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### Overstretch

#### An exponential increase in targeted killings is coming in the status quo- Obama's recent speech broadens the target spectrum for drones

Lesley Clark and Jonathan S. Landay May 23, 2013"Obama speech suggests possible expansion of drone killings" http://www.mcclatchydc.com/2013/05/23/192081/obama-promises-anew-to-transfer.html She arrived in Washington in 2006 as a regional reporter for the Miami Herald, and later the Bradenton Herald as well. She was assigned to cover the White House in July 2011. onathan S. Landay, senior national security and intelligence correspondent for McClatchy Newspapers, has written about foreign affairs and U.S. defense, intelligence and foreign policies for more than 25 years.

WASHINGTON — President Barack Obama on Thursday defended his administration’s use of drone strikes to kill terrorists as effective, lawful and “heavily constrained,” but he also appeared to be laying groundwork for an expansion of the controversial targeted killings. In remarks at the National Defense University in Washington, Obama cast the use of such operations as a necessary part of an overall national defense strategy, even as he acknowledged targeted killings risk “creating new enemies” and could “lead a president and his team to view drone strikes as a cure-all for terrorism.” He said the U.S. is at a crossroads of national security issues with a diffuse array of terrorist threats that require a recasting of a war on terror. “Neither I, nor any president, can promise the total defeat of terror,” Obama said, contending that the threat of large-scale attacks like the Sept. 11 2001, terrorist attacks has faded as al Qaida has been weakened, but that threats like the Boston Marathon bombing and attacks in Benghazi remain. “What we can do – what we must do – is dismantle networks that pose a direct danger, and make it less likely for new groups to gain a foothold, all while maintaining the freedoms and ideals that we defend.” As part of that, he renewed a first term campaign promise to close the detention center at Guantanamo Bay, announcing that he’d lift a ban on detainee transfers to Yemen – homeland of half of the 166 captives at the detention facility. The speech served to counter critics who say the drone program has been bathed in secrecy, as Obama offered more details on when the U.S. will deploy drone strikes. But Obama’s speech appeared to expand those who are targeted in drone strikes and other undisclosed “lethal actions” in apparent anticipation of an overhaul of the 2001 congressional resolution authorizing the use of force against al Qaida and allied groups that supported the 9/11 attacks on the United States. In every previous speech, interview and congressional testimony, Obama and his top aides have said that drone strikes are restricted to killing confirmed “senior operational leaders of al Qaida and associated forces” plotting imminent violent attacks against the United States. But Obama dropped that wording Thursday, making no reference at all to senior operational leaders. While saying that the United States is at war with al Qaida and its associated forces, he used a variety of descriptions of potential targets, from “those who want to kill us” and “terrorists who pose a continuing and imminent threat” to “all potential terrorist targets.” The previous wording also was absent from a fact sheet distributed by the White House. Targeted killings outside of “areas of active hostilities,” it said, could be used against “a senior operational leader of a terrorist organization or the forces that organization is using or intends to use to conduct terrorist attacks.” The preconditions for targeted killings set out by Obama and the fact sheet appear to correspond to the findings of a McClatchy review published in April of U.S. intelligence reports that showed the CIA killed hundreds of lower-level suspected Afghan, Pakistani and unidentified “other” militants in scores of drone attacks in Pakistan’s tribal are during the height of the operations in 2010-11. Nearly 4,000 people are estimated to have died in U.S. drone strikes since 2004, the vast majority if them conducted by the CIA in Pakistan’s tribal area bordering Afghanistan. The fact sheet also said that those who can be killed must pose a “continuing and imminent threat” to “U.S. persons,” setting no geographic limits. Previous administration statements have referred to imminent threats to the United States – the homeland or its interests. “They appear to be broadening the potential target set,” said Christopher Swift, an international legal expert who teaches national security studies at Georgetown University and closely follows the targeted killing issue. At the same time, new presidential guidance on targeted killings that Obama signed Wednesday appeared designed to address charges by some legal scholars and civil and human rights groups that the administration has relied on an overly broad definition of “imminent” that exceeds the international legal standard. In his speech, Obama introduced the phrase “continuing and imminent” in what Swift saw as an effort to better define when the U.S. government can use lethal force. “The standard for the use of force appears to be narrowing because they’ve introduced the standard of imminent and continuing,” Swift said. “Imminent means that the threat poses clear, credible and immediate risk of violence.” Swift said he still has serious problems with the administration’s criteria for targeted killing because it has yet to publicly identify beyond the Afghan Taliban and al Qaida’s regional affiliates the groups that it considers “associated forces” of the terrorist network and the criteria it uses to define them. Several other experts said they also remained troubled because Obama continued to keep secret details of the procedures that the administration uses in deciding who can be targeted in drone strikes and other lethal operations off traditional battlefields. “I don’t think anyone should feel reassured by anything that President Obama said about the use of lethal force,” said Zeke Johnson of Amnesty International. The speech came as the administration has been rattled by a series of controversies, and Obama sought to stem growing criticism of the drone program from members of Congress and civil and human rights groups that charge it’s killed hundreds of civilians and violates U.S. and international law. Obama said the guidelines he signed Wednesday include working with other countries and only using strikes when the U.S. – or other governments – do not have the ability to capture terrorists. He said the U.S. preference is to detain and prosecute, and that drone strikes are not used as “punishment” but to prevent attacks waged by terrorists who pose a “continuing and imminent threat to the American people.”

#### Drones deconstruct the norms of warfare- 3 warrants

Paul Kahn 2011 "Imagining Warfare" http://www.iilj.org/courses/documents/2011Colloquium.Kahn.pdfPaul W. Kahn is the Robert W. Winner Professor of Law and the Humanities at Yale Law School and the Director of the Orville H. Schell, Jr. Center for International Human Rights.

This new, high-tech weaponry disrupts many of our traditional expectations about warfare. Gone are long-established ideas about the place or time of combat. Gone too is the traditional idea of the combatant. The drone targets a particular individual, not a class or category of combatants. The victim is targeted for what he has done or is planning to do, not for his status. A person identified in this way has been eliminated; he may have been targeted while he was engaging in the most ordinary activities of private life. The drone is the technological equivalent of the assassin, but without the risk of personal presence.4 That absence means that the drone operates in a zone of asymmetrical violence. The operator kills, but is so removed from battle that he is unlikely even to think of himself as a combatant. He may work a desk job in an office building in an American suburb. Cumulatively, these three categories of disturbance canvas the basic elements of the political imaginary of warfare. Borrowing from Kant, we can call the first category the “aesthetics” of warfare: the spatial and temporal frame of the experience. We can call the second, the subjectivity of the combatant: is the combatant an individual or a corporate subject? The third category is that of the internal morality of combat. Traditionally, combat established a relationship of reciprocal risk – killing was linked to a willingness to be killed. Does the combatant’s privilege of killing depend upon some such reciprocity? At issue in these three categories are the where, the who, and the ethos of political violence. These categories locate us in a common world of meaning. Responding to these categories one way located us in world of warfare; answering them another way located us in a world of law enforcement. Each has been its own world. These worlds, however, are intersecting in contemporary conflicts. One consequence of that intersection is that we don’t know what body of law to apply: international humanitarian law or criminal procedure. Each of these dimensions – the aesthetics, subjectivity, and ethos of combat – must be investigated. That is a large task that can only be sketched here. The problem we confront is not the absence of norms with respect to violence, but rather a surfeit of norms that are not well ordered with respect to each other. There is not one right way to kill and be killed for the sake of political ends. Elsewhere and at other times practices have been different. We can only proceed by examining our own political imaginary as it constructs an image of the ends and means of responding to violence.

#### Allowing these norms to collapse situates the political imaginary of asymmetrical states towards policing and away from sovereignty- war dictates politics instead of the other way around

Paul Kahn 2011 "Imagining Warfare" http://www.iilj.org/courses/documents/2011Colloquium.Kahn.pdfPaul W. Kahn is the Robert W. Winner Professor of Law and the Humanities at Yale Law School and the Director of the Orville H. Schell, Jr. Center for International Human Rights

There is a banal question that the United States often faces with respect to military deployments around the world. Who, we are asked, made you the policeman to the world? The answer is no one. Communities should be free to make their law for themselves and to struggle with issues of enforcement. The history of nations is not a story of progress, but of struggle. If we believe that national politics is of value, then it is their struggle. We are remarkably obtuse to the lessons of our own history, if we fail to recognize this. What if Britain, prior to the Civil War, had invaded the United States in order to end the practice of slavery? Despite the justice of the end, would the nation have united in resistance? As I argued above, every war can become one of self-defense. Of course, as with any principle, there are exceptions. Nevertheless, our own practices suggest how narrow they are.81 Acknowledging that we are not the world’s policeman, however, does not answer the question of whether we can or should deploy violence abroad. The United States has been more than willing to go to war against its enemies. Indeed, America has been at war or preparing for war for most of the last 100 years. War is not to be explained in terms of justice – the end of law – but in terms of existence. It is the response to the perception of an existential challenge to the popular sovereign. As long as such threats are imagined, war will shape our politics. War and law enforcement are not just formal categories. They refer to structures of the political imaginary before they refer to structures of law. I have tried to delineate the basic categories through which this framing takes place: the aesthetics of war, the subjectivity of the combatant, and the ethos of war. Together, these elements produce a picture of what war is, what it is about, and what norms should govern it. Today, however, we are in an uncertain time. The old pattern of war between sovereign states is breaking apart in the face of new threats. The different elements no longer exist in relationships of mutual support. The balance among the technology of violence, the politics of war, and our normative understanding of the character of the practice no longer holds. Political violence is no longer between states with roughly symmetrical capacities to injure each other; violence no longer occurs on a battlefield between masses of faceless combatants; and those involved no longer seem morally innocent. The drone is both a symbol and a part of the dynamic destruction of what had been a stable imaginative structure. It captures all of these changes: the enemy is not a state, the target is not innocent, the engagement occurs in a normalized time and space, and there is no reciprocity of risk. We can call this situation “war,” but it is no longer clear exactly what that means. If terrorism is with us to stay, we are going to have to have to move beyond criminal or enemy. The confrontation with terror will evolve its own norms, borrowing from the traditional categories of both law enforcement and war. We will need to imagine violence organized around forms of administrative rationality. This is something we have been reluctant to do, given the history of administrative death in the 20th century. Perhaps this time the need will make us more responsive to international institutions than our practice of sacrifice of the corporate body. We simply don’t know. We cannot know, for it is not up to us alone. The terrorist who is presently neither criminal nor enemy will have a good deal to say about this.

#### The paradigm shift destroys the legal distinction between criminal and enemy

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This relationship of representation to identity provides the fundamental structures of the modern political imagination.16 Unless we keep both dimensions of the modern state in mind, we will be at a loss to understand its deeply paradoxical character. The state promised individual well-being under the rule of law, but it also made a total claim on the lives and property within its jurisdiction. The Hobbesian sovereign ended one state of nature only to establish another. The war of individuals ended, while that of states began. It is not at all clear which should be thought of as the more dangerous condition: to be murdered in the state of nature or to die for one’s country. The state was simultaneously the vehicle for peace and war, for life and death. The logic of law pointed to individual well-being as the ground of legitimacy, while sovereign presence depended upon citizens willing to sacrifice themselves. The modern state has been this curious combination of well-being and sacrifice. We hear echoes of this duality today when the American war on terror is simultaneously criticized for its failure to comply with law and for its failure to call on the entire population to share in sacrifice. Political identity in the modern state has been a negotiation of these basic categories. The double character of the state as both an inward order and an outward threat is seen in the multiple pairings of our basic political concepts: law and sovereignty, peace and war, well-being and sacrifice. Carl Schmitt was standing within this tradition when he identified the friend/enemy distinction as the defining political conception.17 That pairing, however, is no more basic than any of the others, including criminal and enemy.

#### That's key to the legitimacy of the state- absent concrete political definitions violence and war become forces that must always be confronted

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Criminal or enemy made literally a world of difference. Entire bodies of law, substantive and procedural, turned on this distinction. More important, our understanding of ourselves – who we are and what we are doing – continues to turn on it.5 Are we defending the state or enforcing the law? Are we killing the enemy or punishing the criminal? Despite the importance of the distinction, there is no formal check list and no single characteristic by which we can determine whether the object of our violence is criminal or enemy. We are long past the time when the declaration of war might have marked the difference.6 We cannot even confidently rely on the presence of the military to tell us that we confront the enemy.7 Especially in a democracy, the question is one of perception: do we see a criminal act or an act of war? Before there is legal distinction, there is an act of the imagination. Getting this distinction right, then, has less to do with law than with popular perception. It is a political decision – some might say the political decision.8 A government that sees criminals where the populace sees the enemy will be judged ineffective or weak. If it sees enemies where the populace sees criminals, it will be judged illegitimate and authoritarian. Governments, of course, are not merely passive in this regard. They try to shape public opinion, but they do not control it. Criminal and enemy amount to different, even opposing, ways of ordering elements within what Clifford Geertz called “webs of significance.”9 Those elements range across the three categories of aesthetics, subjectivity, and ethos. All of these factors are related through habits of thought and perception; all of them are contestable, for we deal here with matters of interpretation. A change in any one factor can lead to a different weighting of the others. Where we once saw an enemy, we may come to see a criminal – and vice versa. Max Weber can help us to begin to frame the inquiry as one that juxtaposes law to sovereignty, which will in turn provide the broad foundation for the distinction of the criminal from the enemy. Weber famously defined the state as a community that successfully claims a monopoly on the legitimate use of violence within a territorial jurisdiction.10 His definition drew on several centuries of imaginative political framing, beginning with Hobbes’s idea of exit from the state of nature. The state of nature is precisely the situation in which there is no successful monopoly on violence. Without that, individuals and groups may be stronger or weaker, they may win or lose over some period of time, but they constantly confront the explicit or implicit threat of violence from others. Only a common belief in legitimacy brings stability.

#### Micro militarism and hot spot management is the kiss of death for unipolar hegemons and accelerates the collapse.

McCoy ’10MONDAY, DEC 6, 2010 02:01 PM CST [How America will collapse (by 2025)](http://www.salon.com/2010/12/06/america_collapse_2025/) Four scenarios that could spell the end of the United States as we know it -- in the very near future BY ALFRED MCCOY <http://www.salon.com/2010/12/06/america_collapse_2025/>Alfred W. McCoy is the J.R.W. Smail Professor of History at the University of Wisconsin-Madison. He is the author of A Question of Torture: CIA Interrogation, "From the Cold War to the War on Terror." Later this year, "Policing America's Empire: The United States, the Philippines, and the Rise of the Surveillance State," a forthcoming book of his, will explore the influence of overseas counterinsurgency operations on the spread of internal security measures here at home

Counterintuitively, as their power wanes, empires often plunge into ill-advised military misadventures. This phenomenon is known among historians of empire as “micro-militarism” and seems to involve psychologically compensatory efforts to salve the sting of retreat or defeat by occupying new territories, however briefly and catastrophically. These operations, irrational even from an imperial point of view, often yield hemorrhaging expenditures or humiliating defeats that only accelerate the loss of power. Embattled empires through the ages suffer an arrogance that drives them to plunge ever deeper into military misadventures until defeat becomes debacle. In 413 BCE, a weakened Athens sent 200 ships to be slaughtered in Sicily. In 1921, a dying imperial Spain dispatched 20,000 soldiers to be massacred by Berber guerrillas in Morocco. In 1956, a fading British Empire destroyed its prestige by attacking Suez. And in 2001 and 2003, the U.S. occupied Afghanistan and invaded Iraq. With the hubris that marks empires over the millennia, Washington has increased its troops in Afghanistan to 100,000, expanded the war into Pakistan, and [extended its commitment](http://www.tomdispatch.com/blog/175324/tomgram%3A_engelhardt%2C_general_petraeus%27s_two_campaigns/) to 2014 and beyond, courting disasters large and small in this guerilla-infested, nuclear-armed graveyard of empires.

#### **The decline of American power creates transnational corporations and multilateral forces degrading the earth to urban and rural wastelands with feral failed cities littered with explosions and suicide bombers.**

McCoy ’10MONDAY, DEC 6, 2010 02:01 PM CST [How America will collapse (by 2025)](http://www.salon.com/2010/12/06/america_collapse_2025/) Four scenarios that could spell the end of the United States as we know it -- in the very near future BY ALFRED MCCOY <http://www.salon.com/2010/12/06/america_collapse_2025/>Alfred W. McCoy is the J.R.W. Smail Professor of History at the University of Wisconsin-Madison. He is the author of A Question of Torture: CIA Interrogation, "From the Cold War to the War on Terror." Later this year, "Policing America's Empire: The United States, the Philippines, and the Rise of the Surveillance State," a forthcoming book of his, will explore the influence of overseas counterinsurgency operations on the spread of internal security measures here at home

As U.S. power recedes, the past offers a spectrum of possibilities for a future world order. At one end of this spectrum, the rise of a new global superpower, however unlikely, cannot be ruled out. Yet both China and Russia evince self-referential cultures, recondite non-roman scripts, regional defense strategies, and underdeveloped legal systems, denying them key instruments for global dominion. At the moment then, no single superpower seems to be on the horizon likely to succeed the U.S. In a dark, dystopian version of our global future, a coalition of transnational corporations, multilateral forces like NATO, and an international financial elite could conceivably forge a single, possibly unstable, supra-national nexus that would make it no longer meaningful to speak of national empires at all. While denationalized corporations and multinational elites would assumedly rule such a world from secure urban enclaves, the multitudes would be relegated to urban and rural wastelands. In “Planet of Slums,” Mike Davis offers at least a partial vision of such a world from the bottom up. He argues that the billion people already packed into fetid favela-style slums worldwide (rising to two billion by 2030) will make “the ‘feral, failed cities’ of the Third World… the distinctive battlespace of the twenty-first century.” As darkness settles over some future super-favela, “the empire can deploy Orwellian technologies of repression” as “hornet-like helicopter gun-ships stalk enigmatic enemies in the narrow streets of the slum districts… Every morning the slums reply with suicide bombers and eloquent explosions.”

#### Drones make global war inevitable

Dennis Kucinich 9/24/11 "Kucinich on the Ever Expanding Use of Drones to kill: Unaccountable, Immoral, and by Definition Inhuman"http://www.nationofchange.org/kucinich-ever-expanding-use-drones-kill-unaccountable-immoral-and-definition-inhuman-1316878659Having been elected to Cleveland's City Council at age 23, Dennis J. Kucinich was well-known to Cleveland residents when they chose him as their mayor in 1977 at the age of 31. At the time, Kucinich was the youngest person ever elected to lead a major American city. Since being elected to Congress in 1996, Kucinich has been a tireless advocate for worker rights, civil rights and human rights.

‘Not even the American public, let alone the international community, knows when and where the CIA has authorized the kill, the criteria for individuals who may be killed, how the CIA insures killings are legal, and what follow-up there is when civilians are illegally killed. It follows that the international law requirements of transparency and accountability are comprehensively violated.’ “The drone program is operating with increasing impunity. Last year, it was reported that the CIA had added U.S. citizens to its targeted killing list, in subversion of their basic constitutional rights and due process of law. Intelligence operations that have no transparency, no accountability and no oversight inevitably leads to violations of international law and violations of the Constitution of the United States. “It is no secret that drone strikes conducted by the CIA abroad as part of our counter-terrorism operations have resulted in the deaths of innocent civilians. According to a study by the New America Foundation of U.S. drone strikes in Pakistan, at least 32% of those killed by the strikes were civilians. I have long argued that the legal justification for the use of drones in Pakistan could be used to justify strikes in other countries we are not at war with. The concern that our current legal framework will stretch the battlefield to anywhere in the world appears to be coming true. “Earlier this year, the House passed the Fiscal Year 2012 National Defense Authorization Act which included dangerous and unprecedented language declaring that the United States is in an armed conflict with not only al Qaeda and the Taliban, but ‘associated forces’ and individuals, organizations and nations that support such forces. The President could then have the full legal authority to send American troops to engage in acts of war anywhere--Yemen, Somalia, Iran, even the United States--without constitutionally required Congressional authorization and, consequently, without any restrictions or oversight from the American people or Congress. “The increasing malleability of who the United States calls its enemies and the legal justification it uses to go after them significantly undermines our moral standing, international law and laws of war. This technology and this malleability are leading us toward a state of permanent global war.”

### Soft Power

#### Obama has a unique opportunity to revive American soft power in his second term but the plan is key

Hayes 2012 (Nick Hayes, professor of history who holds the university chair in critical thinking at Saint John's University, December 3, 2012, Minnesota Post, http://www.minnpost.com/politics-policy/2012/12/troubling-questions-about-obama-s-drone-warfare)

My last post argued that, in the wake of his election victory and on the eve of his second term, President Obama stands at what could be his “Truman moment” as a “post war” president. More than a decade of war consumed the two terms of the Bush administration and Obama’s first term. He now faces an historic opportunity to articulate the doctrine and design the framework for an imperfect but lasting peace.

The post stirred up quite of reaction of a number of you. Some readers trashed my interpretation of the past and the present. One reader remembered that long, long ago, I was an aspiring poet and pacifist.

Several readers took me to task for not mentioning Obama’s third war. He has withdrawn from one conventional war in Iraq and promised to complete the withdrawal from the second -- the war in Afghanistan -- by the end of 2014. He is not relenting from a third, highly unconventional war: U.S. drone warfare against suspected terrorist targets in the Middle East and South Asia.

The drone warfare campaign threatens to cost the president much of his political capital abroad. Last week, the PEW Global Attitudes Project released a report with mixed news for Obama. The good news confirmed that world public opinion cheered Obama’s victory over Mitt Romney in the election. The bad news lay in the increasing and widespread disapproval of his foreign policy in general, and especially his use of drone attacks.

World criticism

Criticism of Obama’s drone warfare campaign stands at 80 percent in Egypt, Turkey and Jordan; 75 percent in Spain and Japan; 63 percent in France, and 59 percent in Germany. His personal popularity gives Obama valuable political capital abroad that he should spend wisely to build support for his diplomatic initiatives, especially in the Middle East, and not waste it to vindicate drone warfare that generates more enemies than it kills.

#### Drones now tank US cred—no oversight

Zenko 13, (Micah, fellow at the Council on Foreign Relations, with expertise in Conflict Prevention; US national security policy, military planning and operations and nuclear weapons policy. “Reforming U.S. Drone Strike Policies”, Council on Foerign Relations Special Report no. 65, January 2013 <http://www.cfr.org/wars-and-warfare/reforming-us-drone-strike-policies/p29736>, pg15)

The problem with maintaining that drone strikes are covert is that both the American and international publics often misunderstand how drones are used. And in affected states, citizens often blame the United States for collateral damage that could have been caused by the host states’ own weapon systems. According to a recent report from Yemen: It’s extremely difficult to figure out who is responsible for any given strike. . . . It could be a manned plane from the Yemeni Air Force or the U.S. military. Or it could be an unmanned drone flown by the U.S. military or the CIA. . . . But no matter who launches a particular strike, Yemenis are likely to blame it on the Americans. What’s more, we found that many more civilians are being killed than officials acknowledge.37 Congressional oversight of drone strikes varies depending on whether the CIA or the U.S. military is the lead executive authority. The CIA, according to the chair of the Senate Select Committee on Intelligence, Senator Dianne Feinstein, meets its “fully and currently informed” legal obligations through “monthly in-depth oversight meetings to review strike records and question every aspect of the program.” 38 Individual JSOC strikes are not reported to the relevant armed services committees, but are covered under the broad special access program biannual reporting to Congress. According to senior staff members on the Senate Foreign Relations Committee and House Foreign Affairs Committee, many of their peers have little understanding of how drone strikes are conducted within the countries for which they are responsible for exercising oversight. Even serving White House officials and members of Congress repeatedly make inaccurate statements about U.S. targeted killings and appear to be unaware of how policies have changed over the past decade.39 At the same time, the judiciary committees have been repeatedly denied access to the June 2010 Office of Legal Counsel memorandum that presented the legal basis for the drone strike that killed U.S. citizen and alleged leader of AQAP Anwar al-Awlaki in September 2011.40 Finally, despite nearly ten years of nonbattlefield targeted killings, no congressional committee has conducted a hearing on any aspect of them.

#### **Generic Soft-Power defense doesn't apply, The US’s new role in global public health means that it has to take different steps to get people on board**

Kickbush ’02 Influence And Opportunity: Reflections On The U.S. Role In Global Public Health¶ [Ilona Kickbusch](http://content.healthaffairs.org/search?author1=Ilona+Kickbusch&sortspec=date&submit=Submit) doi: 10.1377/hlthaff.21.6.131¶ Health Aff November 2002 vol. 21 no. 6 131-141http://content.healthaffairs.org/content/21/6/131.long lona Kickbusch is head of the Division of Global Health at the Yale University School of Medicine, Department of Epidemiology and Public Health. From 1994 to 1998 she was director of communication at the World Health Organization in Geneva

Building a soft-power leadership role.¶ What could be the first steps in building a soft-power leadership role for the United States, taking into account its tendency toward global unilateralism within the administration and political system, on the one hand, and the collective intentionality for recognizing health as a global public good in the nongovernmental community, on the other? It is not helpful to give a long list of “shoulds,” ranging from financial contributions to world agreements, when what is needed is a change in mindset.¶ A first step would be to initiate a truly high-profile public debate on America’s role in global health that gives voice to the many actors, including government, NGOs, the private sector, universities, foundations, the media, and professional organizations. Such a debate would include a series of public hearings on the issues of equity, trade, access to drugs, governance mechanisms, financing global public goods, and the like, thus moving the agenda beyond disease control. It would therefore need not only to be a dialogue of health experts but also to include foreign policy, security, and other policy arenas of relevance.¶ Such a dialogue would go far beyond analyzing the U.S. role in international health agencies and beyond the financial contributions it makes either in multilateral or bilateral actions. It would focus in a much broader fashion on how the United States as a whole—its government, its private sector, its NGOs and foundations, its academic institutions, and its citizens—contributes to and is affected by the global distribution of health and disease. It would take global health from a technical focus into the political arena and identify the political choices that are at stake as well as priority responses.

#### Specifically its key to deal with pandemics and climate change.

Joseph S. Nye, pub. date: 2-16-07, former assistant secretary of defense and president of Harvard's Kennedy school of government, “The long view on China, political Islam and American power,” Financial Times, Lexis Nexis

The third determinant will be American power and how it is used. The US will remain the most powerful country in 2020, but the paradox is that the strongest state since Rome will not be able to protect its citizens acting alone. The US's military might is not adequate to deal with threats such as global pandemics, climate change, terrorism and international crime. These issues require cooperation and the soft power of attracting support. Defeating Islamist terrorism, for example, requires international intelligence and police co-operation, as well as drying up the sources of radical recruits. While hard military power will remain crucial for deterrence, alliances and stability, if we use it in the wrong way, we will undercut the soft power we need to win. Thus far, intelligence reports that US policies have created more new terrorists than they have destroyed. One of the determinants of the future will be whether the US recovers the ability it once had in the cold war to combine hard and soft power into smart power.

#### AND alliances key to global co-op Kreisher 12 (Otto Kreisher, Former Naval Officer/veteran Washington correspondent and defense journalist, “Chuck Hagel, Touted As Next SecDef, Argues For Soft Power, Allies”, December 10 2012, Breaking Defense, http://breakingdefense.com/2012/12/10/chuck-hagel-touted-as-next-secdef-argues-for-soft-power-allie/ )

Perhaps with an eye toward America losing its preeminent military position, Hagel argued that “engagement” is the key to address many international problems. In the national security world, engagement generally encompasses negotiations or multinational efforts. It has never been a popular tactic among most Republicans and some pro-military Democrats. However, Hagel insisted that “engagement is not surrender, it’s not appeasement,” clearly taking on some of his GOP colleagues, who have slung around appeasement — associated with the foolish actions of British Prime Minister Neville Chamberlain as he tried to avert war with Germany — to describe some of President Barack Obama’s efforts to prevent international tensions from flaring into conflict. Engagement is “an opportunity to better understand” others, Hagel said, and to bring “mutual self respect” among contesting parties. As the U.S. faces a litany of problems and potential crises in the future, he said, “we will need to turn our receivers on and our transmitters off.” The emerging issues, Hagel said, “are beyond the control of any great power” and the U.S. “cannot solve them alone.” Instead, they must be addressed through alliances, through “joint thinking,” he said.

#### Arctic warming is bringing new diseases-threatens the human population

Cooke 6/10 With rising temperatures comes strong evidence that the Arctic is seeing a spike in the rate of various diseases. ¶ 'We should recognize disease as a harbinger of a warming world.'¶ By Kieran Cooke Climate News Network June 10, 2013 <http://wwwp.dailyclimate.org/tdc-newsroom/2013/06/arctic-disease> Kieran has carried out writing and editing projects for, among others, the World Wildlife Fund ([WWF](http://www.wwf.org.uk/)), the United Nations Environment Programme ([UNEP](http://lightershadeofgreen.com/www.unep.org)) and the Forests and the European Union Research Network ([FERN](http://www.fern.org/))

LONDON – A cow grazing on the lush pasturelands of Cornwall in southwest England and a seal swimming in the ice cold waters of the Arctic might not appear to have much in common.¶ Yet the two are increasingly linked by tuberculosis, with a strain of the disease threatening cattle populations in Britain and elsewhere now showing up among seals in the high Arctic.¶ Claire Heffernan, a veterinarian and a specialist in global health and disease interaction between animals and humans, said that as the climate warms in Arctic regions, more and more diseases from Europe and elsewhere are spreading there, threatening both animal and human populations.¶ "In the past diseases might not have survived in the cold temperatures and the ice of the Arctic but as the region warms a new dynamic is introduced," Heffernan told Climate News Network.¶ "We need to fundamentally alter the way we look at disease in the context of climate change. We should recognize disease as a harbinger of a warming world."

#### And risks biodiversity loss- migration patterns.

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Wide variety of diseases¶ Heffernan, a senior fellow at the Smith School for Enterprise and the Environment in Oxford and director of the livestock development group at the University of Reading, said a wide variety of diseases have recently become evident among Arctic animal populations.¶ Toxoplasma, a parasite common in European cat populations, is now being found in polar bears in Greenland. Erysipelas, a disease of domestic pigs, is being found in musk oxen in the Canadian Arctic: The animals have also been found to have contracted Giardiasis, an intestinal parasite of humans. Meanwhile West Nile virus has been found in wolf pups in the Canadian Arctic Such diseases could have been transmitted in a variety of ways, said Heffernan. The spread of Toxoplasma, for example, might be the result of people flushing cat feces down toilets in the United States and Europe which are then carried by tides to the Arctic. More people are visiting the region. Tourists defecating in the wilds might be the cause of the spread of Erysipelas.¶ "The Arctic is like a Heathrow airport in terms of bird, seal and other migration patterns so that's another way disease is easily spread," said Heffernan. And the disease pathway is not all one way, she added: Pathogens can also be transmitted from the Arctic to elsewhere in the world.

#### **Climate change is releasing new diseases and uncovering old ones in the Arctic- Anthrax, TB, and other ancient diseases**

Cooke 6/10 With rising temperatures comes strong evidence that the Arctic is seeing a spike in the rate of various diseases. ¶ 'We should recognize disease as a harbinger of a warming world.'¶ By Kieran Cooke Climate News Network June 10, 2013

New disease transmission cycle¶ "The point is no one is really joining up the dots between climate change and the spread of disease," Heffernan said. "There's a whole new disease transmission cycle appearing in the Arctic which we just don't understand."¶ Human disease levels in the Arctic are a continuing concern, she noted. Rates of TB among the Inuit of northern Canada are far higher than in the general populationMajor economic change and development now taking place in the Arctic means previously nomadic people are moving to towns in search jobs. Ice melt is also forcing more into settlements. With people living in close proximity to each other, disease tends to spread faster. Infant mortality in the Arctic, much of it due to diseases curable elsewhere in the world, is considerably higher than elsewhere."In 1930s there was a temperature spike in the Arctic which led to an outbreak of malaria," said Heffernan. "In subsequent years chloroquine was used to combat it. But what happens now, with temperatures rising and the prevalence of chloroquine-resistant malaria?"¶ Early in the last century there were periodic outbreaks of anthrax in the Russian Arctic, resulting in the deaths of thousands of deer and cattle. Some Russian scientists and officials have warned that burial sites of those anthrax infected animals are now being exposed.¶ "As the Arctic melts, ancient pathogens can suddenly escape," Heffernan said. "No one knows for certain how many livestock burial sites there are in the Russian Arctic – I've seen estimates ranging from 400 to 13,000."¶ In recent years there have been several anthrax outbreaks affecting both cattle and people reported in the region, particularly among communities of the indigenous Yakut communities, who often live near to such burial sites.¶ With Arctic temperatures rising at more than twice the rate of the rest of the world, Heffernan said there's an urgent need to link disease and climate change and tackle health issues.

#### **Soft power is crucial to the region- needs common agreements and uniform laws.**

Cooke 6/10 With rising temperatures comes strong evidence that the Arctic is seeing a spike in the rate of various diseases. ¶ 'We should recognize disease as a harbinger of a warming world.'¶ By Kieran Cooke Climate News Network June 10, 2013**¶**Preventing action¶ But there are a number of problems preventing concerted action: the Arctic is governed by different states with different laws. There's not even a common agreement among Arctic nation states on the region's boundaries. There's a dearth of trained medical staff and research across the region. When it comes to statistics, the Arctic is something of a black hole with health data subsumed into more general country-wide statistics.¶ "There's very little biosecurity work going on in the Arctic," said Heffernan. "We have the means to control so many of these diseases. There must be urgent, concerted, joined-up action."

#### **Russia is at huge risk for favorable disease outbreak- multiple warrants**

Revich et. al ’12 Boris Revich,1,\* [Nikolai Tokarevich](http://www.ncbi.nlm.nih.gov/pubmed/?term=Tokarevich%20N%5Bauth%5D),2 and [Alan J. Parkinson](http://www.ncbi.nlm.nih.gov/pubmed/?term=Parkinson%20AJ%5Bauth%5D)3¶ 1Institute of Forecasting, Russian Academy of Sciences, Moscow, Russia¶ 2Paster Institute of Epidemiology and Microbiology, Saint-Petersburg, Russia¶ 3Arctic Investigations Program, Division of Preparedness and Emerging Infections, National Center for Emerging and Zoonotic Infectious Diseases, Centers for Disease Control and Prevention, Alaska, Anchorage, USA 2012 Boris Revich et al http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3417549/

A warming Russian Arctic will be associated with a northward expansion of plants and animal associations including their bacterial viral and parasitic flora. These associations will create favourable conditions for the emergence of infectious diseases in regions that were previously free of these pathogens. Several conclusions can be made regarding the potential emergence of zoonotic infectious diseases and their possible influence on the public health of the population of the Russian Arctic:¶ Monitoring of many zoonotic infectious diseases in the Russian Arctic is insufficient; The Russian Arctic is sparsely populated. Many people live in remote settlements with limited access to medical and public health services. Thus many infectious diseases may go undetected and result in an underestimate of the true rate of infection. Efforts should be made to evaluate and improve existing monitoring systems.¶ There is a need to improve laboratory diagnostics for many of these diseases. The finding suggest the need for improved diagnostics of tick-borne infections.¶ There is a need to educate medical providers, public health officials and the public on the role of climate change in the emergence of zoonotic infectious diseases and prevention strategies that can be used. A warming Arctic may also change social behavioural. In a warmer climate people tend to spend more time outdoors in recreational activities, which increases their contacts with vectors of zoonotic infectious diseases emphasizing the need to educate the population on measures that may prevent their exposure.¶ There is a need to raise awareness of at-risk populations to the potential for infection. These may include hunters and workers in the deer breeding and meat handling industries to the potential of infection from contact with meat, skins, and hides.¶ Anthrax cattle burial sites need to be more carefully monitored, for example, by regular visual check-ups of soil condition and bacteriologic analyses of soil samples.

## Plan

#### Text: The United States Congress should restrict the 2001 Authorization to Use Military Force war powers authority of the President of the United States to authorize targeted killings.

## Solvency

#### Congressional authority is key to check mission creep and perpetual war

James Jay Carafano, Ph.D. March 24, 2011 "Should the President Have Asked Congress for a Declaration of War Against Libya Before Bombing? No" http://www.heritage.org/research/commentary/2011/03/should-the-president-have-asked-congress-for-a-declaration-of-war-against-libya-before-bombing-no James Jay Carafano, a leading expert in national security and foreign policy challenges, is The Heritage Foundation’s Vice President, Foreign and Defense Policy Studies, E. W. Richardson Fellow, and Director of the Kathryn and Shelby Cullom Davis Institute for International Studies.

No one declares war anymore! Not since World War II has any nation declared war on another — with the possible exception of a 1967 declaration against Israel by five Arab countries. While fighting remains as common as ever, the practice of issuing formal declarations has gone out of style.¶ It's not the first time that's happened. Formal declarations of war fell out of fashion during the 17th century, too. Our Founding Fathers thought that was wrong, and so they stuck a requirement in the Constitution saying Congress must approve a declaration before the nation went to war.¶ But that provision was never intended as an absolute check on executive power. Not all military operations constitute wars. Nor is a war declaration the only legitimate way Congress can signal support for military operations.¶ As "The Heritage Guide to the Constitution" points out, there have been only five declared wars in our nation's history, but numerous other hostilities "have been specifically authorized by Congress through instruments other than formal declarations." The framers of the Constitution, however, did think there was something important about "formal" declarations. Democracies, they felt, were fundamentally different from other states and ought to be as open and transparent as possible about what they were doing.¶ War declarations are part of that transparency regimen. When you declare war, you specify your grievances and how you expect to resolve them. That is actually a good practice, and it is too bad democracies have gotten away from it.¶ Yet, clearly, President Barack Obama has the authority to order the current operations in Libya. The Constitution divides the powers of initiating military actions between the executive and Congress to foster deliberation and consultation to the extent possible under the circumstances. But at the end of the day, the president is the commander in chief. He alone bears the legal and moral responsibility for ordering U.S. armed forces into action.¶ What rankles most about the president's decision on Libya is the lack of open deliberation and discussion. Certainly he had time to consult Congress and the American people, yet he spent much more time consulting the U.N. Security Council.¶ It is discomforting to see an American president seemingly defer to the United Nations rather than lead the country. Moreover, the U.N. resolution he got does not help much. The United Nations is not sovereign, nor do we need its permission to act.¶ Furthermore, the resolution is vague and open-ended. And Obama so far has done little to provide clarity about our objectives and our commitment.¶ These are serious concerns. The lack of congressional consultation and the vagueness of the mission deny Americans what the Constitution intended: a clear statement of purpose about U.S. military action. It is vital to avoid "mission creep" and perpetual fighting.¶ All that said, a declaration of war against Libya would be a bad idea, because going to war in Libya is a bad idea. That is not to say that the United States should do nothing, but Libya does not merit significant, protracted operations by U.S. forces.¶ You fight wars to protect vital national interests. The United States has legitimate interests in the outcome of the Libyan turmoil: seeing Gadhafi brought to justice, and not seeing a new terrorist haven established, a humanitarian crisis, or civil war spreading to nearby nations. But these concerns fall short of being vital national interests and can be addressed through measures short of war.¶

#### Presidential military excursions are inevitable absent Congressional action

GENE HEALY JULY 9, 2008 "The Power to Consult about War?" http://www.cato.org/blog/power-consult-about-war Gene Healy is a vice president at the Cato Institute. His research interests include executive power and the role of the presidency, as well as federalism and overcriminalization.

“In no part of the Constitution is more wisdom to be found,” James Madison wrote in 1793, “than in that clause which asks the president to give Congress a courtesy call whenever he’s picked a new country to invade.” Well, no, that’s not actually what he said. It went more like this:¶ In no part of the constitution is more wisdom to be found, than in the clause which confides the question of war or peace to the legislature, and not to the executive department. Beside the objection to such a mixture to heterogeneous powers, the trust and the temptation would be too great for any one man.¶ How to check that temptation? In 1973, Congress tried the War Powers Resolution, a deeply flawed piece of legislation that has never so much as inconvenienced a president bent on war. Former Secretaries of State Jim Baker and Warren Christopher – and a bipartisan panel of DC bigwigs – have a new answer: semi-mandatory consultation with Congress backed up by a dread “resolution of disapproval” (that the president can veto!). Somehow I don’t think this is going to work. ¶ I haven’t had a chance to read the full report yet, but judging from the coverage and the op-ed Baker and Christopher penned for yesterday’s Times, the Commission’s proposal seems like an exercise in High Broderism. For some serious attempts at putting teeth in the War Powers Resolution, check here and here. ¶ However, as I explain in the Cult of the Presidency, I’m skeptical that any of these megastatute solutions are going to work. Because no Congress can truly bind a future Congress and no statute can force the courts to resolve separation of powers fights they’d rather duck, such legislative solutions tend to be about as effective as a dieter’s note on the refrigerator. Unless and until ordinary voters demand that Congress stand and be counted on issues of war and peace–and defund unauthorized wars–we’ll continue as before. Hey, maybe we are the change we’ve been waiting on.

#### Restricting the AUMF solves inevitable warfare- creates structural checks to a riskless system

BENJAMIN H. FRIEDMAN JUNE 19, 2012 "Drones, Special Operations, and Whimsical Wars" http://www.cato.org/blog/drones-special-operations-whimsical-wars Benjamin H. Friedman is a research fellow in defense and homeland security studies. His areas of expertise include counter-terrorism, homeland security and defense politics.

Asked the last week on 60 Minutes how many shooting wars the United States is in, Secretary of Defense Leon Panetta took a moment to answer. He eventually said we are going after al Qaeda in Pakistan and its “nodes” in Somalia, Yemen, and North Africa. Somehow, he left out the indefinite war we have going in Afghanistan. It’s no wonder that Panetta can’t keep track of the wars he’s supposed to manage. On top of Afghanistan and the drone campaigns, 12,000 U.S. special operations forces are distributed around dozens of countries, increasingly outside declared war zones, where they train foreign militaries, collect intelligence, and occasionally launch lethal raids. As just reported in the Washington Post, some of these forces are now operating a dozen bases across Northern Africa, where their activities include overseeing contractors flying surveillance aircraft. Despite the Obama administration’s claims of great progress in fighting al Qaeda, the global shadow war shows no signs of abating. The official rationale for using force across the world is that al Qaeda is global. But that’s true only thanks to a capacious definition of al Qaeda that imposes a sense of false unity of disparate groups. The always-overrated remnant of the organization that sponsored the 9/11 attacks barely exists anymore, even in Pakistan. Our counterterrorism efforts are directed mostly against others: terrorists that take up al Qaeda’s name and desire to kill westerners but have limited links to the real McCoy, as in Yemen and North Africa, and insurgents friendly to jihadists but mostly consumed by local disputes, like the Taliban in Afghanistan, al Shabaab in Somalia, and al Qaeda’s Islamist allies in southern Yemen. Like the phony Communist monolith in the Cold War, the myth of a unified, global “al Qaeda” makes actions against vaguely-linked entities—many with no obvious interest in the United States—seem like a coherent campaign against globe trotting menace bent on our destruction. The real reason we are fighting so much these days is that war is too easy. International and domestic restraints on the use of U.S. military power are few. And unrestrained power tends to be exercised. Presidents can use it whimsically, at least until they do something costly that creates a backlash and wakes up public opposition. Drones and special operations forces made this problem worse. Most of the world is what the military calls a permissive environment, especially since the end of the Cold War. Most places lack forces capable of keeping our military out. Many potential allies invite it. The risks traditionally associated with war—invasion, mass death, etc.—are now alien to Americans. Since the draft ended, the consequences of even bad wars for most of us are minor: unsettling media stories and mildly higher taxes deferred by deficits. That’s why, as Nuno Monteiro argues, the U.S. military was already quite busy in the 1990s despite the absence of real enemies. Because war is so cheap, the public has little reason to worry much about it. That leaves elected representatives without any electoral incentive to restrain presidential war powers. No surprise then that the imperial presidency grew as American power did. Technology gains and secrecy exacerbate the problem. Even more than strategic bombing from high altitude, which already prevented U.S. casualties, drones cheapen warfare. Covert raids are riskier, of course, but secrecy limits public appreciation of those risks. The president and his advisors assure us that they use these forces only after solemn debate and nights spent (badly) reading just war theory. But a White House that debates the use of force only with itself short-circuits the democratic process. That is not just a constitutional problem but a practical one. Broad debate among competing powers generally produces better decisions than narrower, unilateral ones. That is why is it is naïve to suggest, as John Fabian Witt did last week in a New York Times op-ed, that the executive branch is developing sensible legal institutions to manage the gray area between war and peace occupied by drone strikes. What’s needed are checks and balances. That means Congress needs to use its war powers. First, Congress should rewrite the 2001 Authorization of Military Force, which has morphed into a legal rationale for doing whatever presidents want in the name of counterterrorism. That bill authorized force against the organizers of the September 11 attacks and those who aided them, which seemed to mean al Qaeda and the Taliban in Afghanistan and maybe Pakistan. The new law should state that acts of war, including drone strikes, in other places require a new authorization of force. If Congress is for bombing stuff in Yemen and Somalia, it should debate those missions. Second, Congress should reform the convoluted laws governing the deployment of special operations forces, making their use more onerous and transparent. Those forces should engage in covert action only after a presidential finding, as with the CIA. Third, Congress should require that taxes or offsets fund wars. That would increase debate about their worth. The trouble, as already noted, is that Congress has no interest in doing these things. Congressional leaders are today more interested in policing leaks about the president’s unilateral exercise of war powers than in restraining them. Short of a military disaster involving special operations forces or drones, this seems unlikely to change in the short term. In the longer term, we need a restoration of Congress’ institutional identity. Even without an electoral reason, politicians should want to exercise war powers simply because they can—because people like power. That’s the assumption behind Edward Corwin’s notion that the constitution’s is an “invitation to struggle” over foreign policy. Something has obstructed Congress’ desire to struggle. Those concerned by the president’s promiscuous use of force should try to identify and remove the obstruction.

#### US needs to alter law to be a first mover – international responses to drone proliferation crumble without domestic accountability

Alston 2011 (Philip, professor of law at NYU School of Law and former UN Special Rapporteur on extrajudicial executions, “The CIA and Targeted Killings Beyond Borders”, Harvard National Security Journal, Vol. 2) PY

It might be argued in response by the United States that the standard of accountability required is lower in relation to non-international armed conflicts, which is how the conflicts in Afghanistan and Pakistan would be categorized by most observers. This lower standard might be said to be evidenced by the fact that states are not obligated to give full access to the International Committee of the Red Cross ("ICRC") in such conflicts. But the ICRC's review of customary law makes it abundantly clear that the obligation to ensure accountability applies fully in both international and non-international armed conflicts. This is based on military manuals, including that of the United States, explicit state practice, requirements imposed by the Security Council, and norms endorsed by a range of other international bodies. n88¶ For its part, IHRL, developed by a wide range of international and regional institutions, and reflected in customary law principles, places a particular emphasis on the obligation of states to investigate, prosecute, and punish any alleged violation of the norms banning extrajudicial executions. United States officials, as well as some American commentators, have tended to assume that the duty to investigate alleged violations of the right to life, a duty that has been elaborated upon at length in the jurisprudence of bodies such as the Human Rights Committee n89 and the European Court [\*313] of Human Rights, flows only from specific treaty obligations. n90 By noting that the United States is not a party to the European Convention, and by arguing that the ICCPR does not obligate the United States extraterritorially, n91 they assume that the well-developed jurisprudence emanating from these two bodies has no relevance in determining the United States' obligations in relation to a practice such as extraterritorial targeted killings. Leaving aside the contentious debates over the extraterritorial nature of ICCPR obligations, this approach incorrectly assumes that the duty to investigate killings has no existence in customary international law, independent of treaty obligations. The right to life has long been acknowledged as part of custom, and a duty to investigate has long been assumed to be a central part of that norm, not least by the United States when it consistently calls upon other governments to investigate killings without invoking any specific treaty-based obligations binding upon the governments concerned. n94¶ [\*314] Customary and treaty-based obligations to investigate alleged violations of the right to life can only be met if states accept the need for a degree of transparency which makes it possible to satisfy the obligations to ensure accountability. In explaining what human rights law requires, the European Court of Human Rights has long insisted that "[t]here must be a sufficient element of public scrutiny of the investigation or its results to secure accountability in practice as well as in theory, maintain public confidence in the authorities' adherence to the rule of law and prevent any appearance of collusion in or tolerance of unlawful acts." n95 In the same context, the Court has made it clear that there is no single formula by which this is to be achieved, by acknowledging that "[t]he degree of public scrutiny required may well vary from case to case." n96¶ There is thus compelling evidence that both applicable bodies of law require transparency and accountability. Nevertheless, in view of the tendency of those advocating the use of targeted killings to suggest that counter-terrorism requires different rules or that intelligence agencies must operate on a different basis, it is appropriate to consider whether there are circumstances that would warrant the adoption of significantly less demanding standards of accountability. In relation to terrorism, it is often argued that there are unavoidable tradeoffs between security and respect for human rights as well as between security and transparency. In other words, secrecy and limits on rights are part of the price that must be paid for security in a world subject to terrorist threats. While these claims have been thoroughly canvassed in other contexts n97 they call for two particular responses in the present setting. The first is to acknowledge that, in relation [\*315] to targeted killing operations, there are major security and effectiveness concerns that require a strong element of secrecy, rather than disclosure. For example, disclosing the identity of an intelligence source or putting an informant at risk of retaliation will limit the extent to which the information justifying a given targeting decision can be publicly divulged. Similarly, it might be argued that significant disclosure would eliminate the fear or uncertainty factor that is designed to constrain the activities of groups who might conclude from published criteria that they were unlikely to be subject to drone attacks. n98 There will thus be certain limits as to how much transparency can be required.¶ The second response to the argument about necessary tradeoffs is that "security" in this context must be interpreted not only as a goal in itself, but also as a means by which to protect the fundamental values of human rights and democracy. n99 There can thus be no question of simply trading off one value against the other, or of assuming that constraining freedoms increases security. In rejecting what he evocatively describes as the "hydraulic liberty-security metaphor," n100 Stephen Holmes argues that there are in fact many ways in which respect for liberty contributes to enhanced security. While others have also stressed the importance of empirical justifications favoring a degree of transparency on the part of the CIA and other intelligence actors, n101 Holmes invokes what are essentially prudential and efficiency based reasons in support of what he terms "rule-governed counterterrorism." They include the efficiency-enhancing effect of being forced to give reasons for decisions, the greater likelihood that visceral and punitive reactions--which can generally be assumed to be inefficient--will be constrained by following accepted guidelines, the need [\*316] to expose groups of like-minded decision-makers to counter-arguments coming from other perspectives, and the need to deter official reliance on claims of an emergency in order to avoid scrutiny. n102¶ The other argument that suggests the appropriateness of less demanding standards of accountability relates to the special situation of intelligence agencies. In response, it is appropriate to acknowledge the deep tensions between the need for accountability and the inherent bias of such agencies towards unaccountability. It is clearly paradoxical to be seeking transparency and encouraging information sharing from agents whose very existence is premised on secrecy and absolute discretion. The need for intelligence services to be accountable has always been strong simply because of the power that they exercise and the otherwise unlimited potential for abuse of that power. But over the past decade the importance of accountability has grown dramatically for various reasons. Reaction to the events of 9/11 placed intelligence agencies at the forefront of efforts to combat terrorism and put a premium on rapid action, efficiency, and the exercise of only very loosely constrained agency discretion, often at the expense of transparency, respect for human rights, and meaningful congressional consultation. Agency personnel numbers and budgets increased greatly, special operations became far more common, and double-hatting served to make scrutiny more difficult. In addition, joint operations as well as intelligence-sharing with foreign counterpart agencies, often working for authoritarian regimes, became widespread and increased the likelihood of human rights abuses occurring. n103¶ But the challenges to accountability have also multiplied since 9/11. In an age of enhanced global terror operations the structural predisposition to secrecy on the part of intelligence officials has only been strengthened. The heterogeneity and geographical spread of actual and potential terrorist groups, the reality of homegrown terror, and the potential for large-scale acts of terrorism, have all contributed to support for secrecy. This goes beyond the mere need to ensure operational secrecy. Intelligence agencies cannot operate in a traditional hierarchical fashion for fear that a leak at one point in the chain of command will undermine the entire operation. Individual officers are thus given considerable discretion and even relative [\*317] autonomy according to the circumstances. Moreover, the centrality of the notion of "plausible deniability" means that such agencies are often required to act in ways that not only leave no fingerprints, but also leave (almost) no internal paper trail. These factors in turn make the agency less disposed towards, and less accessible to, either internal or external oversight. But the response is not to reinforce these pathological tendencies, but rather to reassert the primacy of IHRL and IHL standards and thus the need for appropriate levels of transparency and accountability, albeit tailored to reflect the legitimate exigencies faced by such actors.¶ Before moving to consider the Obama administration's approach to these issues, it is important to underscore the fact that we are talking about two different levels of accountability. The first is that national procedures must meet certain standards of transparency and accountability in order to meet existing international obligations. The second is that the national procedures must themselves be sufficiently transparent to international bodies as to permit the latter to make their own assessment of the extent to which the state concerned is in compliance with its obligations. In other words, even in situations in which states argue that they put in place highly impartial and reliable accountability mechanisms, the international community cannot be expected to take such assurances on the basis of faith rather than of convincing information. Assurances offered by other states accused of transgressing international standards would not be accepted by the United States in the absence of sufficient information upon the basis of which some form of verification is feasible. Since the 1980s, the phrase "trust but verify" n104 has been something of a mantra in the arms control field, but it is equally applicable in relation to IHL and IHRL. The United States has consistently demanded of other states that they demonstrate to the international community the extent of their compliance with international standards. A great many examples could be cited, not only from the annual State Department reports on the human rights practices of other states, but also from a range of statements by the President and the Secretary of State in relation to countries like Egypt, Libya, and Syria in the context of the Arab Spring of 2011.

#### Squo drone strategy unsustainable--- host-state and domestic backlash--- plan solves and establishes global norms for drone use

Zenko 2013 (Micah Zenko, Douglas Dillon fellow in the Center for Preventive Action at CFR, previously worked at Harvard Kennedy School and State Department, January 2013, “Reforming U.S. Drone Strike Policies,” CFR Special Report No 56)

Over the past decade, the use of unmanned aerial systems—commonly referred to as drones—by the U.S. government has expanded exponentially in scope, location, and frequency.1 From September 2001 to April 2012, the U.S. military increased its drone inventory from fifty to seventy-five hundred—of which approximately 5 percent can be armed.2 Yet despite the unprecedented escalation of its fleet and mis- sions, the U.S. government has not provided a clear explanation of how drone strikes in nonbattlefield settings are coordinated with broader foreign policy objectives, the scope of legitimate targets, and the legal framework. Drones are critical counterterrorism tools that advance U.S. interests around the globe, but this lack of transparency threatens to limit U.S. freedom of action and risks proliferation of armed drone technology without the requisite normative framework.

Existing practices carry two major risks for U.S. interests that are likely to grow over time. The first comes from operational restrictions on drones due to domestic and international pressure. In the United States, the public and policymakers are increasingly uneasy with limited transparency for targeted killings.3 If the present trajectory continues, drones may share the fate of Bush-era enhanced interrogation techniques and warrantless wiretapping—the unpopularity and illegality of which eventually caused the policy’s demise. Internationally, objections from host states and other counterterrorism partners could also severely circumscribe drones’ effectiveness. Host states have grown frustrated with U.S. drone policy, while opposition by nonhost partners could impose additional restrictions on the use of drones. Reforming U.S. drone strike policies can do much to allay concerns internationally by ensuring that targeted killings are defensible under international legal regimes that the United States itself helped estab- lish, and by allowing U.S. officials to openly address concerns and counter misinformation.

3 The second major risk is that of proliferation. Over the next decade, the U.S. near-monopoly on drone strikes will erode as more countries develop and hone this capability. The advantages and effectiveness of drones in attacking hard-to-reach and time-sensitive targets are com- pelling many countries to indigenously develop or explore purchasing unmanned aerial systems. In this uncharted territory, U.S. policy pro- vides a powerful precedent for other states and nonstate actors that will increasingly deploy drones with potentially dangerous ramifications. Reforming its practices could allow the United States to regain moral authority in dealings with other states and credibly engage with the international community to shape norms for responsible drone use.

The current trajectory of U.S. drone strike policies is unsustainable. Without reform from within, drones risk becoming an unregulated, unaccountable vehicle for states to deploy lethal force with impunity. Consequently, the United States should more fully explain and reform aspects of its policies on drone strikes in nonbattlefield settings by ending the controversial practice of “signature strikes”; limiting tar- geted killings to leaders of transnational terrorist organizations and individuals with direct involvement in past or ongoing plots against the United States and its allies; and clarifying rules of the road for drone strikes in nonbattlefield settings. Given that the United States is currently the only country—other than the United Kingdom in the tra- ditional battlefield of Afghanistan and perhaps Israel—to use drones to attack the sovereign territory of another country, it has a unique opportunity and responsibility to engage relevant international actors and shape development of a normative framework for acceptable use of drones.

### 2AC gender-IR

Framework – we should be able to weigh the normative effects of the plan against the criticism – indicts of epistemology, ontology, or other framing methods should be treated as solvency indicts not apriori reasons to reject – infinite interpretation of methods – our interp. is best for education

Perm do both

Perm do the alt and the plan

Perm do non-competitive parts of the alternative – either critiquing is enough to break down and rejection of the aff is not necessary or anything else will swamp the single rejection of the plan.

Perm do the alternative in every other instance – justified because the alt is vague – a moving target – impossible to generate offense with each new link – vi for fairness.

#### Gender-centric IR is just as biased as the current one and the alternative fails.

Mary Caprioli, March 2004, Dept. of Political Science, University of Tennessee, “Feminist IR Theory and Quantitative Methodology: A Critical Analysis,” International Studies Review, Vol. 42 Issue 1, p. 193-7, http://www.blackwell-synergy.com/links/doi/10.1111/0020-8833.00076

If researchers cannot add gender to an analysis, then they must necessarily use a purely female-centered analysis, even though the utility of using a purely female centered analysis seems equally biased. Such research would merely be gendercentric based on women rather than men, and it would thereby provide an equally biased account of international relations as those that are male-centric. Although one might speculate that having research done from the two opposing worldviews might more fully explain international relations, surely an integrated approach would offer a more comprehensive analysis of world affairs. Beyond a female-centric analysis, some scholars (for example, Carver 2002) argue that feminist research must offer a critique of gender as a set of power relations. Gender categories, however, do exist and have very real implications for individuals, social relations, and international affairs. Critiquing the social construction of gender is important, but it fails to provide new theories of international relations or to address the implications of gender for what happens in the world.

#### Force them to explain a specific link - their overly generic links obscures feminist analysis and contributes to oppression. The State and IR are not patriarchal – reformism is key.

Deborah L. Rhode, April 1994, Law Prof @ Stanford, “Changing Images of the State,” 107 Harv. L. Rev. 1181, Lexis Nexis

Neither can the state be understood solely as an instrument of men's interests. As a threshold matter, what constitutes those interests is not self-evident, as MacKinnon's own illustrations suggest. If, for example, policies liberalizing abortion serve male objectives by enhancing access to female sexuality, policies curtailing abortion presumably also serve male objectives by reducing female autonomy. n23 In effect, patriarchal frameworks verge on tautology. Almost any gender-related policy can be seen as either directly serving men's immediate interests, or as compromising short-term concerns in the service of broader, long-term goals, such as "normalizing" the system and stabilizing power relations. A framework that can characterize all state interventions as directly or indirectly patriarchal offers little practical guidance in challenging the conditions it condemns. And if women are not a homogenous group with unitary concerns, surely the same is true of men. Moreover, if the state is best understood as a network of institutions with complex, sometimes competing agendas, then the patriarchal model of single-minded instrumentalism seems highly implausible. It is difficult to dismiss all the anti-discrimination initiatives of the last quarter century as purely counter-revolutionary strategies. And it is precisely these initiatives, with their appeal to "male" norms of "objectivity and the impersonality of procedure, that [have created] [\*1186] leverage for the representation of women's interests." n24 Cross-cultural research also suggests that the status of women is positively correlated with a strong state, which is scarcely the relationship that patriarchal frameworks imply. n25 While the "tyrannies" of public and private dependence are plainly related, many feminists challenge the claim that they are the same. As Carole Pateman notes, women do not "live with the state and are better able to make collective struggle against institutions than individuals." n26 To advance that struggle, feminists need more concrete and contextual accounts of state institutions than patriarchal frameworks have supplied. Lumping together police, welfare workers, and Pentagon officials as agents of a unitary patriarchal structure does more to obscure than to advance analysis. What seems necessary is a contextual approach that can account for greater complexities in women's relationships with governing institutions. Yet despite their limitations, patriarchal theories underscore an insight that generally informs feminist theorizing. As Part II reflects, governmental institutions are implicated in the most fundamental structures of sex-based inequality and in the strategies necessary to address it. \*\*\*Continues\*\*\* These tensions within the women's movement are, of course, by no means unique. For any subordinate group, the state is a primary source of both repression and assistance in the struggle for equality. These constituencies cannot be "for" or "against" state involvement in any categorical sense. The questions are always what forms of involvement, to what ends, and who makes these decisions. From some feminist perspectives, liberalism has failed to respond adequately to those questions because of deeper difficulties. In part, the problem stems from undue faith in formal rights. The priority granted to individual entitlements undermines the public's sense of collective responsibility. This critique has attracted its own share of criticism from within as well as from outside the feminist community. As many left feminists, including critical race theorists, have noted, rights-based claims have played a crucial role in advancing group as well as individual interests. n32 Such claims can express desires not only for autonomy, but also for participation in the struggles that shape women's collective existence. The priority that state institutions place on rights is not in itself problematic. The central difficulty is the limited scope and inadequate enforcement of currently recognized entitlements. Since rights-oriented campaigns can advance as well as restrict political struggle, evaluation of their strategic value demands historically-situated contextual analysis.

#### The alternative does not grant us access to special knowledge to solve oppression - makes it impossible to solve oppression because other’s standpoints are ignored and marginalized.

Katharine Bartlett, 1990, professor of Law at Duke University School of Law, “Feminist Legal Methods” Harvard Law Review, Lexis

In addition to imposing too broad a view of gender, standpoint epistemologists also tend to presuppose too narrow a view of privilege. I [\*875] doubt that being a victim is the only experience that gives special access to truth. Although victims know something about victimization that non-victims do not, victims do not have exclusive access to truth about oppression. The positions of others -- co-victims, passive by-standers, even the victimizers -- yield perspectives of special knowledge that those who seek to end oppression must understand. Standpoint epistemology's claim that women have special access to knowledge also does not account for why all women, including those who are similarly situated, do not share the same interpretations of those situations -- "a special explanation of non-perception." n196 One account argues that the hold of patriarchal ideology, which "intervenes successfully to limit feminist consciousness," n197 causes "false consciousness." Although feminist legal theorists rarely offer this explanation explicitly, it is implicit in theories that associate with women certain essential characteristics, varian

#### The label of feminism glosses over all other forms of oppression and isolating women as an identifiable category makes their degradation easier and inevitable.

Katharine Bartlett, 1990, professor of Law at Duke University School of Law, “Feminist Legal Methods” Harvard Law Review, Lexis

Second, use of the label "feminist" has contributed to a tendency within feminism to assume a definition of "woman" or a standard for "women's experiences" that is fixed, exclusionary, homogenizing, and oppositional, a tendency that feminists have criticized in others. n11 The tendency to treat woman as a single analytic category has a number of dangers. For one thing, it obscures -- even denies -- important differences among women and among feminists, especially differences in race, class, and sexual orientation, that ought to be taken into account. n12 If feminism addresses only oppressive practices that operate against white, privileged women, it may readjust the allocation of privilege, but fail either to reconstruct the social and legal significance of gender or to prove that its insights have the power to illuminate other categories of exclusion. Assuming a unified concept of "woman" also adopts a view of the subject that has been rendered highly problematic. Poststructural feminists have claimed that woman has no core identity but rather comprises multiple, overlapping social [\*835] structures and discourses. n13 Using woman as a category of analysis implies a rejection of these claims, for its suggests that members of the category share a set of common, essential, a historical characteristics that constitute a coherent identity. n14 Perhaps the most difficult problem of all with use of the terms "feminist" and "woman" is its tendency to reinstate what most feminists seek to abolish: the isolation and stigmatization of women. n15 All efforts to take account of difference face this central dilemma. Although ignoring difference means continued inequality and oppression based upon difference, using difference as a category of analysis can reinforce stereotyped thinking and thus the marginalized status of those within it. n16 Thus, in maintaining the category of woman or its corresponding political label "feminist" to define those who are degraded on account of their sex, feminists themselves strengthen the identification of a group that thereby becomes more easily degraded.

#### The claim that IR is inherently patriarchal is counterproductive and false.

Fernanado Tesson, 1993, professor of Law at Arizona State University, “Feminism and International Lay: A Reply”

When we move from the philosophical domain to global political realities, there is even more reason to resist the radical feminist agenda. Radical feminists have joined other radicals in attacking liberalism; indeed, their whoel ase rests upon the supposed bankruptcy of liberal society, on the moral inadequacy of the kind of civil society mandated by the Kantian theory of international law, but is the oppression of women correlated to liberal practices? The answer is, emphatically, “no”. The feminist claim that male domination is an inherent part of liberal discourse and that liberal institutions are therefore inevitably oppressive of women is both politically counterproductive and patently false

#### The claim that state sovereignty allows marginalization of women is false – without the state there would be no power to overcome gender oppression at all.

Aaron Xavier, 2000, jd candidate, “Feminism and International Law: Theory, Methodology, and Substantive Reform,” Human Rights Quarterly

The exreme claim that the concept of state sovereignty supports male oppression of women implies that, if state sovereignty were removed, it would facilitate eliminating the oppression of women, the question never answered is, in the absence of states who would then exert the power to overcome gender oppression throughout the world? Some feminists would object to eliminating the state in favor of international governance because it would substitute one patriarchal institution (an international agency) for another (the state). They would argue that Charlesworth’s critique wrongly assumes that state sovereignty is the key reason for women’s exclusion from the attention of international law and that all women desire and would benefit from a different kind of sovereignty. It moreover constructs patriarchy – and the nation-state – as a monolithic entity equally benefiting men at the expense of women…a sort of international male conspiracy” The response to violations of women’s rights, in this view, should be decentralized and sensitive to the cultural context of the claim of violation. Feminists who seek the elimination of the public/private distinction might equally reject a purely individual approach as anarchic, lacking any mechanism to prevent women’s continued oppression through men’s current superior organization, or economic or physical power

#### Isolating feminist epistemological perspectives essentialize women’s experience and only reinforces other forms of oppression.

Katharine Bartlett, 1990, professor of Law at Duke University School of Law, “Feminist Legal Methods” Harvard Law Review, Lexis

Despite the valuable insights offered by feminist standpoint epistemology, however, it does not offer an adequate account of feminist knowing. First, in isolating gender as a source of oppression, feminist legal thinkers tend to concentrate on the identification of woman's true identity beneath the oppression and thereby essentialize her characteristics. Catharine MacKinnon, for example, in exposing what she finds to be the total system of male hegemony, repeatedly speaks of "women's point of view," n186 of "woman's voice," n187 of empowering women "on our own terms," n188 of what women "really want," n189 and of standards that are "not ours." n190 Ruth Colker sees the discovery of women's "authentic self" n191 as a difficult job given the social constructions [\*874] imposed upon women, but nonetheless, like MacKinnon, insists upon it as a central goal of feminism. Robin West, too, assumes that woman has a "true nature" upon which to base a feminist jurisprudence. n192 Although the essentialist positions taken by these feminists often have strategic or rhetorical value, n193 these positions obscure the importance of differences among women and the fact that factors other than gender victimize women. A theory that purports to isolate gender as a basis for oppression obscures these factors and even reinforces other forms of oppression. n194 This error duplicates the error of other legal theories that project the meaning speakers give to their own experiences onto the experiences of others. n195

## 1AR

#### Condo Bad

#### 1. 2AC skew- it's the speech that generates the most offense so every second counts, their paradigm introduces multiple neg positions that can be dropped at any point

#### 2. They encourage unfair neg practices that evolve into structural barriers which diminish the aff's chance of success

#### 3. Fairness is prerequisite to education- prevents disenfranchisement and boosts participation

#### 4. Depth> Breadth- Focused discussions yield better educational value, multiple conditional advocacies focus the debate on infinitely regressive implementation questions- that's why we have fiat

#### 5. Dispo solves their offense

#### A) Neg Flexibility- Straight turn option puts the ball back in the Aff's court

#### B) Education- There is more clash without multiple advocacies- that's k2 test an arguments legitmacy and check rhetorical assertions

### Politics

**Bi-Part support for the aff- congress wants answers**

**Cassata ’13** Democrats, Republicans Press Obama on Drone Use¶ Apr 24, 2013 <http://www.military.com/daily-news/2013/04/24/democrats-republicans-press-obama-on-drone-use.html> Associated Press| by Donna Cassata

WASHINGTON -- Senate Democrats and Republicans on Tuesday challenged the Obama administration to spell out its justification for using drones for targeted killings amid growing concerns about unchecked powers of the presidency and Americans' civil liberties.¶ Lawmakers had hoped to question a member of the administration about the secret program in the war on terror and the underlying policy, but the administration declined to send a witness to the Judiciary subcommittee hearing. Instead, retired military officials, academics and other experts answered questions that underscored the congressional unease over the use of drones overseas.¶ The administration has argued that the president's authority stems from his constitutional power to protect the United States from imminent attack. The administration also has cited the 2001 Authorization for **U**se of **M**ilitary**F**orce, which says the commander in chief has the authority for strikesagainst al-Qaida and its affiliates.¶ Obama has used the law's authority to target terrorists with fatal drone strikes, including Americans overseas.¶ The president has promised to explain his policy, but members of Congress argue that he has been less than forthcoming about the secret program. Durbin listed six questions, such as the constitutional justification for targeted killing, what are the due process protections for U.S. citizens overseas who are targeted and the legal limits on the battlefield in the fight with al-Qaida¶ "In my view, more transparency is neededto maintain the support of the American people and the international community," he said.¶ In a dramatic moment, Farea al-Muslimi testified that he was from Wessab, a remote village in Yemen, and six days ago a drone struck his village, terrifying thousands of poor farmers.¶ "The drone strike and its impact tore my heart, much as the tragic bombings in Boston last week tour your hearts and also mine," he said, adding later that drone strikes "are the face of America for many Yemens."¶ Retired Marine Corps Gen. James Cartwright told the panel he was "worried that we've lost the moral high ground" on the handling of the issue.¶ The administration has never publicly described the effectiveness of the drone program. However, independent groups, relying on news reports and other information, have compiled estimates on the attacks. The New America Foundation, a Washington-based think tank, estimates the U.S. has launched 420 strikes in Pakistan and Yemen -- the two countries where the strikes are believed to occur most frequently -- since 2004. Between 2,424 and 3,967 people are believed to have been killed by U.S. drones, the majority in Pakistan.¶The drone issue has created unique alliances on Capitol Hill with liberals joining forces with libertarian-leaning Republicans.¶ Republican Sen. Ted Cruz told the Senate hearing that drones are technology, but the "real scope of this hearing and of the concern is on the scope of federal power."¶ Democratic Sen. Al Franken acknowledged the odd political bedfellows on the issue, telling the witnesses and a crowded hearing room, "You know you're in strange territory when Sen. Cruz and I have the same questions."¶ The hearing with retired military officers and outside experts comes a month after Republican Sen. Rand Paul held floor for nearly 13 hours to delay CIA Director John Brennan's nomination over whether the president has the authority to use a drone to kill a U.S. citizen on American

#### Bold moves boost capital

Green, 2010 (David Michael Green, professor of political science at Hofstra University, “The Do-Nothing 44th President” June 11, google)

Moreover, there is a continuously evolving and reciprocal relationship between presidential boldness and achievement. In the same way that nothing breeds success like success, nothing sets the president up for achieving his or her next goal better than succeeding dramatically on the last go around. This is absolutely a matter of perception, and you can see it best in the way that Congress and especially the Washington press corps fawn over bold and intimidating presidents like Reagan and George W. Bush. The political teams surrounding these presidents understood the psychology of power all too well. They knew that by simultaneously creating a steamroller effect and feigning a clubby atmosphere for Congress and the press, they could leave such hapless hangers-on with only one remaining way to pretend to preserve their dignities. By jumping on board the freight train, they could be given the illusion of being next to power, of being part of the winning team. And so, with virtually the sole exception of the now retired Helen Thomas, this is precisely what they did.