professor of international relations at The George Washington University. He served as a senior adviser to the Carter White House and taught at Columbia University, Harvard University, and the University of California at Berkeley, 4/30/2013, "Everything Libertarians and Liberals Get Wrong About Drones", [www.theatlantic.com/politics/archive/2013/04/everything-libertarians-and-liberals-get-wrong-about-drones/275356/](http://www.theatlantic.com/politics/archive/2013/04/everything-libertarians-and-liberals-get-wrong-about-drones/275356/))

Finally, critics worry that drones make going to war too easy. Drones are said to represent "the final step in the industrial revolution of war -- a clean factory of slaughter with no physical blood on our hands and none of our own side killed." In response one must ask: Would the people involved in Afghanistan, Pakistan, Yemen, and now in Africa be better-off if terrorists were killed in "hot" blood -- say, knifed by Special Forces, blood and brain matter splashing in their faces? Would the world be better off if our troops, in order to reach the terrorists, had to endure improvised explosive devices blowing up their legs and arms and gauntlets of fire from AK-47s and rocket-propelled grenade launchers -- traumatic experiences that turn some of them into psychopath-like killers?

Beyond such considerations, there is so far no evidence that the extensive use of drones has made going to war more likely or its extension more acceptable. Anybody who has followed the United States' withdrawal from Afghanistan and Iraq despite the recent increase in drone strikes should know better.

As someone who has spent over two years in combat, I suggest that the main point of moral judgment comes before one asks which means are legitimate when attacking an enemy. The main turning point concerns the question of whether we should fight at all. This is the crucial decision, because once we engage in armed conflict, we must assume that there are going to be many casualties on all sides. When we deliberate whether or not to fight, we should assume that once we step on this escalator, it will carry us to places we would rather not go. Drones are merely a new rung on this woeful journey. Hence, we should deliberate carefully before we suit up, but draw on drones extensively if fight we must. They are more closely scrutinized and they cause less collateral damage than any other means of warfare.

### Drones Bad—Terrorism (Backlash)

#### Drone strikes create more militants than they kill

McCrisken 13—Trevor McCrisken is an Associate Professor in Politics and International Studies at the University of Warwick, and Chair of the British American Security Information Council, an independent organisation focused on encouraging sustainable transatlantic security policies [“Obama's Drone War,” Survival: Global Politics and Strategy, Volume 55, Issue 2, 2013, Taylor & Francis, Accessed through Emory Libraries]

There is some debate, however, over whether the drone attacks are fulfilling Obama's counter-terrorism objectives effectively. David Kilcullen, the counter-insurgency adviser to General David Petraeus at the time of the Iraq surge, told a congressional hearing in May 2009 that ‘we need to call off the drones’. Kilcullen argued that drones' operational effectiveness was outweighed by their negative effects on Pakistani public opinion and resulting help to terrorist's recruitment efforts.50 Jeffrey Addicott, a former legal adviser to US Army Special Operations Forces, had similar concerns:

Are we creating more enemies than we're killing or capturing by our activities? Unfortunately, I think the answer is yes. These families have 10 sons each. You kill one son and you create 9 more enemies. You're not winning over the population … Drones don't impress them. In the mind of the radicals, we're cowards: we won't fight face-to-face. This is what they teach in the madrassas.51

Ikram Sehgal, chairman of Pathfinder G4S, Pakistan's largest private security firm, estimates that 7,000–15,000 extremist students pass through pro-Taliban religious schools every year: many of them becoming soldiers in the war against the United States and its allies. These numbers far outweigh those killed by drone attacks or Coalition forces in Afghanistan.52 Becker and Shane contended that ‘drones have replaced Guantanamo as the recruiting tool of choice for the militants’.53

#### Drones are an effective *tactic*, but inspire broad backlash

Dickey, Klaidman, and Lake 4/19/13—Christopher Dickey is the Paris bureau chief and Middle East editor for Newsweek and The Daily Beast. Daniel Klaidman is a national political correspondent for Newsweek and The Daily Beast. Eli Lake is the senior national-security correspondent for Newsweek and The Daily Beast. [April 19, 2013, “How Safe Is America, Really?” Newsweek, Lexis]

Meanwhile, Obama's secretive drone war may seem remote, but killing suspected terrorists can sometimes create dangers even as it terminates enemies.

In early 2010, the police chief of a major American city said that he had started to worry about those drones and their possible consequences for security in the United States. By this point drones were already Obama's weapon of choice in the struggle against al Qaeda. The president's goal was to shrink America's footprint in the wars of 9/11 while continuing the fight against the most dangerous bad guys. Soon after his inauguration, he began to step up the covert CIA program. At the time he accepted the Nobel Peace Prize in December 2009, he had authorized more drone strikes than George W. Bush had approved during his entire presidency. (There were only nine strikes conducted in Pakistan between 2004 and 2007. In 2010 there were 111.) By his third year in office, Obama had approved the killings of twice as many suspected terrorists as had ever been imprisoned at Guantánamo Bay.

There was little doubt that the program was effective as a tactic; drone strikes routinely killed "high-value targets" on the CIA's hit list. And by eliminating scores of lower- and midlevel militants, the drones diminished al Qaeda's ability to train terrorists and plan operations. The Washington Post quoted a CIA official relaying the boast of the CIA's counterterrorism chief: "We're killing these sons of bitches faster than they can grow them."

Yet at the same time, drone attacks had become another pretext for terrorists to plot against American targets. Which is what worried the above-mentioned police chief.

A glaring example was the case of Najibullah Zazi, a 24-year-old Afghan-American obsessed with the U.S. drone war, which he claimed was indiscriminately targeting innocent civilians in Pakistan and Afghanistan. In 2008 he traveled to Pakistan and trained at an al Qaeda camp. In 2009, along with two friends from Flushing, Queens, he plotted suicide bombings at New York's two major railway stations, Grand Central and Penn Station. Fortunately they were thwarted by foreign intelligence collection and good old-fashioned police work. But had they succeeded, the bombings would likely have been the deadliest attacks on the homeland since 9/11.

"We're seeing that blowback," retired Marine Gen. James Cartwright, Obama's former vice chairman of the joint chiefs of staff, recently told the Chicago Council on Foreign Relations. "If you're trying to kill your way to a solution, no matter how precise you are, you're going to upset people even if they're not targeted."

The most insidious plan for revenge by al Qaeda came out of its affiliate in Yemen as the drones turned their sights on the radicals there in 2010. With advice and direction from the charismatic American-born propagandist Anwar al-Awlaki, the AQ acolytes made several ambitious bids to carry out attacks. They persuaded a young Nigerian to fly to Detroit with explosive underwear and blow up a plane, but all he did was burn his genitals. The Yemen crew sent bombs by international courier service to Chicago, but the packages were intercepted.

### Drones Bad—Cred

#### Drones harm international credibility

McCrisken 13—Trevor McCrisken is an Associate Professor in Politics and International Studies at the University of Warwick, and Chair of the British American Security Information Council, an independent organisation focused on encouraging sustainable transatlantic security policies [“Obama's Drone War,” Survival: Global Politics and Strategy, Volume 55, Issue 2, 2013, Taylor & Francis, Accessed through Emory Libraries]

One of the greatest concerns about drone attacks is their impact on civilians in target countries, particularly Pakistan. The strikes generate anger about US forces operating in a sovereign country that it is not at war with, and the human cost of attacks on highly populated areas. A 2012 Pew Research Center poll conducted in Pakistan found that only 12% of respondents had a favourable view of the United States.38 Another poll by the same organisation in mid-2010 found that only 35% of Pakistanis were aware of the strikes. Among those who were aware of attacks, 93% opposed them; 56% believed they were unnecessary to protect Pakistan from extremism; and only 32% accepted they were valuable in the fight against terrorist groups. An overwhelming 90% of Pakistanis who knew about the drone attacks believed that they ‘kill too many innocent people’.39

According to the New America Foundation's analysis of drone attacks in Pakistan, however, civilian casualties per strike have fallen dramatically as the accuracy of the drone attacks has been improved by ‘increased numbers of US spies in Pakistan's tribal areas, better targeting, more intelligence cooperation with the Pakistani military, and smaller missiles’. The study shows that ‘the non-militant fatality rate since 2004 is approximately 25%, and in 2010, the figure has been more like 6%’. This suggests that disseminating accurate information on civilian casualties in Pakistan would make the programme of targeted killings more popular.40 Cameron Munter, former US Ambassador to Pakistan, supported the drone attacks as highly effective at countering al-Qaeda, but agreed that the secrecy surrounding the programme damaged the image of the United States in Pakistan. He argued that

if we were able to lift the veil on the program and talk more openly about what our goals are and how those goals coincide with those of people of good will in Pakistan, I think it could have a very positive effect.41

Official Pakistani sources have not dispelled the belief that civilians suffer greatly from drone attacks. For example, Pakistani government officials estimated that drone strikes caused around 700 civilian deaths in 2009, while an anonymous US official suggested that ‘just over 20’ of those killed were civilians.42 However, there is evidence that prominent figures in the Pakistani government privately favour the use of drones. In a leaked cable detailing a conversation with US Ambassador Anne Patterson from August 2008, Prime Minister Yousaf Raza Gilani said of the strikes: ‘I don't care if they do it as long as they get the right people. We'll protest in the National Assembly and then ignore it.’43 President Asif Ali Zardari has also given his support privately, stating: ‘Kill the seniors. Collateral damage worries you Americans. It does not worry me.’44 Munter may therefore be correct in arguing that ‘the impact of the program has come to a point where it is time for the American authorities and the Pakistani authorities to have a much more open discussion’.45

It is not only in Pakistan, however, that drone attacks have a negative impact on public perception of Obama's foreign policy and the United States. The Pew Research Center's 2012 Global Attitudes Survey found that the targeted-killing campaign is the least popular Obama policy internationally; more than half of respondents in 17 of the 20 nations polled disapproved of the United States conducting drone strikes to counter extremists. This is the case not only in Muslim-majority nations, but also in Europe and other regions. The majority of respondents opposed drone attacks in a diverse range of countries: Greece (90%); Egypt (89%); Jordan (85%); Turkey (81%); Spain (76%); Brazil (76%) and Japan (75%). In contrast, 62% of Americans support the drone attacks and only 28% disapprove of them. Not only do 74% of Republicans advocate the strikes, but 60% of independents and 58% of Democrats also approve.46 However, the Obama administration's increased reliance on targeted killing appears to undercut its efforts to improve the perception of the United States globally. Negative perception of the targeted-killing programme seems to have been a major factor in reviving the belief common during George W. Bush's presidency that ‘the US acts unilaterally and does not consider the interests of other countries’.47

### Drones Bad—Terrorism (Info-Gathering)

#### Targeted killing is a net-negative in the WoT—they prevent info gathering

McCrisken 13—Trevor McCrisken is an Associate Professor in Politics and International Studies at the University of Warwick, and Chair of the British American Security Information Council, an independent organisation focused on encouraging sustainable transatlantic security policies [“Obama's Drone War,” Survival: Global Politics and Strategy, Volume 55, Issue 2, 2013, Taylor & Francis, Accessed through Emory Libraries]

While the targeted-killing programme may be operationally effective, it remains a deeply problematic approach to counter-terrorism in that it prevents intelligence-gathering through the capture and interrogation of targets. Daniel Byman, research director at the Saban Center for Middle East Policy, observed that

even when they work, killings are a poor second to arrests. Dead men tell no tales and thus are no help in anticipating the next attack or informing us about broader terrorist activities. So in any country with a functioning government, it is better to work with that government to seize the terrorist than to kill him outright.59

Former CIA analyst Bruce Riedel agreed that the use of targeted killing undermines ‘the real homerun [of] taking a senior leader prisoner who, in the course of debriefing, leads you to other senior people and opens the door to a greater insight into the enemy you're facing’.60

#### Drones undermine intel gathering—dead men tell no tales

Cronin 13—Audrey Kurth Cronin is Professor of Public Policy at George Mason University. Dr. Cronin was Specialist in Terrorism at the Congressional Research Service, where she was responsible for advising Members of Congress in the aftermath of 9/11. She has also served periodically in the Executive branch, including in the Office of the Secretary of Defense/Policy, where she drafted portions of the Secretary’s strategic plan; the Office of the Secretary of the Navy, and the American Embassy in Moscow. [July/August 2013, “Why Drones Fail,” *Foreign Affairs*, Accessed through Emory Libraries—Gender Modified by Sigalos]

Another main problem with Washington’s overreliance on drones is that it destroys valuable evidence that could make U.S. counterterrorism smarter and more effective. Whenever the United States kills a suspected terrorist, it loses the chance to find out what (s)he was planning, how, and with whom -- or whether (s)he was even a terrorist to begin with. Drone attacks eliminate the possibility of arresting and interrogating those whom they target, precluding one of the most effective means of undermining a terrorist group.

It is worth noting that the most dramatic recent decapitation of a terrorist organization -- the killing of bin Laden -- was performed by humans, not drones. As a result, the most important outcome of the operation was not the death of bin Laden himself but the treasure trove of intelligence it yielded. Drones do not capture hard drives, organizational charts, strategic plans, or secret correspondence, and their tactical effectiveness is entirely dependent on the caliber of human intelligence on the ground. And if the unpopularity of drones makes it harder to persuade locals to work with U.S. intelligence services, then Washington will have less access to the kind of intelligence it needs for effective targeting. Yes, killing would-be terrorists saves American lives. But so does interrogating them, and drone strikes make that impossible.

Key distinction – allied cooperation for intel fails, only gaining inetl FROM the terrorists first hand solves.

Wesley 13 (Curtis, Office of University Counsel in August, 2007, obtained his Juris Doctor degree from the University of Illinois Law School in 1986 and graduated with high honors from the University of Illinois in 1983 with a BS in Finance, “A "special relationship": bridging the NATO intelligence gap”, June 2013, http://calhoun.nps.edu/public/bitstream/handle/10945/34652/13Jun\_Curtis\_Wesley.pdf?sequence=1)

\*\*\* NIFC = NATO Intelligence Fusion Centre

F. CONCLUSION

NATO’s inability to support modern combat operations is well documented. This stems from the politicized debates over intelligence estimates during the Cold War and the apparent failure to invest in an operational intelligence capability during the transition to a NATO expeditionary force. These decisions became the foundation for NATO’s post-Cold War structure and perpetuated intelligence capability gaps during the era of modern combined and joint warfare. The willingness of the U.S. to supplement NATO intelligence with both assets and information during the Balkans crises ensured Allied success, but prolonged the intelligence capability problem for NATO and created a crisis sharing mentality that dominated American intelligence-sharing strategy, if there ever was such a thing.

For NATO, the creation of the NIFC in 2006 was a step in the right direction, but the NIFC still lacks the capability to support the full range of NATO military operations as demonstrated by the Libya campaign. The period of investment whereby NATO intelligence could have grown naturally with the rest of the organization’s abilities passed in the 1990s. Without huge additions of infrastructure and personnel, it is unlikely that NATO intelligence will be able to support major Allied operations. Furthermore, the U.S. has provided intelligence support assets in past NATO operations that may not be available during the next NATO conflict. With defense budgets shrinking and the U.S. strategic pivot to the Pacific, both the U.S. and its NATO allies must consider the development of an independent support capability. One method to bolster NATO intelligence capabilities is through a broadening and deepening of the intelligence sharing arrangements between the United States and the other Allies. This would both prepare NATO for the next conflict and engender a greater degree of reliability and trust between the United States and its NATO partners.

### Terror Self-Correcting

#### Terrorism is a self-defeating tactic—letting them punch themselves out is a better strategy than drones

#### Terrorism is self-correcting

* Terrorist organizations are tiny and disjointed
* Terror kills 200 people world wide each year about the same number as people who die in the US by drowning in a bathtub
* Terrorists turn the population against themselves and towards the US
* Muslim states feel threatened by terrorists and work to prevent their rise
* 90% of Muslims oppose terrorism on religious grounds 98% in total and 100% oppose targeting civilians
* Where terrorists succeed they quickly lose favor by their own actions

Mueller and Stewart 12—John Mueller is Senior Research Scientist at the Mershon Center for International Security Studies and Adjunct Professor in the Department of Political Science, both at Ohio State University, and Senior Fellow at the Cato Institute in Washington, D.C. AND Mark G. Stewart is Australian Research Council Professorial Fellow and Professor and Director at the Centre for Infrastructure Performance and Reliability at the University of Newcastle in Australia [July 2012, “The Terrorism Delusion America’s Overwrought Response to September 11”, http://www.cato.org/sites/cato.org/files/articles/mueller-isec-july-2012.pdf]

Bin Laden’s tiny group of 100 or so followers does appear to have served as something of an inspiration to some Muslim extremists, may have done some training, has contributed a bit to the Taliban’s far larger insurgency in Afghanistan, and may have participated in a few terrorist acts in Pakistan.19 In his examination of the major terrorist plots against the West since September 11, Mitchell Silber finds only two (cases 1 and 20) that could be said to be under the “command and control” of al-Qaida central (as opposed to ones suggested, endorsed, or inspired by the organization), and there are questions about how full its control was even in these two instances.20 This highly limited record suggests that Carle was right in 2008 when he warned, “We must not take fright at the specter our leaders have exaggerated. In fact, we must see jihadists for the small, lethal, disjointed and miserable opponents that they are.” Al-Qaida “has only a handful of individuals capable of planning, organizing and leading a terrorist organization,” and although it has threatened attacks, “its capabilities are far inferior to its desires.”21 Impressively, bin Laden appears to have remained in a state of self-delusion even to his brutal and abrupt end. He continued to cling to the belief that another attack such as September 11 might force the United States out of the Middle East, and he was unfazed that the first such effort had proven to be spectacularly counterproductive in this respect by triggering a deadly invasion of his base in Afghanistan and an equally deadly pursuit of his operatives.22 Other terrorist groups around the world affiliated or aligned or otherwise connected to al-Qaida may be able to do intermittent damage to people and infrastructure, but nothing that is very sustained or focused. In all, extremist Islamist terrorism—whether associated with al-Qaida or not—has claimed 200 to 400 lives yearly worldwide outside war zones. That is 200 to 400 too many, of course, but it is about the same number as bathtub drownings every year in the United States.23 In addition to its delusional tendencies, al-Qaida has, as Patrick Porter notes, a “talent at self-destruction.”24 With the September 11 attacks and subsequent activity, bin Laden and his followers mainly succeeded in uniting the world, including its huge Muslim population, against their violent global jihad.25 These activities also turned many radical Islamists against them, including some of the most prominent and respected.26 No matter how much states around the world might disagree with the United States on other issues (most notably on its war in Iraq), there is a compelling incentive for them to cooperate to confront any international terrorist problem emanating from groups and individuals connected to, or sympathetic with, al-Qaida. Although these multilateral efforts, particularly by such Muslim states as Libya, Pakistan, Sudan, Syria, and even Iran, may not have received sufficient publicity, these countries have felt directly threatened by the militant network, and their diligent and aggressive efforts have led to important breakthroughs against the group.27 Thus a terrorist bombing in Bali in 2002 galvanized the Indonesian government into action and into making extensive arrests and obtaining convictions. When terrorists attacked Saudis in Saudi Arabia in 2003, the government became considerably more serious about dealing with internal terrorism, including a clampdown on radical clerics and preachers. The main result of al-Qaida-linked suicide terrorism in Jordan in 2005 was to outrage Jordanians and other Arabs against the perpetrators. In polls conducted in thirty-five predominantly Muslim countries by 2008, more than 90 percent condemned bin Laden’s terrorism on religious grounds.28 In addition, the mindless brutalities of al-Qaida-affiliated combatants in Iraq—staging beheadings at mosques, bombing playgrounds, taking over hospitals, executing ordinary citizens, performing forced marriages—eventually turned the Iraqis against them, including many of those who had previously been fighting the U.S. occupation either on their own or in connection with the group.29 In fact, they seem to have managed to alienate the entire population: data from polls in Iraq in 2007 indicate that 97 percent of those surveyed opposed efforts to recruit foreigners to fight in Iraq; 98 percent opposed the militants’ efforts to gain control of territory; and 100 percent considered attacks against Iraqi civilians “unacceptable.”30 In Iraq as in other places, “al-Qaeda is its own worst enemy,” notes Robert Grenier, a former top CIA counterterrorism official. “Where they have succeeded initially, they very quickly discredit themselves.”31 Grenier’s improbable company in this observation is Osama bin Laden, who was so concerned about al-Qaida’s alienation of most Muslims that he argued from his hideout that the organization should take on a new name.32 Al-Qaida has also had great difficulty recruiting Americans. The group’s most important, and perhaps only, effort at this is the Lackawanna experience, when a smooth-talking operative returned to the upstate New York town in early 2000 and tried to convert young Yemini-American men to join the cause (case 5). In the summer of 2001, seven agreed to accompany him to an al-Qaida training camp, and several more were apparently planning to go later. Appalled at what they found there, however, six of the seven returned home and helped to dissuade those in the next contingent.

#### Terrorism as a brand is failing

* 10 years after 9/11 we killed Bin Laden
* Insider documents show Al-Qaeda as an organization is failing
* Dodging drones, lack of funds, need for porn are the biggest threats for terrorists
* Americans are delusional and terror threats are near non-existent security experts exaggerate on every level

Mueller and Stewart 12—John Mueller is Senior Research Scientist at the Mershon Center for International Security Studies and Adjunct Professor in the Department of Political Science, both at Ohio State University, and Senior Fellow at the Cato Institute in Washington, D.C. AND Mark G. Stewart is Australian Research Council Professorial Fellow and Professor and Director at the Centre for Infrastructure Performance and Reliability at the University of Newcastle in Australia [July 2012, “The Terrorism Delusion America’s Overwrought Response to September 11”, http://www.cato.org/sites/cato.org/files/articles/mueller-isec-july-2012.pdf]

Finally, on May 1, 2012, nearly ten years after the September 2001 terrorist attacks, the most costly and determined manhunt in history culminated in Pakistan when a team of U.S. Navy Seals killed Osama bin Laden, a chief author of the attacks and one of history’s most storied and cartooned villains. Taken away with bin Laden’s bullet-shattered body were written documents and masses of information stored on five computers, ten hard drives, and one hundred or more thumb drives, DVDs, and CD-ROMs. This, it was promised, represented a “treasure trove” of information about al-Qaida—“the mother lode,” said one U.S. official eagerly—that might contain plans for pending attacks.4 Poring through the material with great dispatch, however, a task force soon discovered that al-Qaida’s members were primarily occupied with dodging drone missile attacks, complaining about the lack of funds, and watching a lot of pornography.5 Although bin Laden has been exposed mostly as a thing of smoke and mirrors, and although there has been no terrorist destruction that remotely rivals that inflicted on September 11, the terrorism/counterterrorism saga persists determinedly, doggedly, and anticlimactically onward, and the initial alarmed perspective has been internalized. In the process, suggests Glenn Carle, a twenty-three-year veteran of the Central Intelligence Agency where he was deputy national intelligence officer for transnational threats, Americans have become “victims of delusion,” displaying a quality defined as “a persistent false belief in the face of strong contradictory evidence.”6 This condition shows no sign of abating as trillions of dollars have been expended and tens of thousands of lives have been snuffed out in distant wars in a frantic, ill-conceived effort to react to an event that, however tragic and dramatic in the first instance, should have been seen, at least after a few years had passed, to be of limited significance. This article is a set of ruminations on the post–September 11 years of delusion. It refiects, first, on the exaggerations of the threat presented by terrorism and then on the distortions of perspective these exaggerations have inspired— distortions that have in turn inspired a determined and expensive quest to ferret out, and even to create, the nearly nonexistent. It also supplies a quantitative assessment of the costs of the terrorism delusion and concludes with ae discussion of how anxieties about terrorism persist despite exceedingly limited evidence that much fear is justified. Delusions about the Terrorist “Adversary” People such as Giuliani and a whole raft of “security experts” have massively exaggerated the capacities and the dangers presented by what they have often called “the universal adversary” both in its domestic and in its international form.

### Terror Down

#### Terror threat has markedly declined—most recent study proves

**Bergen 12/3**/13 - CNN's national security analyst [Peter Bergen, “Hyping the terror threat?,” CNN, updated 2:16 PM EST, Tue December 3, 2013, http://www.cnn.com/2013/12/03/opinion/bergen-u-s-terror-risk/]

Both Feinstein and Rogers are able public servants who, as the heads of the two U.S. intelligence oversight committees, are paid to worry about the collective safety of Americans, and they are two of the most prominent defenders of the NSA's controversial surveillance programs, which they defend as necessary for American security.

But is there any real reason to think that Americans are no safer than was the case a couple of years back? Not according to a study by the New America Foundation of every militant indicted in the United States who is affiliated with al Qaeda or with a like-minded group or is motivated by al Qaeda's ideology.

In fact, the total number of such indicted extremists has declined substantially from 33 in 2010 to nine in 2013. And the number of individuals indicted for plotting attacks within the United States, as opposed to being indicted for traveling to join a terrorist group overseas or for sending money to a foreign terrorist group, also declined from 12 in 2011 to only three in 2013.

Of course, a declining number of indictments doesn't mean that the militant threat has disappeared. One of the militants indicted in 2013 was Dzhokhar Tsarnaev, who is one of the brothers alleged to be responsible for the Boston Marathon bombings in April. But a sharply declining number of indictments does suggest that fewer and fewer militants are targeting the United States.

Recent attack plots in the United States also do not show signs of direction from foreign terrorist organizations such as al Qaeda, but instead are conducted by individuals who are influenced by the ideology of violent jihad, usually because of what they read or watch on the Internet.

None of the 21 homegrown extremists known to have been involved in plots against the United States between 2011 and 2013 received training abroad from a terrorist organization -- the kind of training that can turn an angry, young man into a deadly, well-trained, angry, young man.

Of these extremists, only Tamerlan Tsarnaev, one of the alleged Boston bombers, is known to have had any contact with militants overseas, but it is unclear to what extent, if any, these contacts played in the Boston Marathon bombings.

In short, the data on al-Qaeda-linked or -influenced militants indicted in the United States suggests that the threat of terrorism has actually markedly declined over the past couple of years.

Where Feinstein and Rogers were on much firmer ground in their interview with Crowley was when they pointed to the resurgence of a number of al Qaeda groups in the Middle East.

Al Qaeda's affiliates in Syria control much of the north of the country and are the most effective forces fighting the regime of Bashar al-Assad.

In neighboring Iraq, al Qaeda has enjoyed a renaissance of late, which partly accounts for the fact that the violence in Iraq today is as bad as it was in 2008.

The Syrian war is certainly a magnet for militants from across the Muslim world, including hundreds from Europe, and European governments are rightly concerned that returning veterans of the Syrian conflict could foment terrorism in Europe.

But, at least for the moment, these al Qaeda groups in Syria and Iraq are completely focused on overthrowing the Assad regime or attacking what they regard as the Shia-dominated government of Iraq. And, at least so far, these groups have shown no ability to attack in Europe, let alone in the United States.

#### Risk of terrorism is absurdly low now—pursuing perfect security is impossible

Cronin 11/29/13— Audrey Kurth Cronin is Professor of Public Policy at George Mason University. Dr. Cronin was Specialist in Terrorism at the Congressional Research Service, where she was responsible for advising Members of Congress in the aftermath of 9/11. She has also served periodically in the Executive branch, including in the Office of the Secretary of Defense/Policy, where she drafted portions of the Secretary’s strategic plan; the Office of the Secretary of the Navy, and the American Embassy in Moscow. [Nov. 29, 2013, “The ‘War on Terrorism’: What Does it Mean to Win?” *Journal of Strategic Studies*, p. 1-24]

The Search for a Perfect Peace Replaces Reality

It is common for states, once they have embarked upon a war, to seek a level of security that is greater than what existed before the fighting began.58 For the United States, the classic example was the decision to expand American war aims from July to September 1950 to include crossing the 38th parallel and eliminating the North Korean government in Pyongyang so as to establish a unified Korean state under non-Communist rule. No one wants to risk another 9/11 tragedy. But this war cannot end in total victory, meaning complete military success followed by total elimination of the terrorist threat. That is a fantasy.

The purpose of fighting often changes over the course of a war. Those who argue that the United States is far from defeating al-Qaeda cast US ends in expansive terms. At his July 2011 confirmation hearing before the Senate Intelligence Committee, new National Counterterrorism Center head Matthew Olsen said ‘he would define the strategic defeat of Al Qaeda as “ending the threat that Al Qaeda and all of its affiliates pose to the United States and its interests around the world.”’59 This is a gold standard yet to be met with other dangerous anti-American terrorist groups, including Hezbollah, Revolutionary Armed Forces of Colombia (FARC), and Kahane Chai, yet the United States is not at ‘war’ with them. An open society is never totally invulnerable – another attack will occur, as the 2013 Boston Marathon bombing painfully demonstrated.

Examining the history of terrorism, the United States has been in a relatively safe period. After the tragedy of 9/11, the number of people who died from terrorist attacks in the United States from 12 September 2001 to the end of the decade was only 14 (in 129 incidents, including unsuccessful attempts), a remarkable achievement for American counterterrorism.60 Each death was regrettable, but this was a tiny figure compared to earlier decades. During the 1970s, 160 people died in terrorist attacks in the United States, in 1328 terrorist incidents.61 In the 1980s, there were 44 fatalities (389 incidents), and in the 1990s 202 fatalities (328 incidents). In other words, in the nine years following the 9/11 attacks, the number of people who died from terrorist attacks (and attempted terrorist attacks) in the United States plummeted to the lowest number ever seen since these statistics began to be collected.

Others want a complete end to the threat of attacks anywhere, associated in any way with al-Qaeda. The 2013 Boston bombing, whose connection to al-Qaeda is contested, killed three and injured 264 others. The last major al-Qaeda attack on Western soil occurred in 2005 (the 7/7 London bombings). Completely ending the threat of additional attempts is impossible in the absence of complete annihilation (which would introduce additional ethical and practical problems).62 The best the US can do is to employ vigilant counterterrorism intelligence, robust international cooperation, effective defense, the participation of a well-informed population, and carefully controlled operations against active, imminent threats.

There are key differences in how counterterrorism analysts define ‘winning’ this war against al-Qaeda, and, to the extent that they guide future policy and determine what it means to achieve ‘peace,’ those differences have long-term strategic consequences for the United States. Should winning be defined as no terrorist attacks or attempted attacks on the US and its interests at all? Or no major terrorist attacks on US soil of the kind orchestrated by al-Qaeda on 9/11? If closer to the former, it is a standard that has not existed for the United States since 1970, when it began to keep decent records. If closer to the latter, the US may already be there. Should winning mean that no al-Qaeda ‘associate’ is attacking anyone, anywhere? Or does it mean that the US and its allies have eliminated the al-Qaeda that attacked the United States, and prevented it from resurging? If closer to the former, the US will be forced into a perpetually tactical, reactive mode. If closer to the latter, it may shortly be achieved. Soon all of those directly involved in carrying out the 9/11 attacks will be either in custody or dead. It may be time to broaden the focus to other pressing strategic opportunities and problems – including other states and nonstate actors more likely than al-Qaeda is to acquire or use weapons of mass destruction, for example. How the US expends its resources and manages this threat will be an important factor in whether or not it will consign al-Qaeda to the ash heap of history and lead as a great power that inspires others to follow into the twenty-first century. If Americans believe that anybody that calls himself or herself ‘al-Qaeda’ has to be unable to hurt anybody for this war to end, then this war will never end.

Related to ‘winning’ is the glaring need to build psychological resilience among the American people, so that they are less subject to being manipulated by threats of attacks. No campaign works well over the long term without effective defense, meaning not just homeland security but public resilience. American policymakers are human beings responding to widespread political pressure that the United States be kept completely invulnerable on their watch. ‘Zero risk’ assigns them an impossible task while setting the bar for al-Qaeda too low. Al-Qaeda can kill people, yes. But it cannot win this ‘war’ because that is at least partly up to the American people. Overreactions to actual or attempted terrorist attacks are a huge strategic vulnerability, heightening the incentive to orchestrate those attempts to begin with. As tragic as they are, the United States can absorb the kind of smaller attacks that al-Qaeda could now orchestrate (or inspire), and continue to lead the world economically, militarily, and politically in their aftermath.

### AT: Decap

#### 1. Quantitative ev shows drones strikes don’t diminish al Qaeda’s ability to carry out sophisticated operations

Walsh and Smith 13—\*James Igoe Walsh is a professor of political science at the University of North Carolina at Charlotte. \*\*Megan Smith is a graduate of the University of North Carolina at Charlotte [“Do Drone Strikes Degrade Al Qaeda? Evidence From Propaganda Output,” *Terrorism and Political Violence*, Volume 25, Issue 2, 2013, Taylor & Francis, Accessed through Emory Libraries]

Do drone strikes hinder Al Qaeda's ability to engage in sophisticated political and military operations? We address this question by investigating the relationships between drone strikes and Al Qaeda propaganda output. Propaganda output is an important measure of organizational resilience and activity. Creating sophisticated propaganda requires a cadre of experienced producers, media workers, and “stars” who are all vulnerable to drone strikes. Thus if drone strikes hinder Al Qaeda's ability to operate effectively, this should be reflected in changes in the organization's propaganda.

We find little evidence that this is the case. Plots of the time series for drone strikes and Al Qaeda media output show no clear relationships. Regression analysis finds that drone strikes may be associated with more, not less, propaganda output. The relationship is not sufficiently clear-cut that we are willing to conclude that there has been a positive relationship between drone strikes and propaganda. However, in none of the regression models was the relationship clearly or strongly negative. This suggests that, at best, drone strikes have little or no effect on Al Qaeda's ability to create and issue propaganda. Al Qaeda's propaganda output appears to be quite resilient in the face of drone strikes.

In closing, we note that there are at least four limitations to the analysis. First, it is possible that we have failed to include important independent variables, or that the variables we do include suffer from measurement error. Obtaining accurate data on ongoing conflicts is often very difficult. Second, recall that we analyzed the effects of up to thirty-one weeks of drone strikes on propaganda output. It is possible that drone strikes reduce output but with a longer lag. It is also possible that the effects of drone strikes are cumulative over a longer period of time, and would eventually result in a sudden drop in propaganda output. We note, though, that this study includes longer lags than do others who analyze the effects of targeted killings on terrorist or insurgent groups, and that American policymakers claim that drone strikes are already degrading Al Qaeda's capacity to engage in political action. Third, propaganda output is only one of many “goods” that terrorist organizations such as Al Qaeda produce. Al Qaeda is also responsible for acts of violence, of course, as well as fundraising, recruiting, training, and so on. It is possible that drone strikes have a small or a positive effect on propaganda output, but have a negative influence on these other activities. This may be the case, but it is of course difficult for researchers to obtain accurate and reliable data about these activities. Propaganda output has the advantage of being clearly observable and measurable. Fourth, we have focused on the quantity of propaganda produced by Al Qaeda, but have little to say about the content of this propaganda. Analyzing how Al Qaeda's messages and themes have changed in response to the onset of drone strikes is an important challenge for future work.

The results suggest that drone strikes appear to have little effect on Al Qaeda's ability to generate and disseminate propaganda. This could mean that while drone strikes have killed many militants associated with the group, they have not been very effective in undermining its ability to plan and undertake complex actions. As noted above, drone strikes also involve some costs for the United States. Perhaps the most important cost is political. Foes of the United States decry the fact that some drone strikes kill or injure non-combatants. This could reduce political support for the United States’ entire range of counterterrorist operations in Pakistan in particular. The findings suggest that the gains of drone strikes in terms of undermining Al Qaeda may be smaller that many believe.

## Critique

### LOAC Add-On

#### No UQ – Cyber violates

#### Status quo lack of congressional checks on offensive cyber operations violates legal norms of conflict --- restrictions are key

Dycus 10 (Professor Stephen Dycus is an internationally recognized authority on national security law and environmental law. The courses he has taught at Vermont Law School include Public International Law, National Security Law, Estates, Property, and Water Law. He was founding chair of the National Security Law Section of the Association of American Law Schools. He is the lead author of "National Security Law" (the field's leading casebook) and "Counterterrorism Law", and he was founding co-editor in chief of the Journal of National Security Law & Policy. (Stephen, "Congress' Role in Cyber Warfare," National Security Journal, Volume 4, Issue 155, 2010 <http://jnslp.com/wp-content/uploads/2010/08/11_Dycus.pdf>)

The term “cybersecurity” might be understood to refer to defense against cyber attacks. “Cyber attack” suggests offensive use, but the label is inexact and might be misleading. A preemptive strike to ward off an imminent enemy attack is considered defensive. Digital espionage might be part of the preparation for an attack, or it might be perceived that way by the target, which might then be provoked to defend itself by responding with a preemptive attack, either cyber or kinetic. The important point here is that any use of cyber weapons, offensive or defensive, could have enormous consequences for the security and other interests of the United States. The effect of such use, actual or potential, matters more than the labels. And if the effect – on human life or property, for example, or diplomatic relations or compliance with the law of armed conflict – is substantial, Congress has a role to play in adopting policy for that use. Congress has not thus far adopted measures suited to the regulation of cyber warfare. The War Powers Resolution, for example, is concerned with sending U.S. troops into harm’s way, rather than with clicking a computer mouse to launch a cyber attack, although the strategic consequences might be similar. And the WPR’s relatively relaxed timetable for executive notice and legislative response is unrealistic for war on a digital battlefield. Similarly, if cyber warfare is regarded as an intelligence activity, the intelligence oversight measures just described cannot, for reasons already indicated, ensure that Congress will be able to play a meaningful role. In the words of the National Research Council study cited above, “Today’s policy and legal framework for guiding and regulating the use of cyberattack is ill-formed, undeveloped, and highly uncertain.”45 Our experience with nuclear weapons may point to needed reforms. Since the beginning of the Cold War, the United States has had a fairly clear nuclear policy (albeit one that deliberately includes an element of difficulty in tracking the source also makes a policy of deterrence based on a threat of retaliation far less credible. Given these characteristics of cyber warfare, and the continuing refinement of cyber weaponry, we approach a state of extreme strategic instability, with each nation on hair-trigger alert. The execution of an illconceived cyber war policy calling for a prompt response – or any response – to an attack or threatened attack could have disastrous, unanticipated consequences. It also might, depending on the circumstances, violate the law of armed conflict. Congress accordingly needs to work closely with the executive branch in the development of a policy for this new kind of conflict

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Such a policy ought to reflect the distinctive technology and strategy of digital warfare, and it should be reviewed constantly as the technology evolves. Like other regulations dealing with dynamic subjects, this policy should include general approaches that reflect this nation’s broad strategic concerns and fundamental values. But the policy must also be crafted with enough flexibility to allow those charged with its execution to deal with future developments that cannot now be predicted. And it should set out a procedure for such adaptive use by identifying, for example, who must be consulted under what circumstances, and who will make the final critical decisions. It is at least theoretically possible that Congress could play an active, real-time role in the implementation of whatever cyber warfare policy is adopted. The policy might, for example, like the War Powers Resolution, require consultation “in every possible circumstance.”50 But it seems more likely that a digital war would begin and end before any notice could ever reach Capitol Hill. Congress therefore needs to lay down clear guidelines, with as much flexibility as prudence requires, for executive branch officials to follow if consultation is not reasonably possible. And Congress should require a prompt and full account of every significant use of cyber weapons.

#### The warrant in the impact evidence is

#### nations will refrain from using weapons of mass destruction because they are deterred by their enemy's possession of the same weapons. It has been one of the triumphs of international law to increase the restrictions on the use of unnecessarily destructive and cruel weapons.

#### The plan hinders the development of the Law of Armed Conflict

**Blank, 13 –** professor of law at Emory (Laurie, “LEARNING TO LIVE WITH (A LITTLE) UNCERTAINTY: THE OPERATIONAL ASPECTS AND CONSEQUENCES OF THE GEOGRAPHY OF CONFLICT DEBATE” <http://www.pennlawreview.com/online/161-U-Pa-L-Rev-Online-347.pdf>)

B. Consequences for the Continued Development of LOAC

Uncertainty about the geographic scope of armed conflict leads to a variety of analytical and implementation challenges with regard to LOAC, human rights law, jus ad bellum, and other relevant legal regimes. The simple fact that within an armed conflict, a party to the conflict can use lethal force as a first resort, while outside an armed conflict, such deadly force may only be used as a last resort, is the starkest reminder of why such extensive attention has been focused on this question over the past few years. For the purpose of achieving LOAC’s central goal of “alleviating, as much as possible the calamities of war,”32 greater clarity regarding where an armed conflict is taking place and to where the concomitant authorities and obligations extend certainly would be a significant contribution. The international community—military lawyers, policymakers, international law scholars— should therefore address these issues head-on in a continuing effort to better understand how to apply the law most effectively and efficiently.33 Daskal’s proposal for a rules-driven new law of war framework is therefore a welcome and important contribution to the discussion and debate. At the same time, however, these efforts must stay true to the needs and goals of LOAC as a pragmatic, operationally focused body of law that is, above all, designed to work in the inherent chaos and uncertainty of armed conflict. As I have argued elsewhere, there are significant risks for the future implementation and development of LOAC as a result of conflating norms from LOAC with norms from human rights law, or of borrowing one from the other without careful delineation, including, in particular, the rules regarding surrender and capture and the different applications and purposes of proportionality in each legal regime.34 No place is this risk more profound than in relation to the legal authority to employ force against an enemy belligerent.

In the context of a specific legal framework for one particular type of conflict, the same concerns about blurring the lines between legal regimes remain. LOAC does not require an individualized threat assessment in the targeting of combatants, who are presumed hostile by dint of their status. Over time, however, the requirement for an individualized threat assessment in certain geographical zones in a new law of war framework for conflicts with transnational terrorist groups may well begin to bleed into the application of LOAC in more traditional conflicts.

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In essence, therefore, a carefully designed paradigm for one complex and difficult conflict scenario ultimately impacts LOAC writ large, even absent any perceived need or direct motivation for such change. Interpreting LOAC to require an individualized threat assessment for all targeting decisions—even those against the regular armed forces of the enemy state in an international armed conflict—introduces significant tactical and operational risk for soldiers not mandated or envisioned by the law.35 The same conflation problem holds true for other non-LOAC obligations that might be imported into LOAC depending on the analysis of where and how a new law of war framework were to apply. It is important to recognize, notwithstanding the focus on the operational effectiveness of LOAC in this Response, that conflation and “borrowing” offer the same challenges for the implementation of human rights law, to the extent that norms from LOAC begin to bleed into the application of human rights norms. Lastly, superimposing an artificially created framework detracts attention from—or even papers over—current challenges within LOAC, such as the identification of enemy operatives, the nature and amount of proof required for determinations of reasonableness or unreasonableness in targeting decisions, and other perennially tricky issues.

CONCLUSION

The procedural and legal protections proposed in the sort of rules-based, geographically differentiated law of war framework that Daskal proposes could certainly maximize protections for certain groups of people in certain areas during certain specific conflicts. To that end, such enhanced protections would indeed be an important contribution. However, the operational imperatives of conflict—all conflicts, not only the complex current conflict with al Qaeda and associated terrorist groups—suggest that such a framework would likely have more significant detrimental consequences through diminished clarity and predictability in the application of LOAC at all stages and unfortunate modifications in the future development of LOAC. Learning to accept some uncertainty in assessing the geography of conflict therefore helps to protect equally important LOAC goals and may well be a better option than it appears at first blush.

# 2NR

### AT: Current policy

#### Daskal concludes the opposite

Daskal, ’13 [Jennifer C. Daskal, Fellow and Adjunct Professor, Georgetown Center on National Security and the Law, Georgetown University Law Center. THE GEOGRAPHY OF THE BATTLEFIELD: A FRAMEWORK FOR DETENTION AND TARGETING OUTSIDE THE “HOT” CONFLICT ZONE. University of Pennsylvania Law Review, Vol. 161, No. 5. April 2013. <http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2049532>]

3. Additional Policy Constraints

Recent statements by administration officials suggest that while, as a matter of law, the United States continues to press a broad definition of the enemy force, its actions, as a matter of policy, are more restrained. Specifically, it focuses its targeted-killing operations on those who pose a “significant threat”57 and only as a matter of last resort. In the words of John Brennan, the United States does not seek to kill every al Qaeda member, but instead focuses its efforts on “disrupt[ing] . . . plans and . . . plots before they come to fruition,”58 and limits lethal strikes to situations in which it is the “only recourse” against the threat. 59 Brennan cites operational leaders, operatives in the midst of training for an attack, and persons who possess unique operational skills that are being leveraged for an attack.60 But no binding limits have yet been articulated, and it is not clear that they exist.61 Are the examples of possible targets exclusive or merely illustrative? How far along does the attack planning need to be? Is mere agreement to plot or plan enough? In what situations is lethal targeting considered the “only recourse”?

Of note, recent reporting suggests that the United States has launched at least one drone strike near Sana’a, the capital of Yemen, in a region readily accessible to law enforcement officials, thereby casting doubt on official assertions that lethal targeting is used as a measure of last resort, when capture is not feasible.62 Moreover, “signature strikes” reportedly were approved for use in Yemen in 2012, allowing the targeting of individuals or groups based on their pattern of activities without knowing the specific targets’ identities or roles in the organization—a practice that seems to belie a policy of individualized assessments of “significant threat.”63

### UQ

#### Recognition is important – ignoring them causes backlash

Owens 2012, Mackubin Thomas Owens is professor of national security affairs at the Naval War College and editor of Orbis. He is the recipient of the 2012 Andrew Goodpaster Prize awarded by the American Veterans Center for excellence in military-related research for his 2011 book, U.S. Civil-Military Relations Since 9/11: Renegotiating the Civil-Military Bargain, 8/6,2012, “

Mac Owens on the forgotten dimensions of American civil-military relations”, <http://ricks.foreignpolicy.com.ezproxy.baylor.edu/posts/2012/08/06/mac_owens_on_the_forgotten_dimensions_of_american_civil_military_relations>

The reverse is true as well. The military has to be at the policy and strategy table in order to ensure that its advice regarding options and risk are being heard. In this regard, it is important to recognize that there is a difference between being "political" and being "partisan." Military officers must be "political" in the sense of understanding the political environment and being able to navigate its currents. But they must be non-partisan and resist becoming an adjunct of a political party.

#### Process over substance determines solvency – military will say yest but must be consulted

Hooker 4 - Colonel Richard D. Hooker, Jr., Ph.D. from the University of Virginia in international relations and is a member of the Council on Foreign Relations, served in the Office of the Chairman of the Joint Chiefs, Winter 2004, “Soldiers of the State: Reconsidering American Civil-Military Relations,” Parameters, p. 4-18

If the assumption of unique expertise is accurate, only the military professional can provide the technical knowledge, informed by insight and experience, needed to support high-quality national security decision-making. Given the certainty that military input is both needed and demanded by Congress as well as the executive branch, military advocacy cannot be avoided in recommending and supporting some policy choices over others. This school holds that long service in this environment, supplemented by professional schooling in the tools and processes of national security, equips senior military leaders to fulfill what is, after all, an inescapable function.¶ These two competing perspectives mirror the “realist” and “idealist” theories of politics and reflect the age-old division in political science between those who see reality “as it is” and those who see it “as it ought to be.” As we have seen, the historical record is unequivocal. Military participation in partisan politics has been inversely proportional to the growth of military professionalism, declining as the professional ethic has matured. But the role of the military in defense policymaking has endured from the beginning, increasing as the resources, complexity, and gravity which attend the field of national security have grown. The soldier statesman has not just come into his own. He has always been.¶ The Nature of Military Involvement in Defense Policymaking¶ If this is true, to what extent is such participation dangerous? Does active military involvement in defense policymaking actually threaten civilian¶ control? Clearly there have been individual instances where military leaders crossed the line and behaved both unprofessionally and illegitimately with respect to proper subordination to civilian authority; the Revolt of the Admirals and the MacArthur-Truman controversy already have been cited. The increas- ingly common tactic whereby anonymous senior military officials criticize their¶ civilian counterparts and superiors, even to the point of revealing privileged and even classified information, cannot be justified.¶ Yet civilian control remains very much alive and well. The many direct and indirect instruments of objective and subjective civilian control of the military suggest that the true issue is not control—defined as the govern- ment’s ability to enforce its authority over the military—but rather political freedom of action. In virtually every sphere, civilian control over the military apparatus is decisive. All senior military officers serve at the pleasure of the President and can be removed, and indeed retired, without cause. Congress must approve all officer promotions and guards this prerogative jealously; even lateral appointments at the three- and four-star levels must be approved by the President and confirmed by Congress, and no officer at that level may retire in grade without separate approval by both branches of government. Operating budgets, the structure of military organizations, benefits, pay and allowances, and even the minutia of official travel and office furniture are determined by civilians. The reality of civilian control is confirmed not only by the many instances cited earlier where military recommendations were over-ruled. Not infrequently, military chiefs have been removed or replaced by the direct and indirect exercise of civilian authority.37¶ To be sure, the military as an institution enjoys some advantages. Large and well-trained staffs, extended tenure, bureaucratic expertise, cross-cutting relationships with industry, overt and covert relationships with congressional supporters, and stability during lengthy transitions between administrations give it a strong voice. But on the big issues of budget and force structure, social policy, and war and peace, the influence of senior military elites—absent power- ful congressional and media support—is more limited than is often recognized.¶ If this thesis is correct, the instrumentalities and the efficacy of civilian control are not really at issue. As I have suggested, political freedom of action is the nub of the problem. Hampered by constitutionally separated powers which put the military in both the executive and legislative spheres, civilian elites face a dilemma. They can force the military to do their bidding, but they cannot always do so without paying a political price. Because society values the importance of independent, nonpoliticized military counsel, a civilian who publicly discounts that advice in an area presumed to require military expertise runs significant political risks. The opposition party will surely exploit any daylight between civilian and military leaders, particularly in wartime—hence the discernible trend in the modern era away from the Curtis LeMays and Arleigh Burkes of yesteryear who brought powerful heroic personas and public reputations into the civil-military relationship.¶ It is therefore clear that much of the criticism directed at “political” soldiers is not completely genuine or authentic. Far from wanting politically passive soldiers, political leaders in both the legislative and executive branches consistently seek military affirmation and support for their programs and poli- cies. The proof that truly apolitical soldiers are not really wanted is found in the pressures forced upon military elites to publicly support the policy choices of their civilian masters. A strict adherence to the apolitical model would require civilian superiors to solicit professional military advice when needed, but not to involve the military either in the decision process or in the “marketing” process needed to bring the policy to fruition.¶ The practice, however, is altogether different. The military position of the Chairman of the Joint Chiefs of Staff, the service chiefs, and the combatant commanders is always helpful in determining policy outcomes. The pressures visited upon military elites to support, or at least not publicly refute, the policy preferences of their civilian masters, especially in the executive branch, can be severe. Annually as part of the budget process, the service chiefs are called upon to testify to Congress and give their professional opinions about policy deci- sions affecting their service. Often they are encouraged to publicly differ with civilian policy and program decisions they are known to privately question.38