### CP

#### The Executive branch of the United States federal government should restrict the war powers authority of the president to use remote controlled aerial vehicle targeted killings outside of geographic locations housing active American combat troops and implement this through self-binding mechanisms including.

#### Executive action solves

Zenko 13 (Micah, Douglas Dillon fellow at the Council on Foreign Relations, January 2013, “Reforming U.S. Drone Strike Policies”, http://i.cfr.org/content/publications/attachments/Drones\_CSR65.pdf, zzx)

The president of the United States should ■■ limit targeted killings to individuals who U.S. officials claim are being targeted—the leadership of al-Qaeda and affiliated forces or individuals with a direct operational role in past or ongoing terrorist plots against the United States and its allies—and bring drone strike practices in line with stated policies; ■■ either end the practice of signature strikes or provide a public accounting of how it meets the principles of distinction and proportionality that the Obama administration claims; ■■ review its current policy whereby the executive authority for drone strikes is split between the CIA and JSOC, as each has vastly different legal authorities, degrees of permissible transparency, and oversight; ■■ provide information to the public, Congress, and UN special rapporteurs— without disclosing classified information—on what procedures exist to prevent harm to civilians, including collateral damage mitigation, investigations into collateral damage, corrective actions based on those investigations, and amends for civilian losses; and ■■ never conduct nonbattlefield targeted killings without an accountable human being authorizing the strike (while retaining the potential necessity of autonomous decisions to use lethal force in warfare in response to ground-based antiaircraft fire or aerial combat).

#### Self-constraint solves, avoids the flex DA

Druck ’12 NOTE¶ DRONING ON: THE WAR POWERS RESOLUTION¶ AND THE NUMBING EFFECT OF¶ TECHNOLOGY-DRIVEN WARFARE¶ Judah A. Druck’13 † B.A., Brandeis University, 2010; J.D. Candidate, Cornell Law School, 2013; Notes¶ Editor, Cornell Law Review, Volume 98. http://www.lawschool.cornell.edu/research/cornell-law-review/upload/Druck-final.pdf

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

#### Strong presidency is essential to avert nuclear annihilation

Paul 1998 (Joel- Professor at University of Connecticut School of Law, “The Geopolitical Constitution: Executive Expediency and Executive Agreements,” California Law Review, Jul)

Whatever the complexity of causes that led to the Cold War - ideology, economics, power politics, Stalin's personality, Soviet intrigue, or American ineptitude - the tension of the bipolar order seemed real, immutable, and threatening to the U.S. public. 135 The broad consensus of U.S. leadership held that the immediacy of the nuclear threat, the need for covert operations and intelligence gathering, and the complexity of U.S. relations with both democracies and dictatorships made it impractical to engage in congressional debate and oversight of foreign policy-making. 136 The eighteenth-century Constitution did not permit a rapidresponse to twentieth-century foreign aggression. The reality of transcontinental ballistic missiles collapsed the real time for decision-making to a matter of minutes. Faced with the apparent choice between the risk of nuclear annihilationor amending the constitutional process for policy-making, the preference for a powerful executive was clear. 137 Early in the Cold War one skeptic of executive power, C.C. Rossiter, acknowledged that [“]thesteady increase in executive power is unquestionably a cause for worry, but so, too, is the steady increase in the magnitude and complexity of the problems the president has been called uponby the American people to solve in their behalf. They still have more to fear from the ravages of depression, rebellion, and especially atomic war than they do from whatever decisive actionsmay issue from the White House in an attempt to put any such future crises to rout....It is not too much to say that the destiny of this nation in the Atomic Age will rest in the capacity of the Presidency as an institution of constitutional dictatorship.

### DA

#### Congressional control of targeted killing destroys war fighting and turns the case.

Issacharoff ‘13

Samuel Issacharoff, Reiss Professor of Constitutional Law, New York University School of Law. and Richard H. Pildes, Sudler Family Professor of Constitutional Law, New York University School of Law; CoDirector, NYU Program on Law and Security, “Drones and the Dilemma of Modern Warfare,” PUBLIC LAW & LEGAL THEORY RESEARCH PAPER SERIES WORKING PAPER NO. 13-34 Star Chamber=politicized secret court from 15th century England, symbol of abuse

Procedural Safeguards

As with all use of lethal force, there must be procedures in place to maximize the likelihood of correct identification and minimize risk to innocents. In the absence of formal legal processes, sophisticated institutional entities engaged in repeated, sensitive actions – including the military – will gravitate toward their own internal analogues to legal process, even without the compulsion or shadow of formal judicial review. This is the role of bureaucratic legalism63 in developing sustained institutional practices, even with the dim shadow of unclear legal commands. These forms of self-regulation are generated by programmatic needs to enable the entity’s own aims to be accomplished effectively; at times, that necessity will share an overlapping converge with humanitarian concerns to generate internal protocols or process-like protections that minimize the use of force and its collateral consequences, in contexts in which the use of force itself is otherwise justified. But because these process-oriented protections are not codified in statute or reflected in judicial decisions, they typically are too invisible to draw the eye of constitutional law scholars who survey these issues from much higher levels of generality. In theory, such review procedures could be fashioned alternatively as a matter of judicial review (perhaps following warrant requirements or the security sensitivities of the FISA court), or accountability to legislative oversight (using the processes of select committee reporting), or the institutionalization of friction points within the executive branch (as with review by multiple agencies). Each could serve as a check on the development of unilateral excesses by the executive. And, presumably, each could guarantee that internal processes were adhered to and that there be accountability for wanton error. The centrality of dynamic targeting in the active theaters such as the border areas between Afghanistan and Pakistan make it difficult to integrate legislative or judicial review mechanisms. Conceivably, the decision to place an individual on a list for targeting could be a moment for review outside the boundaries of the executive branch, but even this has its drawback. Any court engaged in the ex parte review of the decision to execute someone outside the formal mechanisms of crime and punishment risks appearing as a modern variant of the Star Chamber.64 Similarly, there are difficulties in forcing a polarized Congress as a whole to assume collective responsibility for decisions of life and death and the incentives have turned out to not to be well aligned to get a subset of Congress, such as the intelligence committees, to play this role effectively.65

#### Congressional restrictions cause adversaries to doubt the credibility of our threats – causes nuclear escalation

Matthew Waxman 8/25/13, Professor of Law @ Columbia and Adjunct Senior Fellow for Law and Foreign Policy @ CFR, “The Constitutional Power to Threaten War,” Forthcoming in Yale Law Journal, vol. 123, August 25, 2013, SSRN

A claim previously advanced from a presidentialist perspective is that stronger¶ legislative checks on war powers is harmful to coercive and deterrent strategies, because¶ it establishes easily-visible impediments to the President’s authority to follow through on¶ threats. This was a common policy argument during the War Powers Resolution debates¶ in the early 1970s. Eugene Rostow, an advocate inside and outside the government for¶ executive primacy, remarked during consideration of legislative drafts that any serious¶ restrictions on presidential use of force would mean in practice that “no President could¶ make a credible threat to use force as an instrument of deterrent diplomacy, even to head¶ off explosive confrontations.”178 He continued:¶ In the tense and cautious diplomacy of our present relations with the Soviet¶ Union, as they have developed over the last twenty-five years, the authority of the¶ President to set clear and silent limits in advance is perhaps the most important of¶ all the powers in our constitutional armory to prevent confrontations that could¶ carry nuclear implications. …¶ [I]t is the diplomatic power the President needs most under the¶ circumstance of modern life—the power to make a credible threat to use force in¶ order to prevent a confrontation which might escalate.179¶ In his veto statement on the War Powers Resolution, President Nixon echoed these¶ concerns, arguing that the law would undermine the credibility of U.S. deterrent and¶ coercive threats in the eyes of both adversaries and allies – they would know that¶ presidential authority to use force would expire after 60 days, so absent strong¶ congressional support they could assume U.S. withdrawal at that point.180 In short, those¶ who oppose tying the president’s hands with mandatory congressional authorization¶ requirements to use force sometimes argue that doing so incidentally and dangerously ties¶ his hands in threatening it. A critical assumption here is that presidential flexibility,¶ preserved in legal doctrine, enhances the credibility of presidential threats to escalate

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

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

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

#### Rogue state aggression causes extinction

Johnson, Forbes contributor and Presidential Medal of Freedom winner, 2013 (Paul, “A Lesson For Rogue States”, 5-8, <http://www.forbes.com/sites/currentevents/2013/05/08/a-lesson-for-rogue-states/>, ldg)

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

### K

#### The AFF’s attempts to solve violence will inevitably fail – they displace the responsibility from the individuals acting violently under the guise of an inability to alter violence and fail to understand how individuals shape war and violence.

**Kappeler 95** (Susanne, Associate Professor at Al-Akhawayn University, The Will to Violence: The politics of personal behavior, Pg.10-11)

Yet our insight that indeed we are not responsible for the decisions of a Serbian general or a Croatian president tends to mislead us into thinking that therefore we have no responsibility at all, not even for forming our own judgment, and thus into underrating the responsibility we do have within our own sphere of action. In particular, it seems to absolve us from having to try to see any relation between our own actions and those events, or to recognize the connections between those political decisions and our own personal decisions. It not only shows that we participate in what Beck calls ‘organized irresponsibility’, upholding the apparent lack of connection between bureaucratically, institutionally, nationally, and also individually organized separate competences. It also proves the phenomenal and unquestioned alliance of our personal thinking with the thinking of the major power mongers. For we tend to think that we cannot ‘do’ anything, say, about a war, because we deem ourselves to be in the wrong situation because we are not where the major decisions are made. Which is why many of those not yet entirely disillusioned with politics tend to engage in a form of mental deputy politics, in the style of ‘what would I do if I were the general, the prime minister, the president, the foreign minister or the minister of defense?’ Since we seem to regard their mega spheres of action as the only worthwhile and truly effective ones, and since our political analyses tend to dwell there first of all, any question of what I would do if I were indeed myself tends to peter out in the comparative insignificance of having what is perceived as ‘virtually no possibilities’: what I could do seems petty and futile. For my own action I obviously desire the range of action of a general, a prime minister, or a General Secretary of the UN – finding expression in ever more prevalent formulations like ‘I want to stop this war’, ‘I want military intervention’, ‘I want to stop this backlash’, or ‘I want a moral revolution. ‘We are this war’, however, even if we do not command the troops or participate in co-called peace talks, namely as Drakulic says, in our non-comprehension’: our willed refusal to feel responsible for our own thinking and for working out our own understanding, preferring innocently to drift along the ideological current of prefabricated arguments or less than innocently taking advantage of the advantages these offer. And we ‘are’ the war in our ‘unconscious cruelty towards you’, our tolerance of the ‘fact that you have a yellow form for refugees and I don’t’- our readiness, in other words, to build identities, one for ourselves and one for refugees, one of our own and one for the ‘others.’ We share in the responsibility for this war and its violence in the way we let them grow inside us, that is, in the way we shape ‘our feelings, our relationships, our values’ according to the structures and the values of war and violence.

#### The truth is, we are the violence. Our everyday thinking and willingness to permit violence to permeate our reality creates a norm of violence – individual acceptance of violence in society is the root cause of violence.

**Kappeler 95** (Susanne, Associate Professor at Al-Akhawayn University, The Will to Violence: The politics of personal behavior, Pg.9)

war does not suddenly break out in a peaceful society; sexual violence is not the disturbance of otherwise equal gender relations. Racist attacks do not shoot like lightning out of a non-racist sky, and the sexual exploitation of children is no solitary problem in a world otherwise just to children. The violence of our most commonsense everyday thinking, and especially our personal will to violence, constitute the conceptual preparation, the ideological armament and the intellectual mobilizationwhich make the ;outbreak’ of war**,** of sexual violence, of racist attacks, of murder and destruction possible at all. ‘We are the war’, writes Slavenka Drakulic at the end of her existential analysis at the end of her existential analysis of the question, ‘what is war?’: I do not know what war is, I want to tell [my friend], but I see it everywhere. It is in the blood-soaked street in Sarajevo, after 20 people have been killed while they queued for bread. But it is also in your non-comprehension, in my unconscious cruelty towards you, in the fact that you have a yellow form [for refugees] and I don’t, in the way in which it grows inside ourselves and changes our feelings, relationships, values – in short: us. We are the war…and I am afraid that we cannot hold anyone else responsible. We make this war possible, we permit it to happen. ‘We are the war’- and we also ‘are’ the sexual violence, the racist violence, the exploitation and the will to violence in all its manifestations in a society in co-called ‘peacetime’, for we make them possible and we permit them to happen.

#### The Alternative text is to reject the affirmatives representations and reconceive of violence as an issue of personal choice made by individuals.

**Kappeler 95** (Susanne, Associate Professor at Al-Akhawayn University, The Will to Violence: The politics of personal behavior, Pg.5-6)

A politics aiming at a change in people’s behavior would require political work that is very much more cumbersome and very much less promising of success than is the use of state power and social control. It would require political consciousness-raising- politicizing the way we think- which cannot be imposed on others by force or compulsory educational measures. It would require a view of people which takes seriously and reckons with their will, both their will to violence or their will to change. To take seriously the will of others however would mean recognizing one’s own, and putting people’s will, including our own, at the centre of political reflection. A political analysis of violence needs to recognize this will, the personal decision in favor of violence- not just to describe acts of violence, or the conditions which enable them to take place, but also to capture the moment of decision which is the real impetus for violent action. For without this decision there will be no violent act, not even in circumstances which potentially permit it. It is the decision to violate, not just the act itself, which make a person a perpetrator of violence-just as it is the decision not to do so which makes people not act violently and not abuse their power in a situation which would nevertheless permit it. This moment of decision, therefore, is also the locus of potential resistance to violence. To understand the structures of thinking and the criteria by which such decisions are reached, but above all to regard this decision as an act of choice, seems to me a necessary precondition for any political struggle against violence and for a non-violent society. My focus then, is on the decision to violate- not just in circumstances where violence is conspicuous by its damage, but in every situation where the choice to violate presents itself. This means a change from the accustomed perspective on violence to the context where decisions for actions are being made, as it were “before” their consequence become apparent, and which we may not recognize as contexts of violence. Our political analysis of sexual or racist violence have necessarily concentrated on situations where the power disequilibrium between perpetrator and victim is extreme, where, in particular, it is supported by social power structures such as male and/or white supremacy, so that not only is the violence unlikely to receive sanctions, but on the contrary, the perpetrator will find support rather than the victim. Violence, however, is a possibility wherever there is freedom of action, however limited. Such violence may ‘look different’, not least because the possibilities or resistance may also be greater in situations where there is relative freedom of action also on the part of the other agent, that is, the violator’s envisaged victim.

### PTX

**Will pass – three reasons**

* Demographics
* Business
* Reform overdue

**Kiefer 1/30** “Immigration reform: Why are House Republicans poised to act now?” <http://www.csmonitor.com/USA/DC-Decoder/2014/0130/Immigration-reform-Why-are-House-Republicans-poised-to-act-now-video> [Edymit]

So the question is: **Why return to immigration reform now?¶** That question divides House Republicans and could have an effect on how this fall's midterm elections play out.¶ Some Republicans say the House is simply picking up where it left off last year. The House, they say, actually did a lot on immigration reform in 2013 – including hearings, passing several bills on different aspects of reform, and holding bipartisan negotiations – but events intervened. The government shutdown, a ¶ budget deadline, and the Republican desire to make "Obamacare" a singular focus all pushed immigration reform off the 2013 calendar.¶ **Now, with the legislative decks relatively clear, House Republicans in the "move now" faction are pushing ahead.** For these Republicans, **the urgency to pass immigration reform comes down to three main factors:¶ Demographics**. The GOP must make inroads among Hispanics, as well as Asians, if it wants to win back the White House or be competitive in a number of states, many say. **That was the lesson of 2012.¶ Business. Pressure is building from the business community, particularly the US Chamber of Commerce, which wants immigration reform as a job creator, growth engine, and deficit reducer.¶ Reform is overdue. Given that the issue has gone years without resolution, the need for a solution is growing.** “The bottom line is, **we get paid to make tough decisions and you can’t keep putting these things off,**” says Rep. Greg Walden (R) of Oregon, who is also chief of the National Republican Congressional Committee, which works to elect Republicans to the House. **“It’s a problem in my district that needs resolution from a lot of different angles. It’s a problem throughout the country**.”¶ Feeling bruised by the partial government shutdown in September, some Republicans may also welcome a legislative achievement that will help them counter an obstructionist image. **If Republicans do nothing this year and wait until, say, 2015, Democrats will pound them relentlessly ahead of this fall's midterm elections.¶** Rep. Luis Gutierrez (D) of Illinois asks: “Does anyone really think the Senate’s going to come back next year and go through that torturous process [of 2013] all over again? So I think **now’s the moment.”**

#### Political capital is key

Orlando Sentinel 11-1-13 "What we think: It'll take both parties to clear immigration logjam" articles.orlandosentinel.com/2013-11-01/news/os-ed-immigration-reform-congress-20131031\_1\_immigration-reform-comprehensive-reform-house-republicans

For those who thought the end of the government shutdown would provide a break from the partisan bickering in Washington, think again. The battle over comprehensive immigration reform could be every bit as contentious. Polls show the popular momentum is there for comprehensive reform, which would include a path to citizenship for many of the nation's 11 million undocumented immigrants. But it'll take plenty of political capital from President Obama and leaders in both parties on Capitol Hill to make it happen. Immigration-reform activists, who have been pushing for reform for years, are understandably impatient. This week police arrested 15 who blocked traffic at a demonstration in Orlando. There are plenty of selling points for comprehensive immigration reform. An opportunity for millions of immigrants to get on the right side of the law. Stronger border security. The chance for law enforcement to focus limited resources on real threats to public safety, instead of nannies and fruit pickers. A more reliable work force to meet the needs of key industries. Reforms to let top talent from around the world stay here after studying in U.S. universities. The Senate passed its version of comprehensive immigration in June. It includes all of the benefits above. Its path to citizenship requires undocumented immigrants to pay fines, learn English, pass a criminal background check and wait more than a decade. So far, House Republicans have balked, taking a piecemeal rather than comprehensive approach. Many members fear being challenged from the right for supporting "amnesty." Yet polls show the public supports comprehensive reform. In June, a Gallup poll found 87 percent of Americans — including 86 percent of Republicans — support a pathway to citizenship like the one outlined in the Senate bill. Florida Republican Sen. Marco Rubio took flak from tea-party supporters for spearheading the comprehensive bill. Now, apparently aiming to mend fences, he says immigration should be handled piecemeal. He's politically savvy enough to know that's a dead end. But comprehensive reform won't have a chance without President Obama making full use of his bully pulpit to promote it, emphasizing in particular all that undocumented immigrants would need to do to earn citizenship. House Democratic leaders will have to underscore the president's message.

#### Strikes are hugely popular, shield Obama—plan is a loss

Daniel Byman and Benjmain Wittes, Brookings Institution, “Tools and Tradeoff: Confronting U.S. Citizen Terrorist Suspects Abroad,” 6—17—13, [www.brookings.edu/~/media/research/files/reports/2013/07/23%20us%20citizen%20terrorist%20suspects%20awlaki%20jihad%20byman%20wittes/toolsandtradeoffs.pdf](http://www.brookings.edu/~/media/research/files/reports/2013/07/23%20us%20citizen%20terrorist%20suspects%20awlaki%20jihad%20byman%20wittes/toolsandtradeoffs.pdf)

Ironically, although targeting citizens with lethal force raises significant legal issues and liberal voices have been highly critical of the perceived lack of due process in the Awlaki strike, in general, such operations are highly popular. In one recent Huffington Post/YouGov poll, respondents favored drone strikes as a tool by a wide margin, whether citizens were the targets or not.90 Moreover, the political benefits to Obama or to another president do not come simply in the form of additional votes but, rather, in inoculation against the charge that they are soft on terrorism. The Awlaki strike, for example, led conservative Republican Rick Perry, governor of Texas and then a presidential candidate, to praise the president. And Obama’s eventual rival for the presidency, Governor Mitt Romney felt compelled to say, “I commend the President.”91

#### The impact is clean tech

Herman 10 (Richard, founder of Richard T. Herman & Associates, an immigration and business law firm in Cleveland, Ohio which serves a global clientele in over 10 languages, Robert L. Smith is a veteran journalist who covers international cultures and immigration issues for the Cleveland Plain Dealer, Ohio’s largest newspaper, “Why Immigrants Can Drive The Green Economy,” <http://www.ilw.com/articles/2010,0630-herman.shtm>, CMR)

It should come as no surprise that immigrants will help drive the green revolution. America's young scientists and engineers, especially the ones drawn to emerging industries like alternative energy, tend to speak with an accent. The 2000 Census found that immigrants, while accounting for 12 percent of the population, made up nearly half of the all scientists and engineers with doctorate degrees. Their importance will only grow. Nearly 70 percent of the men and women who entered the fields of science and engineering from 1995 to 2006 were immigrants. Yet, the connection between immigration and the development and commercialization of alternative energy technology is rarely discussed. Policymakers envision millions of new jobs as the nation pursues renewable energy sources, like wind and solar power, and builds a smart grid to tap it. But Dan Arvizu, the leading expert on solar power and the director of the National Renewable Energy Laboratory of the U.S. Department of Energy in Golden, Colorado, warns that much of the clean-technology talent lies overseas, in nations that began pursuing alternative energy sources decades ago. The 2000 Census found that immigrants, while accounting for 12 percent of the population, made up nearly half of the all scientists and engineers with doctorate degrees. Their importance will only grow. Expanding our own clean-tech industry will require working closely with foreign nations and foreign-born scientists, he said. Immigration restrictions are making collaboration difficult. His lab's efforts to work with a Chinese energy lab, for example, were stalled due to U.S. immigration barriers. "We can't get researchers over here," Arvizu, the son of a once-undocumented immigrant from Mexico, said in an interview in March 2009, his voice tinged with dismay. "It makes no sense to me. We need a much more enlightened approach." Dr. Zhao Gang, the Vice Director of the Renewable Energy and New Energy International Cooperation Planning Office of the Ministry of Science and Technology in China, says that America needs that enlightenment fast. "The Chinese government continues to impress upon the Obama administration that immigration restrictions are creating major impediments to U.S.-China collaboration on clean energy development," he said during a recent speech in Cleveland. So what's the problem? Some of it can be attributed to national security restrictions that impede international collaboration on clean energy. But Arvizu places greater weight on immigration barriers, suggesting that national secrecy is less important in the fast-paced world of green-tech development. "We are innovating so fast here, what we do today is often outdated tomorrow. Finding solutions to alternative energy is a complex, global problem that requires global teamwork," he said. We need an immigration system that prioritizes the attraction and retention of scarce, high-end talent needed to invent and commercialize alternative energy technology and other emerging technologies.

#### Solve warming

Norris 9 --- leaders in the youth climate movement and work at the Breakthrough Institute (3/10/2009, Teryn and Jesse, “Want to Save the World? Make Clean Energy Cheap,” http://www.huffingtonpost.com/teryn-norris/want-to-save-the-world-ma\_b\_173482.html)

Over 12,000 young adults attended the recent Power Shift 2009 summit in Washington, DC. Their goal? Building the largest youth movement in decades to save the world from global warming.

Largely missing from Power Shift, however, was a critical group: young scientists, engineers, and entrepreneurs. Maybe it was mid-terms. Perhaps the event seemed too political. Or maybe the summit recruited too many traditionally-defined "activists."

Whatever the cause, we have very little chance of overcoming climate change without enlisting young innovators at a drastically greater scale. Simply put, they represent one of the most important catalysts for creating a clean energy economy and achieving long-term prosperity.

The reason is this: at its core, climate change is a challenge of technology innovation. Over the next four decades, global energy demand will approximately double. Most of this growth will happen in developing nations as they continue lifting their citizens out of poverty and building modern societies. But over the same period, global greenhouse gas emissions must fall dramatically to avert the worst consequences of climate change.

Shortly before his untimely death in 2005, the Nobel Prize-winning physicist Richard Smalley coined this the "Terawatt Challenge": increasing global energy production from roughly 15 terawatts in 2005 to 60 terawatts annually by 2100 in a way that simultaneously confronts the challenges of global warming, poverty alleviation, and resource depletion.

The single greatest obstacle to meeting the Terawatt Challenge is the "technology gap" between dirty and clean energy sources. Low-carbon energy technologies remain significantly more expensive than fossil fuels. For example, solar photovoltaic electricity costs up to three to five times that of coal electricity, and plug-in hybrid and electric vehicles can be twice as expensive as their gasoline-fueled competitors.

Unless this technology gap is bridged and clean energy technologies become affordable and scalable, poor and rich nations alike will continue opposing significant prices on their carbon emissions and will continue relying primarily upon coal and other fossil fuels to power their development. This will virtually assure massive climate destabilization.

So the task is clear: to avoid climate catastrophe and create a new energy economy, we must unleash our forces of innovation - namely, scientists, engineers and entrepreneurs- to invent a new portfolio of truly scalable clean energy technologies, chart new paths to bring these technologies to market, and ensure they are affordable enough to deploy throughout the world.

In short, to save the world we must make clean energy cheap.

#### Extinction

Flournoy 12 – PhD and MA from the University of Texas, Former Dean of the University College @ Ohio University, Former Associate Dean @ State University of New York and Case Institute of Technology, Project Manager for University/Industry Experiments for the NASA ACTS Satellite, Currently Professor of Telecommunications @ Scripps College of Communications @ Ohio University (Don, "Solar Power Satellites," January, Springer Briefs in Space Development, Book)

In the Online Journal of Space Communication , Dr. Feng Hsu, a NASA scientist at Goddard Space Flight Center, a research center in the forefront of science of space and Earth, writes, “The evidence of global warming is alarming,” noting the potential for a catastrophic planetary climate change is real and troubling (Hsu 2010 ) . Hsu and his NASA colleagues were engaged in monitoring and analyzing climate changes on a global scale, through which they received first-hand scientific information and data relating to global warming issues, including the dynamics of polar ice cap melting. After discussing this research with colleagues who were world experts on the subject, he wrote: I now have no doubt global temperatures are rising, and that global warming is a serious problem confronting all of humanity. No matter whether these trends are due to human interference or to the cosmic cycling of our solar system, there are two basic facts that are crystal clear: (a) there is overwhelming scientific evidence showing positive correlations between the level of CO2 concentrations in Earth’s atmosphere with respect to the historical fluctuations of global temperature changes; and (b) the overwhelming majority of the world’s scientific community is in agreement about the risks of a potential catastrophic global climate change. That is, if we humans continue to ignore this problem and do nothing, if we continue dumping huge quantities of greenhouse gases into Earth’s biosphere, humanity will be at dire risk (Hsu 2010 ) . As a technology risk assessment expert, Hsu says he can show with some confidence that the planet will face more risk doing nothing to curb its fossil-based energy addictions than it will in making a fundamental shift in its energy supply. “This,” he writes, “is because the risks of a catastrophic anthropogenic climate change can be potentially the extinction **of human species**, a risk that is simply too high for us to take any chances” (Hsu 2010 ) . It was this NASA scientist’s conclusion that humankind must now embark on the next era of “sustainable energy consumption and re-supply, the most obvious source of which is the mighty energy resource of our Sun” (Hsu 2010 ) (Fig . 2.1 ).

### Drone failure

**Pakistan’s stabilizing---drone strikes remain necessary but are declining as precision increases- solves the aff**

Cameron **Munter 9-30**, professor of practice in international relations at Pomona College, served as a U.S. Foreign Service Officer for nearly three decades, was Ambassador to Pakistan 2010-2012, 9/30/13, “Guest Post: A New Face in the U.S.-Pakistani Relationship,” http://justsecurity.org/2013/09/30/cameron-munter-pakistan-relations/

In doing so, however, we have made the image of a soldier or a drone the image of America’s strategic vision for Pakistan and the region. As 2014 approaches, and American troops end their combat mission in Afghanistan; as drone strikes in the Pakistani tribal areas appear to be fewer in number and more precise in targeting; as the general trends of the U.S. “pivot toward Asia” become clear, the soldier and the drone will be less common. Even though the President’s commitment to U.S. security does not waver, the reminders of his commitment will be fewer and far between – at least it would seem, seen from the street in Pakistan.

Will that face of America – the M-16 and flak jacket, the film of a predator strike – remain, or can we replace it with something else? A different face of commitment, one that Americans have supported throughout the last decade but which has, in the Pakistani media (fairly or not) been shoved aside by the violence in the tribal areas and unrest throughout the country? That other commitment has been enormous expenditure by the U.S. government in support of economic growth, building schools, replacing crops destroyed by floods, refurbishing power plants, and improving health delivery services, to name just a few achievements. But few Pakistanis believe this aid has made a difference. Instead, they associate us only with the manifestations of the war on terror.

In the coming month this can change. No, it should not just be a PR campaign to convince Pakistanis of our commitment to what they care about (not just what we care about). Certainly, PR is necessary, but lacking a new face, it won’t be sufficient. It will require two things.

First, on the policy level, we must use the changes in 2014 to wrest U.S. policy toward Pakistan from its current status as derivative of the war in Afghanistan. Of course, Pakistan has an enormous role to play in security arrangements of the region in years to come. Its relationship to India, to China, to Iran, and of course to Afghanistan are very important as the international community seeks to find a just and equitable peace in the region. But we should make every effort to consider Pakistan’s needs. Not just the needs of the Pakistani military and intelligence leadership, important as they are. Rather, the needs of a country of nearly 200 million people whose stability and prosperity will be essential to the long-term stability and prosperity of the entire region. Pakistan’s success is not a guarantee of regional peace; but Pakistani failure is certainly a guarantee of regional strife.

Second, on a practical level, we should provide a face of American commitment that we know, through decades of effort, is welcome. Polling shows consistently that while most Pakistanis are angry at America (citing security policies as the reason), most Pakistanis – across the political spectrum, rural and urban, young and old – want a better relationship with us. Why? Because despite all the searing problems of the last decade, they admire us: they admire our educational institutions, our business acumen, our commitment to philanthropy. And here, I believe, they can find the practical partners to renew Pakistani understanding of American commitment to the relationship. Universities, businesses, foundations. Students and teachers, businesspeople and investors, donors and grassroots workers. These are the faces of the relationship in which America can play to its strengths, and in doing so, help build a successful Pakistan that is so necessary for us to achieve our own strategic interests in South Asia and beyond.

Recent press articles highlight just how worried we’ve been about Pakistan’s nuclear arsenal. And we should be worried. We need to know if that arsenal can be misused or fall into the wrong hands. But even a massive surveillance effort, while necessary, will be insufficient. We need to take modest but purposeful measures to help Pakistan remain stable. That’s not the same as focusing so overwhelmingly on immediate security concerns. We also need to engage in Pakistani politics, economics, society, where we have a much stronger hand to play than we perhaps realize.

Certainly, such changes cannot take place overnight. After all, the main reason that we see so few American university professors or businesspeople in Pakistan is that it’s still considered too dangerous. Yes, Pakistan’s government must take on the terrorist challenge, and it is enormous. And when Pakistan’s new Interior Minister propose plans to make the best use of Pakistan’s internal security forces, we should engage with him and take seriously any requests for help. But I believe we have a chance to do so, a chance afforded by the potential change in the face of America in Pakistan: difficult as it is, painful as our experiences in Pakistan have been, let’s listen to them and see if their plans to tackle terrorism have a place for our help. It’s certainly in our interest and theirs. Who knows? If Pakistan’s new leadership is able to make real progress against terrorism, there may be another new face – a face of a Pakistan that is not the negative image so common in recent years, but a Pakistan where people of good will are determined to succeed, and ask the help of an old friend in doing so.

#### Pakistan economy is strong and resilient and US cooperation high- newest evidence

Desk ’13 (Web Desk, The Express Tribune, “Economic stability of Pakistan an encouraging sign: Olson”, <http://tribune.com.pk/story/491648/economic-stability-of-pakistan-an-encouraging-sign-olson>, January 9, 2013)

ISLAMABAD: US Ambassador to Pakistan Richard Olson in a meeting with finance minister Dr Abdul Hafeez Sheikh on Wednesday said that economic stability of Pakistan is an encouraging sign, Radio Pakistan reported. Dr Sheikh said that despite energy scarcity and security issue in the country‚ economic indicators are showing positive trends which reflect resilience of the economy. The Finance Minister added that due to economic policies of the government‚ Pakistan is currently witnessing the lowest inflation rate in the region and the Karachi Stock Exchange has emerged as the best performing Stock Exchange in the world. Both the sides reaffirmed their commitment to enhancing economic relations. Olson said that the United States is assisting Pakistan in many public welfare projects and will continue to do so in future to further cement the relations between the two people. The Ambassador said that the US values its relations with Pakistan and would continue to move forward in a number of mutually beneficial areas.

#### Stability high

Deford 13 (Mac, GlobalPost, "Sharif’s election gives US an opening to help stabilize Pakistan," http://www.globalpost.com/dispatches/globalpost-blogs/commentary/sharif-s-election-gives-us-opening-help-stabilize-pakistan)

OWL’S HEAD, Maine — There's not much good news coming out of the broader Middle East these days and so the successful election this past weekend in Pakistan is cause for at least muted elation. It is, after all, the first time in Pakistan's beleaguered 65-year history that a democratically elected government has been replaced by a democratically elected government.¶ So that's the good news. Toss in the fact that the voter turnout, the highest for parliamentary elections in nearly two generations, was spurred upward by women and younger voters, and was not deterred by Taliban attacks, then add that Pakistan does have a remarkably free press and a quite independent judiciary and, obviously, a military that now is willing to let democracy play out — and things don't look so bad.¶ Pakistan's support of extremist groups like the Taliban, and its high-level decision to keep Osama bin Laden hidden in plain sight, are the clearest evidence of Pakistan perversity.¶ Pakistan-US relations were so low last year that an article in the establishment journal Foreign Affairs suggested that the US should treat Pakistan the same way it treats other "hostile powers," such as Iran and North Korea.¶ As has been well documented, Dick Holbrooke, handpicked by Secretary of State Hillary Clinton to oversee the Afghan-Pakistan theatre, got no support from the president for the two years he was in the role, until his death at the end of 2010.¶ A key part of the problem has been Obama's apparent belief — or at least the belief of his advisors — that Pakistan is a client state, that it needs us more than we need them.¶ A failed Pakistan or one infiltrated by the Taliban or other extremists could cause dangerous problems for the US. At the end of next year, we'll be pulling our last fighting forces out of Afghanistan. But it's never really been about Afghanistan. Pakistan is the key. Has the White House finally learned that?¶ The Arab Middle East faces decades of collapsing regimes, civil wars and even re-drawn borders. Obama's hands-off reaction to the most dangerous current aspect of the failed Arab Spring, Syria's bloody civil war, illustrates not just our relative retreat from our role as the world's night-watchman but as well a realistic assessment of the diminishing importance of the Middle East. And while Israel's concerns about a nuclear-armed Iran — and indeed Saudi Arabia's and its Gulf neighbors as well — may yet explode the area, the most dangerous region in today's world is Pakistan and its environs.¶ For starters, Pakistan has a couple hundred nuclear weapons. It has the Taliban, an insurgency movement that it mid-wifed and returned to haunt it. Strategically, Pakistan is the center of a complex web of relationships that entangle half the world's population.¶ The US sees China as a down-the-road threat to our primacy in Asia. India and China, the world's two most populous countries, have long been rivals, not so much because of their border clashes in the high Himalayas as their regional strategic ambitions.¶ As it moved out of its non-aligned leadership role, India aligned itself more closely with the US. China has long courted close relations with Pakistan, which has been reciprocated as an obvious way for both to counter India's pre-eminent position in the sub-continent.¶ Afghanistan only came into US purview through al-Qaeda and 9/11. But Pakistan has long exercised influence in Afghanistan, where the populous Punjab was arbitrarily split between the two by the Durand Line drawn up by the British colonial enterprise. India, naturally, has numerous consulates throughout Afghanistan for the primary purpose of offsetting Pakistan's influence.¶ The Taliban and nuclear weapons have created a potentially high stakes situation. A failed state, or just a couple of nuclear bombs in the wrong hands, would prompt a somewhat different response from the Obama administration than the understandable waffling on how to deal with Syria's chemical weapons.¶ So, as Nawaz Sharif takes control of Pakistan for the third time, what can the US hope for? And, more importantly, how can the US work with Sharif to reinforce Pakistan's stability? What must Obama do to keep Pakistan out of the "lost" column?¶ The good news is that Sharif, although a religious conservative and a two-time recipient of a military overthrow, is a sophisticated businessman who understands capitalism. He wants to improve relations with India; he wants to help the US negotiate a deal with the Afghan Taliban that would facilitate a peaceful US departure.¶ Pakistan has enormous economic problems: its infrastructure has been unable to keep pace with its rapid population growth; in the larger cities, electricity is cut 12 hours or more each day. Its education system is so weak that millions of Pakistani children end up at religious madrasas, often being taught extremist Islamism.¶ Sharif understands the economic problems that were as much as anything responsible for the overwhelming defeat of current Prime Minister Zardari's party. Sharif knows that for his party to remain in power, economic growth is essential.¶ He's realistic when it comes to India, hoping, as he did the last time he was prime minister, to improve relations. Indeed, he's invited his Indian counterpart to his inauguration. Better relations with India not only lower the overall military decibels but enhanced trade could provide a big boost to that economic bounce Sharif needs.

#### Yemen instability won’t cause full collapse or war – history shifts the burden of proof

**Caton 10** Dr. Steve C. Caton is Professor of Contemporary Arab Studies in the Department of Anthropology at Harvard University. Yemen: not on the verge of collapse Posted By Steven C. Caton Wednesday, August 11, 2010 - 2:56 PM Share http://mideast.foreignpolicy.com/posts/2010/08/11/yemen\_not\_on\_the\_verge\_of\_collapse

History may provide some perspective. There has been a state or dawlah in Yemen for thousands of years, whether the Sabaean state that built Marib Dam and was the reputed homeland of the Queen of Sheba, or the Islamic state created shortly after the advent of Islam which lasted for a thousand years, or the republican state that came into being in 1962 and has lasted until the present day, despite two bitter civil wars. To be sure, the state has waxed and waned in power and contracted or expanded in territory during this history, and it has faced formidable outside opponents, beginning with the Romans and most recently with al-Qaeda, but it has never fully collapsed or disappeared from the scene. It is unlikely to do so in the present in spite of arguments that the current regime is at a tipping point and about to fall apart because of an unprecedented number of seemingly intractable problems facing it (an ever weakening economy, unsustainable water consumption, projected diminished oil reserves, conflicts between the state and certain regional populations, rampant corruption, and let us not forget al-Qaeda).

To those who would say to me, "How do you know it is not at a tipping point?" I can only respond with, "How do you know that it is?" and remind ourselves of the longue durée of Yemeni history.

But what does it mean to be a "weak state" in contemporary Yemen? Again, some historical perspective is helpful, though thankfully we need not go back three thousand years. When the current president of Yemen, Ali Abdullah Saleh, came to power in 1978 I remember people taking bets in the country's expatriate community that he would not last a year. Not only has he expanded his own personal power, he has managed to consolidate and broaden the state's presence in the country. In 1978, there were few military checkpoints along Yemen's highways; I could go from the capital, Sana'a, to the western town of Marib and be stopped at most two times along the way by state authorities. Now there are over a dozen such stops and identity papers are checked. Military outposts can be seen on most mountain-tops. And there is an administrative system doing the state's business in even the most far-flung regions of the county. Paved roads, state-run or sponsored schools, clinics, and hospitals represent a different aspect of state power and legitimacy, and perhaps they are more effective in that they penetrate into the everyday lives of people. Usually none of this context is taken into account when the western press glibly asserts that the state can barely control the capital, let alone the hinterlands beyond it.

#### Yemen instability key to US-Saudi military cooperation

**Blanchard 12** Christopher M. Blanchard Specialist in Middle Eastern Affairs Saudi Arabia: Background and U.S. Relations November 27, 2012 http://www.fas.org/sgp/crs/mideast/RL33533.pdf

In recent years, Saudi Arabia has been drawn more closely into the affairs of its problematic southern neighbor, as Yemen’s government has struggled to defeat northern Al Houthi rebels amid continuing attacks from a resurgent Al Qaeda in the Arabian Peninsula. A Saudi military campaign against Al Houthi fighters along the border in 2009 exposed several weaknesses in U.S.-trained and supplied Saudi military forces, and the unrest in Yemen in 2011 raised the prospect of chaos that could directly destabilize the kingdom. In response, Saudi officials intervened forcefully to direct Yemeni President Ali Abdullah Saleh to accept the terms of a GCCnegotiated transition agreement. Whether the agreement will be implemented as planned remains unclear. Saudi authorities pledged $3.25 billion in support to Yemen at the May 2012 Friends of Yemen conference in Riyadh.

Instability in Yemen and the presence there of Al Qaeda in the Arabian Peninsula (AQAP) are of mutual concern to the United States and Saudi Arabia. Saudi Arabia has long sought to shape political and security conditions in Yemen as a means of preventing discrete threats from emerging on the kingdom’s southern flank. Many Yemenis view Saudi involvement in Yemen— particularly Saudi patronage relationships with various Yemeni tribal groups—as an attempt to perpetuate divisions in Yemeni society and prevent a unified Yemen from threatening Saudi interests. At present, there appears to be significant U.S.-Saudi intelligence cooperation with regard to the AQAP threat. Unverified press reports suggest that Saudi intelligence services are using double agents to collect information and sabotage AQAP operations. AQAP’s leadership and many of its senior operatives are Saudis who fled to Yemen after the failure of the 2003-2008 Al Qaeda campaign in the kingdom. Saudi officials in Yemen were targeted in assassinations and kidnappings during 2012.

While recent events suggest that significant changes have occurred in Yemen, the core dilemmas facing the United States look very much the same as they have since Yemeni unification in the early 1990s. Saudi Arabia and the United States share an interest in eliminating transnational terrorist threats in Yemen, but may differ on their preferred ends and means regarding Yemen’s long term stability and development.

#### Solves multiple scenarios for Middle East war and contains Yemen instability

**Cordesman 10** Anthony H. Cordesman holds the Arleigh A. Burke Chair in Strategy at the Center for Strategic and International Studies in Washington, D.C. http://csis.org/publication/us-saudi-security-cooperation-and-impact-us-arms-sales

U.S.-Saudi security cooperation is becoming steadily more important as Iran expands its capabilities for asymmetric warfare in the Gulf, increases its long-range missile forces, and moves toward a capability to build and deploy nuclear weapons. The same is true of the enduring threat from terrorism, dealing with Iraq’s weakness and uncertain political leadership, the problems of Yemen, and instability and piracy in the Red Sea area and Indian Ocean.

The United States needs all the friends it can find in the Gulf. It faces serious uncertainties in reshaping its security posture in the region as its forces depart from Iraq. These include Iraq’s uncertain future political stance and government, the inability to predict Iranian actions and alignments, the uncertain outcome of the Israeli-Palestinian peace process, and uncertainties surrounding the success or failure of the conflicts in Afghanistan and Pakistan.

Saudi Arabia and Reshaping the U.S. Strategic Posture in the Gulf

At the same time, several factors are clear. There is no possible “end state” to the U.S. presence in the Gulf nor an end to the need for the strongest possible U.S. security ties to Saudi Arabia and other friendly states in the region.

The United State as must reshape its military posture in the Gulf as it withdraws from the Gulf, as well as reshape its power projection capabilities and contingency plans. It must shape its force posture and cooperation with its regional allies to become more effective in hybrid warfare and in a spectrum of conflicts ranging from covert and proxy warfare to long-range missile defenses and extended regional deterrence—addressing the military side of the risk that Iran may become a nuclear power and giving its allies an incentive not to acquire their own nuclear weapons and long-range missiles.

Iran remains an emerging challenge. It is deeply involved in strategic competition with the United States and its friends and allies in the region. It is developing steadily better capabilities to attack shipping, targets in the Gulf, and targets on the Saudi and southern Gulf coast, and it is using asymmetric warfare in doing so. It is fielding significant long-range missile forces and may acquire nuclear weapons.

If the United States is to deter other regional states from proliferation in reaction to Iran, and make its statements about offering “extended regional deterrence” a credible option, it must show it will do its best to create effective regional partners in the southern Gulf, as well as try to build a strategic partnership with Iraq.

At the same time, neither the United States nor its Gulf allies have any reason to seek open confrontation with Iran. This is particularly true of the Gulf states. “Speak softly and carry a big stick” may not be an old Arab proverb, but Arab leaders have long practiced this with considerable success.

The United States can still count on some support from allies like Britain and France, but the fact remains that it will have to rely on Saudi Arabia and other Gulf states. The same forces that have made the United States and Saudi Arabia key de facto partners in Gulf security will become even more important in the future.

Regardless of the outcome of Iraq’s effort to forge a new government, it will not become a major regional military power again for at least a decade. If the United States is to have any major strategic partner in the Gulf, it is going to be Saudi Arabia.

As General David Petraeus and others have explained, the war against terrorism and extremism is going to be a long war, likely to go on for the next 10 to 20 years. The Gulf region is going to be one of the centers of this conflict. Al Qa’ida is not suddenly going away, and new organizations are certain to emerge. Nations like Yemen and Somalia present serious long-term risks of becoming centers of terrorist activity.

The United States faces growing pressures to limit its military spending and commitments, and it has steadily increasing needs for regional allies with strong and interoperable forces to deter and contain regional threats and fight alongside U.S. forces if necessary.

It may or may not be possible to move forward quickly in an Israeli-Palestinian peace agreement, but it is vital to minimize the tensions between our Arab allies and Israel. King Abdullah’s peace plan may differ sharply with Israel’s position, but it shows that the United States can sell arms to Saudi Arabia with minimal risk of this impacting on Israel’s security. In fact, strong U.S. security ties to Saudi Arabia offer Israel a far better alternative than Saudi Arabia turning to European or other suppliers and questioning U.S. support if it faces a crisis with Iran.

### Sovereignty

#### \*\*No Iran/Israel escalation

Thomas Rogan ‘12, BA in war studies from King's College London and an MSc in Middle East politics from the School of Oriental and African Studies, 8/18/12, “Israeli could attack Iran without causing a major war in the region,” The Guardian, <http://www.guardian.co.uk/commentisfree/2012/aug/18/israeli-attack-iran>

Over the last few days, Israeli newspapers have been consumed by reports that the prime minister, Binyamin Netanyahu, has decided to launch an attack on Iranian nuclear facilities some time this autumn. Although Netanyahu has an obvious interest in increasing pressure on Iran, it would be an error to regard these reports as simple rhetorical sensationalism. In my opinion, whether this year or next, Israel is likely to use its airforce to attack Iran.¶ While it is impossible to know for sure whether Netanyahu will act, it is possible to consider the likely repercussions that would follow an Israeli attack. While it is likely that Iran would retaliate against Israel and possibly the US in response to any attack, it is unlikely that Iran will instigate a major war. Albeit for different reasons, Iran, Israel and the US all understand that a war would not serve their interests.¶ First, the Israeli policy angle. If Netanyahu decides to order an attack on Iran, his focus will be on maximising the success of that action and minimising any negative consequences that might follow. In terms of Iranian retaliation, Israel would expect Iran's core non-state allies Hamas, the Palestinian Islamic Jihad and Hezbollah to launch rocket attacks into Israeli territory.¶ However, present success with advanced defence systems has helped increase Israeli confidence in their ability to absorb this method of retaliation. Beyond rocket attacks, the Israeli leadership also understands that a likely mechanism for Iranian retaliation is via attacks against Israeli interests internationally. Whether carried out by the Iranian Quds Force or Hezbollah, or a combination of both, various incidents this year have shown Israel that Iran continues to regard covert action as a powerful weapon.¶ The key for Israel is that, while these Iranian capabilities are seen as credible, they are not seen to pose intolerable threats to Israel. Faced with rocket strikes or limited attacks abroad – to which the likely response would be air strikes or short-duration ground operations (not a repeat of 2006) in Lebanon and Gaza – Israel would be unlikely to pursue major secondary retaliation against Iran. Certainly, Israel would not want to encourage intervention by Syria's Assad alongside Iran (an outcome that might follow major retaliatory Israeli action).¶ If Netanyahu does decide to take action, Israeli objectives would be clearly limited. The intent would be to prevent Iran from acquiring a nuclear capability while minimising escalation towards war. Israel has no interest in a major conflict that would risk serious damage to the Israeli state.¶ Though holding opposite objectives, Iran's attitude concerning a major war is similar to Israel's.¶ While Iran regards nuclear capability as prospectively guaranteeing the survival of its Islamic revolution, clerical leaders also understand that initiating a major war would make American intervention likely. Such intervention would pose an existential threat to the theocratic project that underpins the Islamic Republic.¶ Thus, in the event of an Israeli attack, Iran's response would be finely calibrated towards achieving three objectives:¶ • First, punishing Israel for its attack.¶ • Second, deterring further Israeli strikes and so creating space for a reconstituted Iranian nuclear programme.¶ • Finally, weakening US/international support for Israel so as to increase Israeli isolation and vulnerability.¶ Hezbollah, Hamas and other non-state allies would play a major role in effecting Iranian retaliation. Iran may also attempt to launch a number of its new Sajjil-2 medium-range missiles against Israel. Again, however, using these missiles would risk major retaliation if many Israeli citizens were killed.¶ As a preference, Iran would probably perceive that utilising Hamas and Hezbollah would allow retaliation without forcing Netanyahu into a massive counter-response. Crucially, I believe Iran regards that balancing its response would enable it to buy time for a reconstituted, hardened nuclear programme. In contrast to the relatively open current structure, sites would be deeper underground and far less vulnerable to a future attack. The nuclear ambition would not be lost, simply delayed. ¶ As a final objective for retaliation, Iran would wish to weaken Israel's relationship with the US and the international community. This desire might encourage Iran to take action against US navy assets in the Gulf and/or attempt to mine the Strait of Hormuz, so as to cause a price spike in global oil markets and increased international discomfort.¶ However, beyond their rhetoric, the Iranian leadership understand that they cannot win a military contest against the US, nor hold the strait for longer than a few days. For Iran then, as with Israel, regional war is far from desirable.¶ Finally, consider the US. It is now clear that Obama and Netanyahu disagree on Iran. In my opinion, Netanyahu does not believe Obama will ever be willing to take pre-emptive military action against Iran's nuclear programme. Conversely, Obama believes Netanyahu's diplomatic expectations are too hasty and excessively restrictive.¶ The policy distance between these two leaders appears increasingly irreconcilable. If Netanyahu decides to go it alone and attack Iran, the US president will face the unpleasant scenario of having to protect American interests while avoiding an escalation dynamic that might spin out of control towards war. This difficulty is accentuated by Obama's re-election race and his fear of the domestic economic fallout that may come from the decisions that he might have to make. Again, the simple point is that the US government has no interest in a war with Iran. ¶ If Netanyahu decides to take military action, he will do so in a strategic environment in which Israel, Iran and the US have no preference for a major war. Each state views the prospect of a war as counter to their particular long-term ambitions.¶ Because of this, while serious**,** Iranian retaliation would be unlikely to produce an escalatory dynamic leading to war. The leadership of each of these states will restrain their respective actions in the pursuit of differing long-term objectives but common short-term ones.

#### No draw in

**Hennigan, 06** ( Jim, lawyer, The Beat, July 25, <http://www.metrobeat.net/gbase/Expedite/Content?oid=oid%3A3946>)

Israel may have gone “nuclear” over Hezbollah’s cross-border incursion to kidnap two Israeli soldiers (certainly if one takes the position that Hezbollah’s action must be viewed in isolation and not as the last straw), but it’s only figuratively speaking. Even if Israel were to use nuclear weapons ( I’m not betting on it), it’s unlikely to escalate into a worldwide war. The war in Lebanon beats none of the indicia of earlier incidents-from the good old days- where the world was truly on the brink of a third world war. Events like the Yom Kippur War ( or Arab- Israeli War of 1973) when a beleaguered Nixon facing down a constitutional crisis with Watergate delegated authority to his flag officer in the Sixth Fleet to use tactical nuclear weapons, if needed , to halt the Soviet-trained and- armed Egyptian and Syrian offensive. Or the Cuban Missile Crisis in which Nikita Khrushchev was only slightly less aggressive than Fidel Castro about whether to fire the nukes at America before they had to withdraw. Now those are a couple of bona fide World War-inspiring developments. To think that the world is teetering on the brink of a world war now seriously diminishes the gravity of the near-cataclysms the world has walked away from in the past. The events in Lebanon don’t hold a Polaris missile to a string of volatile situations over the past half century. Even though Hezbollah is Syria’s surrogate in yet another attempt by Syria to wage war against Israel, the nations of the world are not inextricably linked to supporting one side or the other in this regional conflict. In fact, there’s dissension among Arab nations as to whether Hezbollah is worth defending. Even Egypt is noncommittal. And the parties most directly involved- Syria and Israel- are seemingly content to let Lebanon provide the battleground. How the world could get dragged into this conflict requires a conspiracy of events that Oliver Stone would envy.

#### US-Russian nuclear war highly improbable.

Desmond **Ball**, professor at the Strategic Defence Studies Centre of The Australian National University, “The probabilities of 'On the Beach' Assessing 'Armageddon Scenarios' in the 21st Century,” Manning Clark House Symposium Science and Ethics: Can Homo sapiens Survive?, May 20**05**. http://www.manningclark.org.au/papers/se05\_ball.html.

The prospects of a nuclear war between the US and Russia must now be deemed fairly remote. There are now no geostrategic issues that warrant nuclear competition and no inclination in either Washington or Moscow to provoke such issues. US and Russian strategic forces have been taken off day-to-day alert and their ICBMs 'de-targeted', greatly reducing the possibilities of war by accident, inadvertence or miscalculation. On the other hand, while the US-Russia strategic competition is in abeyance, there are several aspects of current US nuclear weapons policy which are profoundly disturbing. In December 2001 President George W. Bush officially announced that the US was withdrawing from the Anti-Ballistic Missile (ABM) Treaty of 1972, one of the mainstays of strategic nuclear arms control during the Cold War, with effect from June 2002, and was proceeding to develop and deploy an extensive range of both theatre missile defence (TMD) and national missile defence (NMD) systems. The first anti-missile missile in the NMD system, designed initially to defend against limited missile attacks from China and North Korea, was installed at Fort Greely in Alaska in July 2004. The initial system, consisting of 16 interceptor missiles at Fort Greely and four at Vandenberg Air Force in California, is expected to be operational by the end of 2005. The Bush Administration is also considering withdrawal from the Comprehensive Test Ban Treaty (CTBT) and resuming nuclear testing. (The last US nuclear test was on 23 September 1992). In particular, some key Administration officials believe that testing is necessary to develop a 'new generation' of nuclear weapons, including low-yield, 'bunker-busting', earth-penetrating weapons specifically designed to destroy very hard and deeply buried targets (such as underground command and control centres and leadership bunkers).

#### Russia would never go to war against the U.S.

**Aron 06** (Leon Aron, a resident scholar and the director of Russian Studies at AEI., http://www.aei.org/outlook/24606)

Yet the probability of a frontal confrontation and a new Cold War remains very remote for at least three reasons. First, despite the erosion, the countries’ geopolitical assets are still very weighty, as the bedrock issues of anti-terrorism, nuclear nonproliferation, and energy will continue to force them to seek common ground and at least limited partnership.[17] Second, the “restorationist” foreign policy notwithstanding, the three basic elements of the 1992-1993 national consensus on the foreign policy and defense doctrine remain largely the same. Russia is to stay a nuclear superpower and the regional superpower, but it seems to have settled for the role of one of the world’s great states, rather than a global superpower engaged in a worldwide competition with the United States. While these desiderata will continue to cause occasional sparring with the United States, they are no longer dedicated to the attainment of goals inimical to the vital interests of the United States and are not likely to ignite a relentless antagonistic struggle to the bitter end. Lastly, despite the muscular rhetoric emanating of late from the Kremlin, unlike the Soviet Union twenty years ago and China today, Russia is not a “revisionist” power. It does not seek radically to reshape the geopolitical “balance of forces” in its favor. Moscow may rail at the score, but it is unlikely to endeavor to change the rules of the game. For that, one needs a different ideology and, as a result, a different set of priorities. Yet even in today’s Russia flush with petrodollars, the share of GDP devoted to defense (around 3 percent) is not only at least ten times smaller than in the Soviet Union, but also below the 1992-1997 average in a Russia that inherited an empty treasury from the Soviet Union and that was, like every revolutionary government, unable to collect taxes. Calculated in purchasing power parity, Russia’s defense expenditures in 2005 ($47.77 billion) were less than one-eleventh of what the U.S. spent ($522 billion).[18]

## 2NC

#### Surrendering ourselves to the state and abdicating personal responsibility makes extinction inevitable.

**Beres, 1994** (Louis Rene, Professor of International Law in the Department of Political Science at Purdue University, Spring,, Arizona Journal of International and Comparative Law, Lexis)

This, then, is an altogether different kind of understanding. Rather than rescue humankind by freeing individuals from fear of death, this perspective recommends educating people to the truth of an incontestable relationship between death and geopolitics. By surrendering ourselves to States and to traditional views of self-determination**,** we encourage not immortality but premature and predictable extinction. It is a relationship that can, and must, be more widely understood. There are great ironies involved. Although the corrosive calculus of geopolitics has now made possible the deliberate killing of all life, populations all over the planet turn increasingly to States for security. It is the dreadful ingenuity of States that makes possible death in the billions, but it is in the [\*24] expressions of that ingenuity that people seek safety. Indeed, as the threat of nuclear annihilation looms even after the Cold War, n71 the citizens of conflicting States reaffirm their segmented loyalties, moved by the persistent unreason that is, after all, the most indelible badge of modern humankind.

#### The 1NC’s rejection of violence is enough to garner alt solvency, our own thinking and behavior are the starting point for a liberatory politics aimed at analyzing the decision to act violently – through exposing the structures of thought deeply rooted in our everyday thinking that legitimize violence, we eradicate it.

Kappeler 95 (Susanne, Associate Professor at Al-Akhawayn University, The Will to Violence: The politics of personal behavior, Pg. 6-7,ott)

The feminist critique of sexism, together with our early recognition of the necessity of raising our own consciousness, constitutes an understanding that ideology itself is a site of power and the abuse of power – that is, that our own thinking and, by extension, our own behavior are already a primary area for a liberatory politics. Moreover, a politics aiming at social equality and relations between equals should make it its central concern to reflect upon the structure of such relations – what it means to relate to others as equals. We have analysed and made a critique of abusive behavior, where men choose to treat women as unequals, or whites to treat Black people as unequals, being able to do so with sanctioned impunity. This would imply an analysis also of action and behavior which by contrast is based on choosing equality – in particular, choosing to grant equality to others, choosing not to violate others in situations which permit that choice, all the more so as it is our conviction that it is not people who are (by virtue of their ‘identity’) unequal, whom we then necessarily relate to as ‘unequals’, but that inequality is a matter of treating and being treated unequally. Conversely, we cannot assume that if there are two ‘equals’, their relations will necessarily be (or remain) equal. Rather, we should investigate how relationships of potential equality may, through the action of one or the other or both agents involved, be restructured into relations of dominance and submission. Action – and especially the will to power and violence – is a vital factor in the continually changing ‘structure’ of a relationship, combining with those factors we normally consider to constitute the structural context of the relation. This means engaging also with the discourses which construct violence as a phenomenon but obliterate the agent’s decision to violate. Our unwillingness to recognize the will of those who act violently as their will to act violently, our readiness to exonerate violent behavior by means of spurious explanations, not only betrays our primary identification with the subjects of violence and our lack of solidarity with the victims. It is itself an act of violence: the exercise of ideological violence, of the power of a discourse which legitimates violence, stigmatizes the victims, and treats people not as the agents of their own actions but as material for (‘our’) social policy. Ideology, however, is not just made by others; we are all of us subjects of ideology – as the producers of our own thinking and as the recipients of other people’s discourse – unless we resist such ideological structures of thought and discourse in a continual critique of ideology itself. A decision to violate is not necessarily synonymous with a decision to be ‘bad’ or to commit an injustice. Rather, we have at our disposal structures of thought and argumentation which make such a decision appear rational, justified or even necessary. These structures of thought are deeply rooted in our everyday thinking: they are part of the dominant ideology. We use them in our daily decisions for action – actions which are not necessarily acts of bodily injury and murder, of arson and larceny, and which do not necessarily unleash a major war, but which none the less are acts of violence: violation of the rights and integrity of other people, violation of their dignity and personhood, suppression of their freedom of choice and their self-determination, acts of objectification and of exploitation at every conceivable level – in- other words, war, on a small scale and against our nearest if not our dearest. What is remarkable is that this everyday behavior, in so far as it does not fall within the competence of criminal law, is hardly the subject of a serious theoretical discussion.4 Neither does it attract explicit legitimation; rather, the violence of everyday behavior draws its legitimacy from the ubiquity of such behavior in our society and the social consensus about its relative ‘harmlessness’ compared with other, that is, recognized forms of violence. That is to say, everyday behavior takes its orientation from the tradition of social practice, reproducing itself through recourse to the status quo. It is so naturalized, in fact, that it is not violent action which attracts attention, but any resistance to it: leaving a violent relationship or situations of violence, resisting bullying, pressure and blackmail, refusing to fight back.

#### We must view politics as an issue of personal choice because even if we can’t transform the world, this is the starting point for larger political movements.

Kappeler 95 (Susanne, Associate Professor at Al-Akhawayn University, The Will to Violence: The politics of personal behavior, Pg.19)

Political action, in this view, is not something which will take place only in a more propitious future when circumstances have changed to much, or a revolution is already so far underway that it can take its course, and we as the ‘politically active’ people can join it. Nor can political action mean something we engage in only on condition that there will be enough others, or better, masses of them, who think as I do, and do what I want to do. Political action does not necessarily imply public mass actions whose massiveness will guarantee their success. For such individual conceptions of political mass action reflect the power thinking of generals commanding the troops of the ‘masses’ to suit their own strategies. Nor does it help to wish for the masses voluntarily to think as I do and to want what I want- that they be like-minded (like me), thus helping to fulfill my dream of a mass action. Even this has happened in the history of generals. My dream remains the dream of a commander who has like minded masses of volunteer troops at this disposal. Instead, we could consider that even our thinking is an opportunity for action, that it can be determined in this way or that, that it is the first opportunity, the first political situation, in which to exercise political choice. ‘We make the way possible, we allow it to happen’, says Drakulic. ‘We only have one weak protection against it, our consciousness. There are no them and us, there are no grand categories, abstract numbers, black-and-white truths, simple facts. There is only us- and yes, we are responsible for each other. And if we find this too minimal to satisfy our aspirations for political action and chance, why don’t we do it anyway, for a start?

#### The affirmative represents a politics of violence as a first resort – this is what necessarily means the alternative is mutually exclusive, violence affirms the existence of violence – a politics of personal responsibility to reject violence is necessary to change our societal consciousness.

Susanne Kappeler, Associate Prof @ Al-Akhawayn University, The Will to Violence: The Politics of Personal Behavior, 1995, pg. 258

Resistance to violence howevercannot consist of violence. Violence may change the direction of violence,invert the roles of violator and victim, but it necessarily affirms the principle of violence, whatever else it may achieve. And it adds new victims to the world — victims of our own making, not to mention more violent perpetrators, whose ranks we have decided to join. While in extremity and under the threat of our lives we may not have any means other than violence to secure our survival, most of us most of the time are not in such situations, though we glibly speak of ‘survival’. Instead**,** we wouldhave ample opportunity in situations of no such threatto challenge the legitimacy of violence and to practice alternatives — above all by deciding not to use violence ourselves.

### Case

#### Af-Pak drone strikes decreasing now – no high value targets left, public pressure is causing caution

Farshori 8/27/13 (Kokab, Voice of America News, "Are US Drone Strikes in Pakistan Winding Down?," http://www.voanews.com/content/drone-strikes/1737799.html)

WASHINGTON — For more than a decade, the United States has been using unmanned drones to strike at al-Qaida and Taliban militants in western parts of Pakistan that border on Afghanistan. The drone strikes, begun under President George W. Bush, dramatically increased after President Obama took office.¶ ¶ But now, more than four years later, the number of drone strikes is way down. ¶ ¶ According to the New America Foundation, which tracks the strikes, there have only been 17 drone strikes this year so far. In the first eight months of last year, there were 36 strikes, while the number of drone strikes in the first eight months of 2011 and 2010 there were 56 and 57 respectively. ¶ ¶ Under the Bush administration, there were 46 strikes in Pakistan from 2004 to 2008. The total number of strikes carried out by the Obama administration from 2009 to 2012 was 297. ¶ ¶ Experts in Washington offer a variety of reasons for the shrinking number of drone strikes in recent months. Stephen Tankel, a counter-terrorism expert and an assistant professor at American University in Washington D.C., says one of the reasons is that there aren’t many high-value targets left to be hit in the Pakistan and Afghanistan region. ¶ ¶ Tankel also says the pressure from Pakistan and international human rights organizations may be at play as well. ¶ ¶ “I think there is certainly pressure from Pakistan, from human rights organizations, and quite frankly from elements within the U.S. that the drone strikes should be reduced, if not ended entirely,” he said.

## 1NR

### ER Compet: A2 “Perm do Both”

**Doesn’t solve prez powers - congressional silence is key**

Bellia 2

[Patricia, Professor of Law @ Notre Dame, “Executive Power in Youngstown’s Shadows” Constitutional Commentary, , 19 Const. Commentary 87, Spring, Lexis]

To see the problems in giving dispositive weight to inferences from congressional action (or inaction), we need only examine the similarities between courts' approach to executive power questions and courts' approach to federal-state preemption questions. If a state law conflicts with a specific federal enactment, n287 or if Congress displaces the state law by occupying the field, n288 a court cannot give the state law effect. Similarly, if executive action conflicts with a specific congressional policy (reflected in a statute or, as Youngstown suggests, legislative history), or if Congress passes related measures not authorizing the presidential conduct, courts cannot give the executive action effect. n289 When Congress is silent, however, the state law will stand; when Congress is silent, the executive action will stand. This analysis makes much sense with respect to state governments with reserved powers, but it makes little sense with respect to an Executive Branch lacking such powers. **The combination of** congressional silence **and judicial inaction** has the **practical** effect of creating power. Courts' reluctance to face questions about the scope of the President's constitutional powers - express and implied - creates three other problems. First, **the implied** presidential power given **effect** by virtue ofcongressional silence **and judicial inaction** can solidify into a broader claim**. When the Executive exercises an "initiating"** or "concurrent" **power, it will tie that power to a textual provision or to a claim about the structure of the Constitution.** Congress's silence **as a practical matter** tends to validate theexecutive rationale, and the Executive **Branch** maythen claim a power not only to exercise the **disputed** authority in the face of congressional silence, but also **to exercise the disputed authority** inthe face of congressional opposition. In other words, a power that the Executive Branch claims is "implied" in the Constitution may soon become an "implied" and "plenary" one. Questions about presidential power to terminate treaties provide a  [\*151]  ready example. The Executive's claim that the President has the power to terminate a treaty - the power in controversy in Goldwater v. Carter, where Congress was silent - now takes a stronger form: that congressional efforts to curb the power are themselves unconstitutional. n290

**Simultaneous legislative and executive action creates a mixed precedent, undermining presidential authority**

**Bellia 2**

[Patricia, Professor of Law @ Notre Dame, “Executive Power in Youngstown’s Shadows” Constitutional Commentary, , 19 Const. Commentary 87, Spring, Lexis]

Second, **courts' failure to resolve the contours of the President's** constitutional **powers** **creates uncertainty** **about** whether some forms of constitutionally based **executive action** have the same legal force as a federal statute. Returning to Dames & Moore, **t**he fact that the Court rested the President's authority on grounds of congressional approval rather than implied constitutional authority avoided the difficult question of how the President could by his sole authority displace the application of the federal statutes that had provided the basis for Dames & Moore's original cause of action against the Iranian enterprises. [291](https://www.lexis.com/research/retrieve?_m=f19618c70694bf3d339be1d061d942b7&csvc=bl&cform=bool&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVtz-zSkAW&_md5=1b7b7f45414d178a7293c7eabf182ff3" \l "n291#n291" \t "_self) Similar questions arise with respect to the displacement of state law by operation of sole executive agreements. The result is confusion about whether **sole** executive agreements are the "supreme Law of the Land**,"** [292](https://www.lexis.com/research/retrieve?_m=f19618c70694bf3d339be1d061d942b7&csvc=bl&cform=bool&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVtz-zSkAW&_md5=1b7b7f45414d178a7293c7eabf182ff3" \l "n292#n292" \t "_self) with the available precedents suggesting that they are [293](https://www.lexis.com/research/retrieve?_m=f19618c70694bf3d339be1d061d942b7&csvc=bl&cform=bool&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVtz-zSkAW&_md5=1b7b7f45414d178a7293c7eabf182ff3" \l "n293#n293" \t "_self) and the weight of recent commentary suggesting that they are not.

### ER Solv: Announcement

#### All 2ac solvency deficits are solved by Obama publicly renouncing his legal authority - the distinction is key

Posner, 9/3 (eric,Eric Professor of Law at Chicago Law School. An editor of The Journal of Legal Studies, he has also published numerous articles and books on issues in international law, Slate Magazine, 9/3/13, http://www.slate.com/articles/news\_and\_politics/view\_from\_chicago/2013/09/obama\_going\_to\_congress\_on\_syria\_he\_s\_actually\_strengthening\_the\_war\_powers.html)

President Obama’s surprise announcement that he will ask Congress for approval of a military attack on Syria is being hailed as a vindication of the rule of law and a revival of the central role of Congress in war-making, even by critics. But all of this is wrong. Far from breaking new legal ground, President Obama has reaffirmed the primacy of the executive in matters of war and peace. The war powers of the presidency remain as mighty as ever.¶ It would have been different if the president had announced that only Congress can authorize the use of military force, as dictated by the Constitution, which gives Congress alone the power to declare war. That would have been worthy of notice, a reversal of the ascendance of executive power over Congress. But the president said no such thing. He said: “I believe I have the authority to carry out this military action without specific congressional authorization.” Secretary of State John Kerry confirmed that the president “has the right to do that”—launch a military strike—“no matter what Congress does.”¶ Thus, the president believes that the law gives him the option to seek a congressional yes or to act on his own. He does not believe that he is bound to do the first. He has merely stated the law as countless other presidents and their lawyers have described it before him.

#### Speeches prove the CP solves better

Rebecca Ingber, Associate Research Scholar, Columbia Law School; 2011-2012 Council on Foreign Relations International Affairs Fellow and Hertog National Security Law Fellow, Columbia Law School, “Interpretation Catalysts and Executive Branch Legal Decisionmaking” Summer 2013, 38 Yale J. Int'l L. 359

As a catalyst over which executive officials exercise significant control, speechmaking is explicitly used to answer criticism, explain a position, or highlight positive policies - in a highly public manner - when doing so is seen as useful to an official or the executive more broadly. Thus it encourages the promulgation of positions that (1) can be issued publicly and (2) will satisfy a [\*402] given audience, on (3) a timetable that serves the executive or a particular official.¶ With the speechmaking catalyst the audience may be multifaceted; thus a speechmaker may seek, for example, simultaneously to reassure a civil liberties-oriented listener of the reasonable constraints on the President's authority to use military force to target particular groups or individuals, while assuring a security-oriented listener that the executive branch is aggressively pursuing security threats. n201 It is also an audience over which the official has some control, by for example choosing to present her speech at a particular forum - although in the internet age, that control is rarely perfect - and she may exercise that control as a way of seeking to influence the message.¶ Speechmaking provides an opportunity for laying out new policy or legal views in a context in which particular officials can manage and to some degree manipulate the timetable. Speechmaking often builds on positions that are either already formed or are in the process of forming internally within the executive, but an upcoming speech - and thus the decision to give it - can bring matters to a head and shape the pressures affecting the decision.¶ Finally, speechmaking can further entrench a position first by creating a vetted written document, and then through its public disclosure. As with positions taken in other contexts, the views expressed by U.S. officials in speeches are generally taken to be the coordinated views of the U.S. government as a whole, and are difficult (and should require explanation) to later reverse. n202 Unlike litigation and the treaty-body reporting process, speechmaking is not specifically directed at a formal body that will hold the U.S. government to its prior positions and demand explanation for change; nevertheless, the media and voting public will likely expect such explanation, and speeches are generally a more public medium than briefs or treaty reports. n203 And as a practical matter, the vetting and clearing of the executive's position on an issue, in particular, an issue of legal interpretation, can be so difficult and time-consuming that once a speech or other statement is cleared, it is repeatedly recycled and becomes the go-to source for all talking points, reports, briefs or anything that requires explaining the government's position [\*403] on that matter, further extending - and prolonging - the effect of the initial statement. n204¶ Unlike the litigation and treaty body catalysts, speechmaking does not tend to provide an opportunity for granularity of legal positions. The purpose is generally to explain the executive's views or policy at a level comprehensible to the public, including non-lawyers and non-experts. But like these other catalysts, it would be rare for speechmaking to force the executive to take a position that all or most internal officials would otherwise aggressively avoid. In fact, speechmaking does not necessarily tend in a given substantive direction other than toward greater transparency. Speechmaking can be defensive when it is employed to explain prior action; it can emphasize human rights or international law when used to curry favor with an international audience.¶ As a procedural tool, however, speechmaking has a clear influence within the executive. Speechmaking's most significant procedural effect is its necessary inclusion of a particular high-level official into the decisionmaking process. The speechmaker will also often control the nature of the audience to whom she speaks, and thus can influence the contextual pressures surrounding the speech. Thus the speechmaker can drive a decisionmaking process around a particular timetable, shape the players involved, influence the contextual pressures, ensure the durability of the position expressed, and secure her own position-of-honor at the decisionmaking table. Speechmaking may thus be one of the most instrumental catalysts available for high-level executive officials.

### ER Solv: I-Law

#### Executive order incorporation of international law has massive symbolic and legal importance for future policy and court action-solves better than the plan

Nachbar-prof law Virginia-11

<http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1967217>

Executive Order 13567: Executive Branch Policy Meets International Law in the Evolution of the Domestic Law of Detention

Conclusion Neither the Order nor the accompanying Fact Sheet will have a major impact on U.S. detention operations. The Order applies only to a small group of detainees, all of whom have been subjected to similar procedures in the recent past. The Fact Sheet’s signaling of compliance with Article 75 is not technically applicable to the current conflict, and ratification of AP II is still beyond the horizon. Moreover, the procedures contained in the Order (which do not differ dramatically from the procedures they replace) arguably conform with Article 75 and APII, neither of which contain robust procedures with regard to detention, except perhaps with regard to the use of classified information (an area in which states are likely to receive considerable leeway given the vague requirements of Article 75) and the continued detention of detainees identified for release but for whom the U.S. is unable to locate an acceptable non-U.S. destination. The procedures and substantive standards contained in the Order do not dramatically change the landscape of U.S. detention policy and practice, but that does not mean that the Order and the Fact Sheet are of no moment. The U.S. has previously been careful to maintain a strong approach to the lex specialis conception of LOAC, but Article 75 and AP II represent an approach to LOAC that more closely tracks human rights protections than earlier instruments, like the GCs themselves. It is often the executive branch that argues most strongly for the U.S.- exceptionalist view of international law; if the Fact Sheet signals a shift by the executive branch, it is likely to be followed by a shift by courts as well. In many times, the content of the international law of armed conflict has been mostly a matter of academic interest in the U.S., but today, many cases applying domestic law turn directly on the content of the law of armed conflict, which means that the content of international human rights law as implicated by a shifting approach to LOAC may soon find itself in domestic law, binding by U.S. federal courts on the conduct of the current armed conflict. Even those changes are, for the moment, hypothetical. The policy announced by the Fact Sheet – the administration’s willingness to embrace aspects of the law of armed conflict closely tied with international human rights law – has the potential for substantially altering the evolution of U.S. detention law and policy by providing even more space to incorporate international legal norms into U.S. domestic law. Of course, the most important implication of the Fact Sheet’s embrace of Article 75 and AP II is one for diplomats, not lawyers—at least not yet. By finally saying in a public forum that the U.S. will apply Article 75 in IAC out of a sense of legal obligation and that the administration will pursue ratification of AP II, the Obama administration is signaling future engagement with the international community on matters relating to armed conflict. Doing so likely changes the diplomatic landscape more than it does the legal landscape in the near term, although the impact over the long term may be more profound than the recognition of any particular rule or the ratification of any particular treaty. I leave it to the diplomats to debate whether that change should be welcomed.198

#### Executive Orders can effectively encourage judicial incorporation of international law

Nachbar-prof law Virginia-11

<http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1967217>

Executive Order 13567: Executive Branch Policy Meets International Law in the Evolution of the Domestic Law of Detention

In the short term, neither the Order nor the President’s statement of adherence to Article 75 (which amounts to opinio juris under international law) are likely to affect most detention operations conducted by the U.S. Armed Forces. The Order applies to a very small number of detainees—only those held at Guantanamo Bay—all of whom have already undergone similar reviews pursuant to Executive Order 13492. Moreover, many of the procedures outlined in the Order have direct antecedents in previous executive branch detention determination procedures, such as Combatant Status Review Tribunals (CSRTs) and Administrative Review Boards (ARBs). However, the Order is of a piece with the Obama administration’s longstanding policies on detainee procedures, and the Fact Sheet suggests an increased role for international law in the current conflict. The first-order effects of recognizing Article 75 as having legal force (and even ratifying AP II) are likely to be mild for a variety of reasons, but both Article 75 and AP II are closely tied to international human rights law, especially the International Covenant on Civil and Political Rights. At the same time, the international law applicable to armed conflict has become a major point of litigation in U.S. civilian courts. Adopting substantive positions that implicate the ICCPR and international human rights law generally is likely to provide greater opportunity for courts to read human rights restrictions into the U.S. domestic law of armed conflict. Moreover, the Obama administration’s willingness to embrace international law will likely be reflected in the litigation position it takes in cases related to the law of armed conflict in U.S. courts. Conversely, the increased embrace of international law may increase the legitimacy of certain legal positions the U.S. has taken with regard to international law, both in litigation in U.S. courts and in international legal circles.

**The counterplan maintains the benefits of the unitary executive while deterring excessive presidential adventurism**

Neal **Katyal 6**, prof, Georgetown law, Internal Separation of Powers: Checking Today's Most Dangerous Branch from Within, 115 Yale L.J. 2314

This Essay's proposed reforms reflect a more textured conception of the presidency than either the unitary executivists or their critics espouse. In contrast to the unitary executivists, I believe that **the** simple **fact that the President should be in control of the executive branch does not answer the question of how institutions should be structured to encourage the most robust flow of advice to the President. Nor does that fact weigh against modest internal checks that, while subject to presidential override, could constrain presidential adventurism** on a day-to-day basis. And **in contrast to the doubters of the unitary executive, I believe a unitary executive serves important values, particularly in times of crisis**. **Speed and dispatch are** often **virtues to be celebrated**.¶ **Instead of doing away with the unitary executive, this Essay proposes designs that force internal checks but permit temporary departures when the need is great**. Of course, **the risk of incorporating a presidential override is that its great** formal **power will eclipse everything** else, leading agency officials to fear that the President will overrule or fire them. **But just as a filibuster does not tremendously constrain presidential action, modest internal checks**, buoyed by reporting requirements, **can create sufficient deterrent costs.**¶[\*2319] Let me offer a brief word about what this Essay does not attempt. It does not propose a far-reaching internal checking system on all presidential power, domestic and foreign. Instead, **this Essay takes** a case study, **the war on terror, and uses the collapse of external checks and balances to demonstrate the need for internal ones**. In this arena, public accountability is low - not only because decisions are made in secret, but also because they routinely impact only people who cannot vote (such as detainees). In addition to these process defects, decisions in this area often have subtle long-term consequences that short-term executivists may not fully appreciate. n9

### DA

**Status quo flexibility is sufficient but the plan’s statutory restrictions guarantees WMD attacks on the US**

**Yoo 12**

John Yoo, law professor at University of California, Berkeley. He was Deputy¶ Assistant Attorney General in the Office of Legal Counsel at the US Department¶ of Justice from 2001 to 2003, “Exercising Wartime Powers,” Harvard International¶ Review28. 1 (Spring 2006): 22-25.

**Critics of these conflicts want to upend long practice by appealing to an "original**

**understanding" of the Constitution**. But the text and structure of the Constitution, as well as its application over the¶ last two centuries, confirm that the president can begin military hostilities without the approval of Congress. **The Constitution¶ does not establish a strict warmaking process because the Framers understood that war¶ would require the speed, decisiveness, and secrecy that only the presidency could bring.** "Energy¶ in the executive," Alexander Hamilton argued in the Federalist Papers, "...is essential to the protection of the community against¶ foreign attacks." He continued, "the direction of war most peculiarly demands those qualities which distinguish the exercise of¶ power by a single hand." **Rather than imposing a fixed, step-by-step method for going to war, the¶ Constitution allows the executive and legislative branches substantial flexibility in shaping the¶ decisionmaking process for engaging in military hostilities. Given the increasing ability of¶ rogue states to procure weapons of** mass destruction **(WMDs) and the rise of international¶ terrorism, maintaining this flexibility is critical to preserving US national security.**

**Presidential flexibility enables effective crisis response --- statutory restrictions/judicial review prevents this**

John **Yoo 9**, Emanuel S. Heller Professor of Law @ UC-Berkeley Law, visiting scholar @ the American Enterprise Institute, former Fulbright Distinguished Chair in Law @ the University of Trento, served as a deputy assistant attorney general in the Office of Legal Council at the U.S. Department of Justice between 2001 and 2003, received his J.D. from Yale and his undergraduate degree from Harvard, “Crisis and Command,” E-Book

Understanding the contingency of our current circumstances brings us back to where we began, the purpose of the executive. As originally conceived, **the need for the executive arose to respond to unforeseen dangers, unpredictable circumstances, and emergencies. It was given the virtues of speed, secrecy, vigor, and decisiveness to most effectively marshal society's resources in a time of crisis. The executive could correct for the instability, fractiousness, and inability to organize and decide (caused by** what we today think of as transaction costs of **a republican legislature) under time pressure. If the circumstances demand, the executive can even go beyond the standing laws in order to meet a greater threat to the nation's security.¶** It remains an open question whether the Constitution incorporated this prerogative. Hamilton believed that Article II's vesting of the executive power in the President necessarily included the ability to meet any challenge. To him, this power ought to "exist without limitation because" the "circumstances that endanger the safety of nations are infinite." There was no prerogative in the Lockean mold, only a President with open-ended powers in time of emergency. This broad conception of the executive underpinned the broader Hamiltonian program. A President of broad powers would guide the national government by developing proposals, managing legislation, and vigorously enforcing the law and setting foreign policy. In contrast, Jefferson believed that the President's ability to access the prerogative existed independent of the Constitution. To him, the natural right of self-preservation allowed the President to act beyond the Constitution itself when defending the nation. Whereas Locke believed that the executive would have to appeal to the heavens in the event of an exercise of the prerogative, Jefferson believed that an appeal to the nation was in order.¶ The prerogative allowed Jefferson to keep his devotion to a strict interpretation of the Constitution. If the prerogative could serve as a safety valve when emergency placed the government under stress, the Constitution would need no stretching. The government's powers would remain limited, rather than permanently extended, and individual liberty and hopefully state sovereignty would be preserved. The process for confirming the executive's use of the prerogative, an appeal to the people, advanced Jefferson's agenda to make the President the democratic representative of the nation as a whole. Jefferson did not believe that the approval of Congress or the courts alone was necessary, except insofar as they represented the will of the people.¶ History suggests that Hamilton had the better argument. The prerogative faces serious, perhaps fatal problems, chief of which is that it requires the executive to violate the Constitution. If the people bless executive lawbreaking, then they undermine the very purpose of the Constitution to bind future majorities. Although faced with the most serious threats to the nation's security, Lincoln and FDR did not claim a right to act outside the Constitution. While Lincoln suggested on several occasions that it might be necessary to violate the Constitution to save the nation, he never invoked the prerogative. In fact, he carefully argued that his every action, from using force against secession to the Emancipation Proclamation, was justified by his constitutional authorities. Roosevelt, too, never claimed the prerogative, and justified his actions by his authority as Commander-in-Chief. By the Cold War, the debate seemed to be over -- the Constitution accommodated the need to respond to extraordinary events through the President's executive power.¶ At first glance, it might appear that this understanding of the Constitution could only work to the benefit of the President. It allows him to claim a reservoir of power to meet any serious threat to the national security. But subordinating the prerogative to the law may have come with costs as well -- it has raised public expectations of the President to the point where no mere mortal can satisfy them. If the President has the constitutional authority to respond to any emergency, then the failure of the government to meet the latest national problem must be his fault.¶ A second effect may be the unwillingness of Presidents since FDR to challenge the Supreme Court. Presidents no longer claim an independent right to interpret the Constitution differently from the judiciary, giving up the inheritance of Jefferson, Jackson, Lincoln, and Roosevelt. There are understandable political reasons for this, but perhaps a deeper constitutional explanation lies in presidential adoption of the Hamiltonian theory of the executive. If the President accesses extraordinary power from the Constitution, he may seek judicial approval in order to address concerns that he is interpreting the Constitution solely for his own benefit. It is not clear whether this bargain is to the long-term benefit of the institution; abdicating the right to interpret the Constitution, in light of the President's obligation to enforce the laws, ultimately places the definition of his duties and powers solely in the hands of another branch. Presidents may have only won themselves the freedom to act in the short term, but they have left the long-term success in the hands of others.¶ The fundamental question of the prerogative lends presidential power a tragic quality. **Due to the Constitution's design, the political system has great difficulty responding to unforeseen circumstances, fast-moving events, or decisions that require technical expertise or run high political risks. It will fall to the President to act at these times, which most often arise where the nation's foreign relations and national security are at stake. In exercising their constitutional powers, Presidents by definition act against the web of congressional statutes, court decisions, agency regulations, and interest groups that make up the political status quo. Invocation of executive authority is guaranteed to trigger a sharp response by the supporters of the governing regime.**

**Empirics prove --- broad powers are critical to guide the nation through existential threats**

John **Yoo 9**, Emanuel S. Heller Professor of Law @ UC-Berkeley Law, visiting scholar @ the American Enterprise Institute, former Fulbright Distinguished Chair in Law @ the University of Trento, served as a deputy assistant attorney general in the Office of Legal Council at the U.S. Department of Justice between 2001 and 2003, received his J.D. from Yale and his undergraduate degree from Harvard, “Crisis and Command,” Book, p. 329-30

FDR’s second challenge became another constant of the postwar world. **The Soviet Union replaced Germany and Japan as the central national security threat – its nuclear weapons could have destroyed the United States in minutes**, it enjoyed superiority in conventional forces, and it could project its influence globally. FDR’s successors did not have to worry about isolationism. **Truman** convinced Congress to cooperate in placing the United States in a permanent state of mobilization, unprecedented in American history, to counter the Soviet threat. His **successors kept the U**nited **S**tates **committed to the strategy of containment over** a period far longer – **45 years** – than any “hot” war. While they sometimes turned to Congress for support, **Presidents continued to dispatch the military into hostilities abroad on their authority,** a prospect with even more dangerous consequences in a nuclear age. **During the Cold War, the U**nited **S**tates **transformed its role** from the arsenal of democracy **to the guardian of the free world. Without recognizing broad constitutional powers in the Presidency, the United States could not have prevailed, and without Congress’s consistent provision of resources for the military and security agencies, the Presidents could not have succeeded.** ¶For **guiding the nation safely through an existential threat** unlike any the United States had ever faced, Presidents Truman, Eisenhower, and Regan rank among our ten greatest Presidents. This pattern has mistakenly led some to believe that war produces great Presidents. Not all Presidents, however, were up to the challenge of the Cold War. President Kennedy found his moment in the Cuban Missile Crisis but led the nation into Vietnam, where Lyndon Johnson’s ambitions foundered.

**Proliferation causes nuclear war, terrorism and global instability**

**Kroenig 12**

[Matthew, assistant professor in the Department of Government at Georgetown University and a research affiliate with The Project on Managing the Atom at Harvard University, he served as a strategist on the policy planning staff in the Office of the Secretary of Defense where he received the Office of the Secretary of Defense’s Award for Outstanding Achievement. He is a term member of the Council on Foreign Relations and has held academic fellowships from the National Science Foundation, the Belfer Center for Science and International Affairs at Harvard University, the Center for International Security and Cooperation at Stanford University, and the Institute on Global Conflict and Cooperation at the University of California, “The History of Proliferation Optimism: Does It Have A Future?” <http://www.npolicy.org/article.php?aid=1182&rtid=2>], accessed 6/5/13,WYO/JF

In this essay, I argue that **the spread of nuclear weapons poses a grave threat to international peace** and to U.S. national security.  Scholars can grab attention by making counterintuitive arguments about nuclear weapons being less threatening than power holders believe them to be, but their provocative claims cannot wish away the very real dangers posed by the spread of nuclear weapons. **The more states that possess nuclear weapons, the more likely we are to suffer** a number of **devastating consequences including: nuclear war, nuclear terrorism, global and regional instability**, constrained U.S. freedom of action, **weakened alliances, and the further proliferation of nuclear weapons**.  While it is important not to exaggerate these threats, **it would be an even greater sin to underestimate them and, as a result, not take the steps necessary to combat the spread of the world’s most dangerous weapons**.

#### Extend our Johnson 13 that rogues states=X

#### Terror highly probable- prez flex key to deter rogue states and attacks on the US

Royal 11JOHN PAUL ROYAL, Valedictorian of Institute of World Politics, “War Powers and the Age of Terrorism,” Center for the Study of the Presidency & Congress The Fellows Review http://www.thepresidency.org/storage/Fellows2011/Royal-\_Final\_Paper.pdf

The international system itself and national security challenges to the United States in particular, underwent rapid and significant change in the first decade of the twenty-first century. War can no longer be thought about strictly in the terms of the system and tradition created by the Treaty of Westphalia over three and a half centuries ago. Non-state actors now possess a level of destructiveness formerly enjoyed only by nation states**.** Global terrorism, coupled with the threat of weapons of mass destruction developed organically or obtained from rogue regimes, presents new challenges to U.S. national security and place innovative demands on the Constitution’s system of making war. In the past, as summarized in the 9/11 Commission Report, threats emerged due to hostile actions taken by enemy states and their ability to muster large enough forces to wage war: “Threats emerged slowly, often visibly, as weapons were forged, armies conscripted, and units trained and moved into place. Because large states were more powerful, they also had more to lose. They could be deterred" (National Commission 2004, 362). This mindset assumed that peace was the default state for American national security. Today however, we know that threats can emerge quickly. Terrorist organizations half-way around the world are able to wield weapons of unparalleled destructive power. These attacks are more difficult to detect and deter due to their unconventional and asymmetrical nature. In light of these new asymmetric threats and the resultant changes to the international system, peace can no longer be considered the default state of American national security. Many have argued that the Constitution permits the president to use unilateral action only in response to an imminent direct attack on the United States. In the emerging security environment described above, pre-emptive action taken by the executive branch may be needed more often than when nation-states were the principal threat to American national interests. Here again, the 9/11 Commission Report is instructive as it considers the possibility of pre-emptive force utilized over large geographic areas due to the diffuse nature of terrorist networks: In this sense, 9/11 has taught us that terrorism against American interests “over there” should be regarded just as we regard terrorism against America “over here.” In this sense, the American homeland is the planet (National Commission 2004, 362). Furthermore, the report explicitly describes the global nature of the threat and the global mission that must take place to address it. Its first strategic policy recommendation against terrorism states that the: U.S. government must identify and prioritize actual or potential terrorist sanctuaries. For each, it should have a realistic strategy to keep possible terrorists insecure and on the run, using all elements of national power (National Commission 2004, 367). Thus, fighting continues against terrorists in Afghanistan, Yemen, Iraq, Pakistan, the Philippines, and beyond, as we approach the tenth anniversary of the September 11, 2001 attacks. Proliferation of weapons of mass destruction (WMD), especially nuclear weapons, into the hands of these terrorists is the most dangerous threat to the United States. We know from the 9/11 Commission Report that Al Qaeda has attempted to make and obtain nuclear weapons for at least the past fifteen years. Al Qaeda considers the acquisition of weapons of mass destruction to be a religious obligation while “more than two dozen other terrorist groups are pursing CBRN [chemical, biological, radiological, and nuclear] materials” (National Commission 2004, 397). Considering these statements, rogue regimes that are openly hostile to the United States and have or seek to develop nuclear weapons capability such as North Korea and Iran, or extremely unstable nuclear countries such as Pakistan, pose a special threat to American national security interests. These nations were not necessarily a direct threat to the United States in the past. Now, however, due to proliferation of nuclear weapons and missile technology, they can inflict damage at considerably higher levels and magnitudes than in the past. In addition, these regimes may pursue proliferation of nuclear weapons and missile technology to other nations and to allied terrorist organizations. The United States must pursue condign punishment and appropriate, rapid action against hostile terrorist organizations, rogue nation states, and nuclear weapons proliferation threats in order to protect American interests both at home and abroad. Combating these threats are the “top national security priority for the United States…with the full support of Congress, both major political parties, the media, and the American people” (National Commission 2004, 361). Operations may take the form of pre-emptive and sustained action against those who have expressed hostility or declared war on the United States. Only the executive branch can effectively execute this mission, authorized by the 2001 AUMF. If the national consensus or the nature of the threat changes, Congress possesses the intrinsic power to rescind and limit these powers.

#### Flexibility is key to defeat al-Qaeda, turns their BW and HoA addon impacts means we better solve their X impact

Li 09

(Zheyao, JD Georgetown 2009; “War Powers for the Fourth Generation: Constitutional Interpretation in the Age of Asymmetric Warfare,” 7 Geo. J.L. & Pub. Pol'y 373, Lexis – JAK)

By now it should be clear just how different this conflict against the extremist terrorists is from the type of warfare that occupied the minds of the Framers at the time of the Founding. Rather than maintaining the geographical and political isolation desired by the Framers for the new country, today's United States is an international power targeted by individuals and groups that will not rest until seeing her demise. The Global War on Terrorism is not truly a war within the Framers' eighteenth-century conception of the term, and the normal constitutional provisions regulating the division of war powers between Congress and the President do not apply. Instead, this "war" is a struggle for survival and dominance against forces that threaten to destroy the United States and her allies, and the fourth-generational nature of the conflict, highlighted by an indiscernible distinction between wartime and peacetime, necessitates an evolution of America's traditional constitutional warmaking scheme.¶ As first illustrated by the military strategist Colonel John Boyd, constitutional decision-making in the realm of war powers in the fourth generation should [\*399] consider the implications of the OODA Loop: Observe, Orient, Decide, and Act. n144 In the era of fourth-generational warfare, quick reactions, proceeding through the OODA Loop rapidly, and disrupting the enemy's OODA loop are the keys to victory. "In order to win," Colonel Boyd suggested, "we should operate at a faster tempo or rhythm than our adversaries." n145 In the words of Professor Creveld, "[b]oth organizationally and in terms of the equipment at their disposal, the armed forces of the world will have to adjust themselves to this situation by changing their doctrine, doing away with much of their heavy equipment and becoming more like police." n146 Unfortunately, the existing constitutional understanding, which diffuses war power between two branches of government, necessarily (by the Framers' design) slows down decision-making. [\*400] In circumstances where war is undesirable (which is, admittedly, most of the time, especially against other nation-states), the deliberativeness of the existing decision-making process is a positive attribute.¶ In America's current situation, however, in the midst of the conflict with al-Qaeda and other international terrorist organizations, the existing process of constitutional decision-making in warfare may prove a fatal hindrance to achieving the initiative necessary for victory. As a slow-acting, deliberative body, Congress does not have the ability to adequately deal with fast-emerging situations in fourth-generational warfare. Thus, in order to combat transnational threats such as al-Qaeda, the executive branch must have the ability to operate by taking offensive military action even without congressional authorization, because only the executive branch is capable of the swift decision-making and action necessary to prevail in fourth-generational conflicts against fourth-generational opponents.

#### Here’s comparative evidence

Li 09

(Zheyao, JD Georgetown 2009; “War Powers for the Fourth Generation: Constitutional Interpretation in the Age of Asymmetric Warfare,” 7 Geo. J.L. & Pub. Pol'y 373, Lexis – JAK)

On the other hand, the slow-moving, deliberative Congress has no role to play in authorizing military action against non-state actors in the fourth generation of warfare. The President must have the ability to react quickly in conducting offensive military action against these transnational enemies, both in response to terrorist attacks that have already occurred and to prevent imminent attacks. Congress's powers over the initiation of war or the seeking of peace have no role in this civilizational conflict against extremist terrorists who will not rest until they destroy the United States and who have made such intentions known. In light of the fundamental difference in the nature of the threats posed, the nature of the adversaries, and the different strategies and tactics necessary to combat them, these parallel constitutional decision-making processes in the area of war--one conforming to the Framers' conception of traditional Westphalian warfare against nation-states, and the other adapting to the realities of asymmetric warfare waged by non-state actors--are both necessary to ensure the survival and prosperity of the United States in the twenty-first century and beyond.

**--probability--human fallibility proves** deterrence is ineffective**--miscalc and accidents are inevitable**

**Krieger, 12** [July 12th, David Krieger is President of the Nuclear Age Peace Foundation, “Why Waltz is Wrong”, <http://www.wagingpeace.org/articles/db_article.php?article_id=377>]

In essence, **Waltz puts his faith in nuclear deterrence and justifies this in historical terms**. **But the history is short and there have been many close calls**. **During the 67-year period since the dawn of the Nuclear Age there have been numerous accidents**, **miscalculations and threats to use** nuclear **weapons**. Fifty years ago, the US and Soviet Union stood at the precipice of nuclear war during the Cuban Missile Crisis. **Waltz’s faith in** nuclear **deterrence reflects a belief in rationality, a belief that all leaders will behave rationally at all times**, **including under** conditions of **extreme stress**. **This defies our understanding of human behavior and the ever-present potential for human fallibility.¶** Another way to view the historical data from which Waltz finds comfort is by an analogy of a man jumping off a hundred-story building. As he passes floor after floor, he wonders why people on the ground are showing concern for his well-being. He ignores the approaching ground and focuses his attention on the fact that nothing bad has happened to him yet. In **Waltz**’s theory of nuclear deterrence, there is no hard ground below, nor gravity acting upon the jumper. He **argues that “history hasshown that where nuclear capabilities emerge, so, too, does stability**. When it comes to nuclear weapons, now as ever, more may be better.” While having more may be better, it may also be far worse. ¶ Martin **Hellman, a professor** emeritus of electrical engineering **at Stanford** University and an expert in risk analysis, **argues that a child** born today **has a ten percent** or greater **chance of having** his or **her life cut short by nuclear war**. **Unlike Waltz’s analysis**, **risk analysis takes into account the odds of an event occurring and doesn’tbase its analysis of the future simply on what the historical record shows at a given point in time**. Ten coin flips may produce ten straight “heads,” but it would be unwise to assume that the results between heads and tails would not even out over time. **With nuclear weapons, the consequences of being wrong in one’s projections are, of course, far more dire than with coin tosses**.¶ Another analogy that has been used to describe the standoff between nuclear-armed powers, particularly the US and Soviet Union during the Cold War, was of two men standing up to their waists in the same pool of gasoline and each man being ready to strike an unlit match. If either man struck the match, both men would be consumed by the fire that would result. With nuclear weapons, the conflagration would not stop at the two men – it would include their families, their communities, their countries and the world. ¶**Waltz makes the bet that no leader of a nuclear weapon state will ever strike the match or allow the match to fall into hands that will strike it. It is a folish bet to make**. The two men, and the rest of us, would be far safer if the gasoline were drained from the pool. In the same way, the world would be much safer if nuclear weapons were abolished, rather than shared in the hope they would enhance security in the Middle East or elsewhere.¶ Waltz may believe that it is precisely the threat of conflagration that keeps the men from striking the matches. **For** many, even most, men he may be correct, but **the fact is that neither Waltz nor anyone else can predict human behavior under all conditions**. **There may be some leaders in some circumstances for whom striking the match would seem rational.**In addition, **even if neither man were to strike a match, lightning may strike the pool of gasoline or other sparks may ignite the pool from unforeseen causes. Instances of accidents, madness and human fallibility abound. ¶Nuclear weapons** have brought humankind to the precipice. These weapons **threaten** cities, countries, civilization and complex **life on the planet**. It is the responsibility of those of us alive on the planet now to abolish these weapons of mass annihilation, not justify their spread, as Waltz would have us do.

**impact defense wrong**

**will be fast**

**past was on the brink**—ex Cuban missile crisis, indopak

**intel failures** on tactical nukes, operational readiness

**dysfunctional Command and Control**

**miscalc**

new proliferators don’t have **learning curves**

**Mideast/Asia are unstable**

**unstable** dyads

**sell the nukes** to recoup costs

**black swans**--complexity theory—globalization creates rapid changes

**indopak** crises disprove rationality

**Heisbourg 12—chairman of the council of the Geneva Centre for Security Policy**and of the London-based International Institute for Strategic Studies (Francois, 3/4/12, “NUCLEAR PROLIFERATION – LOOKING BACK, THINKING AHEAD: HOW BAD WOULD THE FURTHER SPREAD OF NUCLEAR WEAPONS BE?,” http://www.npolicy.org/article\_file/Nuclear\_Proliferation\_-\_Looking\_Back\_Thinking\_Ahead\_How\_Bad\_Would\_the\_Further\_Spread\_of\_Nuclear\_Weapons\_Be.pdf, RBatra)

**Given their disproportionate power, nuclear weapons cannot** serve to **achieve limited policy goals**, thus excluding their use as Clausewitzian weapons; further, the possession of nuclear weapons may even inhibit actions which an aggressive non-nuclear power would otherwise contemplate versus a nuclear power. Stalin at the head of a still clearly non-nuclear USSR blockaded Berlin, an action which none of his nuclear armed successors sought to emulate. As a non-nuclear power, Red China bombed Taiwan repeatedly. The worst of it ceased after Beijing acquired nuclear weapons. Possession of nuclear weapons, possibly after a learning curve, appears to selfdeter escalatory aggressive behavior. **Bilateral deterrence between two nuclear powers has long been deemed to moderate direct confrontation and to deflect aggressive behavior towards proxies** (11).Although no such theoretical consensus exists vis à vis the possible stability of multi-cornered possession of nuclear weapons, the case has been made by powerful authors such as Ken Waltz or Pierre Gallois (12). In practice, a global multipolar nuclear order was established to some extent since the 1960s, with the USSR, the US and China forming a strategic triangle which was perceived as such by the authors of the Nixon-to-Beijing visit. A regional multipolar dispensation arguably also exists between China, India and Pakistan. These relationships have apparently not led to instabilities greater than (or even as great as) those which have characterized the US-Soviet nuclear standoff. In short, **prolif**eration **has been a manageable, slow-motion process, nuclear weapons have not been used nor has the probability of their use appear to have increased** (rather the opposite). Its overall status is satisfactory, provided some adjustments are made in terms of securing material from nonstate actors, even if the policy mix sustaining it is messy and occasionally fraught –as so many things are in international life. Difficult case-specific situations such as Iran today will continued to be handled as such, as Iraq was yesterday. **THE PAST IS NOT WHAT IT USED TO BE** The problem with this reassuring reading of the past is that it is not entirely true. Yes, the NPT had a major material effect by gradually making non nuclear the new normal. Yes again, defense guarantees by the US weaned Germany, Italy (13), South Korea, Taiwan and even neutral Sweden away from the nuclear road, followed by the US-French-British assurances to post-Soviet Ukraine. Yes too, various levels of coercion worked in Iraq, Libya and Syria. But no, **the practice of even the most ‘classical’ bilateral deterrence was not nearly as reassuring as the mainstream narrative inherited from the Cold War would have it. Nor can we consider that our elements for empirical judgment as methodologically satisfactory in terms of their breadth and depth**. These two negatives will be examined in turn. **Nuclear archives**, as other sensitive governmental archives, **open up usually after** an interval of **decades** and even then with varying levels of culling and redaction. Even oral histories tend to follow this pattern, as ageing witnesses feel freer to speak up. Hence a paradox: when the Soviet- American nuclear confrontation was central to our lives and policies during the Cold War, we didn’t how bad things really where; now that we are beginning to know, there is little public interest given the disappearance of the East-West contest. Yet **there are lessons of general interest which can be summarized as follows: 1) the Cuban missile crisis brought us much closer to the brink than the acute sense of danger which prevailed at the time**, for reasons which are germane to the current situation: **massive failures of intelligence on Soviet nuclear preparations and dispositions in Cuba, notably on tactical nukes and** on the **operational readiness of** a number of **IRBMs and** their **warheads; dysfunctional or imperfect commandand c**ontrol **arrangements** (notably vis à vis Soviet submarines), **unintentionally mixed signals on each antagonist’s actions**). These are effectively laid out in Michael Dobb’s book, “One Minute to Midnight”(14). 2) the safety and security of **nuclear forces are subject to potentially calamitous procedural, technical or operational mishaps and miscalculations**, somewhat along the lines of what applies to related endeavors (nuclear power and aerospace). Scott Sagan in his “Limits of Safety”(15) provides compelling research on the American Cold War experience. It would be interesting to have a similar treatment on the Soviet experience…**Although it can be argued that today’s** nuclear **arsenals are much smaller andeasier to manage** reliable, and that the technology for their control has been vastly improved, **several facts remain: the US has continued to witness serious procedural lapses in the military nuclear arena** (16); the de-emphasis of the importance of nuclear weapons in the US force structure is not conducive to treating them with the respect which is due to their destructive power; **other nuclear powers do not necessarily benefit from the same technology and learning curves as the older nuclear states**, and notably the US; **cheek-to-jowl nuclear postures, which prevailed in the Cuban missile crisis and which help explain why World War III nearly occurred**, and **which characterize India and Pakistan today.** Despite the dearth of detail on Indian and Pakistani nuclear crisis management, we know that **the stability of nuclear deterrence between India and Pakistan is by no means a given, with serious risks occurring on several occasions since the mid-1980s**(17). At another level of analysis, we have to recognize the limits of the database on which we ground our policies on nonproliferation. The nuclear age, in terms of operationally usable devices, began in 1945, less than seventy years, less than the age of an old man. **The fact that there has been no accidental or deliberate nuclear use** during that length of time **is nearly twice as reassuring as the fact that it took more than thirty years** (18) **for a nuclear electricity generating plant to blow up**, in the form of the Chernobyl disaster of 1986. But given the destructive potential of nuclear weapons, twice as much reassurance (in the form of no use of nuclear weapons for close to seventy years) is probably not good enough. Furthermore, the **Chernobyl** disaster **involved the same sort of errors of judgment, procedural insufficiencies and crisis-mismanagement visible in** Scott **Sagan’s book, not only or even mainly, flawed design choices: inadvertence at work**, in other words **of the sort which could prevail in a time-sensitive, geographically constrained Indo- Pakistani or Middle Eastern conflict**. Give it another seventy years to pass judgment? **The same empirical limits apply to the number of actors at play: we have simple bipolar** (US-USSR/Russia or India/Pakistan) **and complex bipolar** (US/France/UK/NATO-Soviet Union/Russia) **experience; we’ve had** US-Soviet-Chinese or Sino- Indian-Pakistani **tripolarity**; **and** we’ve had **a number of unipolar moments** (one nuclear state vis à vis non-nuclear antagonists). **But we** mercifully **have not had to deal with more complex strategic geometries –yet- in the Middle East or East Asia**. We only know what we know, we don’t know what we don’t know. A historical narrative which is not reassuring and an empirical record that is less than compelling need to inform the manner in which we approach further proliferation. PROLIFERATION PUSH AND PULL **Ongoing proliferation differs from that of the first halfcentury of the nuclear era in three essential ways: on the demand side, the set of putative nuclear actors is largely focused in the most strategically stressed regions of the world; on the supply side, the actual or potential purveyors of proliferation are no longer principally the first, industrialized, generation of nuclear powers; the technology involved** in proliferation **is somewhat less demanding** than it was during the first nuclear age. Taken together, these changes entail growing risks of nuclear use. Demand is currently focusing on two regions, the Middle East and East Asia (broadly defined) and involves states and, potentially, non-state actors. **In the Middle East, Iran’s nuclear program is the focus of** the most **intense concerns. A potential consequence in proliferation terms would be to lead regional rivals of Iran to acquire nuclear weapons in term**: this concern was vividly in 2007 by the then President of France, Jacques Chirac (19) who **specifically** mentioned **Egypt and Saudi Arabia. The likelihood of such a “proliferation chain-reaction” may have been increased by President Obama’s recent repudiation of containment** as an option (20): short of Iran being persuaded or forced to abandon its nuclear ambitions, the **neighboring states would** presumably **have to contemplate security options other than a Cold War style US defense guarantee**. Given prior attempts by Iraq, Syria and Libya to become nuclear powers, **the probability of a multipolar nuclear Middle East has to be rated as high** in case Iran is perceived as having acquired a military nuclear capability. Beyond the Middle East, the possibility of civil war in nuclear-armed Pakistan leading to state failure and the possibility of nukes falling out of the hands of an effective central government. There are historical precedents for such a risk, most notably, but not only(21)in the wake of the collapse of the Soviet Union: timely and lasting action by outside powers, such as the US with the Nunn-Lugar initiative, and the successor states themselves has prevented fissile material from falling into unauthorized hands in significant quantities. Pakistan could pose similar problems in a singularly more hostile domestic environment. As things stand, **non-state actors, such as post-Soviet mafiya bosses** (interested in resale potential) **or Al Qaeda** (22) **have sought**, without apparent success, **to benefit from opportunities arising from nuclear disorder in the former USSR and Central Asia**. Mercifully, the price Al Qaeda was ready to pay was way below the going rate (upwards of hundreds of $million) for the sorts of services provided by the A.Q.Khan network (see below)to some of his clients. Although North Korea’s nuclear ambitions appear to be both more self-centered and more containable than is the case for Iran, the possibility of state collapse in combination with regional rivalry leave no room for complacency. More broadly **we are facing the prospect of a multipolar nuclear Middle East, linked to an uncertain nuclear Pakistan already part of a nuclear South Asia tied via China to the Korean nexus in which nuclear America and Russia also have a stake**. More broadly still, **such a nuclear arc-of-crisis from the Mediterranean to the Sea of Japan, would presumably imply the breakdown of the NPT regime**, or at least its reversion to the sort of status it had during the Seventies, when many of its currently significant members had not yet joined (23), unloosening both the demand and supply sides of proliferation. On the supply side, **“old style” proliferation relied on official cooperation between first-generation nuclear or nuclearizing powers**, of which the Manhattan project was a forerunner (with American, British and Canadian national contributions and multinational scientific teams), followed inter alia by post-1956 French-Israeli, post-1958 US-UK, pre- 1958 USSR-China cooperation. If India relied heavily on the “unwitting cooperation” , notably on the part of Canada and the US involved in the Atoms for Peace CIRUS research reactor, Pakistan set up the first dedicated, broad spectrum, crossborder trading network to make up for the weakness of its limited industrial base. This import-focused organization thus went beyond traditional espionage-aided efforts (as practiced by the USSR during and after the Manhattan project) or case-by-case purloining or diversion of useful material on the global market (as practiced by Israeli operatives). Even before the Pakistani network had fulfilled its primary task of supplying the national program, it began its transformation into an export-oriented venture. Libya, Iran, North Korea and a fourth country which remains officially unnamed became the main outlets of what became the world’s first private-sector (albeit government originated and ,presumably, supported)proliferation company which was only wound down after strong Western pressure on Pakistan after 9/11. Although the by-now richly documented A.Q.Khan network (24) appears to have ceased to function in its previous incarnation, it has powerfully demonstrated that **there is an international market for proliferation which** other **operators can expect to exploit**. Furthermore, **budding, resource-weak nuclear powers have a strong incentive to cover the cost of their investment by selling or bartering their nuclear-related assets, including delivery systems**. The fruits of state-tostate cooperation between Iran, North Korea and Pakistan are clearly apparent in the close-to-identical genealogy of their nuclear-capable ballistic missiles of the No- Dong/Ghauri/Shahab families displayed in military parades and test launches. Not all such cooperation consists of televised objects. Even in the absence of game-changing breakthroughs, **technical trends facilitate both demand and supply-side proliferation**. For the time being, **the plutonium route towards the bomb remains essentially as easy and as difficult as from the earliest years** of the nuclear era. Provided a country runs a (difficult-to-hide) research or a power reactor from which low-irradiated fuel can be downloaded at will (such as CANDUtype natural uranium reactors), reprocessing is a comparatively straightforward and undemanding task. Forging and machining a multiple-isotope metal which is notorious for its numerous physical states and chemical toxicity is a substantial challenge, with the companion complications of devising a reliable implosion mechanism. Nuclear testing is highly desirable to establish confidence in the end-result. **Opportunities for taking the plutonium-proliferation road may increase somewhat as new techniques** (such as pyro-processing) **come onstream. Developments in the enriched uranium field have been more substantial in facilitating proliferation**. The development of lighter and more efficient centrifuges make it easier for a state to extract enriched uranium speedily in smaller and less visible facilities. Dealing with the resulting military-level HEU is a comparatively undemanding task. The long-heralded advent of industrially effective and reliable laser enrichment technology may eventually further increase ease of access. Downstream difficulties would still remain. Although implosion-mechanisms are not mandatory, they are desirable in order both to reduce the critical mass of U235 for a nuclear explosion and to make for a lighter and smaller more-readily deliverable weapons package. In sum, incremental improvements increase the risk of proliferation. However, non-state actors are not yet, and will not be on the basis of known technical trends, in a position to master the various steps of the two existing military nuclear fuel cycles, which remain the monopoly of states. Nonstate actors would need the active complicity from (or from accomplices within) states, or benefit from the windfall of state collapse, to acquire a military nuclear capability. The threat of nuclear terrorism continues to be subordinated to developments involving state actors, a remark which is not meant to be reassuring since such developments (see above) are increasingly likely as proliferation spreads to new states and as state failure threatens in the ‘arc of proliferation’ extending from the Mediterranean to North-East Asia. Furthermore, non-state actors can be satisfied with levels of nuclear reliability and performance which states could not accept. A difficult-to-deliver or fizzle-prone nuclear device would not provide a state with the level of deterrence needed to shield it from pre-emptive or retaliatory action, whereas a terrorist group would not be seeking such immunity. A road or ship-delivered imperfect device, which would be closer to a radiological bomb than to a fully-fledged atomic weapon would provide its non-state owners with immense potential. The road to a non-state device does not need to be as well-paved. NUCLEAR FUTURES ‘New’ lessons from a revisited past and current trends in nuclear proliferation, will tie into a number of characteristics of contemporary international relations with potentially destabilizing consequences, leading to an increasing likelihood of nuclear use. **Four** such **characteristics will be singled out here both because of their relevance to nuclear crisis management** and because of their growing role in the world system in the age of globalization: - Strategic upsets - Limits of imagination - Unsustainable strains - Radical aims **The** 2008 **French**Defence and National Security **White Paper** (25) **developed the concept of** ‘ruptures stratégiques’ (**strategic upsets)to describe the growing tendency of the world system to generate rapid, unexpected, morphing upsets of international security as a consequence of globalization** broadly defined against the backdrop of urbanizing populations generating economic growth and environmental and resource constraints. In themselves, such upsets are not novel (see inter alia, a pandemic such as the Black Death in 1348-49, the Great Depression not to mention World Wars or indeed the major and benign strategic upset of 1989-1991) but the very nature of globalization and the relationship between human activity and the Earth’s ability to sustain them) mean more, and more frequent as well as more complex upsets. If this reading is correct –and the Great financial crisis, the Arab revolutions, the accession of China to superpower status can be mentioned as examples which followed the publication of the White paper- ,then the consequences in the nuclear arena will be twofold. First, **nuclear doctrines and dispositions which were conceived under a set of circumstances** (such as the Cold War or the India-Pakistan balance of power) **may rapidly find themselves overtaken by events**. For instance **it is easier to demonstrate that US and Russian nuclear forces still visibly bear the imprint of their 1950s template than it is to demonstrate their optimal adaptation to post-post-Cold War requirements**. Second, **more challenges to international security and of a largely unforeseeable nature mean greater strains placed on the ability of nuclear powers to manage crises against the backdrop of their possession of nuclear weapons**. In many, indeed most, cases, such ‘ruptures stratégiques’ will no doubt be handled with nuclear weapons appearing as irrelevant: hypothetical security consequences of an epidemic (such as the interhuman transmission of the H5N1 bird flu virus) or prospective conflicts resulting from climate change do not have prima facie nuclear aspects. But beyond the reminder that we don’t know that as a fact, **the probability is**, under the ‘rupture stratégique’ hypothesis, **that there will be more occasions for putting all crisis management, including nuclear, to the test.** **Human societies** tend to **lack the imagination to think through**, and to act upon, **what have become known as ‘black swan’ events** (26): **that which has never occurred** (or which has happened very rarely and in a wholly different context) **is deemed not be in the field of reality, and to which must be added eventualities which are denied because their consequences are to awful to contemplate**. The extremes of human misconduct (the incredulity in the face of evidence of the Holocaust, the failure to imagine 9/11) bear testimony to this hard-wired trait of our species. This would not normally warrant mention as a factor of growing salience if not for the recession into time of the original and only use of nuclear weapons in August 1945. **Non-use of nuclear weapons may be taken for granted rather than being an absolute taboo.** Recent writing on the reputedly limited effects of the Hiroshima and Nagasaki bombs (27) may contribute to such a trend, in the name of reducing the legitimacy of nuclear weapons. Recent (and often compelling) historical accounts of the surrender of the Japanese Empire which downplay the role of the atomic bombings in comparison to early research can produce a similar effect, even if that may not have been the intention (28). However desirable it has been, **the end of** atmospheric **nuclear testing** (29) **has removed** for more than three decades the **periodic reminders which such monstrous detonations made as to the uniquely destructive nature of nuclear weapons. There is a real and growing risk that we forget what was obvious to those who first described in 1941 the unique nature of yet-to-be produced nuclear weapons** (30). The risk is no doubt higher in those states for which the history of World War II has little relevance and which have not had the will or the opportunity to wrestle at the time or ex post facto with the moral and strategic implications of the nuclear bombing of Japan in 1945. **Unsustainable strains are possibly the single most compelling feature of contemporary proliferation. Tight geographical constraints** –**with**, for instance, **New Delhi and Islamabad located within 300 miles of each other-; nuclear multipolarity against the backdrop of multiple, criss-crossing, sources of tension in the Middle East (as opposed to the relative simplicity of the US-Soviet confrontation); the existence of doctrines** (such as India’s ‘cold start’) **and force postures** (such as Pakistan’s broadening array of battlefield nukes)**which rest on the expectation of early use; the role of non-state actors as aggravating or triggering factors** when they are perceived as operating with the connivance of an antagonist state ( in the past, the assassination of the Austrian Archduke in Sarajevo in 1914; in the future, Hezbollah operatives launching rockets with effect against Israel or Lashkar-e-Taiba commandos doing a ‘Bombay’ redux in India?) : **individually or in combination, these factors test crisis management capabilities more severely than anything seen during the Cold War** with the partial exception of the Cuban missile crisis. **Even the overabundant battlefield nuclear arsenals in Cold War Central Europe**, with their iffy weapons’ safety and security arrangements, **were less of a challenge: the US and Soviet short-range nuclear weapons so deployed were not putting US and Soviet territory and capitals at risk. It may be argued that** these **risk factors are known to potential protagonists and that they therefore will** be led to **avoid** the sort of **nuclear brinksmanship** which characterized US and Soviet behavior during the Cold War in crises such as the Korean war, Berlin, Cuba or the Yom Kippur war. **Unfortunately, the multiple nuclear crises between India and Pakistan demonstrate no such prudence, rather to the contrary**. And were such restraint to feed into nuclear policy and crisis planning –along the lines of apparently greater US and Soviet nuclear caution from the mid-Seventies onwards-, the fact would remain that **initial intent rarely resists the strains of a complex, multi-actor confrontation between inherently distrustful antagonists**. It is also worth reflecting on the fact that during the 1980s, there was real and acute fear in Soviet ruling circles that the West was preparing an out-of-the-blue nuclear strike, a fear which in turn fed into Soviet policies and dispositions (31). **The Cold War** was a set of **crises and misunderstandings** which **came within a whisker of a nuclear holocaust; India and Pakistan’s nuclear standoff is deeply unstable** not least as a result of the interaction with non-state actors; **a multipolar nuclear Middle East would make the Cuban missile crisis look easy in comparison.** **Great conflicts tend to occur when one or several of the antagonists views the status quo as sufficiently undesirable and/or unsustainable** to prompt forceful pro-action. Notwithstanding widespread perceptions to the contrary, this was not the case of the USSR and the United States during the Cold War. **The US had chosen a policy of containment**, as opposed to roll-back, of the Soviet Empire within its limits established as a result of World War II. **The Soviet Union** seized targets of opportunity outside of its 1945 area of control but **avoided direct confrontation with US forces**. Messianic language from the USSR on the global victory of communism or from the US about the end of the Evil Empire did not take precedence over the prime Soviet concern of preserving the Warsaw Pact and the US pursuit of containment – and, no less crucially, **their mutual confidence that they could achieve these aims without going to war one with the other. No such generalization can be made about the Middle East, a region in which the very existence of a key state** (**Israel) is challenged while others have gone to war with each other** (e.G.Iran-Iraq war, the Gulf War of 1990-1991), **or are riven by deep internal conflicts. Actors such as Hezbollah**, with its organic and functional links with Islamic Iran and Alawite Syria **add to the complexities and dangers**. Extreme views and actions vis à vis the strategic status quo are widely prevalent. **Although the India-Pakistan relationship corresponds to something akin to the US-Soviet ‘adversarial partnership’, that does not apply to radical non-state actors prevalent in Pakistan** with more or less tight links to that country’s military intelligence services (ISI, Inter-Services Intelligence). The potential for danger is compounded by the variety of such groups: the Pashtu-related Pakistani Taliban (TTP), Kashmiri-related groups, Jihadi militants from the core provinces of Punjab and Sind… Their common characteristics are extreme radicalism, high levels of operational proficiency, and shared enmity of India. **Their potential for triggering a conflict between the two countries is substantial, above and beyond the intentions of government officials.**

### Drone Failure

**Pakistan strikes stopped now**

**Washington Post 2/4/14** ( Karen DeYoung and Greg Miller, “U.S. said to curtail drone strikes in Pakistan as officials there seek peace talks with Taliban.” http://www.washingtonpost.com/world/national-security/us-curtails-drone-strikes-in-pakistan-as-officials-there-seek-peace-talks-with-taliban/2014/02/04/1d63f52a-8dd8-11e3-833c-33098f9e5267\_story.html)

The **Obama** administration **has sharply curtailed drone strikes in Pakistan** **after a request from the government there** for restraint as it pursues peace talks with the Pakistani Taliban, according to U.S. officials.¶ “That’s what they asked for, and we didn’t tell them no,” one U.S. official said. The administration indicated that it will still carry out strikes against senior al-Qaeda targets, if they become available, and move to thwart any direct, imminent threat to U.S. persons.¶ **Concern about Pakistani** political **sensitivities** **provides** one **explanation for the absence of strikes since December**, **the longest pause** in the CIA’s drone campaign **since** a six-week lull in **2011**, after an errant U.S. air assault killed 24 Pakistani soldiers at a border post, triggering a diplomatic crisis.

**Pak Stable, US ties stabilize all crises**

**The Express Tribune 2/2/14** ( Shamshad Ahmad, former foreign secretary of Pakistan, “US-Pakistan ties: Moving in the right direction,” The Express Tribune with The International New York Times, 2/2/14, <http://tribune.com.pk/story/666661/us-pakistan-ties-moving-in-the-right-direction/>, Acc. 2/7/14)

As the region awaits another phase of uncertainty with the scheduled US drawdown from Afghanistan later this year, it is heartening to see the **US and Pakistan** moving in the right direction. After a hiatus of three years, they **have resumed** their revitalised **Strategic Dialogue** in Washington earlier this week, **seeking** not only **stabilisation of** their bilateral relations but also exploring how to work together in stabilising **this turbulent region amid** mutual concerns over **the post-2014 Afghan scenario**.¶ This dialogue at the foreign ministers’ level was started in 2010 with three quarterly sessions held in quick succession within the same year, but then the process was interrupted by a succession of events and bilateral irritants, including the 2011 Abbottabad operation. Now the resumed session in Washington took place in the aftermath of a high-profile visit to Washington by Prime Minister Nawaz Sharif last October, and earlier, a visit to Islamabad by Secretary of State John Kerry in August 2013. Both visits provided a welcome opportunity to the two sides to prepare the ground for recovering the lost momentum.¶ The **joint statement issued in Washington at the end of the Strategic Dialogue reaffirms the two countries’ commitment** “**to strengthen** **the bilateral relationship** **and advance** their shared interest in **a stable, secure, and prosperous Pakistan** and region”. **They also reviewed** the sectoral progress in the Strategic Dialogue’s five designated a**reas dealing with energy, security, non-proliferation, defence, counterterrorism, as well as economic and commercial matters.**

**Pak Stable, econ growth**

**Pak Tribune 2/4/14** (“IMF happy economy is on track,” PakTribune, 2/4/14, <http://paktribune.com/news/IMF-happy-economy-is-on-track-266593.html>, Acc. 2/7/14)

ISLAMABAD: **The IMF has said** that **the government was fully committed** **to the reforms agenda and the economy was now on track**.¶ The **IMF mission chief**, Jeffery Franks, appreciated the efforts of the government and **said** that **the macro-economic situation of Pakistan was favourable**. The IMF believes that the Government of Pakistan was fully committed to the reforms agenda, he added.¶ Jeffery Franks appreciated the efforts of revenue collection by the FBR and also the other economic indicators of Pakistan'seconomy, which suggests that the economy is on the track and its outlook is positive.¶ The Federal Minister for Finance, Economic Affairs, Revenue and Statistics, Senator Muhammad Ishaq Dar, while chairing a meeting with the IMF delegates in Dubai, which was among others attended by senior officials of Ministry of Finance and State Bank of Pakistan, gave a detailed economic review of Pakistan's economy.¶ The **finance minister said** the government was following the Economic Reform Agenda and **nearly all the economic indicators were on track**. The **first quarterly results of the economic growth in Pakistan indicate** that **GDP** had shown a **growth of 5.0 percent** in the first quarter **as compared to 2.9 percent** of the same period **last year**, he added.

**No great power draw in**

Richard **Weitz 06**, senior fellow and associate director of the Center for Future Security Strategies at the Hudson Institute, Summer, 2006 [Washington Quarterly, “Averting a New Great Game in Central Asia”]

Fortunately, **the fact that** **Central Asia does not represent the most important geographic region for any external great power** also **works against** the revival of **a** traditional, geopolitical great-game **conflict**. **Russia, China, and the United States have strong reasons to cooperate in the region. Although each country has extensive goals in Central Asia, the resources they have available to pursue them are limited,** given other priorities. **As long as their general relations remain non-confrontational, Moscow, Beijing, and Washington are unlikely to pursue policies in a lower priority region such as Central Asia that could disrupt their overall ties**. Most often, **they will find it more efficient and effective to collaborate to diminish redundancies, exploit synergies, and pool funding and other scarce assets in the pursuit of common objectives.** Unfounded fears or overtly competitive policies could undermine these opportunities for cooperation and should be avoided.

**yemen stable- GCC support**

Mohammed **Al Ghasra 12-24** ¶ Mohammed Al Ghasra is a Bahraini writer and journalis “Debate: Yemen does not constitute a GCC security concern” http://www.aawsat.net/2013/12/article55325748

On the other hand, **many politicians have linked the stability of the GCC states to the stability and prosperity of Yemen, which has one of the poorest economies in the world.** This is not only **because of the length of the borders, which it shares with Saudi Arabia and Oman, and Yemen’s geographic position, which overlooks Bab-el-Mandeb and the coastal area opposite Somalia**. This is also because of Yemen’s vast territory and deserts which have become military bases for terrorist groups that spread terrorism to these countries.¶ **The GCC succeeded in defusing the crisis in Yemen, and the Gulf Initiative** removed former President Ali Abdullah Saleh from power in favor of his deputy, Abd Rabbuh Mansur Hadi, which **led to political dialogue to achieve conciliation.** The weakness of the Yemeni Central Government, however, allowed Al-Qaeda to grow in Yemen’s cities and vast deserts. The GCC states became involved, not only in trying to resolve the problems caused by the Arab Spring, but also the rehabilitation of Yemen, politically and economically, to turn it into a country which would be able to rely on itself and its own resources, and achieve sustainable development.