# 1AC

### Adventurism Advantage

#### Contention One – Adventurism

#### Lack of accountability and oversight on drones sets the precedent for unchecked adventurism

Peter W. Singer 12, Director of the 21st Century Defense Initiative at the Brookings Institution and author of “Wired for War: The Robotics Revolution and Conflict in the 21st Century.” http://www.nytimes.com/2012/01/22/opinion/sunday/do-drones-undermine-democracy.html?pagewanted=all&\_r=0

IN democracies like ours, there have always been deep bonds between the public and its wars. Citizens have historically participated in decisions to take military action, through their elected representatives, helping to ensure broad support for wars and a willingness to share the costs, both human and economic, of enduring them. In America, our Constitution explicitly divided the president’s role as commander in chief in war from Congress’s role in declaring war. Yet these links and this division of labor are now under siege as a result of a technology that our founding fathers never could have imagined. Just 10 years ago, the idea of using armed robots in war was the stuff of Hollywood fantasy. Today, the United States military has more than 7,000 unmanned aerial systems, popularly called drones. There are 12,000 more on the ground. Last year, they carried out hundreds of strikes — both covert and overt — in six countries, transforming the way our democracy deliberates and engages in what we used to think of as war. We don’t have a draft anymore; less than 0.5 percent of Americans over 18 serve in the active-duty military. We do not declare war anymore; the last time Congress actually did so was in 1942 — against Bulgaria, Hungary and Romania. We don’t buy war bonds or pay war taxes anymore. During World War II, 85 million Americans purchased war bonds that brought the government $185 billion; in the last decade, we bought none and instead gave the richest 5 percent of Americans a tax break. And now we possess a technology that removes the last political barriers to war. The strongest appeal of unmanned systems is that we don’t have to send someone’s son or daughter into harm’s way. But when politicians can avoid the political consequences of the condolence letter — and the impact that military casualties have on voters and on the news media — they no longer treat the previously weighty matters of war and peace the same way. For the first 200 years of American democracy, engaging in combat and bearing risk — both personal and political — went hand in hand. In the age of drones, that is no longer the case. Today’s unmanned systems are only the beginning. The original Predator, which went into service in 1995, lacked even GPS and was initially unarmed; newer models can take off and land on their own, and carry smart sensors that can detect a disruption in the dirt a mile below the plane and trace footprints back to an enemy hide-out. There is not a single new manned combat aircraft under research and development at any major Western aerospace company, and the Air Force is training more operators of unmanned aerial systems than fighter and bomber pilots combined. In 2011, unmanned systems carried out strikes from Afghanistan to Yemen. The most notable of these continuing operations is the not-so-covert war in Pakistan, where the United States has carried out more than 300 drone strikes since 2004. Yet this operation has never been debated in Congress; more than seven years after it began, there has not even been a single vote for or against it. This campaign is not carried out by the Air Force; it is being conducted by the C.I.A. This shift affects everything from the strategy that guides it to the individuals who oversee it (civilian political appointees) and the lawyers who advise them (civilians rather than military officers). It also affects how we and our politicians view such operations. President Obama’s decision to send a small, brave Navy Seal team into Pakistan for 40 minutes was described by one of his advisers as “the gutsiest call of any president in recent history.” Yet few even talk about the decision to carry out more than 300 drone strikes in the very same country. I do not condemn these strikes; I support most of them. What troubles me, though, is how a new technology is short-circuiting the decision-making process for what used to be the most important choice a democracy could make. Something that would have previously been viewed as a war is simply not being treated like a war. THE change is not limited to covert action. Last spring, America launched airstrikes on Libya as part of a NATO operation to prevent Col. Muammar el-Qaddafi’s government from massacring civilians. In late March, the White House announced that the American military was handing over combat operations to its European partners and would thereafter play only a supporting role. The distinction was crucial. The operation’s goals quickly evolved from a limited humanitarian intervention into an air war supporting local insurgents’ efforts at regime change. But it had limited public support and no Congressional approval. When the administration was asked to explain why continuing military action would not be a violation of the War Powers Resolution — a Vietnam-era law that requires notifying Congress of military operations within 48 hours and getting its authorization after 60 days — the White House argued that American operations did not “involve the presence of U.S. ground troops, U.S. casualties or a serious threat thereof.” But they did involve something we used to think of as war: blowing up stuff, lots of it. Starting on April 23, American unmanned systems were deployed over Libya. For the next six months, they carried out at least 146 strikes on their own. They also identified and pinpointed the targets for most of NATO’s manned strike jets. This unmanned operation lasted well past the 60-day deadline of the War Powers Resolution, extending to the very last airstrike that hit Colonel Qaddafi’s convoy on Oct. 20 and led to his death. Choosing to make the operation un~~man~~ned proved critical to initiating it without Congressional authorization and continuing it with minimal public support. On June 21, when NATO’s air war was lagging, an American Navy helicopter was shot down by pro-Qaddafi forces. This previously would have been a disaster, with the risk of an American aircrew being captured or even killed. But the downed helicopter was an unmanned Fire Scout, and the story didn’t even make the newspapers the next day. Congress has not disappeared from all decisions about war, just the ones that matter. The same week that American drones were carrying out their 145th unauthorized airstrike in Libya, the president notified Congress that he had deployed 100 Special Operations troops to a different part of Africa. This small unit was sent to train and advise Ugandan forces battling the cultish Lord’s Resistance Army and was explicitly ordered not to engage in combat. Congress applauded the president for notifying it about this small noncombat mission but did nothing about having its laws ignored in the much larger combat operation in Libya. We must now accept that technologies that remove humans from the battlefield, from unmanned systems like the Predator to cyberweapons like the Stuxnet computer worm, are becoming the new normal in war. And like it or not, the new standard we’ve established for them is that presidents need to seek approval only for operations that send people into harm’s way — not for those that involve waging war by other means. WITHOUT any actual political debate, we have set an enormous precedent, blurring the civilian and military roles in war and circumventing the Constitution’s mandate for authorizing it. Freeing the executive branch to act as it chooses may be appealing to some now, but many future scenarios will be less clear-cut. And each political party will very likely have a different view, depending on who is in the White House. Unmanned operations are not “costless,” as they are too often described in the news media and government deliberations. Even worthy actions can sometimes have unintended consequences. Faisal Shahzad, the would-be Times Square bomber, was drawn into terrorism by the very Predator strikes in Pakistan meant to stop terrorism. Similarly, C.I.A. drone strikes outside of declared war zones are setting a troubling precedent that we might not want to see followed by the close to 50 other nations that now possess the same un~~man~~ned technology — including China, Russia, Pakistan and Iran. A deep deliberation on war was something the framers of the Constitution sought to build into our system. Yet on Tuesday, when President Obama talks about his wartime accomplishments during the State of the Union address, Congress will have to admit that its role has been reduced to the same part it plays during the president’s big speech. These days, when it comes to authorizing war, Congress generally sits there silently, except for the occasional clapping. And we do the same at home. Last year, I met with senior Pentagon officials to discuss the many tough issues emerging from our growing use of robots in war. One of them asked, “So, who then is thinking about all this stuff?” America’s founding fathers may not have been able to imagine robotic drones, but they did provide an answer. The Constitution did not leave war, no matter how it is waged, to the executive branch alone. In a democracy, it is an issue for all of us.

#### Only accountability prevents future intervention and escalation

Judah A. Druck 12, B.A., Brandeis University, 2010; J.D. Candidate, Cornell Law School, 2013, CORNELL LAW REVIEW, Vol. 98:209, http://www.lawschool.cornell.edu/research/cornell-law-review/upload/Druck-final.pdf

The Introduction of Technology-Driven Warfare and Shifting Wartime Doctrines The recent actions in Libya illustrate the culmination of a shift toward a new era of warfare, one that upsets the system of social and political checks on presidential military action. Contrary to the series of larger conflicts fought in the twentieth century, this new era has ushered in a system of war devoid of some of the fundamental aspects of war, including the traditional costs discussed above. Specifically, through the advent of military technology, especially in the area of robotics, modern-day hostilities no longer require domestic sacrifices, thereby concealing the burden of war from mainstream consciousness.116 By using fewer troops and introducing drones and other forms of mechanized warfare into hostile areas more frequently,117 an increased number of recent conflicts have managed to avoid many domestic casualties, economic damages, and drafts.118 In a way, less is on the line when drones, rather than people, take fire from enemy combatants, and this reality displaces many hindrances and considerations when deciding whether to use drones in the first place.119 This move toward a limited form of warfare has been termed the “Obama Doctrine,” which “emphasizes air power and surgical strikes, rather than boots on the ground.”120 Under this military framework, as indicated by the recent use of drones in the Middle East, the traditional harms associated with war might become increasingly obsolete as technology replaces the need for soldiers. Indeed, given the increased level of firepower attached to drones, we can imagine a situation where large-scale military engagements are fought without any American soldiers being put in harm’s way, without Americans having to ration their food purchases, and without teenagers worrying about being drafted.121 For example, “[w]ith no oxygen- and sleep-needing human on board, Predators and other [unmanned aerial vehicles] can watch over a potential target for 24 hours or more—then attack when opportunity knocks.”122 Thus, if the recent actions in Libya are any indication of what the future will look like, we can predict a major shift in the way the United States carries out wars .123 The Effects of Technology-Driven Warfare on Politics and Social Movements The practical effects of this move toward a technology-driven, and therefore limited, proxy style of warfare are mixed. On the one hand, the removal of American soldiers from harm’s way is a clear benefit,124 as is the reduced harm to the American public in general. For that, we should be thankful. But there is another effect that is less easy to identify: public apathy. By increasing the use of robotics and decreasing the probability of harm to American soldiers, modern warfare has “affect[ed] the way the public views and perceives war” by turning it into “the equivalent of sports fans watching war, rather than citizens sharing in its importance.”125 As a result, the American public has slowly fallen victim to the numbing effect of technology-driven warfare; when the risks of harm to American soldiers abroad and civilians at home are diminished, so too is the public’s level of interest in foreign military policy.126 In the political sphere, this effect snowballs into both an uncaring public not able (or willing) to effectively mobilize in order to challenge presidential action and enforce the WPR, and a Congress whose own willingness to check presidential military action is heavily tied to public opinion.127 Recall, for example, the case of the Mayaguez, where potentially unconstitutional action went unchecked because the mission was perceived to be a success.128 Yet we can imagine that most missions involving drone strikes will be “successful” in the eyes of the public: even if a strike misses a target, the only “loss” one needs to worry about is the cost of a wasted missile, and the ease of deploying another drone would likely provide a quick remedy. Given the political risks associated with making critical statements about military action, especially if that action results in success,129 we can expect even less congressional WPR enforcement as more military engagements are supported (or, at the very least, ignored) by the public. In this respect, the political reaction to the Mayaguez seems to provide an example of the rule, rather than the exception, in gauging political reactions within a technology-driven warfare regime. Thus, when the public becomes more apathetic about foreign affairs as a result of the limited harms associated with technology-driven warfare, and Congress’s incentive to act consequently diminishes, the President is freed from any possible WPR constraints we might expect ~~him~~ to face, regardless of any potential legal issues.130 Perhaps unsurprisingly, nearly all of the constitutionally problematic conflicts carried out by presidents involved smaller-scale military actions, rarely totaling more than a few thousand troops in direct contact with hostile forces.131 Conversely, conflicts that have included larger forces, which likely provided sufficient incentive for public scrutiny, have generally complied with domestic law.132 The result is that as wars become more limited,133 unilateral presidential action will likely become even more unchecked as the triggers for WPR enforcement fade away. In contrast with the social and political backlash witnessed during the Civil War, World War I, the Vietnam War, and the Iraq War, contemporary military actions provide insufficient incentive to prevent something as innocuous and limited as a drone strike. Simply put, technology-driven warfare is not conducive to the formation of a substantial check on presidential action. THE WAR POWERS RESOLUTION IN THE ERA OF TECHNOLOGY-DRIVEN WARFARE A. Why an Unconstrained Executive Matters Today If public scrutiny acts as a check on presidential action by pressuring Congress into enforcing domestic law (namely, the WPR), then that check has weakened given the increased use of technology-driven warfare abroad.135 As a result, fewer checks on presidential military actions exist, implying that we will see more instances of unilateral presidential initiatives. But if the new era of warfare removes the very issues associated with traditional warfare, should we be concerned about the American public’s increasing numbness to it all? The answer is undoubtedly yes. First, from a practical standpoint, the psychology surrounding mechanized warfare makes it easier for the United States to enter hostilities initially.136 Without having to worry about any of the traditional costs of war (such as a draft, rationing, casualties, etc.), the triggers that have historically made the public wary of war are now gone. When machines, rather than human beings, are on the front lines, the public (and, as a result, politicians and courts) will not act to stop the continued use of drones. In other words, people will simply stop caring about our increased actions abroad, regardless of their validity, constitutionality, or foreign harm. But again one must wonder: should we care? After all, even if we increase the number of military conflicts abroad, the repercussions hardly seem worth worrying about. For example, worrying that WPR violations will cause significant harm to the United States seems somewhat misplaced given the limited nature of technology-driven warfare. Granted, this style of warfare might make it easier to enter hostilities, but the risk of subsequent harm (at least to the United States) is low enough to mitigate any real danger. Furthermore, even if the effects of warfare might become increasingly dulled, any use of force that would eventually require traditional, Vietnam-esque types of harms as the result of technology-driven warfare would in a sense “wake up the populace” in order to check potentially unconstitutional action.137 Thus, if our level of involvement requires machines and only machines, why worry about a restrained level of public scrutiny? The answer is that a very real risk of harm exists nonetheless. War by its very nature is unpredictable.138 Indeed, one of the major grievances concerning the war in Vietnam was that we ended up in a war we did not sign up for in the first place.139 The problem is not the initial action itself but the escalation. Therefore, while drone strikes might not facially involve any large commitment, the true threat is the looming possibility of escalation.140 That threat exists in the context of drones, whether because of the risk of enemy retaliation or because of a general fear that an initial strike would snowball into a situation that would require troops on the ground.141 In both cases, an apparently harmless initial action could eventually unravel into a situation involving harms associated with traditional warfare.142 Worse yet, even if that blowback was sufficient to incentivize the populace and Congress to mobilize, the resulting involvement would only occur after the fact.143 If we want restraints on presidential action, they should be in place before the United States is thrown into a war, and this would require public awareness about the use of drones.144 As such, whether it is unforeseen issues arising out of the drones themselves145 or unforeseen consequences stemming from what was ostensibly a minor military undertaking, there is reason to worry about a populace who is unable to exert any influence on military actions, even as we shift toward a more limited form of warfare.146 Another issue associated with a toothless WPR in the era of technology-drive warfare involves humanitarian concerns. If one takes the more abstract position that the public should not allow actions that will kill human beings to go unchecked, regardless of their legality or underlying rationale, then that position faces serious pressure in the era of technology-driven warfare. As the human aspect of warfare becomes more attenuated, the potential humanitarian costs associated with war will fade out of the collective consciousness, making it easier for the United States to act in potentially problematic ways without any substantial backlash. Rather than take note of whom we target abroad, for example, the numbing effect of technology-driven warfare forces the public to place “enormous trust in our leaders” despite the fact that good faith reliance on intelligence reports does not necessarily guarantee their accuracy.147 Accordingly, as the level of public scrutiny decreases, so too will our ability to limit unwarranted humanitarian damage abroad.148 At the very least, some dialogue should occur before any fatal action is taken; yet, in the technology-driven warfare regime, that conversation never occurs.149 Of course, this Note has argued that the issues associated with technology-driven warfare (an increased level of military involvement abroad, potential for escalation, humanitarian difficulties, etc.) though very real, are less prominent than the harms associated with traditional warfare. But perhaps this premise is incorrect; that is, perhaps technology-driven warfare does present sufficient harm to trigger social and political scrutiny. For example, pecuniary harms are very real contemporary concerns, and they seem to play an increased role in determining a country’s standing.150 In this respect, given the fi nancial costs of drone strikes (and military spending in general),151 perhaps we need not be worried about an absence of public scrutiny. Yet given the traditional costs of war, pecuniary harm hardly seems like the type of concern sufficient to create the type of political checks present in the Civil War, World War I, Vietnam, or Iraq. In all four situations, American lives were at stake, entire households faced life-changing effects of war in a very real way, and the entire country saw major social and political transformations. Economic harm is certainly an issue worth considering, especially as the United States takes on more and more debt; yet, whether that sort of harm rises to the level sufficient to trigger mass citizen mobilization remains to be seen.152 Indeed, if the recent actions in Libya are any indication, financial harm is far too attenuated to create any sort of substantial backlash. Future technology-driven conflicts will likely create a clearer picture of the role of pecuniary damage, but as it stands, this sort of harm fails to “rally the troops” for public attentiveness.

#### Conflict escalation is the most likely scenario for war

Bosco, '6 (Senior Editor -- Foreign Policy, LA Times, 7-23)

The understanding that small but violent acts can spark global conflagration is etched into the world's consciousness. The reverberations from Princip's shots in the summer of 1914 ultimately took the lives of more than 10 million people, shattered four empires and dragged more than two dozen countries into war. This hot summer, as the world watches the violence in the Middle East, the awareness of peace's fragility is particularly acute. The bloodshed in Lebanon appears to be part of a broader upsurge in unrest. Iraq is suffering through one of its bloodiest months since the U.S.-led invasion in 2003. Taliban militants are burning schools and attacking villages in southern Afghanistan as the United States and NATO struggle to defend that country's fragile government. Nuclear-armed India is still cleaning up the wreckage from a large terrorist attack in which it suspects militants from rival Pakistan. The world is awash in weapons, North Korea and Iran are developing nuclear capabilities, and long-range missile technology is spreading like a virus. Some see the start of a global conflict. "We're in the early stages of what I would describe as the Third World War," former House Speaker Newt Gingrich said last week. Certain religious websites are abuzz with talk of Armageddon. There may be as much hyperbole as prophecy in the forecasts for world war. But it's not hard to conjure ways that today's hot spots could ignite. Consider the following scenarios: • Targeting Iran: As Israeli troops seek out and destroy Hezbollah forces in southern Lebanon, intelligence officials spot a shipment of longer-range Iranian missiles heading for Lebanon. The Israeli government decides to strike the convoy and Iranian nuclear facilities simultaneously. After Iran has recovered from the shock, Revolutionary Guards surging across the border into Iraq, bent on striking Israel's American allies. Governments in Syria, Jordan, Egypt and Saudi Arabia face violent street protests demanding retribution against Israel — and they eventually yield, triggering a major regional war. • Missiles away: With the world's eyes on the Middle East, North Korea's Kim Jong Il decides to continue the fireworks show he began earlier this month. But this time his brinksmanship pushes events over the brink. A missile designed to fall into the sea near Japan goes astray and hits Tokyo, killing a dozen civilians. Incensed, the United States, Japan's treaty ally, bombs North Korean missile and nuclear sites. North Korean artillery batteries fire on Seoul, and South Korean and U.S. troops respond. Meanwhile, Chinese troops cross the border from the north to stem the flow of desperate refugees just as U.S. troops advance from the south. Suddenly, the world's superpower and the newest great power are nose to nose. • Loose nukes: Al Qaeda has had Pakistani President Pervez Musharraf in its sights for years, and the organization finally gets its man. Pakistan descends into chaos as militants roam the streets and the army struggles to restore order. India decides to exploit the vacuum and punish the Kashmir-based militants it blames for the recent Mumbai railway bombings. Meanwhile, U.S. special operations forces sent to secure Pakistani nuclear facilities face off against an angry mob. • The empire strikes back: Pressure for democratic reform erupts in autocratic Belarus. As protesters mass outside the parliament in Minsk, president Alexander Lukashenko requests Russian support. After protesters are beaten and killed, they appeal for help, and neighboring Poland — a NATO member with bitter memories of Soviet repression — launches a humanitarian mission to shelter the regime's opponents. Polish and Russian troops clash, and a confrontation with NATO looms. As in the run-up to other wars, there is today more than enough tinder lying around to spark a great power conflict. The critical question is how effective the major powers have become at managing regional conflicts and preventing them from escalating. After two world wars and the decades-long Cold War, what has the world learned about managing conflict?

#### Goes nuclear

Gholz, Press, & Sapolsky ‘97 (PhD candidates – Dept. Poli. Sci. @ MIT, Prof. Public Policy and Organization @ MIT, International Security, Vol. 21, No. 4)

The larger long-term cost of selective engagement is the risk of involvement in faraway great power wars. Great power conflicts will continue to be a rare occurrence, but when they happen, the United States is much better off staying as far away from the combatants as possible. World War II resulted in the deaths of 400,000 Americans, many times that number wounded, and nearly 40 percent of GDP devoted to defense (compared to 4 percent today). A new great power conflict, with the possibility of nuclear use, might exact even higher costs from the participants. World War II was fought to prevent the consolidation of Europe and Asia by hostile, fanatical adversaries, but a new great power war would not raise that specter. The biggest cost of selective engagement is the risk of being drawn into someone else’s faraway great power war. The global economy may be disrupted by war, depending on who is involved, but even in the worst case, the costs would be manageable. Trade accounts for roughly 20 percent of the American economy, and sudden, forced autarky would be devastating for American prosperity. But no great power war could come close to forcing American autarky: essentially all goods have substitute sources of supply at varying marginal increases in cost. Furthermore, wars never isolate the fighting countries completely from external trade. Some dislocation is a real possibility, but these short-term costs would not justify the risks of fighting a great power war. The risk of nuclear escalation is a reason to worry about great power war, but it is a highly suspect reason to favor a military policy that puts U.S. forces between feuding powers. Nuclear weapons may not be used in a future great power war; the fear of retaliation should breed great caution on the part of the belligerents. But the larger point is that the possibility of a faraway nuclear exchange is precisely the reason that America should keep its military forces out of other country’s disputes. An Indo-Pakistani nuclear war would be a terrible thing, but it makes no sense to get in the middle. Distant wars would be costly, but not nearly as costly as the solution that selective engagers propose.

#### This “preventative war” doctrine is turned into an international norm by our drone policy

**Fisk and Ramos 13.** (Kerstin, PhD, in Political Science from Claremont Graduate University and an MA in Political Science from Miami University AND Jennifer M., PhD in Political Science from UC Davis. “Actions Speak Louder Than Words: Preventive Self-Defense as a Cascading Norm.” International Studies Perspectives. 04/15/13. Wiley.)

Norms and Their Importance Since the end of the Cold War, scholars have devoted increasing attention to the role of norms in international politics (Kratchowil 1989; Katzenstein 1995; Price and Tannenwald 1996; Florini 1996; Finnemore and Sikkink 1998; Wendt 1999; Finnemore 2003). Much of this scholarship has evolved within the con- structivist approach, placing norms at center stage, after the other dominant traditions (realism and liberalism, and their variants) in international relations theory had relegated them to the sidelines (Keohane and Nye 1977; Waltz 1979). Scholars generally agree on what norms are. According to Kegley and Raymond, norms “express a collective, socially sanctioned set of perspectives on what ought to be done, a collective expectation as to what will be done, and pronouncements about the costs of compliant versus noncompliant behav- ior with respect to potential norms violations.” Through an ongoing process of socialization, states both influence norms and are affected by them. Norms are “communicated through a rich lexicon of legal symbols and reinforced by diplomatic ritual ... they are intersubjectively shared understandings about the obligations of international actors to behave in specified ways” (Kegley and Raymond 2003:390). Within this common definition, several different types of norms have been identified (Searle 1995). Some norms are regulative; these norms reflect permissions, prohibitions, and obligations. For example, states are obliged to follow international treaties to which they are party. Other norms are constitu- tive, in that they define the identity of actors. It has been argued that “national self-determination is the most important constitutive norm of the modern era” (Hurrell 2002:145). National self-determination allows for the full expression of a particular nation in terms of group identification, and also indicates certain powers that this designation brings in accordance with that identity. Thus, norms provide an important foundation for international relations and are thought to increase the stability of the international system (Wendt 1999). Without common understandings of appropriate state behavior among states, there would be a sharp increase in the degree of uncertainty and misperception, which are factors often associated with war. While not guarantors of peace, norms serve to decrease the number of international conflicts. We are more likely to read or hear news of norm violations; yet, more often than not, states follow international norms, from security norms to human rights norms. For example, the vast majority of states have heeded the use of nuclear and chemical weapons taboos (Price and Tannenwald 1996). Still, as states operate within a social international system, the norms that influence state behavior are in flux, as states take actions that reinforce or challenge existing norms. This fact does not undercut the power of norms: “Norms are no less effective for being fluid and no less real for being negotiable” (Hollis 1991:13). Moreover, norms do not exist in isolation from one another. They are so interconnected with one another that a rise or fall of a particular norm affects other related norms. One sees this in the tension between human rights norms and sovereignty norms. As human rights norms compel states to intervene to thwart genocide, what results is a corresponding amendment to traditional sovereignty norms (in which all forms of interven- tion are viewed as illegitimate). The Process of Norm Development Foundational work on how norms change and evolve can be traced back to Martha Finnemore and Kathryn Sikkink, who developed a theory of the norm “life cycle,” in which three stages are identified: norm emergence, the norm cascade, and norm internalization. In the norm emergence stage, a norm relies on a norm entrepreneur and encounters “a highly contested normative space where [it] must compete with other norms and perceptions of interest” (Finnemore and Sikkink 1998:897; also see Sandholtz 2007, 2008 for more recent work). If successful, a norm cascade follows, in which the norm diffuses to other states through socialization, institutionalization, and demonstration. The rationale of the norm entrepreneur is adopted and its actions emulated because other states are concerned about their legitimacy, reputation, and esteem (Finnemore and Sikkink 1998:898, 902 – 904; also Zartner and Ramos 2011). In the final stage, the norm is internalized by actors in the international system and essentially becomes taken for granted, integrated into practice without a second thought. We adopt this basic framework in our analysis, but build on it to account for norm entrepreneurs that do not set out to create a new norm. That is, a state’s actions can have unintended consequences for the international normative struc- ture. For instance, we agree that “Norm entrepreneurs are critical for norm emergence because they call attention to issues or even ‘create’ issues by using language that names, interprets, and dramatizes them” (Finnemore and Sikkink 1998:897). Yet we recognize that a norm entrepreneur can engage in this behav- ior for the purpose of furthering its own self-interest, for instance, justifying its actions to the international community in order to build a “permissive normative order” (Kegley and Raymond 2003:390 – 391). If a powerful actor such as the United States promotes a new norm in this contested space, the end goal is not always to define a new “standard of appropriateness” (in contrast to the Finne- more and Sikkink model) for the international community at large. The effort can be targeted toward a limited end goal that will benefit the United States, but without immediate reference to how it might impact other states’ behavior. It is unlikely that the United States advances or “builds” a preventive use of force norm for the purpose of communicating its “notions about appropriate or desirable behavior in their community” (Finnemore and Sikkink 1998:896). However, other actors in the international system are critical observers of the United States (but not only the US), as they learn what rules are considered to be legitimate by this powerful player, and how they might benefit or use this information to their advantage. Scholars have identified at least two mechanisms through which these norms spread: “moral cosmopolitanism” and domestic fac- tors. 4 Moral cosmopolitanism usually focuses on transnational actors that seek to convert other actors to their way of thinking, especially to those ideas that relate to universal norms such as human rights (Nadelmann 1990; Keck and Sikkink 1998). The Finnemore and Sikkink model fits into this category. The other major school of thought focuses on domestic factors that make a norm more or less likely to stick (Cortell and Davis 1996; Legro 1997; Checkel 2001). These can be political, cultural, or organizational conditions that foster or inhibit the spread of an international norm within a state (Acharya 2004). For example, the international norm of women’s rights would be more difficult to spread in a society that is highly patriarchal. Or, an international norm may be more likely to be internalized by elite learning (Checkel 1997). With regard to the norm of preventive self-defense, we argue that the United States has acted as norm entrepreneur, albeit reluctantly. 5 Over the last decade, the United States has demonstrated in both rhetoric and action the legitimacy of preventive self-defense. Much of the argumentation and debate on this subject arose just prior to and during the US conflict in Iraq. Some argued that under current international law, states have the right to self-defense, but do not have right of preventive self-defense unless the action is sanctioned by the United Nations Security Council (Kaufman 2006). Others debated the “slippery slope” between preemptive and preventive war (Crawford 2003). 6 While the debate focused mainly on preventive war , the underlying idea about the preventive use of force in self-defense can be applied more broadly. Indeed, this idea is not limited to war, but also to smaller-scale military engagements as reflected in drone strikes, for example. We therefore focus on preventive self- defense as a strategy, deployed by a range of tactics, in this paper. 7 We assert that the norm of preventive self-defense has not only emerged, but has also begun to diffuse to other countries. Why? First, it is possible that conforming to norms is related to a state’s reputation — one’s “international image” (Finnemore and Sikkink 1998:904). States may believe that adopting the norm of preventive self-defense may act as a deterrent to their enemies such that they develop a rep- utation for “toughness.” Second, the norm stems from a powerful, successful state: How the United States acts is an enormous influence on the behavior of others. When the reigning hegemon promotes a new code of conduct, it alters the normative frame of reference for virtually everyone else. In anarchical systems, what the strongest do eventually shapes what others do, and when that practice becomes common, it tends to take on an aura of obligation. As Stanley Hoffman (1971) has put it, rules of behavior become rules for behavior. (Kegley and Raymond 2003:391) Third, the norm of preventive self-defense exists within a normative structure that supports it. The erosion of traditional sovereignty norms, brought on by a rise in human rights norms and globalization, among others, allows for the fur- ther redefinition of states’ rights and obligations. Fourth, the post-9/11 context provides an environment with heightened security concerns, particularly from non-state actors and high-tech weaponry, which compels state actors to reconsider their defense strategies. Many states, well over 50, are investing in weaponized un~~man~~ned aerial vehicles, or drones, capable of precision strikes and real-time surveillance that further support the move to the preventive use of force. While drones are not inherently designed for preventive self-defense, states’ cost – benefit calculations regarding the options available for this purpose certainly lean toward drones as the weapon of choice, as they offer a trifecta of capabilities: precision, reconnaissance, and surveillance. 8 Content and Comparative Case Study Analysis In the following sections of our paper, we examine the emergence of the norm of preventive self-defense as practiced by the United States, and whether or not other states are adopting this strategy in order to combat a range of threats to the security of the state. We begin by documenting the case of the United States as norm entrepreneur, relying primarily on media reports and relevant scholar- ship since 2001, when President George W. Bush took office. Emergence of Preventive Self-Defense as a Norm Let us begin our analysis by clarifying the conceptual distinction between pre- emption and prevention. According to Dan Reiter: A war is preemptive if it breaks out primarily because the attacker feels that it will itself be the target of a military attack in the short term. The essence of preemption, then, is that it is motivated by fear, not greed. This definition is limited to perceptions of short-term threats to national security: in contrast, the term preventive war is used for a war that begins when a state attacks because it feels that in the longer term (usually in the next few years) it will be attacked or will suffer relatively increasing strategic inferiority. (Reiter 1995:6 – 7) The standard of imminence for justifying self-defense has been contested for decades — the international community’s negative reaction to Israel’s 1967 war against Egypt and Israel’s attack on Iraq’s Osirak nuclear reactor in 1981, for example. Yet it is notable that states, Israel included, have over the years con- sciously sought to justify their actions to the international community based on the concept of preemptive self-defense, conveying their fear of an attack in the short term. More recently, the United States has not sought to justify its resort to force in self-defense based on the short term. The clearest case of preventive justi- fication for the use of force by the United States in lieu of preemptive justifica- tion is, of course, the 2003 US invasion of Iraq. After 9/11, the United States adopted a much more proactive posture against threats, both real and assumed. Much ink has been spilled over the meaning and ramifications of the 2002 National Security Strategy, or “Bush Doctrine,” as it has come to be known. In it, the Bush Administration made it entirely clear that it was asserting the right to use unilateral force against “emerging threats before they are fully formed” (Bush 2002). In other words, potential, distant threats became an officially recognized justification for the recourse to force. Yet the impact of the 2002 NSS on the use of force norms was not fully clear until a war was waged for preventive reasons. Most tellingly, the Bush administration advanced a preven- tive norm based on a long-term concern that Iraq could develop nuclear weapons . The National Intelligence Estimate on Saddam’s weapons program read: We judge that Iraq has continued its weapons of mass destruction (WMD) pro- grams in defiance of UN resolutions and restrictions. Baghdad has chemical and biological weapons as well as missiles with ranges in excess of UN restrictions; if left unchecked, it probably will have a nuclear weapon during this decade . (National Intelligence Council 2002; emphasis added) It soon came to be known that Iraq’s WMD program did not exist. Yet, several scholars have noted that eventually, there was a not-unsubstantial degree of international approval of the norm challenge posed by the United States. Writ- ing in 2006, Dombrowski and Payne (2006) asserted: ... More and more states and international organisations [sic] seem now to sup- port the idea of revising long held international understandings about when force might be used. The views expressed by other states do not align perfectly with the positions held by US officials, but they do suggest that the international community is beginning to embrace some of the Bush Doctrine’s underlying logic. A sizeable number seem to agree that the risk of calamitous surprise attacks, especially with chemical, biological or nuclear weapons, might well justify preventive strikes against terrorists or preventive wars against their state sponsors. The world may thus be experiencing the emergence of a new international norm redefining the meaning of preemptive and preventive war (2006:115; emphasis added) Nichols argues that the shift toward preventive logic is systemic: “It now seems that the norms of the twentieth century are no longer going to govern states in the twenty-first ... .the international system, for better or worse is already moving toward a more permissive norm regarding prevention” (Nichols 2008:1 – 3). Daal- der (2007:8), on the other hand, maintains that the United Nations still observes a difference between imminent threats and latent threats whereas states facing unconventional threats to their security no longer consider this a useful distinc- tion. Indeed, prevention is at the helm of US counterterrorism policy years after the start of the Iraq War. The Obama administration not only has continued the Bush policy of prevention — “ ... as a matter of common sense and self-defense, America will act against such emerging threats before they are fully formed” 9 — but also has advanced it. The Norm of Preventive Self-Defense, From Bush to Obama As has been widely noted elsewhere, President Obama campaigned largely on the folly of the Iraq war (or what he referred to as a “dumb” war in 2002) and his promise to undo many Bush-era policies. In particular, Obama has been lauded for his dedication to multilateralism, diplomacy, and rejection of the notion of a global war on terrorism. However, in the 2010 National Security Strategy as well as in practice, the Obama administration has “retained the right to use preventive force” unilaterally. 10 For instance, upon entering office in 2009, President Obama chose to continue one of the key elements of his predecessor’s preventive use of force doctrine — expansive, signature drone strikes against suspected terrorists whose identities are not confirmed before they are killed. 11 Notably, signature strikes are waged by the United States against suspected militants who do not appear on a list; they are targeted for their “patterns of life” such as carrying a weapon or entering a militant com- pound. President Obama has not only continued the so-called drone war formulated by the Bush administration; he has broadened it. George W. Bush first authorized targeted killings in 2001 and expanded drone strikes outside of the designated combat zone (Afghanistan) with a strike in Yemen in 2002. America’s war on ter- rorism is ever-expanding — while it once focused solely on al-Qaeda, it now encompasses an array of militant groups in the Middle East and Africa. To quote a former counterterrorism official: the Obama administration targets direct threats, “but the elasticity of that has grown over time.” 12 News reports of drone strikes against individuals suspected of having links to al-Qaeda are recurrent. Thus, in addition to across target expansion, within target expansion is occurring. For instance, in September 2011, the New York Times reported that there is a “theoretical disagreement” between the Pentagon and State Department over “ ... whether the United States may take aim at only a handful of high-level leaders of militant groups who are personally linked to plots to attack the United States or whether it may also attack the thousands of low-level foot soldiers focused on parochial concerns.” 13 Job C. Henning, senior fellow at the Center for the Study of the Presidency and Congress, argues that this expansion of the target list “comes uncomfortably close to the discredited doctrine of preventive war.” Fur- thermore, the State Department maintains that “lethal force should only be used to prevent an imminent threat.” 14 According to Henning, the State Department also maintains that “the laws of war do not apply 15 outside of the designated com- bat zone in Afghanistan (for example, in Pakistan, Yemen, and Somalia). Yet, it does not appear that this internal debate is impacting the United States’ outward strategy. According to Peter Bergen and Kathryn Tiedemann of the New America Foundation, about 94% of militants killed in Pakistan are low-level fight- ers. 16 The justification for this, according to a US official, is as follows: “This effort has evolved because our intelligence has improved greatly over the years, and we’re able to identify not just senior terrorists, but also al-Qaeda foot soldiers who are planning attacks on our homeland and our troops in Afghanistan.” 17 Despite this argument, it is not very likely that low-level militants or “foot soldiers” pose an imminent threat to the United States, so that claims regarding preemptive self- defense can credibly be made. Rather, the concern is over what may result from an “unchecked” threat. As one US official put it, “To use a military analogy, if you’re only going after the generals, you’re likely to be run over by tanks.” 17 Preventive self-defense is the justification against low-level militants — and even this is a tenu- ous justification. Accordingly, the Obama administration has not attempted to sub- stantiate drone strikes based on the traditional imminence standard. Instead, former White House Deputy National Security Advisor for Homeland Security and Counterterrorism John Brennan has argued in favor of redefining imminence in more “flexible” and “broadened” terms, “in light of the modern-day capabilities, techniques and technological innovations of terrorist organizations.” 18 This posi- tion, of course, echoes the Bush administration’s 2002 NSS, which stated that the US “must adapt the concept of imminent threat to the capabilities and objectives of today’s adversaries” 19 and thereby expanded the notion of preemption to include preventive action. The broadened definition was also advanced in Bren- nan’s May 2012 speech acknowledging US drones strikes formally for the first time: “we ask ourselves whether the individual poses a significant threat to U.S. interests ” (emphasis added). As Brunstetter (2012) recognizes in his recent article on drone war and the threshold of last resort, through the logic that Brennan advances, “the notion of imminence is diluted in the all-encompassing aura of threat, to the extent that one could strike terrorists, or suspected terrorists, anytime and any- where.” John Bellinger III, Adjunct Senior Fellow in International and National Security Law at the Council on Foreign Relations, also acknowledges that this wording shows the Obama administration is operating beyond the standard of imminence, as “‘significant threat’ is clearly a lower threshold.” 20 Importantly, the American public is overwhelmingly supportive of US policy in this regard. In January 2012, a joint Washington Post-ABC poll found that 83% of Americans surveyed said that they approve of President Obama’s use of drones against suspected terrorists. 21 There appears to be an acceptance of this “drone doctrine” of prevention, at least domestically. Following the literature on the norm life cycle, is a preventive self-defense norm not only emerging in the United States, but also spreading to other countries? Is the United States, as a powerful norm entrepreneur, “calling attention to” prevention through the use of drones by “using language that names, interprets, and dramatizes” the preventive use of force? Is the US contributing to the norm cascade through demonstration, and are other states emulating the United States? Or, as Henning asserts, is it the case that most nations “do not accept the notion that the United States is in a ‘global war on terror,’ and many are uncomfortable with the implications of preventive war?” 14 We address these questions in the sections that follow.

#### Modeled preemption causes multiple nuclear wars.

Ivan Eland 2, director of defense policy studies at the Cato Institute, http://www.cato.org/sites/cato.org/files/pubs/pdf/pa459.pdf

That approach is consistent with the strategy of empire. But supporting preventative or preemptive action could shift the rules of the world order against peace and stability.93 Indeed, if other nations, such as India and Pakistan, adopted preemption as their official policy, the risk of nuclear war could actually rise. “One of the reasons there is not a constant state of war,” says a skeptical Bush administration official, “is that we all expect certain rules. We just have to be careful that if we create exceptions to those rules, the exceptions justify it—lest we establish precedents that others will emulate.”94 “There’s no question that great powers like the United States [can] launch preventative wars or preemptive strikes whenever they conclude it’s in their interests,” adds Mearsheimer. But the “$64,000 question is whether or not it makes sense to stand on the rooftops and announce loudly to the world that this is your doctrine. I think it would be better not to do that. I favor the Teddy Roosevelt approach to foreign policy: Speak softly and carry a big stick.”95 The strategy of empire, however, is to speak loudly (extended deterrence) and cut up and scatter Washington’s inadequate stick all over the place. That’s a blueprint for trouble if there ever was one. It will also increase the likelihood of war. That’s because the doctrine of prevention or preemption is predicated on the “ideology of the offensive,” which says that striking early is less difficult than striking later. The Bush administration’s National Security Strategy boldly asserts that “our best defense is a good offense.”96 Consequently, offense-minded states are apt to be war-prone because they believe the prospects for victory are very favorable to them. What’s more, offense-minded states have a tendency to incite security dilemmas, whereby the efforts of weaker states to increase their relative security undermines, or appears to undermine, the security of the offense-minded state, thus triggering a spiral of security competition that can culminate in confrontation or war.97 For example, as China’s economy grows, it may want more ability to control its security environment within East Asia. The expansion of Chinese influence in that region may run afoul of a United States, which has a defense perimeter that is far forward and a military doctrine that is very preventive or preemptive. The other major problem with the doctrine of prevention or preemption is that in the absence of actual aggression against the United States, how will Washington prove that an attack might have happened? Surely some foreign and domestic critics will discount the threat afterward. Inevitable mistakes will lead to recrimination and suspicions about America’s motives. And other states will worry that the doctrine could be used against them.98 Hence there is a paradox. The doctrine of prevention or preemptive intervention could actually create a greater incentive for other states to try to acquire WMD secretly as an insurance policy against American military might, which could in turn spur even more U.S. prevention or preemption. (Yet as President Clinton found out in 1998 during Operation Desert Fox, preventive attacks on installations associated with those superweapons often founder on a lack of intelligence on the location of such clandestine small mobile, or deeply buried facilities.) The unintended consequence of interventionism, in other words, could be more interventionism

#### Indo-Pak war causes global cooling and extinction

**Robock and Xia 13.** (Alan, PhD from MIT in Meteorology and Professor of Environmental Sciences at Rutgers University AND Lili, Research Assistant. “Impacts of Nuclear War in South Asia on rice production in Mainland China.” Climate Change Vol 116, January. Springer.)

Although the global nuclear arsenal has fallen by more than a factor of three since the 1980s, after realizing that “nuclear winter” would be a catastrophic consequence of a nuclear war between superpowers (e.g., Turco et al. 1983), society is still facing a potential nuclear disaster due to the rising number of small nuclear powers. Besides the direct effects of explosions, radioactivity, and fires, indirect effects from the climate response to long-lasting smoke could bring a colder, drier, and darker world for years (Robock et al. 2007a; Robock et al. 2007b; Toon et al. 2007), with enhanced ultraviolet flux due to ozone destruction (Mills et al. 2008). Modeling work showed that a regional conflict between India and Pakistan using 100 Hiroshima-size bombs could reduce global-average surface short wave radiation by 15 W m−2 , surface temperature by 1.5°C, and precipitation by 0.3 mm/day in the first and second years after a 5 Tg black carbon injection from the fires into the upper troposphere, and would produce large stratospheric ozone depletion even 3 years after the event (Mills et al. 2008; Robock et al. 2007b). Those nuclear war impacts on climate could last for 10 years, with a slow recovery. Since agriculture is one of the human activities most dependent on climate, those climate changes due a small regional nuclear war could significantly influence agricultural productivity in regions far from the conflict.

### Terrorism Advantage

#### Contention Two – Al Qaeda

#### We are losing the war on terror – Al Qaeda renaissance threatens homeland attacks

Con Coughlin 8/4/13, Expert on international terrorism and the Middle East, http://www.telegraph.co.uk/news/worldnews/al-qaeda/10222159/This-war-isnt-over-yet.html

For an organisation that is said to be in terminal decline, al-Qaeda will draw immense satisfaction from the events of this past weekend, when it demonstrated its ability to disrupt the work of Western governments by forcing the temporary closure of dozens of diplomatic missions throughout the Arab world. While it is unclear what kind of threat prompted the US government to initiate such radical measures, or the Foreign Office to shut the British mission to Yemen, American intelligence officials are convinced that al-Qaeda is planning a spectacular attack to mark the festival of Eid, which comes at the end of the Muslim holy month of Ramadan. Specifically, they say the intelligence relates to a deadly al-Qaeda cell operating in Yemen, a war-torn country where the writ of the government barely extends beyond the confines of the ancient capital, Sana’a. In recent years, al-Qaeda in the Arabian Peninsula [AQAP] has emerged as one of the more deadly arms of the wider al-Qaeda franchise. This brand of terrorism thrives in Muslim countries with weak governments – and Yemen, which has been afflicted by decades of civil war and instability, was an obvious target for exploitation. Having established a base there at the start of the last decade, the country’s al-Qaeda offshoot gained international notoriety via the so-called “underpants bomber”, Umar Farouk Abdulmutallab. In December 2009, an attempt by this British-educated Nigerian terrorist to blow up a plane as it prepared to land at Detroit only failed when an explosive device hidden in his underwear failed to detonate. Britain and America had another lucky escape the following year, when an explosive device was found hidden in an ink cartridge on a cargo flight due to leave East Midlands Airport for the US. It was primed to detonate as the aircraft approached America’s eastern seaboard. Both these plots are said by intelligence officials to have been the work of Ibrahim al-Asiri, a 31-year-old Saudi who fled to Yemen after being jailed for his association with al-Qaeda. Despite a number of high-profile drone strikes in Yemen that have killed a number of key al-Qaeda leaders, including the group’s American-born founder Anwar al-Awlaki, Asiri still remains at large – and tops the list of America’s most wanted terrorists. The fact that Asiri and his associates, both in Yemen and elsewhere in the Arab world, retain the ability to cause a global security alert suggests that, for all the efforts undertaken by Western counter-terrorism agencies, al-Qaeda remains a considerable threat to our security. The widespread closure of diplomatic missions over the weekend certainly appears to contradict President Obama’s claim last summer that the “war on terror” was drawing to a close, and that the al-Qaeda organisation originally founded by Osama bin Laden no longer had the ability or capacity to cause wholesale carnage in the West. The President made his comments in the wake of the successful mission to eliminate bin Laden at his hideaway in Pakistan in May 2011. Bin Laden’s death – together with the targeted killing by drone strikes of scores of senior al-Qaeda terrorists hiding in the remote mountainous region between Afghanistan and Pakistan – was used to justify the impending withdrawal of American and other Nato forces from Afghanistan. After all, if al-Qaeda no longer had the capacity to terrorise the West, then there was no need for American and British soldiers to continue risking their lives. The impression that America is winding down its long war against al-Qaeda was strengthened last week during a visit by Senator John Kerry, the US Secretary of State, to Pakistan. He dropped a strong hint that America was planning to end its controversial drone strikes in the tribal areas “very, very soon”, because al-Qaeda no longer posed a threat. “I think the programme will end, as we have eliminated most of the threat and continue to eliminate it,” said Mr Kerry. Yet within hours of this statement, the Secretary of State was obliged to authorise an immediate lockdown of all American embassies and consulates in the Arab world, for fear that al-Qaeda might be planning a repeat of last September’s attack on the US consulate in Benghazi in Libya, which claimed the lives of the American ambassador Chris Stevens and three other staff members. The Obama administration faced fierce criticism over the Benghazi attack, particularly when it was revealed that Hillary Clinton, Mr Kerry’s immediate predecessor, had ignored warnings that al-Qaeda was planning to target the compound (Sir Dominic Asquith, Britain’s ambassador to Libya, had survived an al-Qaeda assassination attempt the previous summer). The US government then appeared deliberately to mislead the American public about the nature of the attack, claiming that it was a demonstration that got out of control, rather than a carefully planned al-Qaeda operation. This time, Mr Kerry and his officials are taking no chances. But even if no attack materialises, this episode reflects one of the more frustrating aspects of the decade-long campaign against al-Qaeda and other Islamist terrorists: that no sooner has the threat posed by one group been eliminated, than another pops up to take its place. As the former director of the CIA, General David Petraeus said, the West needed to adopt a “whack-a-mole” policy, so that it could deal with different al-Qaeda cells popping up around the world at the same time. Certainly, to judge by the recent upsurge in al-Qaeda activity, the organisation is currently experiencing something of a renaissance – whether it is organising mass prison breakouts, as have recently taken place in Iraq and Libya, or attempting to exploit the recent wave of Arab uprisings to suit its own Islamist agenda. When anti-government protesters first took to the streets of the major Arab capitals two years ago to demand wholesale reform, it was seen as yet another nail in al-Qaeda’s coffin. The protesters wanted democracy and economic prosperity, not sharia law and a different system of repressive government. Notably, none of those taking part in the protests in places like Tahrir Square carried the black flag of al-Qaeda. But as the protests have faltered, so al-Qaeda has moved quietly to seize the initiative for itself, exploiting the inexperience of newly installed governments in countries like Tunisia, Libya and Egypt. Secular politicians who voice their opposition to Islamist government have been targeted – two prominent secularists have been assassinated in Libya and Tunisia in recent weeks. The chaos created in Libya by the overthrow of the Gaddafi regime has also been to al-Qaeda’s benefit. Apart from acquiring a significant arsenal of hi-tech weaponry from the regime’s stockpiles – including shoulder-fired anti-aircraft missiles – the removal of Gaddafi’s authoritarian government has allowed al-Qaeda cells to flourish with impunity throughout Libya’s vast desert expanse, even allowing its supporters to seize control of large areas of neighbouring Mali. But arguably al-Qaeda’s most impressive recent achievement has been its infiltration of Syria’s moderate opposition movement, and its success in re-establishing a foothold in neighbouring Iraq, where it is once more doing its best to provoke a new round of sectarian conflict. In Syria the al-Nusra Front, which makes no secret of its allegiance to al-Qaeda, has managed to provoke a civil war within a civil war by murdering a prominent commander of the Syrian Free Army. But its main objective remains the removal of President Bashar al-Assad and the establishment of an uncompromising Islamist government in Damascus – especially if it can seize control of Syria’s stockpiles of chemical weapons in the process. For years, one of al-Qaeda’s central aims has been to obtain access to weapons of mass destruction, thereby enabling it to achieve its goal of inflicting widespread carnage against the West. To date, it has failed, but if its allies in Syria or elsewhere in the Arab world ever succeed in getting their hands on such destructive weapons, then the Obama administration and its allies will have rather more to worry about than the security of their diplomatic missions.

#### Expansion of drone strikes undermines engagement with Muslim populations.

George Friedman 13 is the Chairman of Stratfor http://www.stratfor.com/weekly/hellfire-morality-and-strategy

There are two points I have been driving toward. The first is that the outrage at targeted killing is not, in my view, justified on moral or legal grounds. The second is that in using these techniques, the United States is on a slippery slope because of the basis on which it has chosen to wage war. The United States has engaged an enemy that is dispersed across the globe. If the strategy is to go wherever the enemy is, then the war is limitless. It is also endless. The power of the jihadist movement is that it is diffuse. It does not need vast armies to be successful. Therefore, the destruction of some of its units will always result in their replacement. Quality might decline for a while but eventually will recover. The enemy strategy is to draw the United States into an extended conflict that validates its narrative that the United States is permanently at war with Islam. It wants to force the United States to engage in as many countries as possible. From the U.S. point of view, unmanned aerial vehicles are the perfect weapon because they can attack the jihadist command structure without risk to ground forces. From the jihadist point of view as well, un~~man~~ned aerial vehicles are the perfect weapon because their efficiency allows the jihadists to lure the United States into other countries and, with sufficient manipulation, can increase the number of innocents who are killed. In this sort of war, the problem of killing innocents is practical. It undermines the strategic effort. The argument that it is illegal is dubious, and to my mind, so is the argument that it is immoral. The argument that it is ineffective in achieving U.S. strategic goals of eliminating the threat of terrorist actions by jihadists is my point. Unmanned aerial vehicles provide a highly efficient way to destroy key enemy targets with very little risk to personnel. But they also allow the enemy to draw the United States into additional theaters of operation because the means is so efficient and low cost. However, in the jihadists' estimate, the political cost to the United States is substantial. The broader the engagement, the greater the perception of U.S. hostility to Islam, the easier the recruitment until the jihadist forces reach a size that can't be dealt with by isolated airstrikes. In warfare, enemies will try to get you to strike at what they least mind losing. The case against strikes by unmanned aerial vehicles is not that they are ineffective against specific targets but that the targets are not as vital as the United States thinks. The United States believes that the destruction of the leadership is the most efficient way to destroy the threat of the jihadist movement. In fact it only mitigates the threat while new leadership emerges. The strength of the jihadist movement is that it is global, sparse and dispersed. It does not provide a target whose destruction weakens the movement. However, the jihadist movement's weakness derives from its strength: It is limited in what it can do and where. The problem of un~~man~~ned aerial vehicles is that they are so effective from the U.S. point of view that they have become the weapon of first resort. Thus, the United States is being drawn into operations in new areas with what appears to be little cost. In the long run, it is not clear that the cost is so little. A military strategy to defeat the jihadists is impossible. At its root, the real struggle against the jihadists is ideological, and that struggle simply cannot be won with Hellfire missiles. A strategy of mitigation using airstrikes is possible, but such a campaign must not become geographically limitless. Unmanned aerial vehicles lead to geographical limitlessness. That is their charm; that is their danger.

#### That engagement solves best

Melissa Jane Kronfeld 12 Ph.D. Candidate Global Affairs Rutgers University Division of Global Affairs. http://www.firstamendmentstudies.org/wp/pdf/1st\_pl\_kronfeld.pdf

The U.S. must also focus on, and encourage the use of, preventative efforts to ensure individuals are not radicalized in the first place, both at home and overseas. As Bjorgo and Horgan reminds us, “disrupting the process of violent radicalization early in a terrorist career is far better than attempting to do so after someone has committed serious crimes and caused suffering.” cxxxi Drawing from the case studies presented in this research, we know what works. This includes empowering local communities to customize solutions and engage in community policing; targeting specific groups with relevant information (for example, immigrant or nativeborn Muslims as distinct from converts to Islam) with a specific focus on reaching out to the younger generations (particularly individuals under the age of 30); making Muslim communities aware of the state’s commitment to democratic participation, justice and equality; publicizing efforts to combat Islamophobia; and creating effective channels for communication between state and local authorities, religious institutions, schools, recreational associations, parents and mentors so that interventionist strategies might be employed as a preventative measure.cxxxii Strategies to counter the extremist message – in schools, community centers, mosques, recreational associations, and especially online – must be undertaken by partnering with a wide variety of experts and credible Muslim messengers, all of who promote a moderate Islamic message that seeks to de-glamorize or de-mystify terrorism. cxxxiii Although choosing Muslim partners is always problematic – concerns include sanctioning one type of Islam over another through the very act of selecting a partner, choosing groups who later prove to be less moderate than expected, and reconciling the institutionalized separation of church and state in the democratic world – governments should keep in mind that, “the idea is not to regard Islamists as providing an alternative mass movement to jihadism [sic]. Rather, the division of labor that falls to Islamist-linked groups within Muslim public space in the West has more to do with framing issues and organizing events where these concerns are discussed and debated.”cxxxiv As the Foreign Minister of Norway recently penned in the New York Times, “political extremism does not grow in a vacuum. Ideas are the oxygen that allows it to flourish and spread. Extremist perspectives win sympathy and recruits because they offer narratives that claim to identify deep injustices and enemies. Without this fuel, the blaze of extremism is quickly extinguished.”cxxxv This is why a practical emphasis on countering the radical narrative of terrorist organizations is the most crucial element in any program to prevent violent extremism and counter radicalization. The U.S. has already begun to implement a Saudi style al Sakinah campaign to undermine extremists online. As Spencer Ackerman reported in July 2012, the State Department’s “strategic trolling” program known as Viral Peace, “seeks to occupy the virtual space that extremists fill, one thread or Twitter exchange at a time.”cxxxvi The operation aims to use, “logic, humor, satire, [and] religious arguments, not just to confront [extremists], but to undermine and demoralize them.”cxxxvii Empowering young, social media savvy Muslims from around the world, equipped with an Internet connection and a basic curriculum, the State Department hopes to subvert online extremism by using the very pool of able-bodied men and women said extremists aim to recruit.cxxxviii This program deserves top priority status and increased funding. As for the long term, there is little more the U.S. can do than continue to promote a commitment to democratization, human rights and economic development. As noted in the Journal of National Security Law & Policy, “political and economic reform in the Middle East remains the best strategic response to overcoming the region’s deep structural challenges and reducing the pool of potential recruits to radical extremism.”cxxxix The revolutions currently engulfing the Middle East and North Africa remain America’s best hope to pursue this policy, though without strong leadership and a clear strategy for supporting the right partners in the Arab world, the opportunity will be lost to those on the ground – including extremist elements who seek to usurp the revolutionary-democratic fervor of the protestors in the street. Finally, the U.S. must commit to supporting further research in the field of de-radicalization and disengagement. One promising avenue involves “terrorist dropouts” or individuals who elect to disengage from terrorism voluntarily. cxl Examining the reasons and process behind the choice to leave a terrorist organization might enable American authorities to create conditions conducive to making this decision a more accessible reality at home and overseas. Lorenzo Vidino sums it up best in his presentation of 10 lessons learned from his research into counter-radicalization programs: know your client, be flexible, set clear metrics, choose many partners, work at the local level, play down counterterrorism, be open (to anyone with expertise), find ways to evaluate success and failure and finally, have a thick skin – counter-radicalization is no easy task.cxli It has become obvious to those nations confronting violent extremism and radicalization that soft counter-terrorism policies are an integral part of the War on Terrorism, for as Admiral Michael Mullen reminds us, “we can’t kill our way to victory.”cxlii But these programs are not a panacea, not should they be thought of as such.cxliii The real question countries facing the threat of violent extremism and radicalization should ask themselves is, how can the government be used to affect positive societal change so that individuals do not feel it incumbent upon themselves to take matters into their own hands and affect negative societal change? cxliv By downplaying the focus on who holds the moral high ground in this struggle, much can be gained in the fight. Confronting terrorism as a practical problem with practical solutions, and not allowing it to strangle society through fear and the suspension of liberties, is the only way forward. America has fought and defeated many great enemies throughout its history – terrorism will be no different.

#### Specially, Yemen strikes are driving AQAP recruitment.

Spencer Ackerman 8/12/13, National security editor for Guardian, http://www.theguardian.com/world/2013/aug/12/yemen-drone-strikes-us-policy

If the barrage of US drone strikes over the last week weakened al-Qaida's Yemen affiliate, the terrorist organization that has captured Washington's attention isn't acting like it. Not only is it vowing another attack, it has prompted the US to keep its Yemen embassy closed while reopening all the others – implicitly highlighting the weakness of the US policy of launching drone strikes first and asking questions later. Intelligence chatter indicating an imminent attack by al-Qaida in the Arabian peninsula (Aqap) prompted two reactions by Washington. The first was to order a dramatic, temporary shutdown at embassies and consulates throughout the Middle East and Africa. The second was to order a surge in drone strikes in Yemen. A Saturday strike marked the ninth such attack in two weeks. At least 38 suspected "militants" are reported dead. Throughout 2013, the US has launched 21 airstrikes in Yemen, the vast majority from drones; displacing Pakistan as the epicenter of the covert air war, which has seen 18 strikes thus far, according to statistics compiled by the Long War Journal, which tracks the drones closely. Should that trend hold, it would mean there would be more annual US drone strikes in Yemen than in Pakistan, the home of al-Qaida's central leadership, for the first time in the entire post-9/11 era. The steady rise in drone attacks strikes some as an ominous sign about America's true capabilities in Yemen four years after identifying Aqap as a major terrorist threat. "The US doesn't seem to have good human intelligence [in Yemen]. It's essentially bombing and hoping, which is neither sustainable nor wise," said Gregory Johnsen, author of The Last Refuge: Yemen, al-Qaeda, and America's War in Arabia. "It doesn't seem to have an impact on al-Qaida in the Arabian peninsula." The strikes, conducted under parallel programs run by the CIA and the military's Joint Special Operations Command, are significant not only for their intensity and timing. A US official acknowledged to the New York Times that they are no longer targeting simply the top tier of leadership in Aqap – an expansion that may be hard to reconcile with President Obama's May pledge to rein in the drone campaign. "Before, we couldn't necessarily go after a driver for the organization; it'd have to be an operations director," an anonymous official told the Times. "Now that driver becomes fair game because he's providing direct support to the plot." But while Obama indicated he would restrict the drone campaign during a May 23 speech at the National Defense University, his criteria for using lethal force left the CIA and the military with significant leeway. He did not pledge to only kill senior leaders of terrorist organizations – although his reference to "highly skilled al-Qaida commanders, trainers, bomb makers and operatives" may have left that impression. A White House factsheet issued after the speech referred to killing "a senior operational leader of a terrorist organization or the forces that organization is using or intends to use to conduct terrorist attacks" as long as the strike is lawful. Either way, expanding the pool of eligible targets for strikes is rarely a sign that the power launching them believes itself to be winning. Yet such expansion has been a feature of the drone campaigns in Yemen and Pakistan before it: intelligence and military officials have succeeded in both countries to launch strikes against suspected militants without even knowing their names, something known by the shorthand "signature strikes." Any individual strike might perhaps be sound; or have a tactical effect on Aqap. But the organization hardly sounds like it's under stress. On Monday, Aqap's leader, Nasir al-Wuhayshi, vowed in an unusual letter to free Aqap prisoners in Yemen. "Your brothers are about to bring down the walls and thrones of evil," Wuhayshi said in a rare public communication. Not only did Wuhayshi himself break out of a Yemeni jail in 2006, but several recent prison breaks around the Middle East and south Asia have sparked fears of resurgent al-Qaida affiliates, particularly when compared to weak governments in their host countries. Wuhayshi's message came a day after gunmen ambushed and killed five Yemeni soldiers guarding an oil and gas installation in the country's south. Aqap is suspected of involvement – just days after Yemen boasted of disrupting a major Aqap plot; and despite the drone barrage. The US State Department, meanwhile, has reopened all the diplomatic facilities it abruptly shuttered last week in response to fears of an Aqap attack. The exception is in Yemen, where the Sana'a embassy remains closed. State Department representatives did not respond to a request for comment. The human consequences of the interlocking wars in Yemen – Aqap's war against the Yemeni government; the Yemeni government's war to reestablish its control over its population; the US war against Aqap and its support of the Yemeni government– are profound. While it is unknown exactly how many people have died in US drone strikes, cruise missile strikes and raids, several hundred is a consensus range. Then there is the psychological effect. On July 31, a Yemeni man named Faisal bin Ali Jabar wrote to Yemeni president Abdo Rabu Mansour Hadi and Barack Obama to seek answers about the deaths of his brother-in-law and nephew in an August 2012 drone strike. "Our family are not your enemy. In fact, the people you killed had strongly and publicly opposed al-Qaida. Salem was an imam. The Friday before his death, he gave a guest sermon in the Khashamir mosque denouncing al-Qaida's hateful ideology. It was not the first of these sermons, but regrettably, it was his last," Jabar wrote. Earlier this year, a US Senate panel heard for the first time from a Yemeni, activist and journalist Farea al-Muslimi, who sought to explain how deeply drones had affected average Yemenis, even those who never lost anyone in a strike. Muslimi testified that parents now scare their children into behaving by threatening to send a drone after them. He warned that the drone strikes were instilling "psychological fear and terror." Muslimi spent last week tweeting about surveillance planes loitering overhead of his home in Yemen to underscore the fears ordinary Yemenis have during the current emergency. He vented about the way presumption given in the media to the US that anyone killed by a drone was a member of Aqap. "Th # of times media says "suspected militants n #Yemen" makes me thnk All living n yemen, including foreign diplomats, r suspected militants," Muslimi tweeted Sunday. "The US is running to drones every time its counter-terrorism efforts fail," Muslimi wrote in Sunday's Independent. "On each occasion the public rage against al-Qaida in the Arabian peninsula [AQAP] grows and its image is tarnished, and the US – via drone strikes – restores it again. In its recent actions, the US has become al-Qaida's public relations officer." As the US keeps the Sana'a embassy closed and drone-fired missiles keep pounding Yemen, experts are wondering when Washington will develop a strategy for Yemen more sophisticated than bombing and providing a measure of foreign aid. "I don't see the US having a strategy or policy. I see it as having an approach – one that's fluctuating, depending on how severe the threat is," Johnsen said. That being: drones strikes. "I think US has two goals in Yemen," Johnsen explains. "One is: it wants to prevent any sort of Aqap attack on the US homeland or US interests in the Middle East. Second: making sure no official Americans die. Those are both very defensive goals. The two primary, goals when you see what US is doing in Yemen – those are things the US wants to avoid."

#### Aff slows those strikes

Judson Berger 8/12/13, FoxNews, http://www.foxnews.com/politics/2013/08/12/yemen-drone-strikes-could-revive-war-powers-battle-between-administration/

The escalation of drone strikes in Yemen, presumably in response to the ongoing Al Qaeda threat, and other technology-based military options could fuel calls to re-write laws that govern such actions to give Congress greater oversight over the administration's remote-controlled warfare. "Some of these campaigns by the administration clearly constitute an act of war," said Jonathan Turley, an attorney and professor at George Washington University Law School. To date, the administration has claimed broad latitude in its authority to launch limited military operations -- including drone strikes -- without congressional authorization. There's no indication this time will be any different. A total of nine suspected drone strikes reportedly have been recorded in Yemen since late July, taking out dozens of alleged Al Qaeda operatives and other militants. The most recent strike was on Saturday. The Washington Post reported last week that the strikes were authorized by the Obama administration in connection with the ongoing terror threat. If challenged on the strikes, the president is likely to argue that the operation is contained and does not require congressional authorization. He has in the past. This debate flared during the 2011 operation in Libya, when the administration launched a series of air and drone strikes in support of the campaign against Muammar Qaddafi. The Vietnam War-era War Powers Resolution stipulates that the president must receive congressional approval within 60 days of any "hostilities" in order to proceed. But the Obama administration argued that the 1973 resolution is outdated, having been written before drone strikes were a method of modern warfare. "If we are concerned about unmanned uses of weapons that can deliver huge volumes of violence, a statute which only deals with the introduction of U.S. armed forces does not address that situation," State Department legal adviser Harold Koh testified in June 2011 before the Senate Foreign Relations Committee. Koh suggested that Congress re-write the War Powers Resolution if it wants to exercise any oversight over the drone program. "At the time the law was passed ... they were thinking about Vietnam. They weren't thinking about drones or cyber," Koh said.

#### Reducing drones improves civil society—key to economic development and stopping AQAP

Allyson L. Mitchell 12, School of Conflict Analysis and Resolution (S-CAR), George Mason University, http://www.beyondintractability.org/reflection/mitchell-neighbor

The assassination of Anwar al-Awlaki is just one example of a great number of drone attacks that the U.S. has exercised in Yemen. And although it is unlikely to be spoken of by U.S. media outlets, Mr. Awlaki and his circle of subordinates were not the only individuals murdered in the Fall of 2011. Two weeks later, Mr. Awlaki's 16 year old son (a U.S. citizen) and his 17 year old nephew were also killed by a drone attack that was allegedly targeting other AQAP operatives. The two boys were said to have not been the intended targets in the assault and were written off as collateral damage. A recent research study issued by the Bureau of Investigative studies in London found that in Yemen from 2001-2012 there have been between 31-68 attacks resulting in 294-673 deaths; of which 55-105 were civilians, including 24 children.[29] The visual below represents all deaths that have been confirmed; absolute minimum number of casualties.[30] The most deadly U.S. sponsored civilian strike in Yemen occurred on December 17th, 2009 in the southern province of Al-Majala. A U.S. Navy ship launched a Tomahawk cruise missile, intended for known militant Saleh Mohammed al-Anbouri, who had recently been released from prison. Al-Anbouri had told residents that he was preparing to start a new life there and was said to have brought his entire family to the area. He was digging a well with a number of the local men when the missile hit. 41 civilians were killed in the attack, including 22 children ranging from one year old to 17 years. A handful of the women slain were also said to have been pregnant. Additionally, three other civilians' lives were taken after stepping on cluster munitions following the initial blast. This raised the death toll to 44, excluding al-Anbouri and 13 other militants. In the days that followed, the U.S. worked feverishly to cover-up their role in the massacre but Wikileak released cables between General David Petraeus and then-President Saleh confirmed the source of the execution. Yemen's parliament sought answers and established a commission to investigate the slaughter. The commission published its findings on February 7th, 2010 which included the names, ages, relationships, and genders of all 44 civilians killed. The parliament accepted the findings, in full, and called for the government to open a judicial investigation. The same day the Yemeni government is said to have issued a statement apologizing to the survivors, calling the incident a 'mistake' and offering the families monetary compensation for the lives lost and land destroyed.[32] To date, the United States has made no effort to acknowledge its part in the attack, nor express regret for the families that were destroyed. In denial of the aforementioned realities of drone warfare, Chief Counterterrorism Advisor, John Brennan, provided an indication of events to come: "Going forward, we will be mindful that if our nation is threatened, our best offense won't always be deploying large armies abroad but delivering targeted, surgical pressure to the groups that threaten us."[33] Modern day warfare has altered the guidelines of war and changed the way combatants fight; conflicts have been relocated from the classic battlefield location to populated urban centers amongst the daily lives of civilians. This has a tendency to blur the boundaries between civilians and hostiles in a combat environment. That said, the U.S. still has no moral ground to knowingly and purposefully take the lives of the innocent. As Robert Paarlberg, Professor of International Affairs, discovered, "victories that bring resentment will breed resistance, most easily expressed in the form of asymmetric threats against soft targets, including homeland targets".[34] Moreover, by operating drone warfare and murdering civilians, America is creating new enemies that otherwise would not have been a threat. The latest U.S. policy developments raise additional concerns as to the true agenda of the United States. On April 24th, 2012 President Obama approved the use of "signature" attacks following a CIA request to expand their clandestine drone operations in Yemen. Until now, strikes were only sanctioned against known terrorist leaders who appear on the secret targeted kill list and whose locations could be confirmed. This new authority gives the CIA and JSOC (U.S. Joint Special Operations Command) the ability to open fire on targets based exclusively on patterns of behavior; their "signature". The administration's decision has initiated a hot debate in Washington. In particular, "Congressional officials have expressed concern that using signature strikes would raise the likelihood of killing militants who are not involved in plots against the United States, angering Yemeni tribes and potentially creating a new crop of al-Qaeda recruits."[35] This new policy, which has already increased the average number of drone strikes per month, will surely amplify the probability of civilian causalities in future altercations with AQAP. Economic Implications The ongoing civil unrest in Yemen has fractured an already fragile economy. Yemen has relied heavily on its declining oil resources which accounts for roughly 25% of GDP and 70% of total government revenue.[36] In 2006, an economic reform project was set in motion in order to promote direct investment and strengthen non-oil sectors of the economy. This program facilitated the production of liquefied natural gas, which was first exported in 2009. In the past five years, the World Bank and International Monetary Fund have had to suspend disbursements of aid numerous times due to political and economic instability. Yemen has found itself in what economist Paul Collier describes as the Conflict Trap. Collier found that the poorest nations of the world are at the greatest risk of violent civil conflict. In his calculations, once a country partakes in a civil war it experiences 'development in reverse'; meaning the world's poorest are more likely to begin civil wars and those wars further impoverish the people.[37] To substantiate his claim he also studied the middle-income countries of the world and found that they are at almost zero risk of civil war. He argues that the only way out of the Conflict Trap, is through vigorous economic development. Unfortunately, natural resources serve as an important function in development efforts, and Yemen has very few of them. Outside of petroleum, Yemen's strongest resources include fish, rock salt, and marble.[38] During the 2011 unrest in Yemen, strikes on oil pipelines and electrical facilities created severe shortages and electrical outages throughout the nation. To aid, in April 2012, the IMF granted Yemen a $93.75 million interest-free emergency loan to "cushion foreign exchange reserves and maintain macroeconomic stability, while scaling up social and capital expenditures".[39] The Yemeni government has announced it would use these funds to fix the infrastructural issues, create jobs, and reduce poverty. This is a tall order for a nation with 43% of its population under the age of 14 years and 45% of the total population below the poverty line.[40] However if a steady and persistent amount of aid can be delivered without delay, there is hope that Yemen can break the Conflict Trap and reach a state of peace without war. Political Implications As discussed above, Collier provides a clear picture of the benefits of economic development and the economy's role in sustaining peace. International peacebuilding and political development expert, Richard Ponzio takes the idea of conflict prevention one step further by arguing that before economic development can occur, a strong political structure must be in place. During conflict situations, when state institutions fail to provide basic human needs for its people, "power is diffused — and exerted through informal or incoherent means".[41] Extreme mistrust of the Yemeni government has led many Yemenis to join tribes and rebel factions like AQAP in order seek out alternative means for security, food, shelter, and work. Ponzio explains, "Without building trust and cooperation in post conflict societies through effective democratic legal authority, even the most generous provisions of humanitarian or longer-term reconstruction assistance may not lead to sustainable peace."[42] It has been proven that citizens will accept authority if it is deemed legitimate. Therefore structural changes are necessary in order to develop confidence within the community and implement an institutionalized democratic legal authority. Ponzio elaborates: "Besides institutional checks and balances within the formal state structure, democratic authorities can be held accountable through the actions of influential non-state actors, such as the media, civic groups, and the private sector. Such arrangements allow authority to command the respect that is required for effective action by curbing the dangers of excessive corruption or power seeking."[43] Since Abd Rabbuh Mansur Al-Hadi's presidential selection in February 2012, he has been struggling to convince the Yemeni people that transformations are underway. On a positive note, there have been leadership changes within the Yemeni Security Forces as well as the Supreme Judiciary Council. However, with few exceptions, the leadership within the administration remains unchanged. In addition, cities across the country remain divided into zones controlled by a wide range of paramilitary, military, and tribal forces. Efforts to reorganize the zones under a central command have been delayed due to complications. When Mr. Hadi took office he vowed to achieve a number of milestones before the Parliamentary elections which are scheduled for 2014. As part of these objectives, Yemen is seeking to draft a new constitution, reform electoral laws, and create a national dialogue. More critical of present concerns, Hadi declared that a Truth Commission would be created in order to deliver transitional justice to citizens. This commission is evaluating the 2011 protestor attacks and ensuring compensation for victims harmed under Saleh's regime. To date, no investigations have been completed, but many citizens are seeking justice for abuses committed during peaceful protests that killed more than 270 demonstrators in 2011. Unfortunately, this positive progress towards peacebuilding has been masked by a 2012 Yemeni Parliament decision to grant full immunity to Ex-President Saleh. The decision also concedes immunity to those who served with Saleh during his 33-year rule for all political crimes, bar terrorism.[44] This language, which could encompass any major human rights violation committed by representatives on official duty, discounts the integrity of the Truth Commission. President Hadi has failed to take the necessary steps towards executing an institutionalized democratic legal authority in Yemen, triggering a growing lack of confidence towards the new administration. Conclusion: My Neighbor Is a Terrorist So what does it actually mean to live among terrorists? For the 44 civilians killed in Al-Majala, it meant their lives. All in all, for many Yemenis, it signifies living in a constant state of fear. Yemenis fear AQAP and its known allegiances to Al Qaeda's mission. They also fear the Yemeni government, as the shortcomings of the political system have failed them time and time again. And finally, they fear the United States for engaging in sudden and destructive drone strikes that are unknown to the populous until the moment they touch ground. All of these trepidations can be easily morphed into anger which "will only increase the hatred locals have for the United States, and turn residents into al Qa'eda sympathizers."[45]. If the mission of the United States is to rid the world of Al-Qaeda, drone attacks are far from the solution. There are many lessons to be learned from U.S. military policy in Yemen, but the most profound lesson is one of change. "Over the past decade the focus has shifted visibly from restraining violence to legitimizing it"[46] and at what point will it stop? U.S. policy in Yemen is creating nothing more than a perpetual cycle of violence that has a tendency to breed more terrorists than it can exterminate. The bottom line is that the United States should not be meddling in another country's affairs through closed door dealing and secret killing missions. With the United States barred from undermining peacebuilding efforts, the world might bear witness to an entirely new Yemen. Although there is no perfect model for peacebuilding, Collier and Ponzio provide noteworthy guidance on the actions needed for creating political and economic foundations that aid in the stabilization of a state. If achieved, Yemenis may no longer need to look towards terrorist networks, such as AQAP, for support. Confidence in the system and empowerment of the Yemeni people is perhaps the answer to kicking the terrorists out of the neighborhood.

#### An AQAP strike would cause extinction.

Alexander ’10 (Yonah, Director of the International Center for Terrorism Studies at the Potomac Institute for Policy Sciences, “Maghreb & Sahel Terrorism: Addressing the Rising Threat from al-Qaeda & other Terrorists in North & West/Central Africa,” January, <http://www.potomacinstitute.org/attachments/524_Maghreb%20Terrorism%20report.pdf>)

Current and future perpetrators include the following: “freelance” and sub-state terrorist groups; individual terrorists; mentally deranged “crusaders” or “martyrs”; single-issue political extremists; ideological-based groups; ethnic, racial, and religious movements; nationalist and separatist actors; criminal and political mercenaries; and international networks, particularly al-Qaeda and its affiliates in Africa, Asia, and the Middle East. Terrorists’ impulses cover a broad range of motivations. These consist of political discontent— ideological (anarchism, ambitions, radicalism) and nationalistic (resistance, separatism, irredentism)— economic discontent (low living standards, lack of opportunity, unfulfilled expectations, loss or squandered resources); and cultural discontent (class constraints, ethnic discrimination, religious intolerance, technological and environmental irritants). There is also a long record of governments that provide terror groups both direct and indirect support (e.g., financing, training, intelligence, operations, and weaponry). A rogue nation utilizes terrorist proxies to further its own country’s interests. As formal, open, and direct malevolent actions undertaken by a government would call immediate attention to state sponsors, using terrorist groups to carry out operations such as assassinations and bombings enables the government sponsor to deny any claim. The roles played by Iran, Sudan, Cuba, previously Libya, and North Korea in such events come to mind. Currently, Iran and North Korea are of particular concern to the international community because of their nuclear ambitions. In addition, the latest focus of concern is so-called “failed states” wherein there are no effective government institutions to intercede and prevent the spread of terrorist facilities within a country. These lawless zones are increasingly becoming target-rich opportunities for the consolidation of terrorist assets and ventures. Current Trends Modern terrorism is characterized by an ideological and theological fanaticism, an education in hatred toward one’s enemy, which has coupled with rapid technological advancements in communications (e.g., the internet), transportation (e.g., modern international air travel), as well as conventional and unconventional weaponry to create a truly lethal threat. Indeed, this threat has become much more decentralized as it now emanates not only from established terrorist organizations but also from freelance individuals with the motives, means, and opportunity to visit harm upon civil society. Because of these developments, contemporary terrorism presents a multitude of threats to all nations, large and small. One measurement of evaluating the terrorist threat is to calculate the enormous cost to all societies in terms of the number of incidents, the human toll, and the economic damage. Indeed, since the 1960s, modern society has suffered dearly from the global disease of terrorism, a reality that grows in scope and brutality with every passing year. For example, in the 1970s, a total of 300 domestic and international terrorist attacks were recorded worldwide. Today, almost 40 years later, the count totals more than 80,000 incidents. Clearly, no community, country, or region is immune from the impact of terrorism. In the 9/11 attacks in New York City, citizens from 78 countries were killed. That year alone, 3,537 people died. During the period between 2002-2008, more than 113,000 persons perished and hundreds of thousands were wounded in terrorist attacks throughout the world. The economic, political, psychological, and strategic costs must also be considered in this assessment. Criminal-Terrorist Nexus Globalization and the information revolution have enabled criminals and organized crime to do business and engage in a broad range of criminal activities. For instance, “white collar” crimes are expanding. These crimes target sectors such as antitrust law, securities, commodities futures, environmental activities, maritime business, gaming, the internet, intellectual property, and tax customs. Trafficking in human beings (e.g., buying and selling of women and children, usually for sexual exploitation) represents another “new,” substantive, and transnational offense. In addition, serious organized criminal threats facing the international community (e.g., the Maghreb and Sahel regions) consist of current and emerging challenges to law enforcement, including drug trafficking (particularly in heroin, both powder and crack cocaine, and ecstasy), organized immigration crime, fraud (particularly in revenue fraud), money laundering, counterfeiting, illicit weapons possession and sales, and high-tech criminal activity (e.g., the Abdul Qadeer Khan nuclear smuggling network). Legitimate companies support terrorists and criminals—directly and unwittingly—to initiate their illicit activities. Numerous identifiable forums of these relationships include the following interfaces: funding and money laundering; employment and accessibility of personnel and equipment; generic tools (e.g., trucks); instruments of terror (e.g., dynamite or explosives); information about local landmarks and prospective targets (e.g., highlighting vulnerabilities and access to targets); communications, resources, and contacts; work permits (particularly for immigration-related criminal activity); and sponsorship (e.g., employment and resources). Terrorist groups and criminals also use front companies, which combine both legitimate and illicit sources of revenue, and shell companies, opaque firms used to hide a legitimate owner’s interests, to finance unlawful operations. In addition to the foregoing, terrorists and criminals feed off each other in a wide variety of criminal activities, including counterfeiting currency, credit card theft, misappropriating and using credit card information, forging documents, identity theft, money laundering, drug trafficking, corruption, and commercial espionage. Terrorist groups use a variety of means—from the simple to the complex—to secure funding for their activities. The initial sources of terrorist funding include both legal (e.g., personal savings and legitimate business revenue) and illicit avenues (e.g., criminal activity such as drug trafficking, kidnapping, and financial fraud). Once the funds are raised, they are distributed to various factions of terrorist groups through a variety of means. These include the use of traditional and alternative financial services entities (e.g., banks and hawalas—informal money-transfers systems firmly established in Asia and the Middle East), nonprofit organizations trading in commodities (e.g., “conflict diamonds” and gold), bogus financial instruments, smuggling of currency and products, wire transfers, drug trafficking, extortion, money laundering, securities fraud, and other scams. Future Outlook: Super Terrorism What is of particular concern is that unconventional weapons—biological, chemical, radiological, and nuclear—are slowly emerging upon the contemporary terrorist scene. That is, as technological developments offer new capabilities for terrorist groups, the modus operandi of these groups may subsequently alter most drastically. Reportedly, at least a dozen terrorist groups, in addition to al-Qaeda’s network, have shown an interest in acquiring or actively attempting to obtain nuclear weapons, which is a significant threat throughout the world. Thus, while the probability of nuclear terrorism remains low in comparison to the use of other weapons of mass destruction, the consequences of “super” terrorism could be enormous. If a nuclear bomb is stolen (or built by a terrorist group with reasonable resources and talent), it could result in massive devastation. For example, an explosion of about one kiloton (one-twentieth the power of the Hiroshima attack) in any major city has the potential to cause more than 100,000 fatalities and result in damage totaling billions of dollars. Another dangerous emerging trend of contemporary international life is the growing threat of cyberterrorism. The expanding concern is that not only criminal hackers but also terrorists will intensify the utilization of this form of electronic warfare as an equalizer weapon. It is evident that the threat of “non-explosive” terrorist assaults is growing with every passing day. Three contributing factors account for the reality. First, the “globalization” of the internet makes government and industry efforts to control cyber attacks much more challenging than ever before. Second, there are now tens of thousands of hacker-oriented sites on the internet resulting in “democratization” of the tools used for disruption and destruction. With their systematic cyber “cookbooks,” the exploitation of Trojan horses, logic bombs, and other electric modus operandi alternatives are becoming a permanent fixture of international life. Third, terrorist organizations have broken away from their place within the formerly bipolar world and have become multidirectional, causing further complications to our technologically vulnerable societies. These new developments have enhanced the threats and capabilities of terrorist groups to the degree in which they could forever alter our planet’s existence.

#### Reducing drone strikes key to Yemeni stability.

Greenfield et al 2013 (March 26, Danya Greenfield , Deputy Director, Rafik Hariri Center for the Middle East at the Atlantic Council Ambassador, Barbara Bodine , Former US Ambassador to Yemen, Daniel Brumberg, Professor, Georgetown University, Robert D. Burrowes , Adjunct Professor , Emeritus , University of Washington, Sheila Carapico , Professor, University of Richmond, Juan Cole, Professor, University of Michigan, Isobel Coleman , Senior Fellow, The Council on Foreign Relations, Megan Corrado, Legal Counsel and Director of Yemen program , Public International Law & Policy Group, Stephen Day , Professor, Stetson University Charles Dunne , Director of Middle East and North Africa Programs, Freedom House Joshua Foust , National Security Columnist, PBS Need to Know, Stephen Grand , Nonresident Fellow , The Brookings Institution Steven Heydemann , Adjunct Professor, Georgetown University, James Hooper , Managing Director, Public International Law & Policy Group Michael Hudson , Director, Middle East Institute, National University of Singapore Brian Katulis , Senior Fellow, Center for American Progress, Stephen McInerney , Executive Director, Project on Middle East Democracy, David Kramer , President, Freedom House Peter Mandaville, Professor, George Mason University Ambassador, Richard W. Murphy, Former Assistant Secretary of State for Near Eastern and South Asian Affairs, Department of State Emile Nakhleh, Professor, University of New Mexico Shuja Nawaz , Director of South Asia Center at the Atlantic Council Stacey Philbrick Yadav, Professor, Hobart and William Smith Colleges Sarah Phillips , Senior Lecturer, the University of Sydney Charles Schmitz , Professor, Towson University Jillian Schwedler , Associate Professor, University of Massachusetts Daniel Serwer , Professor, Johns Hopkins University Anne - Marie Slaughter , Former Director of Policy Planning, Department of State Christopher Swift , Professor, Georgetown University Ambassador Edward Walker , Former Assistant Secretary of State for Near Eastern and South Asian Affairs , Department of State Wayne White, Former Deputy Director, Office of Analysis for the Near East and South Asia, Bureau of Intelligence and Research, Department of State, “Yemen Policy Initiative”, Coordinated by the Hairi Center for the Middle East at the Atlantic Council and the Project on Middle East Democracy, <http://pomed.org/wordpress/wp-content/uploads/2013/03/YPI-Letter-March-2013.pdf>)

The United States is right to invest in enhancing the capacity and operational effectiveness of Yemen’s armed forces. We have worked to provide training and technical assistance to Yemeni security forces for the purpose of combating extremism. President Hadi’s decision to restructure the security forces will help the government respond to domestic threats , and US support for a Yemeni - led process to implement this reorganization with a unified, centralized command structure will enhance the effectiveness of security forces . This will ultimately enhance their capability to provide security to Yemeni citizens and disrupt terrorist networks throughout the country. However, the increased reliance on drones undermines our long - term interest in a stable, secure, and sustainable partner in Yemen. A growing body of research indicates that civilian casualties and material damage from drone strikes discredit the central government and engender resentment towards the United States. Where drone strikes have hit civilians, news reports and first - hand accounts increasingly indicate that affected families and villages are demonstrating and chanting against the Yemeni and US government. This creates fertile ground for new recruits and sympathizers who might provide safe haven or direct support to AQAP and its local affiliate, Ansar al - Sharia. The collateral damage produced by drone strikes, along with the political cost of alienating Yemenis, reduces the political space within which we can cooperate with and help strengthen the Yemeni government. By embracing the expansive use of US drones, President Hadi risks undermining the legitimacy of his government. The vast majority of Yemenis likely accept that the Yemeni government must combat violent extremists that have found safe haven in Yemen, but reject US control of this campaign. The US strategy in Yemen is based on the core assumption that a strong and legitimate government is essential to overcome the myriad of challenges the country faces. By associating itself with drone strikes, the Yemeni government unwittingly undercuts its credibility amongst the population. Opposition to drone strikes is becoming a national rallying cry for those distrustful of the central government — from Ansar al - Sharia , to Houthis , to Southerners. Ultimately, the United States will not be able to overcome the threat of AQAP by military means alone – we cannot simply kill our way out of this problem. The only effective long - term strategy will prioritize helping the Yemeni government address the very factors that allow extremist ideology to spread: the absence of basic social services, a worsening food shortage, and chronic unemployment . The US government has made some positive changes over the past four years in terms of its policy toward Yemen, but more can and must be done to set our policy on the right course. Senior administration officials already emphasize our commitment to Yemen’s economic development and political transition, but actions speak louder than words. This is the moment to strengthen this commitment with concrete action. With the development of a new national security team, your administration is well positioned to make the following changes in US policy:  Leverage the US government’s close relationship with President Hadi to strongly encourage his government to meet the reform benchmarks to which he has committed and address human rights violations. These commitments arose from a process that President Hadi himself set forth as a result of the GCC agreement, and implementation is critical for the credibility of the process and international support. Your Administration should continue to work with Hadi and his government to empower democratic institutions and processes rather than individuals . Even in a transitional phase, Hadi and his government should focus on combating corruption, while rewarding merit rather than personal relationships.  Support the National Dialogue in ways that empower independent voices — not only political party elites — and include more extensive outreach to Southerners and Yemenis outside of Sanaa and other urban areas . The United States should encourage President Hadi to implement the twenty points recommended by the Technical Committee of the National Dialogue Conference to generate confidence among Yemenis in the dialogue process itself. Credible Southern participation is essential for the success of the dialogue, and concrete measures should be taken to demonstrate the government’s commitment to a fair process that will address Southern grievances. Beyond the National Dialogue, the United States should reach out more broadly to youth and civil society groups and work with new leaders capable of leading Yemen past the Saleh - era status quo .  Work within the Friends of Yemen group to ensure that the generous pledges committed to Yemen are delivered and that the government of Yemen has the capacity and resources it needs to implement projects . Beyond the moral imperative of providing assistance to avoid famine and extreme suffering, there is an acute security risk of this crisis leading to greater instability. The US should work with President Hadi and his government to activate and empower the new ly - established Executive Bureau with real decision - making powers to expedite donor - funded development projects, including leverage to push implementing agencies to action. Moving quickly to impleme nt development projects in the S outh and other vulnerable areas will help instill confidence in Hadi’s government and the dial ogue process.  Implement a more robust public diplomacy strategy to demonstrate that US interests in Yemen are not limited to counterterrorism and security issues . Although the State Department and USAID are engaging President Hadi’s government on economic , political, and humanitarian issues, most Yemenis are unaware of such initiatives and feel only the negative aspects of US counterterrorism policy. A visit by Secretary of State John Kerry would send a strong signal of support for Yemen’s transition and its democratic aspirations. Additionally, other high - level civilian officials — who are not connected to defense or security issues — should make public statements and speeches conveying a sustained US commitment to ensuring Yemen’s economic well - being and democratic development through the transition process.  Reevaluate our reliance on drone strikes with the recognition that this approach is generating significant anti - American sentiment and could strengthen the appeal of extremist groups. While the tactical costs and benefits are weighed by your Administration, the same degree of attention should be paid to the corrosive political costs of such strikes . Particular attention must be focused on the effect of strikes on the central government’s legitimacy and its ability to cooperate with the United States. At the same time, the Administration should work with Congress to develop a more transparent process and robust legal framework to govern the use of drone strikes in Yemen and elsewhere.  Ensure that security restructuring achieves a unified command structure under civilian leadership and that US military assistance does not perpetuate the same mistakes made during Saleh ’s tenure . US assistance should focus on strengthening institutions to enhance the long - term capacity of Yemen’s security forces to address armed threats to internal security — not only counterterrorism operations. Within such programs, the United States should prioritize the need for Yemeni forces to respect human rights and the rule of law . US security assistance and the delivery of defense articles should reflect progress on reform benchmarks to which President Hadi has already committed .  Increase economic assistance and draw upon regional funds to support Yemen, in addition to a bilateral assistance package. The US should allocate funds for Yemen from the Middle East Response Fund and the FY13 budget, as approved by Congress. Over the past year, US assistance has increased and shifted the proportion of economic aid relative to military assistance – this is a positive change that deserves recognition. USAID should continue this trend, and funding should focus specifically on job creation, improving the business and regulatory environments , enhancing civil society capacity and democratic institution - building . As individuals who care deeply about the United State s and the future of Yemen, representing a diversity of experience, opinion, and political affiliation, the undersigned urge you and those in your administration to consider and implement these recommendations with the utmost urgency. We lend our names in our personal, not institutional, capacity.

#### Impact is terror, Iran-Israel war, and Iran-Saudi war.

Berger et al 2012 (May, Lars Berger, Lecturer in politics and contemporary history of the middle east at the university of salford/Manchester, Maurice Doring, MA in political science, international law and philosophy from the University of Bonn, Sven-Eric Fikenscher, research fellow at Geothe University, Ahmed Salf, Exeutive Director of the Sheba Center for Strategic Studies, Ahmed Al-Wahishi, Executive Secretary of the Yemeni International Affairs Center, “Yemen and the Middle East Conference The Challenge of Failing States and Transnational Terrorism”, <http://usir.salford.ac.uk/22952/1/Yemen_and_the_Middle_East_Conference.pdf>)

While in a geographical and political sense Yemen is far from being a central actor in the envisioned MEC, its political future could easily shape the gathering on several levels. First, the Middle East Conference aims at establishing a WMD/DVs Free Zone. On the one hand, Yemen is a party to all three legal documents banning weapons of mass destruction: the Nuclear Non-Proliferation Treaty, the Biological and Toxin Weapons Convention (BTWC), and the Chemical Weapons Convention (CWC). In addition, Sana’a has embraced the Gulf Cooperation Council’s (GCC) call for a Gulf WMD Free Zone, independent of Israeli nuclear policy. On the other hand, when it comes to the problématique of WMD and proliferation, Yemen might store chemical weapons, depending on whether rumors about the use of nerve gas against anti- government protesters in early 2011 turn out to be true. In addition, Yemen imported various WMD-capable aircraft and missiles and probably still operates most of them (see Table No. 1). In the aircraft realm, Yemeni decision-makers from the North, the South, and the unifi ed country alike have mostly received Soviet/Russian fighter jets and bombers. 1 The current level of instability and the threat of further deterioration could thus spoil any serious arms control effort in Yemen. This is particularly troublesome since the country, given its history and affiliation with the Arab League, will have to be part of far- reaching regional disarmament initiatives. The prospect of an Arab state with an uncontrolled chemical arsenal is likely to affect Israeli and Iranian calculations with regard to the MEC. Both states are suspicious of the Arab League and tensions between Iran and Saudi Arabia, which is particularly influential in Yemen, have recently worsened. Second, with a long history as one of the region’s eminent weapons markets, Yemen has the potential to serve as a major gateway for illicit weapons, both conventional and unconventional, entering the Arab peninsula and other parts of the Arab East. If the situation escalates, states with an interest in such technology might, for instance, try to obtain missiles and their spare parts or attempt to gain access to sensitive material from the country’s suspected chemical warheads. This could contribute to the prolif- eration of delivery systems as well as WMD thereby undermining the MEC. In 2011, protesters seized an army base in Sana’a, while Al-Qaeda in the Arab Peninsula (AQAP) has, on a frequent basis, been able to temporarily control several cities and launch deadly assaults on military bases in the southern province of Abyan. Such developments could offer AQAP the chance to use existing dual-use laboratories or even to build their own facilities capable of producing biological and chemical material in remote areas under their control. Third, Yemen has the potential to play a more prominent role in the ongoing tensions between Saudi Arabia and Iran. Riyadh has a long history of attempts to shape the course of political events in Yemen with which it shares a 1,800 km-long border. Saudi Arabia’s different reactions to domestic calls for change in Bahrain and Syria have made clear that it is viewing the ‘Arab Spring’ primarily through the lens of its long-running conflict with Iran. From a Saudi point of view, instability in Yemen opens up the specter of increased Iranian influence at a time when Tehran’s foothold in the Arab world’s northern tier comes under strain in the context of the popular uprising against the Assad regime in Syria. a number of narrowly foiled terrorist attacks on U.S. targets and the 2009 Fort Hood shooting in Texas have shifted global attention towards Yemen’s status as the home to Al-Qaeda in the Arab Peninsula. Continuing instability in Yemen allows AQAP to regroup and pose a direct threat to the security of Saudi Arabia and other countries on the Arab peninsula. It also puts AQAP into a position to intensify its support for the ‘home-grown’ attempted terrorist attacks the United States has witnessed over the last couple of years. In short, Yemen’s instability has the potential to allow transnational actors to undermine the security arrangements which the region’s state actors might contemplate as part of the envisioned MEC.

#### Iran-Israel war causes WWIII.

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

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

#### Iran-Saudi war goes nuclear.

Jain, visiting fellow at The Washington Institute, 11 [Ash, served as a member of the State Department’s Policy Planning Staff from 2004 to 2010, Nuclear Weapons and Iran’s Global Ambitions, Washington Institute, Policy Focus 114, August, 2011, ]

As it looks for plausibly deniable ways to intimidate and subvert Gulf monarchies, an emboldened Iran could decide to direct terrorist attacks in the Gulf, possibly even targeting U.S. interests. Moreover, Gulf efforts to contain and deter Iran could escalate tensions in the region and increase the risk of violence and conflict. A military confrontation between Iran and the Gulf states—both potentially armed with nuclear weapons—could have drastic consequences. While crisis diplomacy might succeed in containing its impact, any such confrontation could seriously undermine regional security, disrupt global energy supplies, and threaten global economic and financial stability. U.S. military intervention might also be necessary at some point—though this could be complicated in the face of a nuclear Iran

### Prolif Advantage

#### Contention Three – Drone Prolif

#### Drone prolif escalates and destroys deterrence without strong norms—multiple scenarios for conflict

Michael J. Boyle 13, Assistant Professor, Political Science – La Salle, International Affairs 89: 1 (2013) 1–29

An important, but overlooked, strategic consequence of the Obama administration’s embrace of drones is that it has generated a new and dangerous arms race for this technology. At present, the use of lethal drones is seen as acceptable to US policy-makers because no other state possesses the ability to make highly sophisticated drones with the range, surveillance capability and lethality of those currently manufactured by the United States. Yet the rest of the world is not far behind. At least 76 countries have acquired UAV technology, including Russia, China, Pakistan and India.120 China is reported to have at least 25 separate drone systems currently in development.121 At present, there are 680 drone programmes in the world, an increase of over 400 since 2005.122 Many states and non-state actors hostile to the United States have begun to dabble in drone technology. Iran has created its own drone, dubbed the ‘Ambassador of Death’, which has a range of up to 600 miles.123 Iran has also allegedly supplied the Assad regime in Syria with drone technology.124 Hezbollah launched an Iranian-made drone into Israeli territory, where it was shot down by the Israeli air force in October 2012.125 A global arms race for drone technology is already under way. According to one estimate, global spending on drones is likely to be more than US$94 billion by 2021.126 One factor that is facilitating the spread of drones (particularly non-lethal drones) is their cost relative to other military purchases. The top-of-the line Predator or Reaper model costs approximately US$10.5 million each, compared to the US$150 million price tag of a single F-22 fighter jet.127 At that price, drone technology is already within the reach of most developed militaries, many of which will seek to buy drones from the US or another supplier. With demand growing, a number of states, including China and Israel, have begun the aggressive selling of drones, including attack drones, and Russia may also be moving into this market.128 Because of concerns that export restrictions are harming US competitiveness in the drones market, the Pentagon has granted approval for drone exports to 66 governments and is currently being lobbied to authorize sales to even more.129 The Obama administration has already authorized the sale of drones to the UK and Italy, but Pakistan, the UAE and Saudi Arabia have been refused drone technology by congressional restrictions.130 It is only a matter of time before another supplier steps in to offer the drone technology to countries prohibited by export controls from buying US drones. According to a study by the Teal Group, the US will account for 62 per cent of research and development spending and 55 per cent of procurement spending on drones by 2022.131 As the market expands, with new buyers and sellers, America’s ability to control the sale of drone technology will be diminished. It is likely that the US will retain a substantial qualitative advantage in drone technology for some time, but even that will fade as more suppliers offer drones that can match US capabilities. The emergence of this arms race for drones raises at least five long-term strategic consequences, not all of which are favourable to the United States over the long term. First, it is now obvious that other states will use drones in ways that are inconsistent with US interests. One reason why the US has been so keen to use drone technology in Pakistan and Yemen is that at present it retains a substantial advantage in high-quality attack drones. Many of the other states now capable of employing drones of near-equivalent technology—for example, the UK and Israel—are considered allies. But this situation is quickly changing as other leading geopolitical players, such as Russia and China, are beginning rapidly to develop and deploy drones for their own purposes. While its own technology still lags behind that of the US, Russia has spent huge sums on purchasing drones and has recently sought to buy the Israeli-made Eitan drone capable of surveillance and firing air-to-surface missiles.132 China has begun to develop UAVs for reconnaissance and combat and has several new drones capable of long-range surveillance and attack under development.133 China is also planning to use unmanned surveillance drones to allow it to monitor the disputed East China Sea Islands, which are currently under dispute with Japan and Taiwan.134 Both Russia and China will pursue this technology and develop their own drone suppliers which will sell to the highest bidder, presumably with fewer export controls than those imposed by the US Congress. Once both governments have equivalent or near-equivalent levels of drone technology to the United States, they will be similarly tempted to use it for surveillance or attack in the way the US has done. Thus, through its own over-reliance on drones in places such as Pakistan and Yemen, the US may be hastening the arrival of a world where its qualitative advantages in drone technology are eclipsed and where this technology will be used and sold by rival Great Powers whose interests do not mirror its own. A second consequence of the spread of drones is that many of the traditional concepts which have underwritten stability in the international system will be radically reshaped by drone technology. For example, much of the stability among the Great Powers in the international system is driven by deterrence, specifically nuclear deterrence.135 Deterrence operates with informal rules of the game and tacit bargains that govern what states, particularly those holding nuclear weapons, may and may not do to one another.136 While it is widely understood that nuclear-capable states will conduct aerial surveillance and spy on one another, overt military confrontations between nuclear powers are rare because they are assumed to be costly and prone to escalation. One open question is whether these states will exercise the same level of restraint with drone surveillance, which is unmanned, low cost, and possibly deniable. States may be more willing to engage in drone overflights which test the resolve of their rivals, or engage in ‘salami tactics’ to see what kind of drone-led incursion, if any, will motivate a response.137 This may have been Hezbollah’s logic in sending a drone into Israeli airspace in October 2012, possibly to relay information on Israel’s nuclear capabilities.138 After the incursion, both Hezbollah and Iran boasted that the drone incident demonstrated their military capabilities.139 One could imagine two rival states—for example, India and Pakistan—deploying drones to test each other’s capability and resolve, with untold consequences if such a probe were misinterpreted by the other as an attack. As drones get physically smaller and more precise, and as they develop a greater flying range, the temptation to use them to spy on a rival’s nuclear programme or military installations might prove too strong to resist. If this were to happen, drones might gradually erode the deterrent relationships that exist between nuclear powers, thus magnifying the risks of a spiral of conflict between them. Another dimension of this problem has to do with the risk of accident. Drones are prone to accidents and crashes. By July 2010, the US Air Force had identified approximately 79 drone accidents.140 Recently released documents have revealed that there have been a number of drone accidents and crashes in the Seychelles and Djibouti, some of which happened in close proximity to civilian airports.141 The rapid proliferation of drones worldwide will involve a risk of accident to civilian aircraft, possibly producing an international incident if such an accident were to involve an aircraft affiliated to a state hostile to the owner of the drone. Most of the drone accidents may be innocuous, but some will carry strategic risks. In December 2011, a CIA drone designed for nuclear surveillance crashed in Iran, revealing the existence of the spying programme and leaving sensitive technology in the hands of the Iranian government.142 The expansion of drone technology raises the possibility that some of these surveillance drones will be interpreted as attack drones, or that an accident or crash will spiral out of control and lead to an armed confrontation.143 An accident would be even more dangerous if the US were to pursue its plans for nuclear-powered drones, which can spread radioactive material like a dirty bomb if they crash.144 Third, lethal drones create the possibility that the norms on the use of force will erode, creating a much more dangerous world and pushing the international system back towards the rule of the jungle. To some extent, this world is already being ushered in by the United States, which has set a dangerous precedent that a state may simply kill foreign citizens considered a threat without a declaration of war. Even John Brennan has recognized that the US is ‘establishing a precedent that other nations may follow’.145 Given this precedent, there is nothing to stop other states from following the American lead and using drone strikes to eliminate potential threats. Those ‘threats’ need not be terrorists, but could be others— dissidents, spies, even journalists—whose behaviour threatens a government. One danger is that drone use might undermine the normative prohibition on the assassination of leaders and government officials that most (but not all) states currently respect. A greater danger, however, is that the US will have normalized murder as a tool of statecraft and created a world where states can increasingly take vengeance on individuals outside their borders without the niceties of extradition, due process or trial.146 As some of its critics have noted, the Obama administration may have created a world where states will find it easier to kill terrorists rather than capture them and deal with all of the legal and evidentiary difficulties associated with giving them a fair trial.147 Fourth, there is a distinct danger that the world will divide into two camps: developed states in possession of drone technology, and weak states and rebel movements that lack them. States with recurring separatist or insurgent problems may begin to police their restive territories through drone strikes, essentially containing the problem in a fixed geographical region and engaging in a largely punitive policy against them. One could easily imagine that China, for example, might resort to drone strikes in Uighur provinces in order to keep potential threats from emerging, or that Russia could use drones to strike at separatist movements in Chechnya or elsewhere. Such behaviour would not necessarily be confined to authoritarian governments; it is equally possible that Israel might use drones to police Gaza and the West Bank, thus reducing the vulnerability of Israeli soldiers to Palestinian attacks on the ground. The extent to which Israel might be willing to use drones in combat and surveillance was revealed in its November 2012 attack on Gaza. Israel allegedly used a drone to assassinate the Hamas leader Ahmed Jabari and employed a number of armed drones for strikes in a way that was described as ‘unprecedented’ by senior Israeli officials.148 It is not hard to imagine Israel concluding that drones over Gaza were the best way to deal with the problem of Hamas, even if their use left the Palestinian population subject to constant, unnerving surveillance. All of the consequences of such a sharp division between the haves and have-nots with drone technology is hard to assess, but one possibility is that governments with secessionist movements might be less willing to negotiate and grant concessions if drones allowed them to police their internal enemies with ruthless efficiency and ‘manage’ the problem at low cost. The result might be a situation where such conflicts are contained but not resolved, while citizens in developed states grow increasingly indifferent to the suffering of those making secessionist or even national liberation claims, including just ones, upon them. Finally, drones have the capacity to strengthen the surveillance capacity of both democracies and authoritarian regimes, with significant consequences for civil liberties. In the UK, BAE Systems is adapting military-designed drones for a range of civilian policing tasks including ‘monitoring antisocial motorists, protesters, agricultural thieves and fly-tippers’.149 Such drones are also envisioned as monitoring Britain’s shores for illegal immigration and drug smuggling. In the United States, the Federal Aviation Administration (FAA) issued 61 permits for domestic drone use between November 2006 and June 2011, mainly to local and state police, but also to federal agencies and even universities.150 According to one FAA estimate, the US will have 30,000 drones patrolling the skies by 2022.151 Similarly, the European Commission will spend US$260 million on Eurosur, a new programme that will use drones to patrol the Mediterranean coast.152 The risk that drones will turn democracies into ‘surveillance states’ is well known, but the risks for authoritarian regimes may be even more severe. Authoritarian states, particularly those that face serious internal opposition, may tap into drone technology now available to monitor and ruthlessly punish their opponents. In semi-authoritarian Russia, for example, drones have already been employed to monitor pro-democracy protesters.153 One could only imagine what a truly murderous authoritarian regime—such as Bashar al-Assad’s Syria—would do with its own fleet of drones. The expansion of drone technology may make the strong even stronger, thus tilting the balance of power in authoritarian regimes even more decisively towards those who wield the coercive instruments of power and against those who dare to challenge them.

#### These go nuclear

Jürgen Altmann 10, Researcher and lecturer at the University of Dortmund, is one of the founding members of the International Committee for Robot Arms Control, http://www.irf.ac.at/index.php?option=com\_content&task=view&id=314&Itemid=1

Where do you see the main challenges for the international community regarding the use of armed un~~man~~ned systems by the military. What are the specific challenges of autonomous systems as compared to current telerobotic systems? The main challenge is in deciding whether the present trend should continue and expand to many more countries and to many more types of armed uninhabited vehicles (in the air, on and under water, on the ground, also in outer space), or whether efforts should be taken to constrain this arms race and limit the dangers connected to it. Here not only governments, but non-governmental organisations and the general public should become active. Autonomous systems obviously would open many new possibilities for war by accident (possibly escalating up to nuclear war) and for violations of the international laws of warfare. A human decision in each single weapon use should be the minimum requirement.

#### Perceived US accountability sets a model for checks and balances

Peter J Fusco 12, McGill University, http://archive.atlantic-community.org/index/articles/view/America's\_Drone\_Strikes\_Setting\_Dangerous\_Precedent\_

The Obama administration is setting a very dangerous global precedence for sending drones over borders to kill enemies (sometimes innocents). These drone strikes lack the congressional oversight of the executive branch while Congress does little to oppose it. At the same time, employing drones qualifies as a "moral hazard." Drone warfare, like all developments of new military technologies, require close examination of their ethical, legal, and political implications. The world's first encounter with the use of drones in warfare by the Obama Administration has set a dangerous precedent for two reasons. First, because of the questionable ethics of drone warfare itself and second, because the administration has sidestepped federal checks and balances. In the coming decades, this technology will inevitably diffuse into other nation's military arsenals, American policy in the use of drones must change and the model set by the Obama administration must not be followed. A recent New York Times blog post co-written by John Kaagand & Sarah Kreps, argues that drone warfare checks all the boxes to qualify as a "moral hazard." A moral hazard is an ethical situation in which costs incurred by risks are barely felt, if at all, by those taking the risk. Drones, accordingly, minimize or eliminate government's incentive to prudently exercise lethal force. Greater and greater risks are taken, as the risk taker is able to avoid or minimize taking-on costs. The Obama administration's use of drones is a moral hazard because it allows an unchecked branch of government to wage a counter-terrorism war without the risk of American casualties and limited economic costs. Moral hazards are at the root of many foreign and military policy decisions but they must be subject to checks and balances to prevent gross abuses of executive power. The Obama Administration fails to acknowledge this and offers a bunk ethical justification instead: drones have the capacity to kill much more efficiently and with less collateral damage. This is not truly a justification because it fails to make a fact-value distinction. Just because we can easily and cheaply carry out targeted killings by the use of drones does not mean we ought to. But, neither the moral hazard created by the use of drones nor the lack official justifications categorically damns drones as unethical. With it's ethical status in limbo, it illustrates the caution with which this new type of weapon must be treated and the need for new policy controlling its usage. The discourse surrounding the use of drones shows that our administration and our society have not engaged with the ethical subject matter sufficiently to warrant the proliferation of drone warfare. Furthermore, the Obama administration has not used caution nor even followed existing policy. In June 2011, the Administration released a statement to Congress offering legal justification for sidestepping the 1973 War Powers Resolution. This resolution states that in order to maintain the spirit of Constitutional checks and balances, military operations initiated by the executive branch must be disclosed and justified to the Congress within 48 hours. Operations lasting beyond 60 days require congressional approval. The administration's statement, outlining the use of drones in Libya, stated that because the drones does not "involve the presence of U.S. ground troops, U.S. casualties or a serious threat thereof" their use does not fall under the War Powers Resolution's jurisdiction. Thus, the executive branch has complete control over these classified operations without Congressional oversight. As political scientist Peter W. Singer in a recent New York Times Magazine article rightly points out, this is entirely undemocratic. Congress has been circumvented and with the public burden of warfare removed there is almost no public stake in drone military action. The dangerous precedent set by the Obama administration is to ignore the ethical hazards of drone warfare, which demand governmental and public checks, balances, and scrutiny. In the near future, drone technology will cheapen and diffuse into the arsenals of other nations. The ability to kill more precisely and more cheaply will become widespread. Other nations must ignore the way in which the Obama Administration first used drones in order to prevent concentrations of power, uphold democratic procedures, preserve the whole idea of taking costly measures to avoid war and protect international diplomacy.

#### Now’s key—window is closing for model of established norms on drones

Kristin Roberts 13, News Editor – National Journal, March 22, http://www.nationaljournal.com/magazine/when-the-whole-world-has-drones-20130321

“The history of technology development like this is, you never maintain your lead very long. Somebody always gets it,” said David Berteau, director of the International Security Program at the Center for Strategic and International Studies. “They’re going to become cheaper. They’re going to become easier. They’re going to become interoperable,” he said. “The destabilizing effects are very, very serious.” Berteau is not alone. Zenko, of the Council on Foreign Relations, has urged officials to quickly establish norms. Singer, at Brookings, argues that the window of opportunity for the United States to create stability-supporting precedent is quickly closing. The problem is, the administration is not thinking far enough down the line, according to a Senate Intelligence aide. Administration officials “are thinking about the next four years, and we’re thinking about the next 40 years. And those two different angles on this question are why you see them in conflict right now.” That’s in part a symptom of the “technological optimism” that often plagues the U.S. security community when it establishes a lead over its competitors, noted Georgetown University’s Kai-Henrik Barth. After the 1945 bombing of Hiroshima and Nagasaki, the United States was sure it would be decades before the Soviets developed a nuclear-weapon capability. It took four years. With drones, the question is how long before the dozens of states with the aircraft can arm and then operate a weaponized version. “Pretty much every nation has gone down the pathway of, ‘This is science fiction; we don’t want this stuff,’ to, ‘OK, we want them, but we’ll just use them for surveillance,’ to, ‘Hmm, they’re really useful when you see the bad guy and can do something about it, so we’ll arm them,’ ” Singer said. He listed the countries that have gone that route: the United States, Britain, Italy, Germany, China. “Consistently, nations have gone down the pathway of first only surveillance and then arming.” The opportunity to write rules that might at least guide, if not restrain, the world’s view of acceptable drone use remains, not least because this is in essence a conventional arms-control issue. The international Missile Technology Control Regime attempts to restrict exports of unmanned vehicles capable of carrying weapons of mass destruction, but it is voluntary and nonbinding, and it’s under attack by the drone industry as a drag on business. Further, the technology itself, especially when coupled with data and real-time analytics, offers the luxury of time and distance that could allow officials to raise the evidentiary bar for strikes—to be closer to certain that their target is the right one. 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.

#### Specifically, American drone precedent is used by China to militarize the Senkaku Islands

Bodeen 13, Christopher, Huffington Post, “China's Drone Program Appears To Be Moving Into Overdrive”, 5/13, http://www.huffingtonpost.com/2013/05/03/china-drone-program\_n\_3207392.html

Chinese aerospace firms have developed dozens of drones, known also as unmanned aerial vehicles, or UAVs. Many have appeared at air shows and military parades, including some that bear an uncanny resemblance to the Predator, Global Hawk and Reaper models used with deadly effect by the U.S. Air Force and CIA. Analysts say that although China still trails the U.S. and Israel, the industry leaders, its technology is maturing rapidly and on the cusp of widespread use for surveillance and combat strikes. "My sense is that China is moving into large-scale deployments of UAVs," said Ian Easton, co-author of a recent report on Chinese drones for the Project 2049 Institute security think tank. China's move into large-scale drone deployment displays its military's growing sophistication and could challenge U.S. military dominance in the Asia-Pacific. It also could elevate the threat to neighbors with territorial disputes with Beijing, including Vietnam, Japan, India and the Philippines. China says its drones are capable of carrying bombs and missiles as well as conducting reconnaissance, potentially turning them into offensive weapons in a border conflict. China's increased use of drones also adds to concerns about the lack of internationally recognized standards for drone attacks. The United States has widely employed drones as a means of eliminating terror suspects in Pakistan and the Arabian Peninsula. "China is following the precedent set by the U.S. The thinking is that, `If the U.S. can do it, so can we. They're a big country with security interests and so are we'," said Siemon Wezeman, a senior fellow at the arms transfers program at the Stockholm International Peace Research Institute in Sweden, or SIPRI. "The justification for an attack would be that Beijing too has a responsibility for the safety of its citizens. There needs to be agreement on what the limits are," he said. Though China claims its military posture is entirely defensive, its navy and civilian maritime services have engaged in repeated standoffs with ships from other nations in the South China and East China seas. India, meanwhile, says Chinese troops have set up camp almost 20 kilometers (12 miles) into Indian-claimed territory. It isn't yet known exactly what China's latest drones are capable of, because, like most Chinese equipment, they remain untested in battle. The military and associated aerospace firms have offered little information, although in an interview last month with the official Xinhua News Agency, Yang Baikui, chief designer at plane maker COSIC, said Chinese drones were closing the gap but still needed to progress in half a dozen major areas, from airframe design to digital linkups. Executives at COSIC and drone makers ASN, Avic, and the 611 Institute declined to be interviewed by The Associated Press, citing their military links. The Defense Ministry's latest report on the status of the military released in mid-April made no mention of drones, and spokesman Yang Yujun made only the barest acknowledgement of their existence in response to a question. "Drones are a new high-tech form of weaponry employed and used by many militaries around the world," Yang said. "China's armed forces are developing weaponry and equipment for the purpose of upholding territorial integrity, national security and world peace. It will pose no threat to any country." Drones are already patrolling China's borders, and a navy drone was deployed to the western province of Sichuan to provide aerial surveillance following last month's deadly earthquake there. They may also soon be appearing over China's maritime claims, including Japanese-controlled East China Sea islands that China considers its own. That could sharpen tensions in an area where Chinese and Japanese patrol boats already confront each other on a regular basis and Japan frequently scrambles fighters to tail Chinese manned aircraft. Retired Maj. Gen. Peng Guoqian told state media in January that drones were already being used to photograph and conduct surveillance over the islands, called Diaoyu by China and Senkaku by Japan.

#### Drones uniquely escalate it – high risk of accidental war.

Kaiman and McCurry 13, Jonathan and Justin, “Japan and China step up drone race as tension builds over disputed islands”, http://www.theguardian.com/world/2013/jan/08/china-japan-drone-race

Drones have taken centre stage in an escalating arms race between China and Japan as they struggle to assert their dominance over disputed islands in the East China Sea. China is rapidly expanding its nascent drone programme, while Japan has begun preparations to purchase an advanced model from the US. Both sides claim the drones will be used for surveillance, but experts warn the possibility of future drone skirmishes in the region's airspace is "very high". Tensions over the islands – called the Diaoyu by China and the Senkaku by Japan – have ratcheted up in past weeks. Chinese surveillance planes flew near the islands four times in the second half of December, according to Chinese state media, but were chased away each time by Japanese F-15 fighter jets. Neither side has shown any signs of backing down. Japan's new conservative administration of Shinzo Abe has placed a priority on countering the perceived Chinese threat to the Senkakus since it won a landslide victory in last month's general election. Soon after becoming prime minister, Abe ordered a review of Japan's 2011-16 mid-term defence programme, apparently to speed up the acquisition of between one and three US drones. Under Abe, a nationalist who wants a bigger international role for the armed forces, Japan is expected to increase defence spending for the first time in 11 years in 2013. The extra cash will be used to increase the number of military personnel and upgrade equipment. The country's deputy foreign minister, Akitaka Saiki, summoned the Chinese ambassador to Japan on Tuesday to discuss recent "incursions" of Chinese ships into the disputed territory. China appears unbowed. "Japan has continued to ignore our warnings that their vessels and aircraft have infringed our sovereignty," top-level marine surveillance official Sun Shuxian said in an interview posted to the State Oceanic Administration's website, according to Reuters. "This behaviour may result in the further escalation of the situation at sea and has prompted China to pay great attention and vigilance." China announced late last month that the People's Liberation Army was preparing to test-fly a domestically developed drone, which analysts say is likely a clone of the US's carrier-based X-47B. "Key attack technologies will be tested," reported the state-owned China Daily, without disclosing further details. Andrei Chang, editor-in-chief of the Canadian-based Kanwa Defence Review, said China might be attempting to develop drones that can perform reconnaissance missions as far away as Guam, where the US is building a military presence as part of its "Asia Pivot" strategy. China unveiled eight new models in November at an annual air show on the southern coastal city Zhuhai, photographs of which appeared prominently in the state-owned press. Yet the images may better indicate China's ambitions than its abilities, according to Chang: "We've seen these planes on the ground only — if they work or not, that's difficult to explain." Japanese media reports said the defence ministry hopes to introduce Global Hawk unmanned aircraft near the disputed islands by 2015 at the earliest in an attempt to counter Beijing's increasingly assertive naval activity in the area. Chinese surveillance vessels have made repeated intrusions into Japanese waters since the government in Tokyo in effect nationalised the Senkakus in the summer, sparking riots in Chinese cities and damaging trade ties between Asia's two biggest economies. The need for Japan to improve its surveillance capability was underlined late last year when Japanese radar failed to pick up a low-flying Chinese aircraft as it flew over the islands. The Kyodo news agency quoted an unnamed defence ministry official as saying the drones would be used "to counter China's growing assertiveness at sea, especially when it comes to the Senkaku islands". China's defence budget has exploded over the past decade, from about £12.4bn in 2002 to almost £75bn in 2011, and its military spending could surpass the US's by 2035. The country's first aircraft carrier, a refurbished Soviet model called the Liaoning, completed its first sea trials in August. A 2012 report by the Pentagon acknowledged long-standing rumours that China was developing a new generation of stealth drones, called Anjian, or Dark Sword, whose capabilities could surpass those of the US's fleet. China's state media reported in October that the country would build 11 drone bases along the coastline by 2015. "Over disputed islands, such as the Diaoyu Islands, we do not lag behind in terms of the number of patrol vessels or the frequency of patrolling," said Senior Colonel Du Wenlong, according to China Radio International. "The problem lies in our surveillance capabilities." China's military is notoriously opaque, and analysts' understanding of its drone programme is limited. "They certainly get a lot of mileage out of the fact that nobody knows what the hell they're up to, and they'd take great care to protect that image," said Ron Huisken, an expert on east Asian security at Australian National University. He said the likelihood of a skirmish between Chinese and Japanese drones in coming years was "very high". US drones have also attracted the interest of the South Korean government as it seeks to beef up its ability to monitor North Korea, after last month's successful launch of a rocket that many believe was a cover for a ballistic-missile test. The US's Global Hawk is piloted remotely by a crew of three and can fly continuously for up to 30 hours at a maximum height of about 60,000 ft. It has no attack capability. The US deployed the advanced reconnaissance drone to monitor damage to the Fukushima nuclear power plant in the aftermath of the March 2011 earthquake and tsunami on Japan's north-east coast.

#### US would be drawn in – causes global nuclear war.

**Eland 7/29/**13, Ivan, Senior Fellow and Director of the Center on Peace & Liberty, The Independent Institute, “Why U.S. Policy in East Asia is Dangerous”, http://www.huffingtonpost.com/ivan-eland/why-us-policy-in-east-asi\_b\_3671931.html

Even in the more advanced regions during the Cold War, was it rational for the United States to protect these nations with an American nuclear umbrella-- one that ultimately pledged to incur destruction of American cities to save London, Paris, Berlin, and Tokyo from the communist hordes? A communist takeover of any of these places would have not have been a good day, but incineration of American cities would have been even worse. Yet long after the Cold War is over, the American nuclear shield extends even wider to include a number of countries in Europe and East Asia. In East Asia, the American nuclear backstop protects Japan, South Korea, Australia, and the Philippines formally, and Taiwan and other nations informally. But what if a local conflict between the Chinese and a U.S. ally inadvertently escalates into a nuclear stand off between China and the United States? And it easily could. A rising China is an ally of South Korea's nemesis, North Korea. China also claims Taiwan and has disputes with U.S. allies over islands in the South China Sea (with the Philippines) and in the East China Sea (with Japan). In the last case, China has recently upgraded its coast guard. Meanwhile, a new conservative government in Japan is making noises about scrapping Japan's pacifist constitution and obtaining offensive weapons, and recent dangerous confrontations have occurred between Japanese and Chinese forces near the disputed islands. With a new hawkish and more aggressive government, Japan--like a mouthy little brother standing behind his huge sibling and taunting the opponent--could easily drag the United States into an undesired war with nuclear-armed China. During World War I, outdated alliances dragged the major European powers into a cataclysmic war that nobody wanted. Outdated Cold War alliances could do the same to the United States now in East Asia.

### Plan

#### Text: The United States federal government should determine that the offensive use of uninhabited aerial vehicles constitutes an introduction of United States Armed Forces into hostilities.

### Solvency

#### Contention Four – Solvency

#### WPR oversight solves and ensures flexibility

Brock Laney 13 Graduates with a BA in International Relations in April 2013 and will begin law school in fall 2013 BYU Prelaw review, vol. 27, 2013

Observed individually, single drone strikes might more closely resemble assassinations than warfare. A more comprehensive view of US drone operations in Pakistan, Yemen, or Somalia, however, reveals several characteristics that place drone strikes campaigns more securely within the category of conventional warfare. Just as Yorktown and Bunker Hill fall under the broader category of the American Revolutionary War, individual drone strikes are often constituent parts of larger campaigns with identifiable goals. Pro longed drone strike campaigns resemble war in levels of casualties, spillover effects into civilian populations, and consistency of attacks. Additionally, the Obama administration has justified drone activity by appealing to international conflict law, calling drone attacks part of a war on a specific belligerent.67 Thus, in this section I discuss similarities between drone strikes campaigns and war to justify the inclusion of drones under the authority of Congress. After establish- ing this, I discuss specific changes to the WPR that can provide an institutionalized accounting for drone activity. (i) War-Like Characteristics of Drone Strikes Campaigns First, drone strikes cause civilian and militant casualties in numbers that resemble trends typical of conventional warfare. Drone strikes’ clandestine nature makes estimates of deaths from attacks difficult to calculate, but careful studies of drone activity in Pakistan, Yemen, and Somalia since 2002 estimate casualties between 3,90068 and 4,700.69 To provide a comparison, the US suffered roughly 4,485 casualties from 2003-2012 in Iraq.70Although US officials have praised drones as capable of conducting surgical strikes with little or no collateral damage,71 third parties estimate hundreds of civilian casualties.72 Drone strikes also cause significant injuries and prop- erty damage.73 Finally, the nearly constant presence of drones over many villages in North and South Waziristan causes psychological and stress-related health problems that affect large proportions of civilian populations.74 Next, drone activity resembles war in its targeting of a specific belligerent over an extended period of time. Drone strikes occur on a monthly basis, with an average of roughly 32 deaths per month.75 Further, most drone strikes have targeted militants, the majority of which were associated with the Taliban and al-Qaeda.76 Attorney General Holder argued that the US faces a “stateless enemy,”77 but it is a specific enemy nonetheless. These facts, along with the regional focus of anti-militant drone strikes, bear similarity to conventional warfare wherein belligerents remain fixed and identifiable through- out the duration of a conflict. Finally, the Obama administration consistently justifies drone activity by citing international law as it relates to war, referring to individual drone strikes as part of a war on al-Qaeda and the Tali- ban.78 Harold Koh, for example, defended drones by referencing the right of the US to self-defense, which is sanctioned by international law.79 Koh stated that “the U.S. is in armed conflict with al-Qaeda as well as the Taliban and associated forces in response to the horrific acts of 9/11.”80 The administration’s explicit and repeated branding of drone activity in the Middle East as war provides strong evidence that drone campaigns deserve attention under the WPR alongside conventional warfare. Admittedly, drone campaigns are not identical to other forms of war. Pakistan, for example, has not reacted to US military activity in its country with physical retributive action. In drone warfare, how- ever, countries are not the targets, which explains in great measure Pakistan’s lack of military retaliation. Classifying drone campaigns as war does not require complete uniformity of attributes with other implements of traditional warfare because the nature of war is con- text dependent. Drones, deployed in the name of national defense, should not be subject to a separate list of constraints than are other instruments of war deployed for similar reasons.81 (ii) Accounting for Drones in the War Powers Resolution The inclusion of drone strikes in the WPR would duly anticipate an increasing trend towards fighting through unmanned vehicles.82 This global trend has indicated that “technologies that remove humans from the battlefield are becoming the new normal in war.”83 The costs to the US in terms of personnel casualties and political capital remain so low relative to other types of conflict that drone usage will likely persist or increase in frequency. The changing nature of international conflict suggests that drones and other un- ~~man~~ned military assets will probably become important aspects of war. Properly classifying drones and implementing a congressional check on their usage at a time when they are emerging as conventional weapons is therefore very important. Accounting for drones through the WPR would require only small modifications to the legislation. The resolution refers to “armed forces” as the asset of interest that Congress seeks to regulate.84 To induct drones into the WPR, legislators can expand the definition of armed forces therein to explicitly include drones and other un- manned military assets. Specifically, the resolution should define “armed forces” as any US military asset, manned or unmanned, deployed in the interest of national security with specific military target(s). Similar to the current version of the resolution, the updated law should require any President that deploys these military assets to abide by the restrictions and protocols outlined therein. An effective definition of drone strikes as part of the armed forces must necessarily address conditional factors since drones are not used exclusively for long-term campaigns. Drones are sometimes used for assassinations and other objectives, and although guidelines for controlling their use in these other areas are too broad to be dis- cussed here, modifications to the resolution should account for those distinct circumstances. To avoid unnecessary and possibly detrimental consequences of reporting covert operations to Congress, the updated resolution should include a clause that limits the type of drone activity the President must report to Congress. To distinguish between long-term campaigns and single attacks, the law should specify that two attacks targeting the same group or occurring in the same country within one month of each other constitute the beginning of a campaign. Once this condition is met, proceeding with the campaign would require presidential action as outlined in the WPR. Although seemingly arbitrary, two drone strikes in one month is likely an effective indicator that a series of attacks is becoming a campaign, and Congress should have the power to exert its constitu- tional authority when such a benchmark is reached. Reports indicate that there have been, on average, 2.84 drone attacks per month in Pakistan since 2004.85 Attacks in Yemen exhibit similar patterns, although the consistency of those attacks has not risen to Pakistan’s levels until recently.86 Using these current trends as a baseline helps determine the appropriate attack frequency for determining the starting point of a campaign. Because unsuccessful assassination at- tempts may necessitate a second attack in a relatively short period of time, the success of an attack should be considered in the definition of which attacks count towards defining a series of attacks as a cam- paign. Only attacks that successfully eliminate the intended target should be counted towards the limit. This will allow for repeated attempts if an assassination or other single operation endeavor fails after an initial attempt. Some might argue that including drone strikes in the WPR raises the cost of using drones to an unacceptably high level because their use would require formal sanction. Congressional approval, however, does not necessarily constitute an official declaration of war. Presidents have reported a number of conflicts to Congress consistent with the WPR that have proceeded without an official declaration from Congress.87 Additionally, the Obama administra- tion explicitly classifies the conflict with al-Qaeda and the Taliban as “armed conflict”88 and gaining explicit approval from Congress would not change the costs of moving forward with the conflict. Finally, obtaining congressional approval would potentially create greater domestic legitimacy for a campaign, thereby strengthening the President’s political position instead of weakening it. These considerations indicate that Congress can justifiably and easily address the lack of institutional oversight for drone warfare through modifying the WPR.

#### Plan is the only mechanism that causes judicial enforcement and deters covert projects.

Benjamin R. Farley 12, J.D. with honors, Emory University School of Law, 2011. Editor-in-Chief, Emory International Law Review, 2010-2011. M.A., The George Washington University Elliott School of International Affairs, 2007. Winter. 54 S. Tex. L. Rev. 385

Effective accountability mechanisms constrain policymakers' freedom to choose to use force by increasing the costs of use-of-force decisions and imposing barriers on reaching use-of-force decisions. The accountability mechanisms discussed here, when effective, reduce the likelihood of resorting to force (1) through the threat of electoral sanctioning, which carries with it a demand that political leaders explain their resort to force; (2) by limiting policymakers to choosing force only in the manners authorized by the legislature; and (3) by requiring policymakers to adhere to both domestic and international law when resorting to force and demanding that their justifications for uses of force satisfy both domestic and international law. When these accountability mechanisms are ineffective, the barriers to using force are lowered and the use of force becomes more likely. Use-of-force decisions that avoid accountability are problematic for both functional and normative reasons. Functionally, accountability avoidance yields increased risk-taking and increases the likelihood of policy failure. The constraints imposed by political, supervisory, fiscal, and legal accountability "make[] leaders reluctant to engage in foolhardy military expeditions... . If the caution about military adventure is translated into general risk-aversion when it comes to unnecessary military engagements, then there will likely be a distributional effect on the success rates of [democracies]." n205 Indeed, this result is predicted by the structural explanation of the democratic peace. It also explains why policies that rely on covert action - action that is necessarily less constrained by accountability mechanisms - carry an increased risk of failure. n206 Thus, although accountability avoidance seductively holds out the prospect of flexibility and freedom of action for policymakers, it may ultimately prove counterproductive. 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 Yemen n207 and Pakistan, n208 and although the strikes have proven critical [\*421] 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. n209 Similarly, the success of drone [\*422] 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. n210 These costs include undermining the civilian Pakistani government and contributing to the closure of Pakistan to NATO supplies transiting to Afghanistan, n211 thus forcing the U.S. and NATO to rely instead on several repressive central Asian states. n212 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-of-force accountability mechanisms. From a normative perspective, the freedom of action that accountability avoidance facilitates represents the de facto concentration of authority to use force in the Executive Branch. While some argue that such concentration of authority is necessary or even pragmatic in the current international environment, n213 it is anathema to the U.S. constitutional system. Indeed, the founding generation's fear of foolhardy military adventurism is one reason for the Constitution's diffusion of use-of-force authority between Congress and the President. n214 That generation recognized that a president vested with an unconstrained ability to go to war is more likely to lead the nation into war. Among the relevant accountability-holders, Congress is best positioned to strengthen the U.S. accountability system for use-of-force decisions. Congress can both define the limits of presidential authority to [\*423] use force and compel adherence to those limits. Moreover, Congress need not wait for an election or a plaintiff with standing to employ its accountability mechanisms. Congress should reinvigorate the WPR regime by insisting on presidential compliance. Congress should no longer tolerate scenarios like Kosovo or Libya in which the President uses force beyond the sixty-day window without congressional authorization. Moreover, Congress should not allow such a scenario to arise in the first place. When the President uses force abroad, Congress should take up the matter immediately and determine well before the expiration of the sixty-day clock whether the United States will go to war. This determination is Congress's constitutional responsibility. Earlier determinations will also avoid the spectacle of last-minute congressional ratification of a president's decision to go to war simply to avoid the appearance of marginalization, as was the case during the 1991 Gulf War. Obviously, merely approving or disapproving of a president's decision to use force is not enough. Congress must be willing to enforce its determination through its appropriations authority. Having actually employed its supervisory accountability mechanism in the manner described here, Congress will more likely be able to rely on judicial support and enforcement. Congress should strengthen the WPR regime by defining hostilities in a manner that links hostilities to the scope and intensity of a use of force, irrespective of the attendant threat of U.S. casualties. Without defining hostilities, Congress has ceded to the President the ability to evade the trigger and the limits of the WPR. The President's adoption of a definition of hostilities that is tied to the threat of U.S. casualties or the presence of U.S. ground troops opens the door to long-lasting and potentially intensive operations that rely on drones - at least beyond the sixty-day window - that escape the WPR by virtue of drones being pilotless (which is to say, by virtue of drones being drones). Tying hostilities to the intensity and scope of the use of force will limit the President's ability to evade Congressional regulation of war. It will curtail future instances of the United States being in an armed conflict for purposes of international law but not for purposes of domestic law, as was the case in Libya. Finally, a statutory definition of hostilities will provide the judiciary with a meaningful standard for determining presidential compliance with the WPR - assuming the future existence of a plaintiff able to surmount the various prudential doctrines that have counseled against entertaining WPR cases thus far. Finally, Congress should insist that force used under the covert action legal regime actually be covert. That is, force used under covert action's permissive accountability regime should demonstrate an objective intent to avoid the apparent or publicly acknowledged role of the U.S. government. [\*424] Where a use of force is extensive and U.S. involvement is apparent, that use of force should be subject to the more rigorous WPR regime. The U.S. drone campaign over Pakistan may present just such a case - those strikes ceased being covert in any meaningful way years ago. Thus, the current regime reduces the barriers to a more permissive accountability scheme to a mere labeling exercise. Of course, there are other methods by which accountability for the use-of-force decisions - particularly, use-of-force decisions employing drones - might be increased. Some have suggested the establishment of a "drone court," modeled on the Foreign Intelligence Surveillance Court, to provide ex ante judicial review of targeted strikes, at least. n215 Others have suggested the creation of a new cause of action for the families of drone strike targets who argue their family members were wrongly targeted, and the imposition of ex post accountability. n216 Each suggestion has merit; however, neither suggestion will impose substantially greater accountability on the President as long as the judiciary maintains its historical deference to the President in matters implicating use of force. Regardless, these new judicially-focused schemes require Congressional action, too. Thus, even these schemes require Congress to do what it has so far been unwilling to do: legislate mechanisms that enhance accountability for policymakers charged with deciding when and how force is used.

#### This restriction on authority improves transparency—accounts for public opinion on drones

John Patera 12 J.D., May 2012, Hamline University School of Law. Spring. 33 Hamline J. Pub. L. & Pol'y 387

To focus on the Resolution's shortcomings, however, is to only tell part of the story because the Resolution does retain one extremely useful feature. The Resolution remains an excellent tool for Congress to control public opinion regarding a president's unilateral deployment of armed forces and, therefore, can still encourage the president to act in accordance with its strictures despite its lack of enforceability in a court of law. n155 The history of the Resolution tells a story of consistent technical violations by the executive branch. A closer look nevertheless reveals that the Resolution has been largely successful at accomplishing its stated purpose: to "fulfill the intent of the [\*418] framers of the Constitution of the United States and insure that the collective judgment of both the Congress and the President will apply to the introduction of United States Armed Forces into hostilities." n156 Ensuring that Congress has an opportunity to weigh in on any deployment of American armed servicemen begins with the Resolution's requirement that presidents consult with Congress within 48 hours. n157 Every president has complied with the 48-hour requirement and consulted with Congress even though maintaining that the Resolution itself was unconstitutional. n158 President Obama went one step further and for the first time implicitly recognized the constitutionality of the Resolution. n159 Further, it has been effective at encouraging the executive branch to communicate openly with Congress and to not act unilaterally without a substantial showing of support. n160 Indeed, the Resolution was somewhat effective at the conflict's inception as President Obama provided notice of the conflict in compliance with the Resolution's 48-hour rule, and shaped American involvement in the NATO operation to fit its requirements. As previously discussed, the President expressly excluded the possibility of putting "boots on the ground", and from the conflict's inception, specifically defined its limited scope. n161 Compliance with the 48-hour requirement, and providing Congress with information regarding the nature of the conflict reinforces the usefulness of the Resolution because, according to a Senate report, the intent behind Section 8(c) of the Resolution was "to prevent secret, unauthorized military support activities." n162 The Resolution [\*419] has encouraged transparency when a president acts abroad, and in doing so allows the Congress to shape public opinion regarding the conflict. The Resolution was ineffective, however, at restraining President Obama as he sustained the conflict because Congress was largely unsuccessful at shaping public opinion. n163 This can partially be attributed to the operation's successful outcome and relative brevity; however, there is a more fundamental problem. The Obama administration's limited operation and use of drone technology deprived Congress of the opportunity to argue that he was putting American lives at risk. Congress was forced to present to the public an abstract debate over the meaning of "hostilities" for the purposes of the Resolution, without the benefit of concrete language that the President could not avoid. Further, perhaps in an attempt to make the debate less abstract, Congress~~men~~ were relegated to focusing on the fiscal cost of the conflict, rather than its legality. n164 Due to the unique nature of the conflict, the Resolution lost any and all effectiveness once underway. For the first time since the Resolution's passage, however, a president recognized the authority of the Resolution to restrict executive power. n165 Congress should capitalize on this fact and take the opportunity to dull some of the gloss on executive power. This is important because with each passing year, drones become more technologically capable, more deadly, and will be relied upon in greater numbers. The War Powers Resolution was not designed to restrict limited military operations that do not risk American personnel, and drones by their very nature operate in a limited fashion without risk to American servicemen. Therefore, as the [\*420] military transitions into the 21st century, so too must the Vietnam era War Powers Resolution. C. A Solution The Resolution remains an important tool for Congress to shape public opinion and needs to be updated. Therefore, with the advent of new technology that could not have been predicted by its drafters, it should be amended to make it a more effective in the 21st century. The Obama Administration's arguments for why it was not engaging in "hostilities" within the meaning of the Resolution are at the very least supportable and undermine the Resolution's effectiveness as a curb on executive power. As Representative Boehner argued, however, to suggest that one is not engaging in "hostilities" while armed drones are firing upon military targets "defies rational thought." n166 If Congress wishes to use the Resolution as a means of limiting presidential action through public pressure, than it must amend the Resolution to explicitly prohibit the offensive use of drones. As demonstrated by the conflict in Libya, assertions by members of Congress that a president is engaging in "hostilities" by deploying drones are undermined by the limited manner in which they operate, and more importantly, the relative lack of exposure of American personnel to harm. Members of Congress attempted to rectify this by passing funding legislation that would specifically prohibit the offensive use of drones in Libya, but were unsuccessful. n167 Further, if passed, the funding legislation would merely have been an ad hoc veto against the unilateral action taken by the President. This was not the intent of those who drafted the Resolution. The purpose of the Resolution was to ensure Congress' participation in the initial decision to send armed forces abroad. n168 With regards to the operation in Libya, the Resolution provided the [\*421] guidelines that shaped the scope of American involvement. n169 Indeed, it is reasonable to infer that the operation would have been carried out in a different manner, if at all, had the Resolution included a specific prohibition against the offensive use of drone technology. At the very least, should the Libyan conflict prove to be a blueprint for future small-scale military interventions, Congress would have concrete language to point to when attempting to shape public opinion. If Congress wants to ensure its role in the decision to send American military forces abroad, then it must recognize that drones are here to stay. V. Conclusion The War Powers Resolution needs updating. Though it has its critics, the Resolution does still serve a purpose in ensuring that Congress plays a concurrent role in the field of foreign policy, as intended by this Nation's Founders. The Resolution's language does not, however, adequately address the types of small-scale conflicts that are likely to occur in the 21st century. A product of the Vietnam era, the Resolution places too great of an emphasis on the exposure of American servicemen to harm, and gives presidents the freedom to rely on new technologies to skirt its strictures. Drone technology is here to stay. Technological advancements mean that drones will be more agile, more deadly, and more effective. Further, the increase in the numbers of drones utilized by American armed forces mean that they will play an even greater role in future conflicts. The drafters of the Resolution did not, and could not envision the day where American pilots could deliver their aircraft's deadly payload while remaining safely on the ground, far from the conflict. The intent in passing the Resolution was to ensure that Congress has a mechanism to ensure its concurrent participation in the decision to involve the Nation in armed conflict. Congress should therefore amend the Resolution to [\*422] include the offensive use of armed drones within the definition of "hostilities."

#### That public scrutiny key – can’t solve without it.

Judah A. Druck 12, B.A., Brandeis University, 2010; J.D. Candidate, Cornell Law School, 2013, CORNELL LAW REVIEW, Vol. 98:209, http://www.lawschool.cornell.edu/research/cornell-law-review/upload/Druck-final.pdf

B. Why Existing Theories of Presidential Constraint Are No Longer Sufficient Naturally, some have argued that an unchecked President is not necessarily an issue at all. Specifically, in The Executive Unbound, Eric Posner and Adrian Vermeule argue that the lack of presidential constraint is actually a rational development: we want a President who can act with alacrity, especially in a world where quick decisions may be necessary (e.g., capturing a terrorist).153 But rather than worry about this progression, Posner and Vermeule argue that sufficient political restraints remain in place to prevent a president from acting recklessly, making the inability of legal constraints (such as the WPR) to curtail presidential action a moot point.154 Specifically, a mix of “elections, parties, bureaucracy, and the media” acts as an adequate constraint on presidential action, even absent any legal checks on the executive.155 Posner and Vermeule find that presidential credibility and popularity create a deep incentive for presidents to constrain their own power. This restraint does not arise from a sense of upholding the Constitution or fear of political backlash, but from the public itself.156 Because of these nonlegal constraints, the authors conclude that the fear of an unconstrained President (one that has the potential to go so far as tyranny) is unwarranted.157 The problem with such a theory is that the requisite social and political awareness that might have existed in large-scale wars has largely disappeared, allowing the President to act without any fear of diminished credibility or popularity. Specifically, Posner and Vermeule seem to rely on public attentiveness in order to check presidential action but do not seem to consider a situation where public scrutiny fails to materialize. The authors place an important caveat in their argument: “As long as the public informs itself and maintains a skeptical attitude toward the motivations of government officials, the executive can operate effectively only by proving over and over that it deserves the public’s trust.”158 But what happens when such skepticism and scrutiny vanish? The authors premise their argument on a factor that does not exist in a regime that utilizes technology-driven warfare. If credibility is what controls a President, and an apathetic populace does not care enough to shift its political views based on the use of technology-driven warfare abroad, then a President need not worry about public sentiment when deciding whether to use such force. This in turn means that the theory of self-restraint on the part of the President fails to account for contemporary warfare and its social impact, making the problem of public numbing very pertinent.159 CONCLUSION On June 21, 2011, the United States lost contact with a Fire Scout helicopter flying over Libya. Military authorities ultimately concluded that Qaddafi forces shot the helicopter down, adding to the final cost of America’s intervention.160 Yet there would be no outrage back home: no candlelit vigils, no congressional lawsuits, no protests at the White House gates, no demands for change. Instead, few people would even know of the Fire Scout’s plight, and even fewer would care. That is because the Fire Scout helicopter was a drone, a pilotless machine adding only a few digits to the final “cost” of the war, hardly worth anyone’s time or effort. As these situations become more and more common—where postwar assessments look at monetary, rather than human costs—the fear of unilateral presidential action similarly becomes more pertinent. Unlike past larger-scale wars, whose traditional harms provided sufficient incentive for the populace to exert pressure on the President (either directly or via Congress), technology-driven warfare has removed the triggers for checks on presidential action. And though the military actions that have raised WPR issues involved limited, small-scale operations, the volatile and unpredictable nature of warfare itself could eventually put American lives in danger, a risk worth considering given the increased use of drones abroad. Thus, the same conditions are now in place as when the WPR was enacted, creating a need to revisit the importance of the WPR in light of the numbing effect of technology-driven warfare. Although it might be tempting to simply write off the WPR as a failed experiment in aggressive congressional maneuvering given its inability to prevent unilateral presidential action in the past, the new era of warfare and its effects on the populace has created a newfound sense of urgency, one that requires a strong statutory barrier between the President and military action abroad. Thus, we need stronger WPR enforcement as it becomes easier to enter into “hostilities.” While others focus on the WPR itself,161 the emphasis of this Note is on the public’s role in preventing unilateral presidential action. In this respect, the simplest solution for the numbing effect of contemporary warfare is an increased level of public attentiveness and scrutiny concerning military actions abroad, regardless of the lack of visible costs at home. As we have seen, once the public becomes vigilant about our less-visible foreign actions, we can expect our politicians to become receptive to domestic law. But as this Note points out, the issues surrounding a toothless WPR will continue to grow and amplify as society enters a new age of technology-driven warfare. Thus, there is a pressing need for greater public awareness of the new, and perhaps less obvious, consequences of our actions abroad.162 Perhaps taking note of these unforeseen costs will improve the public’s inquiry into potential illegal action abroad and create real incentives to enforce the WPR.

# 2AC

### Adventurism

#### Russia models too—causes Chechnya War

Business Week 2 (Bruce Nussbaum, “Bush is Half Right on Foreign Policy. 2002 9—27 <http://www.businessweek.com/stories/2002-09-26/bush-is-half-right-on-foreign-policy>)

Nations are already rushing to create their own. Russia is **reformulating its war rationale against Chechnya** in terms of preempting terrorists. China is adopting the language of preemption in battling Muslim separatists. Will India follow in Kashmir or against Pakistan? And what of Israel? An American strategic policy of preemption without internationally agreed-upon rules **could increase global violence and instability**.

#### Nuclear War

**Simes 94**, CEIP Senior Associate, Jan 94 Foreign Affairs

For the United States, neither Yeltsin's political future nor even the future of Russian democracy should be ends in themselves. What the United States needs most in its greatly weakened but still potentially formidable superpower rival is a combination of domestic stability and a system of checks and balances. Stability is important for a nation **with** thousands of **nuclear weapons** and continuing territorial tensions with its newly independent neighbors. Too much disunity in Russia (as appealing as it is to those who "love" that country so much that they would prefer to see several Russias)**increases the likelihood of a civil war** that could easily engulf most, if not all, of the post-Soviet states, creating not only **nuclear** and environmental **disasters** but **a grave threat to world peace** as well. Thus, it is in the U.S. interest to have a government in Moscow that is strong and determined enough to draw the line and to prevent centrifugal, separatist trends from going out of control.

### Terrorism

Ochs ‘2(Richard J Ochs, 6-9-2002, has published articles in the Baltimore Sun, Baltimore Chronicle, Science magazine and is past president of the Aberdeen Proving Ground Superfund Citizens Coalition, member of the Depleted Uranium Task force of the Military Toxics Project and a member of the Chemical Weapons Working Group, “Biological Weapons Must Be Abolished Immediately,” p<http://www.freefromterror.net/other_articles/abolish.html>)

Of all the weapons of mass destruction, the genetically engineered biological weapons, many without a known cure or vaccine, are an extreme danger to the continued survival of life on earth.Any perceived military value or deterrence pales in comparison to the great risk these weapons pose just sitting in vials in laboratories. While a "nuclear winter," resulting from a massive exchange of nuclear weapons, could also kill off most of life on earth and severely compromise the health of future generations, they are easier to control. Biological weapons, on the other hand, can get out of control very easily, as the recent anthrax attacks has demonstrated. There is no way to guarantee the security of these doomsday weapons because very tiny amounts can be stolen or accidentally released and then grow or be grown to horrendous proportions. The Black Death of the Middle Ages would be small in comparison to the potential damage bioweapons could cause. Abolition of chemical weapons is less of a priority because, while they can also kill millions of people outright, their persistence in the environment would be less than nuclear or biological agents or more localized. Hence, chemical weapons would have a lesser effect on future generations of innocent people and the natural environment. Like the Holocaust, once a localized chemical extermination is over, it is over. With nuclear and biological weapons, the killing will probably never end. Radioactive elements last tens of thousands of years and will keep causing cancers virtually forever. Potentially worse than that, bio-engineered agents by the hundreds with no known cure could wreck even greater calamity on the human race than could persistent radiation. AIDS and ebola viruses are just a small example of recently emerging plagues with no known cure or vaccine. Can we imagine hundreds of such plagues? HUMAN EXTINCTION IS NOW POSSIBLE.

#### 

#### AQAP will enable piracy and cut off the Red Sea.

Guzansky et al ’11 (Yoel, Gallia Lindenstrauss, and Jonathan Schachter, Research Associates at the Institute for National Security Studies, “Power, Pirates, and Petroleum: Maritime Chokepoints in the Middle East,” Strategic Assessment, Volume 14, Number 2, July 2011, <http://www.cbrne-terrorism-newsletter.com/resources/INSS%20-%20Strategic%20Assessment%20July_2011.pdf>)

Though states’ interests in the Red Sea area vary and are sometimes at odds with each other, all seem to put a premium on unfettered shipping. In recent years the greatest regional threat to this common interest has been Somali piracy. 24 Much has been said and done about this ongoing problem. International efforts and resources, including the deployment of European, American, NATO, Chinese, Indian, Iranian, and other naval forces, coordinated commercial ship movements, dedicated tracking and communications resources, and widespread adoption of anti-piracy practices have driven the attacks away from Bab al-Mandab further east along the Yemeni coast of the Indian Ocean (towards the Straits of Hormuz) and to the south of the Horn of Africa. Tactical measures have thus reduced (that is, displaced) the number of pirate attacks in the Red Sea in recent years. However, the strategic problem of which piracy is a symptom – failing states – may well be worsening along the Red Sea. Somalia’s ongoing problems could prove to be just the tip of the iceberg. Yemen for some time has been racked by sectarian and tribal violence. Much as political and economic conditions in Somalia proved to be a breeding ground for both piracy and the Islamist terrorist group al-Shabaab, Yemen in the last two years has become the adopted home of al-Qaeda in the Arabian Peninsula. Recent reports suggest that this group has seized control of areas along the Yemeni coast. 26 Yemen’s instability long predates the large scale demonstrations that began to sweep across the Arab world in early 2011, but an increasingly disordered Yemen could make the country even more useful a base for Somali pirates, and expand its already thriving weapons black market. While instability in Yemen and Sudan or even their collapse would not necessarily lead to increased piracy on the Red Sea, it is a distinct possibility. This potential, combined with the global importance of undisturbed shipping through the area, suggest that the stability, security, and prosperity of these states are a widely shared interest.

#### That’s 80% of oil.

Guzansky et al ’11 (Yoel, Gallia Lindenstrauss, and Jonathan Schachter, Research Associates at the Institute for National Security Studies, “Power, Pirates, and Petroleum: Maritime Chokepoints in the Middle East,” Strategic Assessment, Volume 14, Number 2, July 2011, <http://www.cbrne-terrorism-newsletter.com/resources/INSS%20-%20Strategic%20Assessment%20July_2011.pdf>)

There are numerous strategic ramifications to transport in and around the canal. In addition to the petroleum and related products that pass through the canal, almost three quarters of the total crude oil moving from south to north in 2010 (and approximately 80 percent of Persian/Arabian Gulf crude oil exports to Europe) passed through the 320 kilometer Suez-Mediterranean (SUMED) pipeline. 20 On the other side of the Sinai Peninsula, the Gulf of Aqaba is home to Jordan’s only sea port, and Eilat is strategically important for Israel, though only a small percentage of its total imports and exports pass through the port.

#### Nuclear wars for access to oil

Qasem ‘7 (Islam Yasin Qasem, a doctoral candidate in the Department of Politics and Social Sciences at the University of Pompeu Fabra (UPF) in Barcelona, MA in International Affairs from Columbia, July 9, 2007, “The Coming Warfare of Oil Shortage,” online: <http://www.opednews.com/>articles/opedne\_islam\_ya\_ 070709\_the\_coming\_warfare\_o. htm)

Recognizing the strategic value of oil for their national interests,superpowers will not hesitate to unleash their economic and military power to ensure secure accessto oil resources,triggering worldwide tension, if not armed conflict.  And while superpowers like the United States maintain superior conventional military power, in addition to their nuclear power, some weaker states are already nuclearly armed, others are seeking nuclear weapons. In an anarchic world with many nuclear-weapon states feeling insecure, and a global economy in downward spiral,the chances of using nuclear weapons in pursues of national interests are high.

#### Courts won’t rule against the WPR.

John Patera 12 J.D., May 2012, Hamline University School of Law. Spring. 33 Hamline J. Pub. L. & Pol'y 387

Critics may argue that the Resolution in practice has not adequately curbed executive power, and that there are serious questions as to whether it is constitutional. Indeed, a majority of scholars agree that following the Supreme Court's decision in INS v. Chadha, Section 5(c) of the Resolution is likely a violation of the Constitution's Presentment Clause. n153 Further, it is at least arguable that the Resolution purports to place an overbroad and unconstitutional limit on a president's exercise of his/her authority as commander in chief. n154 These concerns, however, are likely moot because no court has been willing to rule on the Resolution's constitutionality. Rather, courts have been content to dismiss cases on procedural grounds, and by all indicationswill continue to do so in the future.

#### Counter-interpretation – Intransitive form of “increase” means to augment or progressive growth in amount, intensity.

Louis M. Phillips 2 US Bankruptcy Judge, May 1,  277 B.R. 251; 2002 Bankr. LEXIS 439

In determining the plain meaning of the phrase "increases the obligor's insolvency," the Court initially notes that this phrase makes no reference whatsoever [\*\*50]  to a "reasonably equivalent value" test 26 or even to the "fair consideration" test of the Section 3 of the UFCA. 27 Instead, Article 2036 of the Civil Code merely uses the word "increases," and the absence of "reasonably equivalent value" language or "fair consideration" language rings loudly in the Court's judicial ear. Accordingly, the Court will focus on the plain meaning of the term "increases." Taking note from one of the dictionaries of choice of the United States Supreme Court, 28 the Court finds that the definition of the word "increase" in Webster's Ninth New Collegiate Dictionary reads as follows: [\*270] To become progressively greater (as insize, amount, number, or intensity). . . . to make greater: AUGMENT. . . . INCREASE, ENLARGE, AUGMENT, MULTIPLY mean to make or become greater. INCREASE used intransitively implies progressive growth in size, amount, intensity; used transitively it may imply simple not necessarily progressive addition. . . the act or process of increasing: as . . . addition or enlargement in size, extent, quantity.

#### We meet – amending the WPR to include drones augments and grows the scope of the statutory restriction on war powers.

Brian Finucane 11, JD – Yale, <http://balkin.blogspot.com/2011/05/pitfalls-of-law-avoidance-war-powers.html>

As commentators and congressmen have noted, Friday marked the 60 day deadline imposed by the War Powers Resolution for obtaining congressional support for the use of US military force against Libya. Rather than seeking such support, lawyers in the Obama Administration appear to be considering ways of tweaking the US role in Libya and framing continuing involvement such that the United States is no longer participating in “hostilities.” According to the NYTimes “[o]ne concept being discussed is for the United States to halt the use of its Predator drones in attacking targets in Libya, and restrict them solely to a role gathering surveillance over targets . . . By ending all strike missions for American forces, the argument then could be made that the United States was no longer directly engaged in hostilities in Libya, but only providing support to NATO allies.” This is a bad idea for reasons that have nothing to do with the War Powers Resolution. Under the law of armed conflict, although fighters may be attacked at anytime, civilians may only be subject to attack while they are directly participating in hostilities. The proposed role for drone aircraft–collecting tactical intelligence for targeting–constitutes“direct participation inhostilities.” Even if he is not pulling the trigger or a combatant, a spotter (such as a Predator drone operator) is still subject to attack as a direct participant in hostilities. Under the more restrictive characterization proposed by the Obama Administration, gathering tactical intelligence for targeting purposes would not qualify as participation in hostilities, much less direct participation. This characterization of participation in hostilities is not only contrary to international law, but harms the interests of the United States in other theaters of operation. By attempting to narrow the definition of “participation in hostilities” for the purposes of the War Powers Resolution, the Obama Administration risks altering the meaning of this term of art for the purpose of the law of armed conflict. The proposed restrictive definition yields a rule which is completely unworkable for US counterinsurgency operations in Afghanistan. To understand the significance of this proposed change, let’s turn the tables and consider an analogous situation involving the separation of the collection of tactical intelligence and trigger pulling. In this scenario the spotter is not a US Predator drone operator, but an Afghan civilian, the “trigger puller” is not a NATO fighter pilot, but a member of a Taliban IED team, and the target is not a Libyan tank but a US Army infantry patrol. Under the current law of armed conflict, if US soldiers identified an Afghan civilian acting as spotter for the Taliban, the soldiers could attack the civilian because the civilian would be directly participating in hostilities. However, under the proposed restrictive definition of participation in hostilities,the Afghan civilian would be immune from attack because he would not be directly participating in hostilities. US troops would be faced with a dilemma. Option 1: Violate your own rules. If US soldiers attacked the Afghan spotter, the soldiers would be committing a war crime under the Obama Administration's definition. Option 2: Sacrifice military effectiveness and unnecessarily endanger US personnel. If US soldiers respected the proposed definition and held their fire while the Afghan civilian communicated their position to the Taliban trigger puller, American causalities would be the likely result. The United States need not be confronted by this choice between acting lawfully and conducting effective military operations. The existing definition of direct participation in hostilities properly balances these competing interests. Whatever steps the Obama Administration takes regarding the War Powers Resolution, attempting to avoid its restrictions by redefining participation in hostilitiesshould not be one of them.

#### a) We meet “targeted killing.”

HRW 12, Human Rights Watch <http://www.humanrightsfirst.org/wp-content/uploads/pdf/targeted_killing_issue_brief.pdf>

What is Targeted Killing? Targeted killing carried out with the use of Unmanned Aerial Vehicles (UAVs, or “drones”) has become a central component of U.S. counterterrorism policy. There are two types of these drone strikes. “Personality strikes” target specific individuals whose names populate a “kill list.” The U.S. killing of American citizen Anwar al-Awlaki is an example of a “personality strike.” “Signature strikes” target individuals based not on identity but on an observed pattern of activity (or “signature”).

#### (b) “armed forces into hostilities”

Jordan J. Paust 12, Mike and Teresa Baker Law Center Professor, University of Houston Law Center, 26 Emory Int'l L. Rev. 43

n55. See War Powers Resolution, Pub. L. 93-148, § 4(a)(1), 87 Stat. 555. Members of U.S. armed forces were clearly engaged in targetings during the war, which are forms of combat and fighting. See supra text accompanying notes 9-10, 46. Even use of drones and aircraft by members of U.S. armed forces for supportive surveillance and planning of missions, air routes to be flown and targetings to be engaged in by non-U.S. NATO aircraft would amount to a combat role, direct and significant participation in hostilities, and an "introduction" or insertion into thehostilities. Similarly, use of a U.S. naval vessel as part of a military communications network for support of specific air or missile operations would amount to significant and direct participation. A U.S. Air Force drone operator sitting in Nevada and flying a drone in Libyan airspace either to target military targets in Libya or to provide supportive surveillance or intelligence for other targetings would be engaged in a combat role in connection with the hostilities in Libya.

#### 3. CI—Aff’s that amend the WPR to incorporate modern warfare methods that substantially augment president war powers authority are topical.

Bejesky 12 [Robert, M.A. Political Science (Michigan), M.A. Applied Economics (Michigan), LL.M. International Law (Georgetown). The author has taught international law courses for Cooley Law School and the Department of Political Science at the University of Michigan, American Government and Constitutional Law courses for Alma College, and business law courses at Central Michigan University and the University of Miami. “ARTICLE: PRECEDENT SUPPORTING THE CONSTITUTIONALITY OF SECTION 5(b) OF THE WAR POWERS RESOLUTION“ Willamette Law Review, 49 Willamette L. Rev. 1, Nexis]

V. Concluding Analysis and Context to Clarify Section 5(b)   Precedent indicates that the WPR normally functions effectively and has not been considerably abused. n173 The applicability and contextual constitutionality of section 5(b) of the WPR turns on two factors. First, prior Presidents have expressly or impliedly upheld section 5(b) by observing the time limitations, n174 and Presidents have habitually provided notice and updates accordant with section 3. n175 Nonetheless, there were some actions that may have violated the WPR in minor ways. Obama's bombing operations on Libya were similar to Clinton's bombing operations on Yugoslavia, but the questions remain over whether those operations are within the parameters of the WPR, n176 and whether unilateral bombing actions are consistent with war powers in the Constitution. Delving more deeply into that query, the second factor to consider is whether the Framers of the Constitution intended "declare  [\*30]  war" or the use of force to only address the political sphere and national interest of ordering soldiers into combat, or whether they intended to include the political and legal ramifications of using force when soldiers do not need to be deployed into combat. Obviously, the Framers did contemplate military operations involving distant melees from cannons and vessels, but assuredly they did not consider stealth bombing operations or offshore battleships firing missiles with satellite navigation and targeting operations. The WPR does not differentiate between projectiles and soldier incursions. The WPR generally applies and section 5(b) is invoked by the "use of United States Armed Forces" into hostilities that occur "[in] the territory, airspace or waters of a foreign nation." n177Armed "soldiers" do not fight in airspace and no WPR provision refers to "soldiers," "troops," or any synonym. If high-altitude bombs or missiles are used, but the target cannot retaliate to place U.S. Armed Forces into a hostile situation, perhaps the WPR does not apply. However, WPR inapplicability does not mean unilateral bombing operations by default comport with an Originalist or Structuralist interpretation of the language of war powers in the Constitution. n178 It might be reasonable for Congress to adopt an amendment to or interpretation of the WPR that clarifies whether it only applies to U.S. soldiers in combat or to the use of force generally. Otherwise, debate is apt to fester on the question of what type of conflict implicates the WPR or starts the WPR 60-to-90 day clock. In addressing this question, it is important to recognize not only that military technology has assuredly advanced since the WPR was adopted in 1973, but also the historical context that induced Congress to adopt the WPR. Symmetry might bridge the gap between axiomatic war powers interpretations and the cult of inherent authority that swelled during the so-called war on terrorism. The WPR was missioned with confining unreasonable and unconstitutional assertions of unilateralism. Difficulties began after President Truman introduced U.S. troops into the Korean War without Congressional authorization. However, the exigencies of the moment, uncertainty in U.S. obligations under the newly-constituted United Nations Charter, and McCarthy's Un-American committees that thwarted domestic dissent, make this case problematic to enlist as  [\*31] precedent to expand presidential war power authority. Prior to the Korean War, there was consensus - the Commander in Chief has domain to direct U.S. soldiers into battle, while thePresident's authority is activated, parameterized, and delineated by Congress. n179 The Commander in Chief should not exceed that delegation of authority and is required to adhere to congressional mandates even after the military conflict begins. n180 This debate surfaced following the Civil War, which was arguably the most expansive exercise of unsanctioned commander-in-chief action prior to the Korean War. n181 In 1862, and during Civil War debates, Senator Howard offered what was then the consensus about war powers and the prevailing position in the legislation at issue. n182 Howard stated:    Should the President, as Commander-in-Chief, undertake an absurd and impracticable expedition against the enemy, one plainly destructive of the national interests and leading to irretrievable disaster ... would the Senator rise in his seat here and insist that Congress has no power to interpose by legislation and prevent the folly and the crime? [Responding to Senators advocating executive discretion for confiscating enemy property and plenary authority over military direction] And yet his doctrines as here announced would impel him to exclaim, "the country is without remedy; Congress is powerless ... It is the will of the Commander-in-Chief ... Sir, this new heresy deserves rebuke. n183   After the Korean War, Presidents asserted more war powers authority, but Congress also produced restrictive statutes, including those that regulated the conduct of ongoing campaigns.n184 Legislative measures corralled Executive war powers, and "the Supreme Court has never held that any statutory limitations on substantive executive war powers have constitutionally infringed the core prerogatives of  [\*32]  the Commander in Chief." n185 Alternatively, the Supreme Court has invalidated many presidential wartime acts "precisely because they lacked congressional authorization." n186 Since the 1980s, high-tech weaponry and power disparity extended U.S. capability of employing force with lessened expectation of U.S. casualties; while during the 1990s global media operations broadcasted humanitarian catastrophes to stir populist sentiment to intervene in foreign humanitarian misfortune. Unless Congress is given an opportunity to exercise official war power authority prior to hostilities that may involve minor conflict or distant bombing operations, these instances could be viewed as compelled Congressional acquiescence. n187 Apparent transgressions may open new positions that are based more on rhetoric than fact, n188 but most examples seem to comport with the unofficial political practice between the Executive and Congress that permits the President to dispatch soldiers without congressional approval when there is no serious risk of hostility. n189

#### The war powers authority to introduce United States Armed Forces into hostilities exists outside of the WPR – plan restricts that.

Walter Dellinger 94, Former – Assistant Attorney General, <http://www.lawfareblog.com/wp-content/uploads/2013/05/Letter-to-Senator-Robert-Dole-et-al.-from-Walter-Dellinger-Assistant-Attorney-General-Office-of-Legal-Counsel-Deployment-of-United-States-Armed-Forces-into-Haiti-Sept.-27-1994.pdf>

Furthermore, the structure of the War Powers Resolution (WPR) recognizes and presupposes the existence ofunilateral Presidential authority to deploy armed forces "into hostilities or into situations where imminent involvement in hostilities is clearly indicated by the circumstances." 50 U.S.C. § 1543(a)(1). The WPR requires that, in the absence of a declaration of war, the President must report to Congress within 48 hours of introducing armed forces into such circumstances and must terminate the use of United States armed forces within 60 days (or 90 days, if military necessity requires additional time to effect a withdrawal) unless Congress permits otherwise. Id. § 1544(b). This structure makes sense only if the President may introduce troops into hostilities or potential hostilities without prior authorization by the Congress: the WPR regulates such action by the President and seeks to set limits to it.2 To be sure, the WPR declares that it should not be "construed as granting any authority to the President with respect to the introduction of United States Armed Forces into hostilities or into situations wherein involvement in hostilities is clearly indicated by the circumstances." 50 U.S.C. § 1547(d)(2). But just as clearly, the WPR assumes that the President already has such authority, and indeed the WPR states that it is not "intended to alter the constitutional authority of the . . . President." Id. § 1547(d)(1). Furthermore, although the WPR announces that, in the absence of specific authorization from Congress, the President may introduce armed forces into hostilities only in "a national emergency created by attack upon the United States, its territories or possessions, or its armed forces," id. § 1541(c), even the defenders of the WPR concede that this declaration -- found in the "Purpose and Policy" section of the WPR -- either is incomplete or is not meant to be binding. See, e.g., Cyrus R. Vance, Striking the Balance: Congress and the President Under the War Powers Resolution, 133 U. Pa. L. Rev. 79, 81 (1984).

#### Focusing on ontology/epistemology is reductionist and useless for change.

Owen, ‘2 David Owen, Reader of Political Theory at the Univ. of Southampton,  Millennium Vol 31 No 3 2002 p. 655-7

Commenting on the ‘philosophical turn’ in IR, Wæver remarks that ‘[a] frenzy for words like “epistemology” and “ontology” often signals this philosophical turn’, although he goes on to comment that these terms are often used loosely.4 However, loosely deployed or not, it is clear that debates concerning ontology and epistemology play a central role in the contemporary IR theory wars. In one respect, this is unsurprising since it is a characteristic feature of the social sciences that periods of disciplinary disorientation involve recourse to reflection on the philosophical commitments of different theoretical approaches, and there is no doubt that such reflection can play a valuable role in making explicit the commitments that characterise (and help individuate) diverse theoretical positions. Yet, such a philosophical turn **is not without its dangers** and I will briefly mention three before turning to consider a confusion that has, I will suggest, helped to promote the IR theory wars by motivating this philosophical turn. The first danger with the philosophical turn is that it has an inbuilt tendency to prioritise issues of ontology and epistemology over explanatory and/or interpretive power as if the latter two were **merely a simple function** of the former. But while the explanatory and/or interpretive power of a theoretical account is not wholly independent of its ontological and/or epistemological commitments (otherwise criticism of these features would not be a criticism that had any value), it is by no means clear that it is, in contrast, wholly dependent on these philosophical commitments. Thus, for example, one need not be sympathetic to rational choice theory to recognise that it can provide powerful accounts of certain kinds of problems, such as the tragedy of the commons in which dilemmas of collective action are foregrounded. It may, of course, be the case that the advocates of rational choice theory cannot give a good account of why this type of theory is powerful in accounting for this class of problems (i.e., how it is that the relevant actors come to exhibit features in these circumstances that approximate the assumptions of rational choice theory) and, if this is the case, it is a philosophical weakness—but this does not undermine the point that, for a certain class of problems, rational choice theory may provide the best account available to us. In other words, while the criticaljudgement of theoretical accounts in terms of their ontological and/or epistemological sophistication is one kind of critical judgement, it is not the only or even necessarily **the most important kind**. The second danger run by the philosophical turn is that because prioritisation of ontology and epistemology promotes theory-construction from philosophical first principles, it cultivates **a theory-driven rather than problem-driven approach** to IR. Paraphrasing Ian Shapiro, the point can be put like this: since it is the case that there is always a plurality of possible true descriptions of a given action, event or phenomenon, the challenge is to decide which is the most apt in terms of getting a perspicuous grip on the action, event or phenomenon in question given the purposes of the inquiry; yet, from this standpoint, ‘theory-driven work is part of a **reductionist**program’ in that it ‘dictates always opting for the description that calls for the explanation that flows from the preferred model or theory’.5 The justification offered for this strategy rests on the mistaken belief that it is necessary for social science because general explanations are required to characterise the classes of phenomena studied in similar terms. However, as Shapiro points out, this is to misunderstand the enterprise of science since ‘whether there are general explanations for classes of phenomena is a question for social-scientific inquiry, not to be prejudged before conducting that inquiry’.6 Moreover, this strategy easily slips into the promotion of the **pursuit of generality over that of empirical validity**. The third danger is that the preceding two combine to encourage the formation of a particular image of disciplinary debate in IR—what might be called (only slightly tongue in cheek) ‘the Highlander view’—namely, an image of warring theoretical approaches with each, despite occasional temporary tactical alliances, dedicated to the strategic achievement of sovereignty over the disciplinary field. It encourages this view because the turn to, and prioritisation of, ontology and epistemology stimulates the idea that there can only be one theoretical approach which gets things right, namely, the theoretical approach that gets its ontology and epistemology right. This image feeds back into IR exacerbating the first and second dangers, and so a potentially vicious circle arises.

#### Linearity might not be true but complexity isn’t 100% true either

Dr. Sebastian L. V. Gorka et al 12, Director of the Homeland Defense Fellows Program at the College of International Security Affairs, National Defense University, teaches Irregular Warfare and US National Security at NDU and Georgetown, et al., Spring 2012, “The Complexity Trap,” Parameters, <http://www.carlisle.army.mil/USAWC/parameters/Articles/2012spring/Gallagher_Geltzer_Gorka.pdf>

These competing views of America’s national security concerns indicate an important and distinctive characteristic of today’s global landscape: prioritization is simultaneously very difficult and very important for the United States. Each of these threats and potential threats—al Qaeda, China, nuclear proliferation, climate change, global disease, and so on—can conjure up a worstcase scenario that is immenselyintimidating. Given the difficulty of combining estimates of probabilities with the levels of risk associated with these threats, it is challenging to establish priorities. Such choices and trade-offs are difficult,but not impossible. 30 In fact, they are the stock-in-trade of the strategist and planner. If the United States is going to respond proactively and effectively to today’s international environment,prioritization is the key first step—and preciselythe opposite reaction to the complacency and undifferentiated fear that the notion of unprecedentedcomplexity encourages.Complexity suggests a maximization of flexibility and minimization of commitment; but prioritization demands wise allotment of resources and attention in a way that commits American power and effort most effectively and efficiently. Phrased differently, complexity induces deciding not to decide; prioritization encourages deciding which decisions matter most.Today’s world of diverse threats characterized by uncertain probabilities and unclear risks will overwhelm us if the specter of complexity seduces us into either paralysis or paranoia. Some priorities need to be set if the United States is to find the resources to confront what threatens it most. 31 As Michael Doran recently argued in reference to the Arab Spring, “the United States must train itself to see a large dune as something more formidable than just endless grains of sand.”32¶ This is not to deny the possibility of nonlinear phenomena, butterfly effects, self-organizing systems that exhibit patterns in the absence of centralized authority, or emergent properties. 33 If anything, these hallmarks of complexity theory remind strategists of the importance of revisiting key assumptions in light of new data and allowing for tactical flexibility in case of unintended consequences. Sound strategy requires hard choices and commitments, but it need not be inflexible. We can prioritize without being procrustean. But a model in which everything is potentially relevant is a model in which nothing is.

**Our args are grounded in empiricism – accurate way of viewing the world**

**Walt 05**annu rev polit sci 8 23-48 (“the relationship between theory and policy in international relations”) Policy decisions can be influenced by several types of knowledge. First, policy makers invariably rely on purely factual knowledge (e.g., how large are the opponent's forces? What is the current balance of payments?). Second, decision makers sometimes employ “rules of thumb”: simple decision rules acquired through experience rather than via systematic study (Mearsheimer 1989).3A third type of knowledge consists of typologies, which classify phenomena based on sets of specific traits. Policy makers can also rely on empirical laws. An empirical law is an observed correspondence between two or more phenomena that systematic inquiry has shown to be reliable. Such laws (e.g., “democracies do not fight each other” or “human beings are more risk averse with respect to losses than to gains”) can be useful guides even if we do not know why they occur, or if our explanations for them are incorrect. Finally, policy makers can also use theories. A theory is a causal explanation—it identifies recurring relations between two or more phenomena and explains why that relationship obtains. By providing us with a picture of the central forces that determine real-world behavior, theories invariably simplify reality in order to render it comprehensible. At the most general level, theoretical IR work consists of “efforts by social scientists…to account for interstate and trans-state processes, issues, and outcomes in general causal terms” (Lepgold & Nincic 2001, p. 5; Viotti & Kauppi 1993). IR theories offer explanations for the level of security competition between states (including both the likelihood of war among particular states and the war-proneness of specific countries); the level and forms of international cooperation (e.g., alliances, regimes, openness to trade and investment); the spread of ideas, norms, and institutions; and the transformation of particular international systems, among other topics. In constructing these theories, IR scholars employan equally diverse set of explanatory variables. Some of these theories operate at the level of the international system, using variables such as the distribution of power among states (Waltz 1979, Copeland 2000, Mearsheimer 2001), the volume of trade, financial flows, and interstate communications (Deutsch 1969, Ruggie 1983, Rosecrance 1986); or the degree of institutionalization among states (Keohane 1984, Keohane & Martin 2003). Other theories emphasize different national characteristics, such as regime type (Andreski 1980, Doyle 1986, Fearon 1994, Russett 1995), bureaucratic and organizational politics (Allison & Halperin 1972, Halperin 1972), or domestic cohesion (Levy 1989); or the content of particular ideas or doctrines (Van Evera 1984, Hall 1989, Goldstein & Keohane 1993, Snyder 1993). Yet another family of theories operates at the individual level, focusing on individual or group psychology, gender differences, and other human traits (De Rivera 1968, Jervis 1976, Mercer 1996, Byman & Pollock 2001, Goldgeier & Tetlock 2001, Tickner 2001, Goldstein 2003), while a fourth body of theory focuses on collective ideas, identities, and social discourse (e.g., Finnemore 1996, Ruggie 1998, Wendt 1999). To develop these ideas, IR theorists employ the full range of social science methods: comparative case studies, formal theory, large-N statistical analysis, and hermeneutical or interpretivist approaches.

#### Alt fails – Only large-scale policy action can deal with state militarism.

Rabinowitch, '71 (Botany Professor -- Illinois, BAS, 27:9)

This appeared to many Americans as betrayal of American tradition. The “military-industria1 complex” - a term coined by General Eisenhower, the most civilian of all military presidents - seemed to them to be the guilty, evil force which must be overthrown to return to the age of American innocence. But Mr. Reich and all other spokes~~men~~ of American anti-militarism have shown no will to uncover the origins of the rise of the military-industrial complex in America, the rationale of the development that had converted civilian America into the greatest military power the world had seen. Like the corporate technological state, the military-industrial complex is denounced as if it were a self-generated monster. According to Reich, the answer to the rise of military power in America lies on a personal,emotional level - in massive copping out of individuals from the military establishment, in repeal of loyalty of the individual to the military-dominated state. Reich’s book nowhere suggests deeper awareness of the problem of origin of aggression between societies - as if the first war in history had started in Vietnam, and militarism had been invented in the Pentagon. **That such an unhistorical approach** to a central reality of mankind’s existence on earth could come from the pen of an academic teacher, even if he is a professor of law, is a sobering fact. Forty years ago, well-educated Germans sat at the feet of an ignorant house painter who taught them that wars had originated in Jewish conspiracy against the Nordic race - so why should American students and intellectuals not believe that violence on earth originates in the conspiracy of the American Corporate State? And yet, even more than the finding of a harmonious relation between the individual and a complex technological economy, establishing stable peace between nations **is an immensely difficult, crucial challenge** of the technological age. **It calls for urgent, rational social action,**which **cannot be replaced** by indulgence in individual (or collective) emotional outbursts. The prevalence of wars in history has been the result of social evolution of the human species. This evolution selected aggressive behavior among nations as a viable social characteristic, probably because these societies lived in a habitat of scarcity, in which the price of survival was for a society to acquire adequate territory and resources, and to defend them against all competing societies. This evolutionarily selected behavior of human societies must be changed in the light of two new facts : One is the prohibitive destructiveness of “Scientific” war; the other, the capacity of nations to expand wealth by application of science and technology, without expansion of territory and acquisition of more natural resources (as exemplified by recent growth of Germany and Japan) - the newly-found capacity to grow richer without making others poorer. But the ways of national behavior developed in the millennia of competitive existence in a habitat of scarcity are stubborn. This situation calls for a new religion of world brotherhood to replace exclusive identification of individuals with closed societies; and for acceptance of new international attitudes permitting the establishment of a new system of international institutions. “The Greening of America” nowhere suggests that its author is aware of this challenge; and yet, as long as it is not answered, “Consciousness 111” can produce, instead of an age of happiness, **only a brief dance on a volcano**. Revolution is like an earthquake - a release of accumulated tensions. In the evolution of a society, some structures and attitudes stubbornly. resist change. As a result, tensions accumulate and a violent concussion becomes inevitable. The fundamental advantage of a politically free and educationally undogmatic society - is its greater capacity for adjustment; and the American system has proved sufficiently flexible in many critical situations in the past. The most recent crisis of American society - not yet fully resolved but, I believe, on the way to resolution - is the racial conflict. The democratic society of America’s Founding Fathers, with its ideal of equal opportunity for all, had been created by and for white men only. In the basic tenet of American political faith : that “all men are created equal” (and “endowed by God with equal rights”), the qualification “all white men” was not explicit - but it was understood by all. Even for the average Northern abolitionist, the Negro was a ward of the state, to be protected against being treated as a chattel, not its equal master. For two centuries, this doublestandard prevailed, carrying with it the seeds of instability. The substitution of “all white men” for “all men” saddled the conscience of liberal-minded Americans with easily perceived dishonesty. As time went on, as other lines of religious, national and racial prejudice and discrimination gave way, as the meltingpot American began to replace the purebred WASP, as education penetrated into plantation backyards and city slums, tension became increasingly intolerable. Pressure for economic, political and social equality rose and began to bend the established structures and to change traditional patterns of behavior. The flexibility of the American society was not sufficient to prevent all violence; Los Angeles, Washington, Detroit saw conflagrations and heard gunfire. But resistance was not unyielding. Within a generation, the black vote became a political power, even in Mississippi ; school integration gathered speed. Black mayors, black senators, black ‘police chiefs appeared in metropolitan cities of the North and rural towns of the South. Riots and marches from below, and revolutionary legislation and court decisions from above, are reshaping ’ American society - and hopefully, will complete the process in time to prevent catastrophy. Hatred, accumulated in centuries of inhuman treatment, still rages in many hearts. It-has driven some of the best among black intellectuals into racial prejudice in reverse and some extremist hotheads into murdering judges and policemen. But chances seem pretty good for the shame of racial discrimination to be washed off the face of America by self-cleaning forces of free society. Racial discrimination is one area in which individual attitudes and actions can do most good. Of all forms of discrimination - political, economic, religious - the one particularly difficult to bear, and most difficult to exterminate, is discrimination on personal level, from man to man, from man to woman, from family to family. This is the area in which the American youth, and our student youth in particular, has made the greatest contribution by their own unprejudiced ways of living, working and loving. The belief that ~~man~~to- ~~man~~ relations can overcome the alienation between sovereign national states has long seemed attractive to ~~men~~ of good will, such as Quakers, **only to betray them again and again**(as when Nazi invaders were guided in Norway by German boys who had been sheltered by Norwegian families in the hard years after World War I ) . Complex technological structures cannot be humanized by friendlinessand ~~brother~~hood, but have to be dealt with by rational social action. Ultimate, **irreversible changes can be brought about in this area, only by large-scale political action**; all what individuals can do are deeds of individual justice, virtue and self-sacrifice - whether they be motivated by plain decency, religious conviction or Consciousness 111. But relations between ~~men~~ within a single society - as contrasted to international relations - are close enough for individual attitudes to have an important impact. Of all the achievements of American youth, none shines brighter and more permanent than their role in breaking through the walls of racial segregation. Strangely enough, Reich’s paean to American youth gives the least attention to this real and important achievement

### XO CP

#### Doesn’t solve Future presidents and bad precedent

Conor Friedersdorf 12, Staff writer at The Atlantic, where he focuses on politics and national affairs, <http://www.theatlantic.com/politics/archive/2012/12/the-unforgivable-failure-of-congress-to-rein-in-drone-strikes/265874/>

Even the Obama Administration agrees that the lethal drone program it runs permits the executive branch to kill too easily. Its officials felt it urgent to codify various constraints when they thought Mitt Romney might win the election, The New York Times recently reported, quoting one official who said, "There was concern that the levers might no longer be in our hands." The story went on to report that the efforts are less urgent now that President Obama has won reelection (as if he alone is trustworthy enough to extrajudicially kill all willy-nilly, or to delegate that power to unerring paragons of good judgment like retired CIA Director David Petraeus). Still, the effort goes on with as much transparency as you'd expect: "The draft rule book for drone strikes that has been passed among agencies over the last several months is so highly classified, officials said, that it is hand-carried from office to office rather than sent by e-mail." So consider this. The Obama Administration thinks that on the president's authority it can adopt secret rules to a secret killing program, and that the rules will bind future presidents to Obama's notions of prudence? That isn't how it works. Some DavidAddington/Harold Koh type could write up a memo demolishing any prudent safeguard the next president found hobbling in no more than a week or two. Team Obama's attitude shouldnevertheless serve as a wake-up call to Congress. Hey legislators! The executive branch is telling you that even it thinks the status quo gives too much unchecked power to the president; that he is killing people without clear standards and procedures; and that he'd be worried about transferring the power he now possesses to someone else. What's your use, Congress, if even knowing all that you do nothing? The Founders expected you to jealously guard the power given to your branch, yet you shirk that Constitutional role. Most of you have spent more time attending fundraisers than thinking about how to rein in a coequal branch that's gone so far as to shred the Fifth Amendment and start whole wars without your consent. The Obama Administration's pre-election jitters are "a perfect distillation of how grotesque power appears in the eye of Americans who wield it," Matt Welch writes. "The point of constitutional governance is that the legal structure for and oversight of executive power is not a task for the executive itself. The fact that a president (and former constitutional law professor) would think otherwise vividly illustrates how far from that bedrock concept we have strayed." Forget Obama, who has shown his contempt for the rule of law too many times to trust that prudence will ever overcome his shortsighted self-regard. Only Congress can rein him in. As Obama said himself on The Daily Show, "One of the things we've got to do is put a legal architecture in place, and we need congressional help in order to do that, to make sure that not only am I reined in but any president's reined in terms of some of the decisions that we're making." So long as Congress doesn't even try, may history judge every derelict legislator harshly. Why the urgency? As Will Wilkinson explains: Establishing truly general, and thus potentially morally justifiable, "rules of engagement" for drone attacks is urgent for a rather more importantreason than the possibility that a less enlightened politician might come to power: America's conduct sets an example for the world. As this newspaper noted earlier this month, "Staying true to America's principles is one worry. Providing a template for other countries is another. China and Russia have similar technologies but their own ideas about what constitutes terrorism." We Americans are inclined to think of ourselves as a morally upstanding lot who act according only to the highest ideals in our violent escapades abroad. Much of the rest of the world is inclined to view us rather differently, as smugly unwitting Thrasymacheans who cannot see the difference between what is right and what America, in its unmatched might, gets away with. The question Americans need to put to ourselves is whether we would mind if China or Russia or Iran or Pakistan were to be guided by the Obama administration's sketchy rulebook in their drone campaigns. Bomb-dropping remote-controlled planes will soon be commonplace... It's simply chilling to consider the possibility that the White House might really believe that absent the threat of Mitt Romney there are in this matter no grounds for haste.

#### Links to politics.

Billy Hallowell 13, 2/11, <http://www.theblaze.com/stories/2013/02/11/heres-how-obamas-using-executive-power-to-bylass-legislative-process-plus-a-brief-history-of-executive-orders/>

“In an era of polarized parties and a fragmented Congress, the opportunities to legislate are few and far between,” Howell said. “So presidents have powerful incentive to go it alone. And they do.” And the political opposition howls. Sen. Marco Rubio, R-Fla., a possible contender for the Republican presidential nomination in 2016, said that on the gun-control front in particular, Obama is “abusing his power by imposing his policies via executive fiat instead of allowing them to be debated in Congress.” TheRepublican reaction isto beexpected, said John Woolley, co-director of the American Presidency Project at the University of California in Santa Barbara. “For years there has been a growing concern about unchecked executive power,” Woolley said. “Ittends to have a partisan content, with contemporary complaints coming from the incumbent president’s opponents.”

### PTX

#### Summers loss killed PC and ensures shutdown now

Carney 9/17/13, John, Senior Editor for CNBC, “Defeat of Larry Summers could lead to a government shutdown”, <http://www.cnbc.com/id/101037523>

The withdrawal of Larry Summers as a candidate for the Federal Reserve chairmanship is a serious setback for President Barack Obama's economic team that could lead to a government shutdown. Recall that every top economic advisor to Obama supported Summers. This support indicated what I've described as a frightening closed-mindedness, a kind of insider cognitive cascade where everyone bright about economics supported Summers because everyone bright about economics supported Summers. Resisting Summers was an indication, at least to Obama economics insiders, that you just weren't too bright. But it was also indicative of a certain political tone-deafness, if not outright arrogance. The economics team pushed hard for Summers because they believed they could get him nominated and confirmed. They underestimated the depth of opposition to Summers in their own party and in the Republican party. In fact, I've seen no evidence that they ever developed even a slight understanding of the sources of that opposition. Very briefly, in case there are shell-shocked members of the administration reading this, here's the case against Summers: For liberal Democrats, Summers came across as both too hawkish on monetary policy and too pro-bank on financial regulation. He was deemed inadequately concerned with high unemployment and ill-prepared to play the role of regulatory watchdog over the financial sector. The Republican objection was different. Summers was considered just too close to the Obama administration. Rather than an independent central banker, Obama seemed to desire a Fed chair who would essentially be an extension of his administration. That was just not acceptable to the opposition party. The troubling thing is that Obama is going to have to lean hard on his economic team once again in the very near future. While all the focus has lately been on the contest for the Fed chair and the possibility of slowing down the Fed's large-scale asset purchases (aka, the taper), we've quietly been heading toward another big showdown on fiscal policy. (See also: Obama buries Summers) First off, we've got a fight over the budget that will rapidly come to a head in the coming weeks. Congress and the president will have to agree to what's known as a "continuing resolution" to avoid a government shutdown at the end of the month. The Republicans are divided among themselves on the budget. Conservatives in the House have been pushing for a deal that would make passing a continuing resolution contingent on delaying for one year the implementation of some aspects of Obamacare. House majority leader John Boehner wants to pass a continuing resolution that would fund the government at levels slightly below the current sequestered levels. One of his members proposed just such a bill last week, with an end of the year budget of $986.3 billion. The goal is to avoid a government shutdown for fear that the public would, as it has in the past, blame the Republican House majority for the impasse. Let's say that Boehner is able to get his party in line and pass a continuing resolution. The bill would then pass to the Senate, where the Democrats control. Liberals are already describing the spending levels proposed in the House as "intolerable." The victory against Summers' nomination is likely to embolden resistance among the liberal Democrats to a budget resolution that includes further spending cuts. It would fall to the Obama administration to try to bring reluctant Democrats along. But after failing to convince Democrats to support Summers, it seems more likely that the White House will fail to convince them to support the Republican budget cuts. The economics team in the Obama administration just is not very good at this these days. This is a recipe for a government shutdown. If the Obama administration won't agree to a budget close to what the Republicans are supporting, it's unlikely that Boehner will be able to get his conservative members to drop the linkage to delaying Obamacare. They're not going to give up both the cuts and the Obamacare delay. But if the Obama administration agrees to the cuts, hemay lack support in the Senate. Which means the Obama administration will be reluctant to agree to the cuts—making a standoff followed by a shutdown all the more likely. This is an extraordinary situation—and one that could have serious economic consequences. The president's weakness makes something ordinarily unthinkable—opposition among Senate Democrats to a budget deal the president would agree to—a very real possibility. That means a government shutdown that nobody wants may be the most likely outcome of the coming budget fight. And we haven't even begun to discuss the approaching debt ceiling.

**Debt ceiling not key to the economy**

Michael**Tanner 11**, National Review, “No Surrender on Debt Ceiling”, Jan 19, <http://www.nationalreview.com/articles/257433/no-surrender-debt-ceiling-michael-tanner>

Of course the **Obama administration is already warning of Armageddon if Congress doesn’t raise the debt ceiling**. Certainly it would be a shock to the economic system. The bond market could crash. The impact would be felt at home and abroad. But **would it necessarily be**worse than the alternative? While Congress has never before refused to raise the debt ceiling, it has in fact frequently taken its time about doing so. **In 1985, for example, Congress waited nearly three months after the debt limit was reached** before it authorized a permanent increase. **In 1995, four and a half months passed** between the time that the government hit its statutory limit and the time Congress acted. **And in 2002, Congress delayed raising the debt ceiling for three months**. It took three months to raise the debt limit back in 1985 as well. **In none of those cases did the world end.** More important, what will be the consequences if the U.S. government fails to reduce government spending? What happens if we raise the debt ceiling then continue merrily on our way spending more and running up ever more debt? Already Moody’s and Standard & Poor’s have warned that our credit rating might be reduced unless we get a handle on our national debt. We’ve heard a lot recently about the European debt crisis, but, as one senior Chinese banking official recently noted, in some ways the U.S. financial position is more perilous than Europe’s. “We should be clear in our minds that the fiscal situation in the United States is much worse than in Europe,” he recently told reporters. “In one or two years, when the European debt situation stabilizes, [the] attention of financial markets will definitely shift to the United States. At that time, U.S. Treasury bonds and the dollar will experience considerable declines.” Moreover, unless we do something, federal spending is on course to consume 43 percent of GDP by the middle of the century. Throw in state and local spending, and government at all levels will take 60 cents out of every dollar produced in this country. Our economy will not long survive government spending at those levels.

#### Plan key to solve EU relations

Anthony Dworkin 13, Senior policy fellow at the European Council on Foreign Relations, <http://globalpublicsquare.blogs.cnn.com/2013/07/17/actually-drones-worry-europe-more-than-spying/>

Relations between the United States and Europe hit a low point following revelations that Washington was spying on European Union buildings and harvesting foreign email messages.

Behind the scenes, though, it is not data protection and surveillance that produces the most complicationsfor the transatlantic intelligence relationship, but rather America's use of armed drones to kill terrorist suspects away from the battlefield. Incidents such as the recent killing of at least 17 people in Pakistan are therefore only likely to heighten European unease. In public, European governments have displayed a curiously passive approach to American drone strikes, even as their number has escalated under Barack Obama’s presidency. Many Europeans believe that the majority of these strikes are unlawful, but their governments have maintained an uneasy silence on the issue. This is partly because of the uncomfortable fact that information provided by European intelligence services may have been used to identify some targets. It is also because of a reluctance to accuse a close ally of having violated international law. And it is partly because European countries have not worked out exactly what they think about the use of drones and how far they agree within the European Union on the question. Now, however, Europe’s muted stance on drone strikes looks likely to change. Why? For one thing, many European countries are now trying to acquire armed drones themselves, and this gives them an incentive to spell out clearer rules for their use. More importantly, perhaps, Europeans have noticed that drones are proliferating rapidly, and that countries like China, Russia and Saudi Arabia are soon likely to possess them. There is a clear European interest in trying to establish some restrictive standards on drone use before it is too late. For all these reasons, many European countries are now conducting internal reviews of their policy on drones, and discussions are also likely to start at a pan-European level. But as Europeans begin to articulate their policy on the use of drones, a bigger question looms. Can Europe and the United States come together to agree on when drone strikes are permissible? Until now, that would have seemed impossible. Since the September 11 attacks, the United States has based its counterterrorism operations on the claim that it is engaged in a worldwide armed conflict with al Qaeda and associated forces — an idea that President Obama inherited from President George W. Bush and has been kept as the basis for an expanded drone strike campaign. European countries have generally rejected this claim. However, the changes to American policy that President Obama announced in May could open the way to at least the possibility of a dialogue. Obama suggested that he anticipated a time in the not-too-distant future when the armed conflict against al Qaeda might come to an end. More substantially, he made clear that his administration was in the process of switching its policy so that, outside zones of hostilities, it would only use drone strikes against individuals who posed a continuing and imminent threat to the U.S. That is a more restrictive standard than the claim that any member of al Qaeda or an associated force could lawfully be killed with a drone strike at any time. European countries might be more willing to accept an approach based on this kind of “self-defense” idea. However, there remain some big stumbling blocks. First, a good deal about Obama’s new standards is still unclear. How does he define a “zone of hostilities,” where the new rules will not apply? And what is his understanding of an “imminent” threat? European countries are likely to interpret these key terms in a much narrower way than the United States. Second, Obama’s new approach only applies as a policy choice. His more expansive legal claims remain in the background so that he is free to return to them if he wishes. But if theUnited States is serious about working toward international standards on drone strikes, as Obama and his officials have sometimes suggested, then Europe is the obvious place to start. And there are a number of steps the administration could take to make an agreement with European countries more likely. For a start, it should cut back the number of drone strikes and be much more open about the reasons for the attacks it conducts and the process for reviewing them after the fact. It should also elaborate its criteria for determining who poses an imminent threat in a way that keeps attacks within tight limits. And, as U.S. forces prepare to withdraw from Afghanistan in 2014, it should keep in mind the possibility of declaring the war against al Qaeda to be over. All this said, Europe also has some tough decisions to make, and it is unclear whether European countries are ready to take a hard look at their views about drone strikes, addressing any weaknesses or inconsistencies in their own position. If they are, the next few years could offer a breakthrough in developing international standards for the use of this new kind of weapon, before the regular use of drones spreads across the globe.

#### Multiple scenarios for extinction.

-Environment  -Overpop           -Terror                -Economy

Ramet 2 (Poli Sci Prof – Norwegian University of Science & Technology, Coming in from the Cold War, ed. Ramet & Ingebritsen, pp. 11-2)

Thus, while I recognize that there will always be differences in perspective, interest, understanding and emphasis, I am inclined to a certain optimism about the U.S.-European relationship over the long run, even if there may be some difficulties at least in the first year or two of the younger Bush's administration. To the extent that there will be challenges to be faced, these are less likely to be products of the relationship itself or even by-products of the institutions in which the United States and Europe have come to structure their relations, than of external trends, such as the accelerating destruction of the environment(with the consequences, both foreseen and unforeseen, that will have) the impact of world overpopulation, international terrorism and the likely collapse of Third World economies, especially in Africa. Ultimately, if these challenges prove to be as serious as some experts fear**, the very survival of humankind may depend**, at least in part, on the success with which the United States and Europe **find ways to deepen their cooperative ties** and meet those challenges.

**Obama has already lost big on Drones—Plan garners large congressional support**

**Klaidman 13** (Daniel, The Daily Beast, “Obama’s Drone Debacle” 3/10/13 <http://www.thedailybeast.com/articles/2013/03/09/obama-s-drone-debacle.html>)

**You know it’s not a good day for the Obama administration when a paragon of the Tea Party right is roasting the president and liberal twitter feeds are lighting up in support.** But that’s exactly what happened this past week when Kentucky Senator Rand Paul mounted his “talking filibuster” to block the confirmation of CIA nominee John Brennan. Paul kept up the parliamentary maneuver for 13 hours in an effort to extract answers from the administration about its covert drone program, and particularly the question of whether it is legal to target American citizens on U.S. soil.¶ **It was a strange-bedfellows moment that harkened back to the Clinton era, when government-fearing elements of the GOP joined forces with the civil-libertarian left to assail over-zealous law-enforcement tactics.** And while Brennan’s nomination was never really in jeopardy—he was confirmed Thursday by a comfortable margin—**Paul succeeded in forcing Obama officials to publicly address a set of national security issues that has always made them feel distinctly uncomfortable.¶** **How could the administration have allowed itself to get tangled up in an embarrassing controversy over deeply hypothetical questions like whether the military could fire a drone strike at an American citizen** sitting in a cafe? One reason, of course, is the circus that confirmations have become—proxy battles for the permanent political conflict between Republicans and the White House. But **perhaps the biggest reason has been the administration’s unwillingness to share information about its drone program**, which has fed the perception among both Republicans and Democrats that it has an imperious, high-handed attitude toward Congress. **And when officials have answered questions from Congress, the responses have often been so pettifogging and over-lawyered that they’ve done more harm than good.¶** **The irony is that Obama and most of his top aides are personally in favor of more rather than less transparency. But in the end, they have repeatedly deferred to secrecy obsessed spooks and handwringing lawyers whose default position has been to keep things under wraps.** “It’s clear that the president and the attorney general both want more transparency,” says Matthew Miller, a former senior Justice Department official. “But the bureaucracy has once again thrown sand in the gears and slowed that down.”¶ The drones mess also reflects Obama’s tortured, Solomonic approach to dealing with difficult national security issues. In seeking to balance transparency and security, **Obama has pursued a middle path that**, in the end, **has satisfied nobody. And in the case of drones, that approach has been at odds with a basic Washington**imperative: it is almost always better to be transparent earlier, lest you end up having to disclose even more later**.** “**The word on the street**,” says a former administration national security official, “**is they’ll end up giving away the farm, all the animals, and the John Deere equipment by the time this is done.”**

**No impact – Obama can raise it himself.**

Dr. Paul Craig **Roberts 11** was appointed by President Reagan Assistant Secretary of the U.S. Treasury and confirmed by the US Senate. He was Associate Editor and columnist with the Wall Street Journal, and he served on the personal staffs of Representative Jack Kemp and Senator Orrin Hatch. He was staff associate of the House Defense Appropriations Subcommittee, staff associate of the Joint Economic Committee of Congress, and Chief Economist, Republican Staff, House Budget Committee. He wrote the Kemp-Roth tax rate reduction bill, and was a leader in the supply-side revolution.  He was professor of economics in six universities, and is the author of numerous books and scholarly contributions.  He has testified before committees of Congress on 30 occasions,[www.globalresearch.ca/index.php?context=va&aid=25776](http://www.globalresearch.ca/index.php?context=va&aid=25776" \t "_blank)

We are talking about a crisis beyond anything the world has ever seen**. Does anyone think that** President **Obama is going to just sit there while the power of the US collapses?  He doesn’t have to do so.  There are presidential directives and executive orders in place, put there by** George W. **Bush** himself, **that** President **Obama can invoke to declare a national emergency, suspend the debt ceiling limit, and continue to issue Treasury debt**. **This is exactly what would happen**. **The consequences would be that the power of the purse would transfer from Congress to the President. It** would be the end of the power of Congress. Congress, Republicans and Democrats alike, have already given away to the President Congress’ Constitutional right to decide whether the country goes to war. Now Congress would lose its power over debt, taxes, and the budget itself. Republicans need to decide whether the advantage of delivering a blow against “leechdom” is worth such extreme risks. **Some readers will say “this could never happen.” But Congress is already emasculating itself as a result of the Republicans’ intransigence over the debt ceiling increase**. Republican Mitch **McConnell and** Democrat Harry **Reid have come up with a proposal for a committee of Congress, called a Super Congress, that could fast-track legislation by prohibiting amendments**. <http://www.huffingtonpost.com/2011/07/23/super-congress-debt-ceiling_n_907887.html?icid=maing-grid7%7Cmain5%7Cdl1%7Csec1_lnk2%7C80603> In other words, **the few members of the Super Congress could bypass any citizen opposition that might still be represented in the ordinary old Congress**. The more likely outcomes would be an end to the mortgage interest deduction and the deductions for retirement savings. Legislation to gut the social safety net could not be amended. A Congress that is willing to destroy its remaining power over a debt ceiling increase that is less than a Federal Reserve loan to one US bank is a Congress moved to folly by Republican intransigence.

#### Normal means is Obama push

John M. Donnelly 13, CQ Roll Call, March 7, <http://web.law.columbia.edu/sites/default/files/microsites/human-rights-institute/materialspacketfinal%20copy.pdf>

President Obama has encouraged lawmakers to establish a legal framework to govern the use of lethal drones, according to Richard J. Durbin, the Senate's assistant majority leader and the new chairman of the Appropriations Subcommittee on Defense. "I might add that, in my conversations with the president, he welcomes this," the Illinois Democrat said of drone legislation during a Senate floor debate today. "He has invited us to come up with a legal architecture to make certain it is consistent with existing precedent in military law and other court cases as well as our Constitution." CQ Roll Call's Rob Margetta has more. Durbin's offhand comment suggests the growing high-level interest in regulating how unmanned aircraft are used against suspected terrorists in remote areas overseas. Several lawmakers have proposed mechanisms for reviewing those targets--perhaps by a court, perhaps by Congress. Durbin's remarks also come amid a white-hot corollary debate over the potential, however seemingly remote, of using the drones to kill U.S. citizens accused of terrorism here in the United States.

#### 

#### Econ Collapse does not cause war

Robert Jervis 11, Professor in the Department of Political Science and School of International and Public Affairs at Columbia University, December 2011, “Force in Our Times,” Survival, Vol. 25, No. 4, p. 403-425

Even if war is still seen as evil, the security community could be dissolved if severe conflicts of interest were to arise. Could the more peaceful world generate new interests that would bring the members of the community into sharp disputes? 45 A zero-sum sense of status would be one example, perhaps linked to a steep rise in nationalism. More likely would be a worsening of the currenteconomic difficulties, which could itself produce greater nationalism, undermine democracy and bring back old-fashioned beggar-my-neighbor economic policies. While these dangers are real, it is hard to believethat theconflicts could be great enough to lead the members of the community to contemplate fighting each other. It is not so much that economic interdependence has proceeded to the point where it could not be reversed – states that were more internally interdependent than anything seen internationally have fought bloody civil wars. Rather it is that even if the more extreme versions of free trade and economic liberalism become discredited, it is hard to see how without building on a preexisting high level of political conflict leaders and mass opinion would come to believe that their countries could prosper by impoverishing or even attacking others. Is it possible that problems will not only become severe, but that people will entertain the thought that they have to be solved by war? While a pessimist could note that this argument does not appear as outlandish as it did before the financial crisis, an optimist could reply (correctly, in my view) that the very fact that we have seen such asharp economic down-turn without anyone suggesting that force of arms is the solution shows that even if bad times bring about greatereconomic conflict, it will not make war thinkable.

#### Global economy resilient—empirics and checks

Zakaria ’9 [Fareed Zakaria is editor of Newsweek International “The Secrets of Stability,” 12/12 <http://www.newsweek.com/id/226425/page/2>]

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

#### Winners win outweighs political capital

Michael Hirsh 13, Chief correspondent for National Journal. He also contributes to 2012 Decoded. Hirsh previously served as the senior editor and national economics correspondent for Newsweek, based in its Washington bureau, <http://www.nationaljournal.com/magazine/there-s-no-such-thing-as-political-capital-20130207>

On Tuesday, in his State of the Union address, President Obama will do what every president does this time of year. For about 60 minutes, he will lay out a sprawling and ambitious wish list highlighted by gun control and immigration reform, climate change and debt reduction. In response, the pundits will do what they always do this time of year: They will talk about how unrealistic most of the proposals are, discussions often informed by sagacious reckonings of how much “political capital” Obama possesses to push his program through. Most of this talk will have no bearing on whatactually happens over the next four years. Consider this: Three months ago, just before the November election, if someone had talked seriously about Obama having enough political capital to oversee passage of both immigration reform and gun-control legislation at the beginning of his second term—even after winning the election by 4 percentage points and 5 million votes (the actual final tally)—this person would have been called crazy and stripped of his pundit’s license. (It doesn’t exist, but it ought to.) In his first term, in a starkly polarized country, the president had been so frustrated by GOP resistance that he finally issued a limited executive order last August permitting immigrants who entered the country illegally as children to work without fear of deportation for at least two years. Obama didn’t dare to even bring up gun control, a Democratic “third rail” that has cost the party elections and that actually might have been even less popular on the right than the president’s health care law. And yet, for reasons that have very little to do with Obama’s personal prestige or popularity—variously put in terms of a “mandate” or “political capital”—chances are fair that both will now happen. What changed? In the case of gun control, of course, it wasn’t the election. It was the horror of the 20 first-graders who were slaughtered in Newtown, Conn., in mid-December. The sickening reality of little girls and boys riddled with bullets from a high-capacity assault weapon seemed to precipitate a sudden tipping point in the national conscience. One thing changed after another. Wayne LaPierre of the National Rifle Association marginalized himself with poorly chosen comments soon after the massacre. The pro-gun lobby, once a phalanx of opposition, began to fissure into reasonables and crazies. Former Rep. Gabrielle Giffords, D-Ariz., who was shot in the head two years ago and is still struggling to speak and walk, started a PAC with her husband to appeal to the moderate middle of gun owners. Then she gave riveting and poignant testimony to the Senate, challenging lawmakers: “Be bold.” As a result, momentum has appeared to build around some kind of a plan to curtail sales of the most dangerous weapons and ammunition and the way people are permitted to buy them. It’s impossible to say now whether such a bill will pass and, if it does, whether it will make anything more than cosmetic changes to gun laws. But one thing is clear: The political tectonics have shifted dramatically in very little time. Whole new possibilities exist now that didn’t a few weeks ago. Meanwhile, the Republican members of the Senate’s so-called Gang of Eight are pushing hard for a new spirit of compromise on immigration reform, a sharp change after an election year in which the GOP standard-bearer declared he would make life so miserable for the 11 million illegal immigrants in the U.S. that they would “self-deport.” But this turnaround has very little to do with Obama’s personal influence—his political mandate, as it were. It has almost entirely to do with just two numbers: 71 and 27. That’s 71 percent for Obama, 27 percent for Mitt Romney, the breakdown of the Hispanic vote in the 2012 presidential election. Obama drove home his advantage by giving a speech on immigration reform on Jan. 29 at a Hispanic-dominated high school in Nevada, a swing state he won by a surprising 8 percentage points in November. But the movement on immigration has mainly come out of the Republican Party’s recent introspection, and the realization by its more thoughtful members, such as Sen. Marco Rubio of Florida and Gov. Bobby Jindal of Louisiana, that without such a shift the party may be facing demographic death in a country where the 2010 census showed, for the first time, that white births have fallen into the minority.It’s got nothing to do with Obama’s political capitalor, indeed, Obama at all. The point is not that “political capital” is a meaningless term. Often it is a synonym for “mandate” or “momentum” in the aftermath of a decisive election—and just about every politician ever elected has tried to claim more of a mandate than he actually has. Certainly, Obama can say that because he was elected and Romney wasn’t, he has a better claim on the country’s mood and direction. Many pundits still defend political capital as a useful metaphor at least. “It’s an unquantifiable but meaningful concept,” says Norman Ornstein of the American Enterprise Institute. “You can’t really look at a president and say he’s got 37 ounces of political capital. But the fact is, it’s a concept that matters, if you have popularity and some momentum on your side.” The real problem is that the idea of political capital—or mandates, or momentum—is so poorly defined that presidents and pundits often get it wrong. “Presidents usually over-estimate it,” says George Edwards, a presidential scholar at Texas A&M University. “The best kind of political capital—some sense of an electoral mandate to do something—is very rare. It almost never happens. In 1964, maybe. And to some degree in 1980.” For that reason, political capital is a concept that misleads far more than it enlightens. It is distortionary. It conveys the idea that we know more than we really do about the ever-elusive concept of political power, and it discounts the way unforeseen events can suddenly change everything. Instead, it suggests, erroneously, that a political figure has a concrete amount of political capital to invest, just as someone might have real investment capital—that a particular leader can bank his gains, and the size of his account determines what he can do at any given moment in history. Naturally, any president has practical and electoral limits. Does he have a majority in both chambers of Congress and a cohesive coalition behind him? Obama has neither at present. And unless a surge in the economy—at the moment, still stuck—or some other great victory gives him more momentum, it is inevitable that the closer Obama gets to the 2014 election, the less he will be able to get done. Going into the midterms, Republicans will increasingly avoid any concessions that make him (and the Democrats) stronger. But the abrupt emergence of the immigration and gun-control issues illustrates how suddenly shifts in mood can occur and how political interests can align in new ways just as suddenly. Indeed, the pseudo-concept of political capital masks a larger truth about Washington that is kindergarten simple: You just don’t know what you can do until you try. Or as Ornstein himself once wrote years ago, “Winning wins.” In theory, and in practice, depending on Obama’s handling of any particular issue, even in a polarized time, he could still deliver on a lot of his second-term goals, depending on his skill and the breaks. Unforeseen catalysts can appear, like Newtown. Epiphanies can dawn, such as when many Republican Party leaders suddenly woke up in panic to the huge disparity in the Hispanic vote. Some political scientists who study the elusive calculus of how to pass legislation and run successful presidencies say that political capital is, at best, an empty concept, and that almost nothing in the academic literature successfully quantifies or even defines it. “It can refer to a very abstract thing, like a president’s popularity, but there’s no mechanism there. That makes it kind of useless,” says Richard Bensel, a government professor at Cornell University. Even Ornstein concedes that the calculus is far more complex than the term suggests. Winning on one issue often changes the calculation for the next issue; there is never any known amount of capital. “The idea here is, if an issue comes up where the conventional wisdom is that president is not going to get what he wants, and he gets it, then each time that happens, it changes the calculus of the other actors” Ornstein says. “If they think he’s going to win, they may change positions to get on the winning side. It’s a bandwagon effect.” ALL THE WAY WITH LBJ Sometimes, a clever practitioner of power can get more done just because he’s aggressive and knows the hallways of Congress well. Texas A&M’s Edwards is right to say that the outcome of the 1964 election, Lyndon Johnson’s landslide victory over Barry Goldwater, was one of the few that conveyed a mandate. But one of the main reasons for that mandate (in addition to Goldwater’s ineptitude as a candidate) was President Johnson’s masterful use of power leading up to that election, and his ability to get far more done than anyone thought possible, given his limited political capital. In the newest volume in his exhaustive study of LBJ, The Passage of Power, historian Robert Caro recalls Johnson getting cautionary advice after he assumed the presidency from the assassinated John F. Kennedy in late 1963. Don’t focus on a long-stalled civil-rights bill, advisers told him, because it might jeopardize Southern lawmakers’ support for a tax cut and appropriations bills the president needed. “One of the wise, practical people around the table [said that] the presidency has only a certain amount of coinage to expend, and you oughtn’t to expend it on this,” Caro writes. (Coinage, of course, was what political capital was called in those days.) Johnson replied, “Well, what the hell’s the presidency for?” Johnson didn’t worry about coinage, and he got the Civil Rights Act enacted, along with much else: Medicare, a tax cut, antipoverty programs. He appeared to understand not just the ways of Congress but also the way to maximize the momentum he possessed in the lingering mood of national grief and determination by picking the right issues, as Caro records. “Momentum is not a mysterious mistress,” LBJ said. “It is a controllable fact of political life.” Johnson had the skill and wherewithal to realize that, at that moment of history, he could have unlimited coinage if he handled the politics right. He did. (At least until Vietnam, that is.) And then there are the presidents who get the politics, and the issues, wrong. It was the last president before Obama who was just starting a second term, George W. Bush, who really revived the claim of political capital, which he was very fond of wielding. Then Bush promptly demonstrated that he didn’t fully understand the concept either. At his first news conference after his 2004 victory, a confident-sounding Bush declared, “I earned capital in the campaign, political capital, and now I intend to spend it. That’s my style.” The 43rd president threw all of his political capital at an overriding passion: the partial privatization of Social Security. He mounted a full-bore public-relations campaign that included town-hall meetings across the country. Bush failed utterly, of course. But the problem was not that he didn’t have enough political capital.Yes, he may have overestimated his standing. Bush’s margin over John Kerry was thin—helped along by a bumbling Kerry campaign that was almost the mirror image of Romney’s gaffe-filled failure this time—but that was not the real mistake. The problem was that whatever credibility or stature Bush thought he had earned as a newly reelected president did nothing to make Social Security privatization a better idea in most people’s eyes. Voters didn’t trust the plan, and four years later, at the end of Bush’s term, the stock-market collapse bore out the public’s skepticism. Privatization just didn’t have any momentum behind it, no matter who was pushing it or how much capital Bush spent to sell it. The mistake that Bush made with Social Security, says John Sides, an associate professor of political science at George Washington University and a well-followed political blogger, “was that just because he won an election, he thought he had a green light. But there was no sense of any kind of public urgency on Social Security reform. It’s like he went into the garage where various Republican policy ideas were hanging up and picked one. I don’t think Obama’s going to make that mistake.… Bush decided he wanted to push a rock up a hill. He didn’t understand how steep the hill was. I think Obama has more momentum on his side because of the Republican Party’s concerns about the Latino vote and the shooting at Newtown.” Obama may also get his way on the debt ceiling, not because of his reelection, Sides says, “but because Republicans are beginning to doubt whether taking a hard line on fiscal policy is a good idea,” as the party suffers in the polls. THE REAL LIMITS ON POWER Presidents are limited in what they can do by time and attention span, of course, just as much as they are by electoral balances in the House and Senate. But this, too, has nothing to do with political capital. Another well-worn meme of recent years was that Obama used up too much political capital passing the health care law in his first term. But the real problem was that the plan was unpopular, the economy was bad, and the president didn’t realize that the national mood (yes, again, the national mood) was at a tipping point against big-government intervention, with the tea-party revolt about to burst on the scene. For Americans in 2009 and 2010—haunted by too many rounds of layoffs, appalled by the Wall Street bailout, aghast at the amount of federal spending that never seemed to find its way into their pockets—government-imposed health care coverage was simply an intervention too far. So was the idea of another economic stimulus. Cue the tea party and what ensued: two titanic fights over the debt ceiling. Obama, like Bush, had settled on pushing an issue that was out of sync with the country’s mood. Unlike Bush, Obama did ultimately get his idea passed. But the bigger political problem with health care reform was that it distracted the government’s attention from other issues that people cared about more urgently, such as the need to jump-start the economy and financial reform. Various congressional staffers told me at the time that their bosses didn’t really have the time to understand how the Wall Street lobby was riddling the Dodd-Frank financial-reform legislation with loopholes. Health care was sucking all the oxygen out of the room, the aides said. Weighing the imponderables of momentum, the often-mystical calculations about when the historic moment is ripe for an issue, will never be a science. It is mainly intuition, and its best practitioners have a long history in American politics. This is a tale told well in Steven Spielberg’s hit movie Lincoln. Daniel Day-Lewis’s Abraham Lincoln attempts a lot of behind-the-scenes vote-buying to win passage of the 13th Amendment, banning slavery, along with eloquent attempts to move people’s hearts and minds. He appears to be using the political capital of his reelection and the turning of the tide in the Civil War. But it’s clear that a surge of conscience, a sense of the changing times, has as much to do with the final vote as all the backroom horse-trading. “The reason I think the idea of political capital is kind of distorting is that it implies you have chits you can give out to people. It really oversimplifies why you elect politicians, or why they can do what Lincoln did,” says Tommy Bruce, a former political consultant in Washington. Consider, as another example, the storied political career of President Franklin Roosevelt. Because the mood was ripe for dramatic change in the depths of the Great Depression, FDR was able to push an astonishing array of New Deal programs through a largely compliant Congress, assuming what some described as near-dictatorial powers. But in his second term, full of confidence because of a landslide victory in 1936 that brought in unprecedented Democratic majorities in the House and Senate, Roosevelt overreached with his infamous Court-packing proposal. All of a sudden, the political capital that experts thought was limitless disappeared. FDR’s plan to expand the Supreme Court by putting in his judicial allies abruptly created an unanticipated wall of opposition from newly reunited Republicans and conservative Southern Democrats. FDR thus inadvertently handed back to Congress, especially to the Senate, the power and influence he had seized in his first term. Sure, Roosevelt had loads of popularity and momentum in 1937. He seemed to have a bank vault full of political capital. But, once again, a president simply chose to take on the wrong issue at the wrong time; this time, instead of most of the political interests in the country aligning his way, they opposed him. Roosevelt didn’t fully recover until World War II, despite two more election victories. In terms of Obama’s second-term agenda, what all these shifting tides of momentum and political calculation mean is this: Anything goes. Obama has no more elections to win, and he needs to worry only about the support he will have in the House and Senate after 2014. But if he picks issues that the country’s mood will support—such as, perhaps, immigration reform and gun control—there is no reason to think he can’t win far more victories than any of the careful calculators of political capital now believe is possible, including battles over tax reform and deficit reduction. Amid today’s atmosphere of Republican self-doubt, a new, more mature Obama seems to be emerging, one who has his agenda clearly in mind and will ride the mood of the country more adroitly.If he can get some early wins—as he already has, apparently, on the fiscal cliff and the upper-income tax increase—that will create momentum, and one win may well lead to others. “Winning wins.” Obama himself learned some hard lessons over the past four years about the falsity of the political-capital concept. Despite his decisive victory over John McCain in 2008, he fumbled the selling of his $787 billion stimulus plan by portraying himself naively as a “post-partisan” president who somehow had been given the electoral mandate to be all things to all people. So Obama tried to sell his stimulus as a long-term restructuring plan that would “lay the groundwork for long-term economic growth.” The president thus fed GOP suspicions that he was just another big-government liberal. Had he understood better that the country was digging in against yet more government intervention and had sold the stimulus as what it mainly was—a giant shot of adrenalin to an economy with a stopped heart, a pure emergency measure—he might well have escaped the worst of the backlash. But by laying on ambitious programs, and following up quickly with his health care plan, he only sealed his reputation on the right as a closet socialist. After that, Obama’s public posturing provoked automatic opposition from the GOP, no matter what he said. If the president put his personal imprimatur on any plan—from deficit reduction, to health care, to immigration reform—Republicans were virtually guaranteed to come out against it. But this year, when he sought to exploit the chastened GOP’s newfound willingness to compromise on immigration, his approach was different. He seemed to understand that the Republicans needed to reclaim immigration reform as their own issue, and he was willing to let them have some credit. When he mounted his bully pulpit in Nevada, he delivered another new message as well: You Republicans don’t have to listen to what I say anymore. And don’t worry about who’s got the political capital. Just take a hard look at where I’m saying this: in a state you were supposed to have won but lost because of the rising Hispanic vote. Obama was cleverly pointing the GOP toward conclusions that he knows it is already reaching on its own: If you, the Republicans, want to have any kind of a future in a vastly changed electoral map, you have no choice but to move. It’s your choice. The future is wide open.

# 1AR

#### Prediction and scenario planning are inevitable

Danzig 11

Richard Danzig, Center for a New American Security Board Chairman, Secretary of the Navy under President Bill Clinton, October 2011, Driving in the Dark Ten Propositions About Prediction and National Security, http://www.cnas.org/files/documents/publications/CNAS\_Prediction\_Danzig.pdf

3. The Propensity for Prediction Is Especially Deeply Embedded in the U.S. Department of Defense \¶ Five factors powerfully contribute to this propensity.¶ Bureaucratic Managers, and Especially Government Officials, Seek Predict ability as a Means of Maintaining Order¶ Students of both business and government bureaucracies have observed that managers seek to simplify problems in order to render them more predictable. In the words of Herbert Simon: Administrative man recognizes that the world he perceives is a drastically simplified model of the buzzing, blooming confusion that constitutes the real world. He is content with the gross simplification because he believes that the real world is mostly empty – that most of the facts of the real world have no great relevance to any particular situation he is facing and that most significant chains of causes and consequences are short and simple.36¶ Henry Kissinger arrived at a similar observation after decades of interacting with U.S. national security bureaucracies. “The essence of bureaucracy,” he writes, “is its quest for safety; its success is calculability… The attempt to conduct policy bureaucratically leads to a quest for calculability which tends to become a prisoner of events.”37 Andrew Krepinevich, a long-time observer of the Pentagon, comments that bureaucrats would prefer “no thinking about the future (which implies things might change and they might have to change along with it). To the extent they ‘tolerate’ such thinking, they attempt to insure that such thinking results in a world that looks very much like the one for which they have planned.”38 Insofar as the future is forecast to differ from the present, it is highly desirable from a bureaucratic perspective for the forecast to at least be presented with certitude. James C. Scott discerns the reasons for this, arguing that for a government bureaucrat,¶ [t]he … present is the platform for launching plans for a better future… The strategic choice of the future is freighted with consequences. To the degree that the future is known and achievable … the less future benefits are discounted for uncertainty.39 Conceding uncertainty would weaken budgetary claims, power and status. Moreover, bureaucratic actors who question alleged certainties soon learn that they are regarded skeptically. Whose team are they on? What bureaucratic interest is served by emphasizing uncertainty?¶ Militaries, in Particular, Seek Predictive Power¶ The military environment compounds managers’ predisposition to prediction, and indeed, most security strategies are designed to reduce risk. Napoleon’s maxim reflects present military attitudes: “To be defeated is pardonable; to be surprised – never!”40 The American military, committed to harnessing technological superiority and overwhelming force, is particularly predisposed to a mind-set in which power and predictive accuracy are exaggerated. William Astor captures the point:¶ [W]hat disturbs me most is that the [U.S.] military swallowed the Clausewitzian/German notion of war as a dialectical or creative art, one in which well-trained and highly-motivated leaders can impose their will on events… a new vision of the battlefield emerged in which the U.S. military aimed, without the slightest sense of irony, for “total situational awareness” and “full spectrum dominance,” goals that, if attained, promised commanders the almost god-like ability to master the “storm of steel,” to calm the waves, to command the air. In the process, any sense of war as thoroughly unpredictable and enormously wasteful was lost.41¶ The Modern American Military Traces its Roots to Predictive Failure¶ The present American military establishment was created in the wake of two wars – World War II and the Korean War – for which it was widely recognized that America was unprepared.42 These led to a mantra of attempting to foresee and plan for risks so as never again to be comparably unprepared.¶ The McN amara Revolution Enshr ined Pentagon Processes Dependent on Predict ion¶ A half century ago, Robert McNamara and his “whiz kids” intensified the predictive tendency, but for different reasons than their predecessors. For McNamara and his colleagues, the challenge was to take an internally competitive, substantially disorganized and significantly dysfunctional DOD and make it more manageable and rational. A key step to this end was to adopt the then-modern concepts of strategic planning with which McNamara had been closely associated at Ford Motor Company.43 A related initiative was to establish for DOD a single scenario – a Soviet invasion of Western Europe – against which most investments could be measured.44 This mechanism of resource allocation became a mechanism of program planning in accord with the proposition that “what you measure is what you motivate.”¶ This result was rationalized with the observation that the Soviet scenario was so stressful that all other contingencies would be lesser included cases; they could be readily handled with the equipment, training and doctrine designed for the most demanding Soviet scenario. Of course, this scenario was never as dominant in practice as it was in theory. Collateral investments were made, for example, in attack submarines. Subordinate combat commands worried about scenarios specific to their regions, such as fighting in Asia or the Persian Gulf. Occasional consideration was also given by the Office of the Secretary of Defense to some alternative opponents.45 It was not that the system prohibited collateral thought about unpredicted outcomes. Rather, it forced overwhelming attention to the predicted scenario and offered few incentives to consider unexpected contingencies.¶ Owen Brown and Paul Eremenko observe that the McNamara revolution introduced a bias toward design systems with long lives for allegedly predictable environments. Analyzing our space programs, they write:¶ Decisionmakers respond to increased marginal cost by … increasing lifetime to minimize amortized annual costs. In a perfect world of no uncertainty (or certainty of the uncertainty) this is an appropriate decision. The scars of real world experience illustrate the true problems of this approach. These space systems, which (because of their complexity) take years to design and build, are designed to meet requirements based on today’s threat forecasts. With constantly changing threat environments, requirements change during the design and build phase. The result is redesign, which costs time and money for a large, tightly coupled system. Once launched, there is little hope the capability of a space system can be adapted to a new threat.46¶ The Monolith ic Soviet Opp onent Was Unusually Predict able¶ The Cold War led to co-evolution: The mutually engaged American and Soviet military systems responded to each other’s doctrines, processes and military products.47 Because the massive Soviet system became largely ponderous and predictable,48 the American system had unusual opportunities for forecasting.49 Furthermore, the U.S. system was unusually disposed to produce large numbers of standardized systems. The Defense Science Board astutely commented on the result:¶ Focus was on long, predictable, evolutionary change against a Cold War peer opponent who suffered as much, if not more, than the United States from a rigid and bureaucratic system. There were certainly instances of adaptability during the Cold War period, but the surviving features of that period are now predominated by long compliance-based structures.50¶ These five strands combine to embed a propensity for prediction deeply within the DNA of the U.S. Department of Defense.

#### Probabilistic evaluation of hypothetical impacts is the only way to grapple with strategic uncertainty

**Krepinevich 9** (Andrew F. Krepinevich, Jr. is a defense policy analyst, currently executive director of the Center for Strategic and Budgetary Assessments. His influential book, The Army and Vietnam, contends that the United States could have won the Vietnam War had the Army adopted a small-unit pacification strategy in South Vietnam's villages, rather than conducting search and destroy operations in remote jungles. Today, he criticizes the counterinsurgency approaches being employed in the Iraq War. He is a West Point graduate. 1/27/2009, “7 Deadly Scenarios: A Military Futurist Explores War in the 21st Century”, <http://www.amazon.com/reader/0553805398?_encoding=UTF8&query=so%20are%20we%20building#reader_0553805398>)

While the Pentagon would dearly like to know the answers to these questions, it is simply not possible. Too many factors have a hand in shaping the future. Of course. Pentagon planners may blithely assume away all uncertainty and essentially bet that the future they fore-cast is the one that will emerge. In this case the U.S. military will be very well prepared—for the predicted future. But history shows that militaries are often wrong when they put too many eggs in one basket. In the summer of 1914, as World War I was breaking out, Europeans felt that the war would be brief and that the troops might be home "before the leaves fall." In reality the Allied and Central Powers engaged in over four years of horrific bloodletting. In World War II the French Army entered the conflict believing it would experience an advanced version of the trench warfare it had encountered in 1914-1918. Instead, France was defeated by the Germans in a lightning campaign lasting less than two months. Finally, in 2003 the Pentagon predicted that the Second Gulf War would play out [with](http://wir.li) a traditional blitzkrieg. Instead, it turned into an irregular war, a "long, hard slog."20 Militaries seem prone to assuming that the next war will be an "updated" version of the last war rather than something quite different. Consequently, they are often accused of preparing for the last war instead of the next. This is where rigorous, scenario-based planning comes into play. It is designed to take uncertainty explicitly into account by incorporating factors that may change the character of future conflict in significant and perhaps profound ways. By presenting a plausible set of paths into the future, scenarios can help senior Pentagon leaders avoid the "default" picture in which tomorrow looks very much like today. If the future were entirely uncertain, scenario-based planning would be a waste of time. But certain things are predictable or at least highly likely. Scenario planners call these things “predetermined elements.” While not quite “done deals,” they are sufficiently well known that their probability of occurring is quite high. For example, we have a very good idea of how many men of military age (eighteen to thirty-one) there will be in the United States in 2020, since all of those males have already been born, and, barring a catastrophic event, the actuarriial data on them is quite refined. We know that China has already tested several types of weapons that can disable or destroy satellites. We know that dramatic advances in solid-state lasers have been made in recent years and that more advances are well within the realm of possibility. These "certainties" should be reflected in all scenarios, while key uncertainties should be reflected in how they play out across the different scenarios.21 If scenario-based planning is done well, and if its insights are acted upon promptly, the changes it stimulates in the military may help deter prospective threats, or dissuade enemies from creating threatening new capabilities in the first place.

#### Broad indicts of epistemology don’t take out our impacts – you should weigh specific evidence to get closer to the truth

Kratochwil, professor of international relations – European University Institute, ‘8 (Friedrich, “The Puzzles of Politics,” pg. 200-213)

In what follows, I claim that the shift in focus from “demonstration” to science as practice provides strong prima facie reasons to choose pragmatic rather than traditional epistemological criteria in social analysis. Irrespective of its various forms, the epistemological project includes an argument that all warranted knowledge has to satisfy certain field- independent criteria that are specified by philosophy (a “theory of know- ledge”). The real issue of how our concepts and the world relate to each other, and on which non-idiosyncratic grounds we are justified to hold on to our beliefs about the world, is “answered” by two metaphors. The first is that of an inconvertible ground, be it the nature of things, certain intuitions (Des- cartes’ “clear and distinct ideas”) or methods and inferences; the second is that of a “mirror” that shows what is the case. There is no need to rehearse the arguments demonstrating that these under- lying beliefs and metaphors could not sustain the weight placed upon them. A “method” à la Descartes could not make good on its claims, as it depended ultimately on the guarantee of God that concepts and things in the outer world match. On the other hand, the empiricist belief in direct observation forgot that “facts” which become “data” are – as the term suggests – “made”. They are based on the judgements of the observer using cultural criteria, even if they appear to be based on direct perception, as is the case with colours.4 Besides, there had always been a sneaking suspicion that the epistemo- logical ideal of certainty and rigour did not quite fit the social world, an objection voiced first by humanists such as Vico, and later rehearsed in the continuing controversies about erklären and verstehen (Weber 1991; for a more recent treatment see Hollis 1994). In short, both the constitutive nature of our concepts, and the value interest in which they are embedded, raise peculiar issues of meaning and contestation that are quite different from those of description. As Vico (1947) suggested, we “understand” the social world because we have “made it”, a point raised again by Searle concerning both the crucial role played by ascriptions of meaning (x counts for y) in the social world and the distinction between institutional “facts” from “brute” or natural facts (Searle 1995). Similarly, since values are constitutive for our “interests”, the concepts we use always portray an action from a certain point of view; this involves appraisals and prevents us from accepting allegedly “neutral” descriptions that would be meaningless. Thus, when we say that someone “abandoned” another person and hence communicate a (contestable) appraisal, we want to call attention to certain important moral implica- tions of an act. Attempting to eliminate the value-tinge in the description and insisting that everything has to be cast in neutral, “objective”, observational language – such as “he opened the door and went through it” – would indeed make the statement “pointless”, even if it is (trivially) “true” (for a powerful statement of this point, see Connolly 1983). The most devastating attack on the epistemological project, however, came from the history of science itself. It not only corrected the naive view of knowledge generation as mere accumulation of data, but it also cast increasing doubt on the viability of various field-independent “demarcation criteria”. This was, for the most part, derived from the old Humean argument that only sentences with empirical content were “meaningful”, while value statements had to be taken either as statements about individual preferences or as meaningless, since de gustibus non est disputandum. As the later dis- cussion in the Vienna circle showed, this distinction was utterly unhelpful (Popper 1965: ch. 2). It did not solve the problem of induction, and failed to acknowledge that not all meaningful theoretical sentences must correspond with natural facts. Karl Popper’s ingenious solution of making “refutability” the logical cri- terion and interpreting empirical “tests” as a special mode of deduction (rather than as a way of increasing supporting evidence) seemed to respond to this epistemological quandary for a while. An “historical reconstruction” of science as a progressive development thus seemed possible, as did the specification of a pragmatic criterion for conducting research. Yet again, studies in the history of science undermined both hopes. The different stages in Popper’s own intellectual development are, in fact, rather telling. He started out with a version of conjectures and refutations that was based on the notion of a more or less self-correcting demonstration. Con- fronted with the findings that scientists did not use the refutation criterion in their research, he emphasised then the role of the scientific community on which the task of “refutation” devolved. Since the individual scientist might not be ready to bite the bullet and admit that she or he might have been wrong, colleagues had to keep him or her honest. Finally, towards the end of his life, Popper began to rely less and less on the stock of knowledge or on the scientists’ shared theoretical understandings – simply devalued as the “myth of the framework” – and emphasised instead the processes of communica- tion and of “translation” among different schools of thought within a scien- tific community (Popper 1994). He still argued that these processes follow the pattern of “conjecture and refutation”, but the model was clearly no longer that of logic or of scientific demonstration, but one that he derived from his social theory – from his advocacy of an “open society” (Popper 1966). Thus a near total reversal of the ideal of knowledge had occurred. While formerly everything was measured in terms of the epistemological ideal derived from logic and physics, “knowledge” was now the result of deliberation and of certain procedural notions for assessing competing knowledge claims. Politics and law, rather than physics, now provided the template. Thus the history of science has gradually moved away from the epistemo- logical ideal to focus increasingly on the actual practices of various scientific communities engaged in knowledge production, particularly on how they handle problems of scientific disagreement.5 This reorientation implied a move away from field-independent criteria and from the demonstrative ideal to one in which “arguments” and the “weight” of evidence had to be appraised. This, in turn, not only generated a bourgeoning field of “science studies” and their “social” epistemologies (see Fuller 1991), but also suggested more generally that the traditional understandings of knowledge production based on the model of “theory” were in need of revision. If the history of **science** therefore **provides strong reasons for a pragmatic turn**, as the discussion above illustrates, what remains to be shown is how this turn relates to the historical, linguistic and constructivist turns that preceded it. To start with, from the above it should be clear that, in the social world, we are not dealing with natural kinds that exist and are awaiting, so to speak, prepackaged, their placement in the appropriate box. The objects we investi- gate are rather conceptual creations and they are intrinsically linked to the language through which the social world is constituted. Here “constructivists”, particularly those influenced by Wittgenstein and language philosophy, easily link up with “pragmatists” such as Rorty, who emphasises the product- ive and pragmatic role of “vocabularies” rather than conceiving of language as a “mirror of nature” (Rorty 1979). Furthermore, precisely because social facts are not natural, but have to be reproduced through the actions of agents, any attempt to treat them like “brute” facts becomes doubly problematic. For one, even “natural” facts are not simply “there”; they are interpretations based on our theories. Secondly, different from the observation of natural facts, in which perceptions address a “thing” through a conceptually mediated form, social reality is entirely “arti- ficial” in the sense that it is dependent on the beliefs and practices of the actors themselves. This reproductive process, directed by norms, always engenders change either interstitially, when change is small-scale or adaptive – or more dramatically, when it becomes “transformative” – for instance when it produces a new system configuration, as after the advent of national- ism (Lapid and Kratochwil 1995) or after the demise of the Soviet Union (Koslowski and Kratochwil 1994). Consequently, any examination of the social world has to become in a way “historical” even if some “structuralist” theories attempt to minimise this dimension. [. . .] Therefore a pragmatic approach to social science and IR seems both necessary and promising. On the one hand, it is substantiated by the failure of the epistemological project that has long dominated the field. On the other, it offers a different positive heuristics that challenges IR’s traditional disciplin- ary boundaries and methodological assumptions. Interest in pragmatism therefore does not seem to be just a passing fad – even if such an interpre- tation cannot entirely be discounted, given the incentives of academia to find, just like advertising agencies, “new and improved” versions of familiar products.

#### Their attempt to make their argument a "prerequisite" to our politics enacts a nomos of predication that is classifies identity through linguistic violence

**Willard '93** Dallas, Professor of Philosophy at USC, Predication as Originary Violence: A Phenomenological Critique of Derrida's View of Intentionality Appears in G. B. Madison, ed., Working Through Derrida, Evanston IL.: Northwestern Univ. Press, 1993, pp. 120-136 http://www.dwillard.org/articles/artview.asp?artID=51

Naming and Predication as "Violence" Here we are especially interested in the status of the world of ordinary objects or beings. They originate, as we have indicated, through a certain violence. **"The structure of violence is complex," Derrida holds, "and its possibility--writing--is no less so....To name, to give names that it will on occasion be forbidden to pronounce, such is the originary violence of language which consists in inscribing within a difference, in classifying, in suspending the vocative absolute**. To think the unique within the system, to inscribe it there, such is the gesture of the arche-writing: arche-violence, loss of the proper, of absolute proximity, of self-presence, in truth the loss of what has never taken place, of a self-presence which has never been given but only dreamed of and always already split, repeated, incapable of appearing to itself except in its own disappearance."[9](http://www.dwillard.org/articles/artview.asp?artID=51#9) Proper names, indeed, never function except as "a designation of appurtenance and a linguistico-social classification." (Gramm. p. 111) **What is really at work in names is a system of classification, expressed in predicates, through which things are designated in terms of their other, subjected to "the violence of difference, of classification**, and of the system of appelations." (p. 110) Within the organized meanings of a language, nothing ever just is what it is called. What is made present in the predicate or name is treated as just this. The mastery that comes from this making something to be present founds "a sort of infinite assurance. The power of repetition that the eidos and ousia made available seems to acquire an absolute independence. Ideality and substantiality relate to themselves in the element of the res cogitans, by a movement of pure auto-affection. Consciousness is the experience of pure auto-affection." (Gramm pp. 97-98)