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**Current WPR sets a precedent to escalate drone warfare—multiple theaters**

**Friedman 2011** (Uri Friedman is deputy managing editor at Foreign Policy. Before joining FP, he reported for the Christian Science Monitor, worked on corporate strategy for Atlantic Media, helped launch the Atlantic Wire, and covered international affairs for the site. He studied European history at the University of Pennsylvania, June 21, 2011, “The Libyan War Powers Debate Hinges on the Word 'War'” The Atlantic Wire, http://www.theatlanticwire.com/global/2011/06/libya-war-powers-debate/38895/)

On Wednesday, **President Obama**--facing criticism and even a lawsuit from Congress over his handling of the air war in Libya, **provided lawmakers with a legal explanation for why he doesn't need their approval to continue the campaign**. Obama argued that **the War Power Resolution**, which prohibits the president from deploying troops for more than 90 days without Congressional authorization, **doesn't apply when we're not really at war: U.S. operations in Libya, the administration told Congress**, "**do not involve sustained fighting or active exchanges of fire with hostile forces, nor do they involve U.S. ground troops, U.S. casualties or a seriously threat thereof**."¶ That's not to say we're not involved in Libya. As The New York Times points out, the U.S. is expected to spend over $1 billion on the mission by September, and it's operating remotely piloted drones in the country and providing refueling and surveillance to NATO warplanes. Which makes people wonder**: In the age of high-tech warfare, is Obama "limited" engagement in Libya emblematic of what future wars will be like**? As **Jack Goldsmith**, a Justice Department official in the Bush administration, **told the Times, "The administration's theory implies that the president can wage war with drones and all manner of offshore missiles without having to bother with the War Powers Resolution's time limits**," adding in a blog post that "**the implications here, in a world of increasingly remote weapons, are large**." John Cole at Balloon Juice reflects, "Apparently, you are only at war when you have troops at high risk--launching drones into other nations isn't war, it's just aggressive foreign policy!" ¶ **Beyond Libya, where should we look for signs of this new form of warfare**? Many analysts are pointing to Yemen. **The U.S. is currently escalating its drone strikes against Yemen**-based al-Qaeda in the Arabian Peninsula, which is responsible for the unsuccessful attempt to bomb an airplane on Christmas Day in 2009, among other plots against the U.S. Reflecting on the news this week that the C.I.A. is building a secret air base in the Middle East to serve as a launching pad for the campaign, The New York Times predicted that the Obama administration is planning an "extended war in Yemen" and looking to "armed drones as the weapon of choice to hunt and kill militants in countries where a large American military presence is untenable." The Wall Street Journal also reported this week that the C.I.A.'s new "targeted killing program" in Yemen would identify targets based on their "pattern of life," as is done in Pakistan. Yemen expert Gregory Johnsen, who warns that the C.I.A.'s targeted killings could target the wrong people and backfire, wonders today how Obama would characterize the Yemen campaign: "periodic raids, kinetic action, certainly not war?"¶ **Of course, Yemen isn't the only place where the U.S. has deployed drones**. In fact, according to Wired's Spencer Ackerman, **the U.S. has used drones for counterterrorism purposes in at least five countries--Afghanistan, Pakistan, Iraq, Yemen, and Libya**--**and** incoming Secretary of Defense Leon Panetta recently told a Senate panel that he was concerned about al-Qaeda in **Somalia and North Africa**. "Will they be the next theaters of robot war?" Ackerman wonders.

**Drones undermine counterterror cooperation with host states**

**Boyle 2013** (Michael J. Boyle, Assistant Professor of Political Science at La Salle University, January 2013, “The costs and consequences of drone warfare,” International Affairs, ebsco)

**Much of the existing debate on drones has focused on their legality under ¶ international and domestic law and their ethical use as a weapon of war**.10 **Setting¶ these issues largely aside**, this article will make a different case: that **the Obama ¶ administration’s growing reliance on drone strikes has adverse strategic effects that ¶ have not been properly weighed against the tactical gains associated with killing ¶ terrorists**. The article will focus primarily on the strategic costs of the CIA-run ¶ drone campaigns outside active theatres of war (specifically, Pakistan, Yemen and ¶ Somalia) and will not examine the benefits and costs of drones in active theatres ¶ of war such as Afghanistan.11 It will challenge the conventional wisdom that drone ¶ strikes in the ungoverned spaces of these countries are highly effective by contrasting ¶ claims about their relative efficiency at killing ‘bad guys’ with their political effects ¶ in the states where they are used. It will argue that drone strikes corrode the ¶ stability and legitimacy of local governments, deepen anti-American sentiment ¶ and create new recruits for Islamist networks aiming to overthrow these governments. **Despite the fact that drone strikes are often employed against local enemies ¶ of the governments in Pakistan and Yemen, they serve as powerful signals of these ¶ governments’ helplessness and subservience to the United States and undermine ¶ the claim that these governments can be credible competitors for the loyalties of ¶ the population**. **This dynamic makes the establishment of a stable set of partnerships for counterterrorism cooperation difficult, if not impossible, because these ¶ partnerships depend upon the presence of capable and legitimate governments that ¶ can police their territory and efficiently cooperate with the United States**. In this ¶ respect, American counterterrorism policy operates at cross-purposes: it provides ¶ a steady flow of arms and financial resources to governments whose legitimacy it ¶ systematically undermines by conducting unilateral drone strikes on their territory. This article will further argue that a drones-first counterterrorism policy ¶ is a losing strategic proposition over the long term. **The Obama administration’s ¶ embrace of drones is encouraging a new arms race for drones that will empower ¶ current and future rivals and lay the foundations for an international system that ¶ is increasingly violent, destabilized and polarized between those who have drones ¶ and those who are victims of them**.

**Drones cause instability that costs us intelligence**

**Foust 2012** (Joshua Foust, fellow at the American Security Project, January 27, 2012, “The Political Consequences of a Drones-First Policy,” The Atlantic Monthly, http://www.theatlantic.com/international/archive/2012/01/the-political-consequences-of-a-drones-first-policy/252129/)

Defense Secretary Leon **Panetta unveiled this week a plan to dramatically expand the use of drones and special operations as the DoD tries to figure out how to operate in a universe of limited resources.** It is part of President Obama's shift toward smaller covert actions in place of bigger, overt wars. But **this policy shift is not without cost, and those costs are rarely debated in the public or behind closed doors.**

As one example, **drones carry inherent political costs to the regime that allows them. Among domestic populations, drones are almost always unpopular, as they represent a distant and unaccountable foreign power exercising the right to kill them at will.** The resistance to drones is debated heavily in Pakistani circles, but **it's difficult to ignore the effects, like a walkout in Parliament. Given the precariousness of President Zardari's administration, the impending military resistance to his rule, and the intrigue over Memogate, it should concern U.S. policymakers deeply that the drone program is further destabilizing an already tenuous situation.**

**In Yemen, too, the situation continues to deteriorate. There remains society-wide unrest at** the horrible rule of Ali Abdullah **Saleh**, and even his replacements and other contenders are finding it hard to placate public anger (which seems to be spreading).While Yemen has never been particularly stable, **there is every indication that the drone strikes** -- which will continue so long as officials feel threatened -- **have only made the instability worse.**

The problem with the drones policy isn't that drones themselves are bad, but that they are happening without broader political, social, and even economic policies that could mitigate their pernicious consequences. **In Pakistan, the limp U.S. engagement has at the very least not helped the nasty politics of Islamabad** (the case of Raymond Davis -- whose case became the source of deep, vicious public anger -- shows that the drones policy almost certainly made Pakistani politics and the government worse off). **In Yemen, the limp U.S. political engagement with the Yemeni opposition groups has not only failed to mitigate the negative consequences of shooting missiles into desert villages, it has also crippled the U.S. ability to cope with a post-Saleh future.**

**In both countries, Pakistan and Yemen, the U.S. faces a future similar to what it faces in the Arab Spring countries: a sudden cut-off of information and cooperation it thinks critical to the global struggle against extremism.** Yet that hasn't slowed down the pace of drone warfare -- especially when they come to define U.S. policy in places like the Horn of Africa (another area where U.S. engagement is primarily through drones and special forces instead of through politics).

**Already, some countries are reacting against this global assertion to fly airplanes and kill at will.** Last December, **Algeria denied the U.S. permission to fly drones over its territory to help contain negative spillover effects from the Libyan intervention.** Needless to say, that has limited U.S. options in the area because the U.S. never bothered to come up with a policy that doesn't rely on drones. Thus, as there appears to be a growing gap between the CIA and Algeria on how to react to the threat posted by al Qaeda in the Islamic Maghreb, **there just isn't the political foundation in place to work those differences through.**

**Effective joint intelligence efforts are key to stop terrorism.**

**Cristian and Andreea 13,** (Mărcău Flavius-Cristian, PhD Candidate, Babes-Bolyai University, Ciorei Mihaela Andreea, MA, Constantin Brâncuși University from Targu-Jiu, THE ROLE OF INTELLIGENCE IN THE FIGHT AGAINST TERROR, European Scientific Journal, vol.9, No.2, January 2013, <http://eujournal.org/index.php/esj/article/download/708/792>)

Terrorist threats are highly topical and won’t disappear in the next decade. Most likely they will undergo changes so that diversification will be unstoppable. The **terrorist attacks** have been, **are** and will be **irregular, and will track the vulnerabilities of states** and will act to spread terror. Thus, the fight against terrorism is not, and can not be easy. And this is not necessarily because terrorists would be very powerful, but because they are devoid of any logic and any philosophy. **Combating terrorism cannot come out of the laws and customs of war** and the armed struggle **and, therefore, the difficulties of such confrontations will always be very high**”28.¶ **The informational field, by definition is a closed one which must find ways to integrate into the system**, connection and operation, which should sufficiently facilitate the visibility on disruptive factors of regional and global balances, **to provide the state** administrations and transnational organizational possibility of an action conceptually unique and **with joint efforts to prevent, stop and reduce the harmful effects of the evolution of human civilization** and the individual29.¶ **After 11 September, the vast majority of information agencies have reorganized their defense systems and contra-terrorist fight, began to** exchange information about terrorist organizations (**share intelligence) and work together to foil terrorist plans.** So, **the global antiterrorist fight must include joint strategic cooperation,** common and pragmatic and sincere cooperation.¶ Through patience and vigilance, terrorists continue their cause through an understanding of our society. Thus, it becomes imperative to do the same and to obtain information about those who choose to attack our freedoms and our way of life. **The information collection will prove invaluable** in this case, but this tool must be used as well as possible **at strategic, operational and tactical level.**

**Scenario 1: Pakistan**

**Squo drone policy causes Pakistan collapse**

**Boyle 2013** (Michael J. Boyle, Assistant Professor of Political Science at La Salle University, January 2013, “The costs and consequences of drone warfare,” International Affairs, ebsco)

**The escalation of drone strikes in Pakistan to its current tempo**—one every few ¶ days—**directly contradicts the long-term American strategic goal of boosting the ¶ capacity and legitimacy of the government in Islamabad. Drone attacks are more ¶ than just temporary incidents that erase all traces of an enemy. They have lasting ¶ political effects that can weaken existing governments, undermine their legitimacy and add to the ranks of their enemies.** These political effects come about ¶ because drones provide a powerful signal to the population of a targeted state that ¶ the perpetrator considers the sovereignty of their government to be negligible. The **popular perception that a government is powerless to stop drone attacks on its ¶ territory can be crippling to the incumbent regime, and can embolden its domestic ¶ rivals to challenge it through violence**. Such continual violations of the territorial integrity of a state also have direct consequences for the legitimacy of its ¶ government**.** Following a meeting with General David Petraeus, Pakistani President Asif Ali Zardari described the political costs of drones succinctly, saying that ¶ ‘continuing drone attacks on our country, which result in loss of precious lives ¶ or property, are counterproductive and difficult to explain by a democratically ¶ elected government. It is creating a credibility gap.’75 Similarly, the Pakistani High ¶ Commissioner to London Wajid Shamsul Hasan said in August 2012 that¶ what has been the whole outcome of these drone attacks is that you have directly or ¶ indirectly contributed to destabilizing or undermining the democratic government. ¶ **Because people really make fun of the democratic government—when you pass a resolution against drone attacks in the parliament and nothing happens. The Americans don’t ¶ listen to you, and they continue to violate your territory.76¶** **The appearance of powerlessness in the face of drones is corrosive to the appearance of competence and legitimacy of the Pakistani government. The growing ¶** **perception that the Pakistani civilian government is unable to stop drone attacks is ¶ particularly dangerous in a context where 87 per cent of all Pakistanis are dissatisfied with the direction of the country and where the military, which has launched ¶ coups before, remains a popular force.**77

**Drone strikes risk military mutiny and destabilize region**

**Larison 11** (Daniel, has a Ph.D. in history and is a contributing editor at The American Conservative. He also writes on the blog Eunomia, April 22, “How America is destabilizing Pakistan,” http://theweek.com/article/index/214578/how-america-is-destabilizing-pakistan)

U.S.-Pakistan relations have reached a new low this year, and Washington bears a significant amount of the blame. The **American use of drone strikes in western Pakistan has always been unpopular with the Pakistani public, but these strikes are now being done in defiance of the formal demands of the Pakistani government**. While effective in taking out targeted individuals, **drone strikes are the embodiment of the short-sighted nature of U.S. policy toward Pakistan,** which privileges short-term gains and assistance in the Afghanistan war over the strategic relationship with and internal stability of Pakistan.¶ On April 12, **Pakistani officials confirmed that they had demanded an end to all drone strikes**, many of which had been operated from Pakistani airfields in the past. **But in the last two weeks the U.S. has nonetheless proceeded to launch at least two attacks on targets inside Pakistan**. As has so often happened before, **there were civilians reported killed** along with the intended targets in the second strike. In addition to the public anger and political backlash that civilian casualties create against the Pakistani government and the U.S., the drone strikes represent the arrogance of the U.S. in Pakistan, as the U.S. is now attacking Pakistani territory without any official connivance or approval from Islamabad. As David Ignatius says of the decision to use drones in the Libyan war, this tactic “projects American power in the most negative possible way.” The negative effects aren't limited to public hostility, but also include increasing pressures on key Pakistani institutions.¶ The pressure that U.S. actions put on the Pakistani military is particularly worrisome. And the danger this poses to the U.S. is much greater than it may seem. Anatol Lieven, author of the new book Pakistan: A Hard Country, described the potential for disaster in The National Interest earlier this year: “**The greatest potential catalyst for a collapse of the Pakistani state is not the Islamist militants themselves… it is that actions by the United States will provoke a mutiny of parts of the military. Should that happen, the Pakistani state would** collapse very quickly indeed, with all the disasters that this would entai**l**.” One of the stated goals of U.S. “Af-Pak” policy is to secure Pakistani stability, but in practice, the **U.S. is undermining its own ally, and the situation is reaching a point where Pakistani authorities can no longer tolerate our behavior.¶ Relieving this pressure is the first thing that the U.S. can do, and one practical step is to halt drone strikes in Pakistan. This can actually serve U.S. goals in Afghanistan by making it easier for Pakistan to help facilitate a political settlement with the Afghan Taliban, and finally allow U.S. forces to withdraw entirely from Afghanistan in the near future.** There is no question that withdrawing all American forces is ultimately in the best interests of both the United States and Pakistan. But it will become more difficult if Pakistan is alienated from the U.S. by actions that are radicalizing the population and the military rank and file. **Whatever immediate value the U.S. derives from killing individual al Qaeda members, it is risking far more by jeopardizing the sustained, significant security cooperation that Pakistan still provides.**¶ The fraught U.S.-Pakistan relationship is only the most recent example of how Washington often mismanages its alliances and expects allies to act more as subordinates than partners. Given the patron-client relationship that the U.S. has with many allies, it is understandable that this might happen, but it is an impulse that needs to be resisted as often as possible. We have seen this in the administration’s heavy-handed dealing with Japan over Okinawa basing rights, and the dismissive attitude taken toward Turkish mediation efforts related to Iran. Most recently, the administration used American diplomatic and military resources to facilitate military intervention in Libya over the strong objections of many of the most significant NATO allies, and it has now potentially put the future of the military alliance on the line, all for a war that doesn’t seem to be in the security interests of any U.S. ally.¶ The more strategically significant the ally, the more that Washington needs to take its perceived national interests and grievances seriously. In Pakistan’s case, this doesn’t mean that the U.S. should embrace antagonism toward India, but simply that it should stop imposing intolerable pressures on an ally that, while far from perfect, is more supportive of U.S. security interests than we have any right to expect.

Breakdown of Pakistan’s government risks nuclear war with India

**NTI 11** (Nuclear Threat Initiative, nonpartisan organization with a mission to strengthen global security by reducing the risk of nuclear weapons and providing transparency on the world’s nuclear weapons, July 29, “Pakistani Govt. Collapse Chief Threat to Nuke Security: Report,” http://www.nti.org/gsn/article/pakistani-govt-collapse-chief-threat-to-nuke-security-report/)

**Extremists would have the best chance to take possession of Pakistani nuclear weapons following the breakdown of the South Asian state's government, the U.S. Congressional Research Service concluded in a report this month** (see GSN, July 17).¶ The research arm of Congress noted that Islamabad in the last decade has made considerable improvements to the security surrounding its growing nuclear arsenal, which the report estimates at today encompassing 90 to 110 warheads. Safeguards include more rigorous vetting of nuclear-weapon personnel, an updated command and control system, and legislation to augment export restrictions and head off development of a proliferation operation akin to the Abdul Qadeer Khan ring.¶ "However, **instability in Pakistan has called the extent and durability of these reforms into question. Some observers fear radical takeover of a government that possesses a nuclear bomb, or proliferation by radical sympathizers within Pakistan’s nuclear complex in case of a breakdown of controls**," the analysis reads. "While U.S. and Pakistani officials continue to express confidence in controls over Pakistan’s nuclear weapons, **continued instability in the country could impact these safeguards**."¶ "**The collapse or near-collapse of the Pakistani government is probably the most likely scenario in which militants or terrorists could acquire Pakistani nuclear weapons**," according to CRS nonproliferation experts Paul Kerr and Mary Beth Nikitin.¶ Incoming CIA head David Petraeus, while commander of U.S. Central Command in March 2009, told Congress that "**Pakistani state failure would provide transnational terrorist groups and other extremist organizations an opportunity to acquire nuclear weapons and a safe haven from which to plan and launch attacks**."¶ White House point man for arms control and nonproliferation Gary Samore in May told Arms Control Today that "what I worry about is that, **in the context of broader tensions and problems within Pakistani society and polity** .... **even the best nuclear security measures might break down**. ...They have good programs in place; the question is whether those good programs work in the context where these broader tensions and conflicts are present."¶ "Pakistani officials have stated that the government may need to increase significantly its nuclear arsenal in response to possible Indian plans to do the same," the researchers wrote.¶ Additionally**, India's significant investment in new military hardware** and its focus on reaching "technical superiority" in its reconnaissance, monitoring and ability to precisely strike key targets inside Pakistan **could cause the Pakistani government to "respond by lowering the threshold for using nuclear weapons**," according to nuclear weapons expert Peter Lavoy.¶ The CRS analysis notes that "**Pakistan has pledged no-first-use against non-nuclear-weapon states, but has not ruled out first use against a nuclear-armed aggressor, such as India**" (Congressional Research Service report, July 20).

Indo-Pak war will be catastrophic

**Helfand 12** (Ira, International Physicians for the Prevention of Nuclear War

Physicians for Social Responsibility, “NUCLEAR FAMINE: A BILLION PEOPLE AT RISK” IPPNW, April 2012, p. 2 <http://www.psr.org/nuclear-weapons/nuclear-famine-report.pdf> NB)

Over the last several years, **a number of¶ studies have shown that a limited, regional¶ nuclear war between India and Pakistan would¶ cause significant climate disruption worldwide**.¶ Two studies published this year examine the¶ impact on agricultural output that would result¶ from this climate disruption.¶ In the US, corn production would decline by an¶ average of 10% for an entire decade, with the¶ most severe decline, about 20% in year 5. There¶ would be a similar decline in soybean production,¶ with, again, the most severe loss, about 20%, in¶ year 5.¶ A second study found a significant decline in¶ Chinese middle season rice production. During¶ the first 4 years, rice production would decline by¶ an average of 21%; over the next 6 years the¶ decline would average 10%. ¶ **The decline in available food would be exacerbated by increases in food prices which would¶ make food inaccessible to hundreds of millions of¶ the world’s poorest**. Even if agricultural markets¶ continued to function normally, **215 million people¶ would be added to the rolls of the malnourished**¶ over the course of a decade. However, **markets would not function normally**.¶ Significant, sustained agricultural shortfalls over¶ an extended period would almost certainly lead¶ to panic and hoarding on an international scale¶ as food exporting nations suspended exports in¶ order to assure adequate food supplies for their¶ own populations. This turmoil in the agricultural¶ markets would further reduce accessible food. ¶ The **925 million people in the world who are¶ chronically malnourished** have a baseline consumption of 1,750 calories or less per day. Even¶ a 10% decline in their food consumption would¶ put this entire group **at risk**. In addition, the **anticipated suspension of export**s from grain growing¶ countries **would threaten** the food supplies of **several hundred million additional people** who have¶ adequate nutrition today, but who live in countries¶ that are highly dependent on food imports.¶ **The number of people threatened by nuclear-war¶ induced famine would be well over one billion.**

Even a minor nuclear war would trigger massive warming and extinction.

**Robock 09** – Professor of climatology @ Rutgers University [Alan Robock (Associate director of Rutger’s Center for Environmental Prediction. 30 year researcher in the area of climate change. Holds a doctorate in meteorology from MIT. Published over 150 peer-reviewed papers on climate change), “Nuclear winter” The Encyclopedia of Earth, January 6, 2009, Pg. http://www.eoearth.org/article/Nuclear\_winter]

Nuclear winter is a term that describes the climatic effects of nuclear war. In the 1980's, work conducted jointly by Western and Soviet scientists showed that for a full-scale nuclear war between the United States and the Soviet Union the climatic consequences, and indirect effects of the collapse of society, would be so severe that the ensuing nuclear winter would produce famine for billions of people far from the target zones. There are several wrong impressions that people have about nuclear winter. One is that there was a flaw in the theory and that the large climatic effects were disproven. Another is that the problem, even if it existed, has been solved by the end of the nuclear arms race. But these are both wrong. Furthermore, new nuclear states threaten global climate change even with arsenals that are much less than 1% of the current global arsenal. What's New Based on new work published in 2007 and 2008 by some of the pioneers of nuclear winter research who worked on the original studies, we now can say several things about this topic. New Science: **A minor nuclear war** (such as between India and Pakistan or in the Middle East), with each country using 50 Hiroshima-sized atom bombs as airbursts on urban areas, **could produce climate change unprecedented in recorded human history**. This is only 0.03% of the explosive power of the current global arsenal. **This** same scenario **would produce global ozone depletion , because the heating of the stratosphere would enhance the chemical reactions that destroy ozone**. A nuclear war between the United States and Russia today could produce nuclear winter, with temperatures plunging below freezing in the summer in major agricultural regions, threatening the food supply for most of the planet. **The climatic effects of the smoke from burning cities and industrial areas would last for several years**, much longer than we previously thought. **New climate model simulations, that have the capability of including the entire atmosphere and oceans, show that the smoke would be lofted by solar heating to the upper stratosphere,** where it would remain for years. New Policy Implications: The only way to eliminate the possibility of this climatic catastrophe is to eliminate the nuclear weapons. If they exist, they can be used. **The spread of nuclear weapons to new emerging states threatens not only the people of those countries, but the entire planet.** Rapid reduction of the American and Russian nuclear arsenals will set an example for the rest of the world that nuclear weapons cannot be used and are not needed. How Does Nuclear Winter Work? A nuclear explosion is like bringing a piece of the Sun to the Earth's surface for a fraction of a second. Like a giant match, it causes cities and industrial areas to burn. Megacities have developed in India and Pakistan and other developing countries, providing tremendous amounts of fuel for potential fires. The direct effects of the nuclear weapons, blast, radioactivity, fires, and extensive pollution, would kill millions of people, but only those near the targets. However, the fires would have another effect. The massive amounts of dark smoke from the fires would be lofted into the upper troposphere, 10-15 kilometers (6-9 miles) above the Earth's surface, and then absorption of sunlight would further heat the smoke, lifting it into the stratosphere, a layer where the smoke would persist for years, with no rain to wash it out. The climatic effects of smoke from fires started by nuclear war depend on the amount of smoke. Our new calculations show that for 50 nuclear weapons dropped on two countries, on the targets that would produce the maximum amount of smoke, about 5 megatons (Tg) of black smoke would be produced, accounting for the amount emitted from the fires and the amount immediately washed out in rain. As the smoke is lofted into the stratosphere, it would be transported around the world by the prevailing winds. We also did calculations for two scenarios of war between the two superpowers who still maintain large nuclear arsenals, the United States and Russia. In one scenario, 50 Tg of black smoke would be produced and in another, 150 Tg of black smoke would be produced. How many nuclear weapons would be required to produce this much smoke? It depends on the targets, but there are enough weapons in the current arsenals to produce either amount. In fact, there are only so many targets. Once they are all hit by weapons, additional weapons would not produce much more smoke at all. Even after the current nuclear weapons reduction treaty between these superpowers is played out in 2012, with each having about 2,000 weapons, 150 Tg of smoke could still be produced. Here are movies of the smoke transport from three different scenarios: **These new results were made possible by the use of a state-of-the-art general circulation model of the climate**. For the first time a complete calculation of not only atmospheric but also oceanic circulation was conducted, including the entire atmosphere from the surface up through the troposphere, stratosphere, and mesosphere, to an elevation of 80 kilometers (50 miles). Previous calculations had not been run for the 10 year simulations here, and had not allowed the smoke to be lofted into the upper stratosphere, where it would persist for many years. We calculated the climate response to the three scenarios illustrated above. Compared to the global warming observed for the past century, all three scenarios show massive cooling. Compared to the climate change for the Northern Hemisphere for the past 1,000 years, the famous hockey stick diagram, the climate change from any of these scenarios is unprecedented. Compared to climate change for the past millenium, even the 5 Tg case ( a war between India and Pakistan) would plunge the planet into temperatures colder than the Little Ice Age (approximately1600-1850 ). This would be essentially instantly , and agriculture would be severely threatened . Larger amounts of smoke would produce larger climate changes, and for the 150 Tg case produce a true nuclear winter, making agriculture impossible for years. In both cases, new climate model simulations show that the effects would last for more than a decade. Analogs Support the Theory Nuclear winter is a theory based on computer model calculations. Normally, scientists test theories by doing experiments, but we never want to do this experiment in the real world. Thus we look for analogs that can inform us of parts of the theory. And there are many such analogs that convince us that the theory is correct: Cities burning. Unfortunately, we have several examples of cities burning, firestorms created by the intense release of energy, and smoke being pumped into the upper atmosphere. These include San Francisco as a result of the earthquake in 1906, and cities bombed in World War II, including Tokyo, Dresden, Hamburg, Darmstadt, Hiroshima, and Nagasaki. The seasonal cycle. In the winter, the climate is cooler, because the days are shorter and sunlight is less intense. Again, this helps us quantify the effects of reduction of solar radiation. The diurnal cycle. At night the Sun sets and it gets cold at the surface. If the Sun did not rise tomorrow, we already have an intuitive feel for how much cooling would take place and how fast it would cool. Volcanic eruptions. Explosive volcanic eruptions, such as those of Tambora in 1815, Krakatau in 1883 and Pinatubo in 1991, provide several lessons. The resulting sulfate aerosol cloud in the stratosphere is transported around the world by winds, thus supporting the results from the animations above. The surface temperature plummets after each large eruption, in proportion to the thickness of the stratospheric cloud. In fact 1816, following Tambora, is known as the "Year Without a Summer," with global cooling and famine. Following the Pinatubo eruption, global precipitation, river flow, and soil moisture all reduced, since cooling the planet by blocking sunlight has a strong effect on reducing evaporation and weakening the hydrologic cycle. This is also what the nuclear winter simulations show. Forest fires. Smoke from large forest fires sometimes is injected into the lower stratosphere. And the smoke is transported around the world, also producing cooling under the smoke. Dust storms on Mars. Occasionally, dust storms start in one region of Mars, but the dust is heated by the Sun, lofted into the upper atmosphere, and transported around the planet to completely enshroud it in a dust blanket. This process takes a couple weeks, just like our computer simulations for the nuclear winter smoke. Extinction of the dinosaurs. 65,000,000 years ago an asteroid or comet smashed into the Earth in southern Mexico. The resulting dust cloud, mixed with smoke from fires, blocked out the Sun, killing the dinosaurs, and starting the age of mammals. This Cretaceous-Tertiary (K-T) extinction may have been exacerbated by massive volcanism in India at the same time. This teaches us that large amounts of aerosols in Earth's atmosphere have caused massive climate change and extinction of species . The difference with nuclear winter is that the K-T extinction could not have been prevented. Policy Implications The work on nuclear winter in the 1980's, and the realization that both direct and indirect effects of nuclear war would be a global catastrophe, led to the end of arms race and the end of the Cold War. In response to the comment "In the 1980s, you warned about the unprecedented dangers of nuclear weapons and took very daring steps to reverse the arms race," in an interview in 2000, Mikhail Gorbachev said "Models made by Russian and American scientists showed that a nuclear war would result in a nuclear winter that would be extremely destructive to all life on Earth; the knowledge of that was a great stimulus to us, to people of honor and morality, to act in that situation."[1] Since the 1980's, the number of nuclear weapons in the world has decreased to 1/3 of the peak number of more than 70,000. The consequences of regional-scale nuclear conflicts are unexpectedly large, with the potential to become global catastrophes. **The combination of nuclear proliferation, political instability, and urban demographics may constitute one of the greatest dangers to the stability of society since the dawn of humans**. The current and projected American and Russian nuclear arsenals can still produce nuclear winter. Only nuclear disarmament will prevent the possibility of a nuclear environmental catastrophe.

**Scenario 2—Yemen**

**Drone strikes are causing recruitment in Yemen—undermines legitamcy of the drone program**

**Boyle 2013** (Michael J. Boyle, Assistant Professor of Political Science at La Salle University, January 2013, “The costs and consequences of drone warfare,” International Affairs, ebsco)

**In Yemen, drone strikes have replicated some of the same dynamics evident ¶ in Pakistan**. **The US has drifted into the role of a direct combatant in Yemen’s ¶ growing internal conflict through its drone strikes against AQAP** and other local ¶ Islamist networks. This is the war that dare not speak its name. **Senior US officials ¶ have repeatedly insisted that the US is not engaged in fighting an insurgency in ¶ Yemen and that it will not be drawn into a civil war there. President Obama went ¶ so far as to admonish a US general in the Situation Room for even mentioning a ¶ ‘campaign’ in Yemen.**99 **Yet there is significant evidence that the US has targeted ¶ local insurgents who have no interest in attacking US targets**.100 By 19 October, ¶ the US had conducted 35 drone strikes in Yemen in 2012 alone.101 Many of these ¶ strikes were directed not just against AQAP, but against local Islamist factions ¶ hostile to the government. **There is also significant evidence that the US has ¶ expanded its target set to include local militants who are linked to the AQAP ¶ movement but have no ability to strike, or interest in striking, the United States**.102¶ As Micah Zenko remarked: ‘Unless they were about to get on a flight to New ¶ York to conduct an attack, they were not an imminent threat to the United States ¶ … We don’t say that we’re the counterinsurgency air force of Pakistan, Yemen ¶ and Somalia, but we are.’103¶ **Yemen’s government, like Pakistan’s, has a cynical attitude towards the strikes, ¶ publicly condemning them while secretly supporting them when they take out ¶ its enemies**. In a meeting with General David Petraeus in 2010, then Deputy ¶ Prime Minister Rashad al-Alimi promised, ‘we’ll continue saying the bombs are ¶ ours, not yours’, and joked that he would just lie to parliament about the US ¶ control over the strikes.104 More recently, the Yemeni government has embraced ¶ the drone programme as a remedy for dealing with AQAP and its local insurgent movements. Yemeni President Abed Rabbo Mansour Hadi even offered rare ¶ public support for drones in a widely noted speech at the Woodrow Wilson Center in September 2012.105 The same inconsistent impulses that motivated US policy ¶ towards Pakistan are at work here too. The United States has provided US$326 ¶ million in security assistance to Yemen since 2007 and extensively developed the ¶ counterterrorism capacity of its special forces while sidelining the government ¶ in its unilateral drone strikes.106 **In other words, the US is building up a government that it marginalizes with drone strikes, strengthening its capacity while also ¶ undermining its legitimacy.¶ Just as in Pakistan, the result of a drone-first policy in Yemen has been to ¶ increase the ranks of the government’s enemies. Drone strikes against AQAP ¶ have fostered anti-American sentiment in the tribal regions of the country** and ¶ encouraged friends and family of civilians killed to join AQAP or other militant ¶ networks. **The drone strikes have bred ‘psychological acceptance’ of AQAP among ¶ Yemenis, in part because they appear to confirm its narrative of a bloodthirsty US ¶ dropping bombs from afar with no concern for who is killed**.107 A prominent ¶ Yemeni youth activist, Ibrahim Mothana, has argued that ‘drone strikes are causing ¶ more and more Yemenis to hate America and join radical militants; they are not ¶ driven by ideology but rather by a sense of revenge and despair’.108 **As Zenko has ¶ reported, AQAP has increased its membership from a few hundred in 2010 to a ¶ ‘few thousand’ today**.109 It is impossible to know how many of these recruits have ¶ come to AQAP as a result of the drone strikes or because of other factors, but ¶ this trend raises the worrying possibility that AQAP may gain several recruits for ¶ every leader killed in a drone strike.110 **As one local human rights leader put it, ‘the ¶ drones are killing al Qaeda leaders, but they are also turning them into heroes’**.111¶ Another beneficiary of drone strikes in Yemen has been Ansar al-Sharia, a Yemeni ¶ group affiliated with AQAP which has waged an increasingly vicious insurgency ¶ against the government since the beginning of the Arab Spring.112 As the Yemeni ¶ government has relied more on American drones to patrol its ungoverned spaces, ¶ Ansar al-Sharia has stepped into the vacuum and begun to provide social services ¶ in its place**. The danger, as former CIA official Robert Grenier put it, is that the ¶ increasing reliance on signature drone strikes may create a ‘larger terrorist safe ¶ haven’ in Yemen.**113

**AQAP has the intent to attack the US homeland**

**Bengyak, Emker 2013**(Kevin, Stacey, M.A.candadite at the John C. Whitehead Journal of Diplomacy and International Relations, “Analyzing the US Countertterrorism Strategy in Yemen”, January 14, 2013, <http://blogs.shu.edu/diplomacy/2013/01/analyzing-the-us-counterterrorism-strategy-in-yemen/>)

**The United States has placed great emphasis on fighting the militant Islamic group based in Yemen, Al Qaeda in the Arabian Peninsula (AQAP) because it has been characterized as one of the most dangerous Al-Qaeda affiliates worldwide. AQAP has demonstrated its intent to carry out attacks within U.S. borders, and against U.S. interests in Yemen. Replacing the long established Al-Qaeda threats emanating from South Asia and North Africa, the Obama Administration has identified AQAP as the most immediate threat to the U.S. homeland.** Since the ouster of President Ali Abdullah Saleh in February 2012, the transitional government of President Abd Rabbu Mansour Hadi remains weak outside the capital of Sana’a. **Overall, Yemen is on the verge of becoming a failed state with economic, social, and political challenges that AQAP is attempting to exploit in order to consolidate its power within the country.**

**And they have the capability**

**O’Hanlan 2013** (Micheal, senior fellow with the Center for 21st Century Security and Intelligence and director of research for the Foreign Policy program at the Brookings Institution where he specializes in U.S. defense strategy, the use of military force, and American foreign policy, “ How US Cities Can Protect Themselves Against Terrorist Attacks”, April 17, 2013, <http://www.brookings.edu/research/opinions/2013/04/17-us-cities-protect-bombing-attacks-ohanlon>)

**¶ Roughly a decade ago, in the aftermath of the September 11 attacks, FBI director Robert Mueller predicted that the United States would soon face the kinds of frequent small-scale bombings perpetrated frequently abroad by Hamas and Hezbollah. He considered the attacks nearly certain**.¶ For a decade, Mueller was wrong--and I’m sure he was more than happy about it. **Boston**, however**, has sadly and belatedly proven him right**, at least to a degree. But how can we lower the odds of similar attacks in the future?¶ **Of course, other attacks big and small have occurred in the western world during the past 10 years—above and beyond the very frequent ones in Iraq, Afghanistan, Pakistan, and now Syria. There was the train attack in Spain in 2003, and then the London subway bombings in 2005. There have been various attempted attacks in the United States, particularly during the past five years, most of them thwarted—the** [**Zazi New York subway attempt**](http://www.nytimes.com/2010/02/23/nyregion/23terror.html) **of 2009, and the** [**“underwear” bomber**](http://www.npr.org/blogs/thetwo-way/2012/05/07/152207969/reports-cia-thwarts-new-more-sophisticated-underwear-bomber)**" later that year on a plane approaching Detroit; the** [**2010 Times Square bombing**](http://www.foxnews.com/us/2010/10/05/times-square-bomber-faces-sentencing-nyc/)**; the printer-cartridge attempted bombing on** [**cargo aircraft**](http://www.telegraph.co.uk/news/uknews/terrorism-in-the-uk/8124226/Cargo-plane-bomb-plot-ink-cartridge-bomb-timed-to-blow-up-over-US.html)**. And of course we have had numerous mass shootings, America’s own form of large-scale terroristic violence.** Of these, the [Ft. Hood shootings](http://www.npr.org/series/120206378/the-shootings-at-fort-hood) in 2009 were linked to al Qaeda but others generally were not.¶ So **terrorism and large-scale violence have never really gone away. But the Boston bombings are still somewhat unusual for their lethality and success in America**. In scale they are nothing like [Oklahoma City](http://www.history.com/topics/oklahoma-city-bombing), of course, but they were worse than the infamous [1996 Atlanta Olympics bombing](http://usatoday30.usatoday.com/sports/columnist/lopresti/2006-07-23-lopresti-atl-10-years_x.htm). And it has been quite a while since those two tragedies, as well as the first World Trade Center attacks of the same time period and of the 9/11 attacks themselves. So there is a certain surprise in a successful bombing on U.S. soil, even though after we think about it for a while, most of us are probably not that shocked that it could happen again.¶ **Despite all the efforts since 9/11 and before on the intelligence and homeland security fronts, some attacks will get through (even if we also stop a lot of them before they happen). This is not because anyone has let down their guard; it is because the materials needed to make bombs (or shoot up public places) are not that hard to access**.

**Terrorism causes miscalculation that draws in Russia and China and culminates in extinction- also causes rising alert levels**

**Ayson 2010** (Robert Ayson, Professor of Strategic Studies and Director of the Centre for Strategic Studies: New Zealand at the Victoria University of Wellington, “After a Terrorist Nuclear Attack: Envisaging Catalytic Effects,” Studies in Conflict & Terrorism, Volume 33, Issue 7, July, Available Online to Subscribing Institutions via InformaWorld)

A terrorist nuclear attack, and even the use of nuclear weapons in response by the country attacked in the first place, would not necessarily represent the worst of the nuclear worlds imaginable. Indeed, **there are reasons to wonder whether nuclear terrorism should** ever **be regarded as** belonging in the category of truly **existential** threats. A contrast can be drawn here with the global catastrophe that would come from a massive nuclear exchange between two or more of the sovereign states that possess these weapons in significant numbers. Even the worst terrorism that the twenty-first century might bring would fade into insignificance alongside considerations of what a general nuclear war would have wrought in the Cold War period. And it must be admitted that as long as the major nuclear weapons states have hundreds and even thousands of nuclear weapons at their disposal, there is always the possibility of a truly awful nuclear exchange taking place precipitated entirely by state possessors themselves. **But** these two nuclear worlds—a non-state actor nuclear attack and a catastrophic interstate nuclear exchange—are not necessarily separable. It is just possible that some sort of terrorist attack, and especially **an act of nuclear terrorism, could precipitate a chain of events leading to a massive exchange of nuclear weapons between two or more** of the **states** that possess them. In this context, today’s and tomorrow’s terrorist groups might assume the place allotted during the early Cold War years to new state possessors of small nuclear arsenals who were seen as raising the risks of a catalytic nuclear war between the superpowers started by third parties. These risks were considered in the late 1950s and early 1960s as concerns grew about nuclear proliferation, the so-called n+1 problem. It may require a considerable amount of imagination to depict an especially plausible situation where an act of nuclear terrorism could lead to such a massive inter-state nuclear war. For example, in the event of a terrorist nuclear attack on the United States, it might well be wondered just how Russia and/or China could plausibly be brought into the picture, not least because they seem unlikely to be fingered as the most obvious state sponsors or encouragers of terrorist groups. They would seem far too responsible to be involved in supporting that sort of terrorist behavior that could just as easily threaten them as well. Some possibilities, however remote, do suggest themselves. For example, how might the United States react if it was thought or discovered that the fissile material used in the act of nuclear terrorism had come from Russian stocks,40 and if for some reason Moscow denied any responsibility for nuclear laxity? The correct attribution of that nuclear material to a particular country might not be a case of science fiction given the observation by Michael May et al. that while the debris resulting from a nuclear explosion would be “spread over a wide area in tiny fragments, its radioactivity makes it detectable, identifiable and collectable, and a wealth of information can be obtained from its analysis: the efficiency of the explosion, the materials used and, most important … some indication of where the nuclear material came from.”41 Alternatively, **if the act** of nuclear terrorism **came as a complete surprise**, and American officials refused to believe that a terrorist group was fully responsible (or responsible at all) **suspicion would shift immediately to state possessors. Ruling out Western ally countries** like the United Kingdom and France, and probably Israel and India as well, authorities in **Washington would be left with a very short list consisting of North Korea**, perhaps **Iran** if its program continues, and possibly **Pakistan**. But at what stage would **Russia and China** be definitely ruled out in this high stakes game of nuclear Cluedo? In particular, if the act of nuclear terrorism occurred **against a backdrop of existing tension in Washington’s relations with Russia and**/or **China**, and at a time when threats had already been traded between these major powers, **would officials and political leaders not be tempted to assume the worst?** Of course, the chances of this occurring would only seem to increase if the United States was already involved in some sort of limited armed conflict with Russia and/or China, or if they were confronting each other from a distance in a proxy war, as unlikely as these developments may seem at the present time. **The reverse** might well **apply too: should a nuclear terrorist attack occur in Russia or China** during a period of heightened tension or even limited conflict with the United States, **could Moscow and Beijing resist the pressures** that might rise **domestically to consider the U**nited **S**tates **as a possible perpetrator** or encourager of the attack**?** **Washington’s early response to a terrorist nuclear attack** on its own soil might also **raise the possibility of an unwanted** (and **nuclear** aided) **confrontation** with Russia and/or China. For example**, in the noise and confusion during the immediate aftermath of the terrorist nuclear attack, the U.S. president might be expected to place the country’s armed forces, including its nuclear arsenal, on a higher stage of alert. In such a tense environment, when careful planning runs up against the friction of reality**, it is just possible that **Moscow and/or China might mistakenly read this as a sign of U.S. intentions to use** force (and possibly **nuclear force) against them. In that situation, the temptations to preempt such actions might grow**, although it must be admitted that any preemption would probably still meet with a devastating response. As part of its initial response to the act of nuclear terrorism (as discussed earlier) **Washington might decide to order a significant conventional (or nuclear) retaliatory or disarming attack against the leadership of the terrorist group and/or states seen to support that group**. Depending on the identity and especially the location of these targets, **Russia and**/or **China might interpret such action as** being far too close for their comfort, and potentially as **an infringement on their spheres of influence and** even on their **sovereignty**. One far-fetched but perhaps not impossible scenario might stem from a judgment in Washington that some of the main aiders and abetters of the terrorist action resided somewhere such as Chechnya, perhaps in connection with what Allison claims is the “Chechen insurgents’ … long-standing interest in all things nuclear.”42 American pressure on that part of the world would almost certainly raise alarms in Moscow that might require a degree of advanced consultation from Washington that the latter found itself unable or unwilling to provide. There is also the question of how other nuclear-armed states respond to the act of nuclear terrorism on another member of that special club. It could reasonably be expected that following a nuclear terrorist attack on the United States, both Russia and China would extend immediate sympathy and support to Washington and would work alongside the United States in the Security Council. But there is just a chance, albeit a slim one, where the support of Russia and/or China is less automatic in some cases than in others. For example, what would happen if the United States wished to discuss its right to retaliate against groups based in their territory? If, for some reason, Washington found the responses of Russia and China deeply underwhelming, (neither “for us or against us”) might it also suspect that they secretly were in cahoots with the group, increasing (again perhaps ever so slightly) the chances of a major exchange. If the terrorist group had some connections to groups in Russia and China, or existed in areas of the world over which Russia and China held sway, and if Washington felt that Moscow or Beijing were placing a curiously modest level of pressure on them, what conclusions might it then draw about their culpability? If Washington decided to use, or decided to threaten the use of, nuclear weapons, the responses of Russia and China would be crucial to the chances of avoiding a more serious nuclear exchange. They might surmise, for example, that while the act of nuclear terrorism was especially heinous and demanded a strong response, the response simply had to remain below the nuclear threshold. It would be one thing for a non-state actor to have broken the nuclear use taboo, but an entirely different thing for a state actor, and indeed the leading state in the international system, to do so. If Russia and China felt sufficiently strongly about that prospect, there is then the question of what options would lie open to them to dissuade the United States from such action: and as has been seen over the last several decades, the central dissuader of the use of nuclear weapons by states has been the threat of nuclear retaliation. If some readers find this simply too fanciful, and perhaps even offensive to contemplate, it may be informative to reverse the tables. Russia, which possesses an arsenal of thousands of nuclear warheads and that has been one of the two most important trustees of the non-use taboo, is subjected to an attack of nuclear terrorism. In response, Moscow places its nuclear forces very visibly on a higher state of alert and declares that it is considering the use of nuclear retaliation against the group and any of its state supporters. How would Washington view such a possibility? Would it really be keen to support Russia’s use of nuclear weapons, including outside Russia’s traditional sphere of influence? And if not, which seems quite plausible, what options would Washington have to communicate that displeasure? If China had been the victim of the nuclear terrorism and seemed likely to retaliate in kind, would the United States and Russia be happy to sit back and let this occur? **In the charged atmosphere immediately after a nuclear terrorist attack, how would the attacked country respond to pressure from other major nuclear powers not to respond in kind? The phrase “how dare they tell us what to do” immediately springs to mind. Some might** even go so far as to **interpret** this **concern as a tacit form of** sympathy or **support for the terrorists. This might not help** the chances of **nuclear restraint**.

## 1AC-ADV 2-SOP

#### Lack of congressional oversight of drones undermines separation of powers

Friedersdorf 11 (Conor Friedersdorf is a staff writer at The Atlantic, where he focuses on politics and national affairs. The Atlantic, “The Risks of Obama’s Immoral Drone War”, October 20, 2011)

<http://www.theatlantic.com/politics/archive/2011/10/the-risks-of-obamas-immoral-drone-war/247107/>

Every Western democracy has answered the question, "How should the power of the leader be checked?" In the United States, we separated the role of the sovereign into three co-equal branches, incorporated the Bill of Rights into our written Constitution, and scheduled regular elections when the people, having observed the actions of the executive and legislative branches, regularly decide whether to oust them from office or send them back to Washington, D.C.¶ When we undercut these safeguards, we accept some share of responsibility for the excesses that result. Bear that in mind as you read Jane Mayer's description of the new way that America kills its foreign enemies, along with an unknowable number of innocents that add up to hundreds at minimum. "The U.S. government runs two drone programs. The military's version, which is publicly acknowledged, operates in the recognized war zones of Afghanistan and Iraq, and targets enemies of U.S. troops stationed there. As such, it is an extension of conventional warfare," she writes. "The C.I.A.'s program is aimed at terror suspects around the world, including in countries where U.S. troops are not based. It was initiated by the Bush Administration and, according to Juan Zarate, a counterterrorism adviser in the Bush White House, Obama has left in place virtually all the key personnel. The program is classified as covert, and the intelligence agency declines to provide any information to the public about where it operates, how it selects targets, who is in charge, or how many people have been killed."¶ Put another way, this single C.I.A. program weakens the separation of powers, the Bill of Rights, and the accountability of America's leaders to its citizenry. It weakens the separation of powers by diluting Congress' role in declaring war and shaping foreign policy, as the executive branch operates in any country it sees fit; it weakens the Bill of Rights insofar as it has targeted and will continue to target American citizens for assassination without any due process; and it diminishes the degree to which government is accountable to voters in three ways. 1) It vests substantial power in an opaque bureaucratic agency whose leadership is unaccountable to voters; 2) insofar as it diminishes the Congressional role in foreign policy, it also lessens the people's influence, especially as exercised through the House of Representatives; 3) by operating in secrecy, it prevents voters from having enough information to judge even the behavior of the president, who has an incentive to hide not just acts that are sensitive for national security reasons, but behavior that would hurt or inconvenience him politically.

**Strong separation of powers key to heg**

**Ikenberry 1** (G. John, Professor @ Georgetown University, Spring, The National Interest)

First, **America's mature political institutions organized around the rule of law have made it a relatively predictable and cooperative hegemon. The pluralistic and regularized way in which U.S. foreign and security policy is made reduces surprises and allows other states to build long-term, mutually beneficial relations. The governmental separation of powers creates a shared decision-making system that opens up the process and reduces the ability of any one leader to make abrupt or aggressive moves toward other states**. An active press and competitive party system also provide a service to outside states by generating information about U.S. policy and determining its seriousness of purpose. **The messiness of a democracy can**, indeed, **frustrate American diplomats and confuse foreign observers. But over the long term, democratic institutions produce more consistent and credible policies--policies that do not reflect the capricious and idiosyncratic whims of an autocrat**. Think of the United States as a giant corporation that seeks foreign investors. It is more likely to attract investors if it can demonstrate that it operates according to accepted accounting and fiduciary principles. The rule of law and the institutions of policymaking in a democracy are the political equivalent of corporate transparency and accountability. Sharp shifts in policy must ultimately be vetted within the policy process and pass muster by an array of investigatory and decision-making bodies. **Because it is a constitutional, rule-based democracy, outside states are more willing to work with the U**nited **S**tates-or, to return to the corporate metaphor, to invest in ongoing partnerships.

#### Hegemony prevents great power war and key to successful transition to multilateralism

Barnett 11 (Thomas, Former Senior Strategic Researcher and Professor in the Warfare Analysis & Research Department, worked as the Assistant for Strategic Futures in the Office of Force Transformation in the Department of Defense, “The New Rules: Leadership Fatigue Puts U.S., and Globalization, at Crossroads,” The World Politics Review, March 7, 2011, <http://www.worldpoliticsreview.com/articles/8099/the-new-rules-leadership-fatigue-puts-u-s-and-globalization-at-crossroads>)

Events in Libya are a further reminder for Americans that we stand at a crossroads in our continuing evolution as the world's sole full-service superpower. Unfortunately, we are increasingly seeking change without cost, and shirking from risk because we are tired of the responsibility. We don't know who we are anymore, and our president is a big part of that problem. Instead of leading us, he explains to us. Barack Obama would have us believe that he is practicing strategic patience. But many experts and ordinary citizens alike have concluded that he is actually beset by strategic incoherence -- in effect, a man overmatched by the job. It is worth first examining the larger picture: We live in a time of arguably the greatest structural change in the global order yet endured, with this historical moment's most amazing feature being its relative and absolute lack of mass violence. That is something to consider when Americans contemplate military intervention in Libya, because if we do take the step to prevent larger-scale killing by engaging in some killing of our own, we will not be adding to some fantastically imagined global death count stemming from the ongoing "megalomania" and "evil" of American "empire." We'll be engaging in the same sort of system-administering activity that has marked our stunningly successful stewardship of global order since World War II. Let me be more blunt: As the guardian of globalization, the U.S. military has been the greatest force for peace the world has ever known. Had America been removed from the global dynamics that governed the 20th century, the mass murder never would have ended. Indeed, it's entirely conceivable there would now be no identifiable human civilization left, once nuclear weapons entered the killing equation. But the world did not keep sliding down that path of perpetual war. Instead, America stepped up and changed everything by ushering in our now-perpetual great-power peace. We introduced the international liberal trade order known as globalization and played loyal Leviathan over its spread. What resulted was the collapse of empires, an explosion of democracy, the persistent spread of human rights, the liberation of women, the doubling of life expectancy, and a roughly 10-fold increase in adjusted global GDP and a profound and persistent reduction in battle deaths from state-based conflicts. That is what American "hubris" actually delivered. Please remember that the next time some TV pundit sells you the image of "unbridled" American military power as the cause of global disorder instead of its cure. With self-deprecation bordering on self-loathing, we now imagine a post-American world that is anything but. Just watch who scatters and who steps up as the Facebook revolutions erupt across the Arab world. While we might imagine ourselves the status quo power, we remain the world's most vigorously revisionist force. As for the sheer "evil" that is our military-industrial complex, again, let's examine what the world looked like before that establishment reared its ugly head. The last great period of global structural change was the first half of the 20th century, a period that saw a death toll of about 100 million across two world wars. That comes to an average of 2 million deaths a year in a world of approximately 2 billion souls. Today, with far more comprehensive worldwide reporting, researchers report an average of less than 100,000 battle deaths annually in a world fast approaching 7 billion people. Though admittedly crude, these calculations suggest a 90 percent absolute drop and a 99 percent relative drop in deaths due to war. We are clearly headed for a world order characterized by multipolarity, something the American-birthed system was designed to both encourage and accommodate. But given how things turned out the last time we collectively faced such a fluid structure, we would do well to keep U.S. power, in all of its forms, deeply embedded in the geometry to come. To continue the historical survey, after salvaging Western Europe from its half-century of civil war, the U.S. emerged as the progenitor of a new, far more just form of globalization -- one based on actual free trade rather than colonialism. America then successfully replicated globalization further in East Asia over the second half of the 20th century, setting the stage for the Pacific Century now unfolding. As a result, the vector of structure-building connectivity shifted from trans-Atlantic to trans-Pacific. But if the connectivity push of the past several decades has been from West to East, with little connectivity extended to the South outside of the narrow trade of energy and raw materials, the current connectivity dynamic is dramatically different. Now, the dominant trends are: first, the East cross-connecting back to the West via financial and investment flows as well as Asian companies "going global"; and second, the East creating vast new connectivity networks with the South through South-South trade and investment. The challenge here is how to adjust great-power politics to these profound forces of structural change. Because of the West's connectivity to the East, we are by extension becoming more deeply connected to the unstable South, with China as the primary conduit. Meanwhile, America's self-exhausting post-Sept. 11 unilateralist bender triggered the illusion -- all the rage these days -- of a G-Zero, post-American world. The result, predictably enough for manic-depressive America, is that we've sworn off any overall responsibility for the South, even as we retain the right to go anywhere and kill any individuals -- preferably with flying robots -- that we deem immediately threatening to our narrowly defined national security interests. The problem with this approach is that China has neither the intention nor the ability to step up and play anything resembling a responsible Leviathan over the restive South, where globalization's advance -- again, with a Chinese face -- produces a lot of near-term instability even as it builds the basis for longer-term stability. Libya is a perfect example of where the world is now stuck: America is very reticent to get involved militarily, while China, for the first time in its history, engages in long-range military operations to evacuate its workforce there. Meanwhile, the expanding civil war rages on, to everyone's moral and economic distress. The point is not that America must invade Libya pronto to keep the world as we know it from coming to an end. But if the United States and the West sit by while the Rest, risers that they are, manage nothing more than pious warnings about needlessly butting in, then we all run the risk of collectively making the post-American, G-Zero, do-nothing storyline a self-fulfilling prophecy. While that alone won't stop the world from spinning, if it persists as a pattern, globalization will slide down another path: one of regionalism, spheres of influence and neocolonial burdens that are intuitively hoarded by great powers grown increasingly suspicious of one another. And if you know your history, that should make you nervous.

#### Early SOP key to prevent escalation of prez powers and massive inter-branch conflict

**Taylor- Robinson and Ura 12** (Michelle M, Joseph, "Public opinion and conflict in the separation of powers: Understanding the Honduran coup of 2009," Journal of Theoretical Politics, Oct 9, jtp.sagepub.com/content/early/2012/10/07/0951629812453216.full.pdf)

Finally, our model shows that **once inter-institutional conﬂict has emerged within the**¶ **separation of powers, it is likely to continue inexorably until it is resolved by authoritative**¶ **public action**. **An institution that** rationally **seeks to expand its authority in a separation**¶ **of powers system will also have incentives to continue and**, indeed, **escalate the conﬂict**¶ **rather than abandon its effort to aggrandize its authority in the face of opposition**. Likewise, **an attacked institution that rationally combats an attempted expansion of another**¶ **institution’s authority will not fold if the aggressor subsequently raises the stakes.** In the¶ case of Honduras, this dynamic is visible in the mutual escalation of the conﬂict between¶ President Zelaya and the nation’s Congress and Supreme Court. More generally, **this**¶ **result indicates dim prospects for hopes that inter-branch conﬂicts may be resolved by processes that are entirely endogenous to the institutions in question. Rather, intervention by the public or some other exogenous force may be critical to resolving a conﬂict**¶ **once it has emerged.**

#### Interbranch conflict causes extinction

Linda S. Jamison, Deputy Director of Governmental Relations @ CSIS, Spring 1993, Executive-Legislative Relations after the Cold War, Washington Quarterly, v.16, n.2, p. 189

Indeed there are very few domestic issues that do not have strong international implications, and likewise there are numerous transnational issues in which all nations have a stake. Environmental degradation, the proliferation of weapons of mass destruction, population control, migration, international narcotics trafficking, the spread of AIDS, and the deterioration of the human condition in the less developed world are circumstances affecting all corners of the globe. Neither political isolation nor policy bifurcation is an option for the United States. Global circumstances have drastically changed with the end of the Cold War and the political and policy conditions that sustained bipartisan consensus are not applicable to the post-war era. The formulation of a new foreign policy must be grounded in broad-based principles that reflect domestic economic, political and social concerns while providing practical solutions to new situations. Toward a cooperative US Foreign Policy for the 1990s: If the federal government is to meet the new international policy challenges of the post-cold war era, institutional dissension caused by partisan competition and executive-legislative friction must give way to a new way of business. Policy flexibility must be the watchword of the 1990s in the foreign policy domain if the United States is to have any hope of securing its interests in the uncertain years ahead. One former policymaker, noting the historical tendency of the United States to make fixed “attachments,” has argued that a changing world dictates policy flexibility, where practical solutions can be developed on principles of broad-based policy objectives (Fulbright 1979). Flexibility, however, will not be possible without interbranch cooperation. The end of the Cold War and the new single-party control of the White House and Congress provide a unique opportunity to reestablish foreign policy cooperation. Reconfiguring post cold war objectives requires comprehension of the remarkable transformations in world affairs and demands an intense political dialogue that goes beyond the executive branch (Mann 1990, 28-29).

Even small violations of separation of powers must be avoided like nuclear war risks

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Martin H. and Elizabeth J., December 1991, IF ANGELS WERE TO GOVERN" \*: THE NEED FOR PRAGMATIC FORMALISM IN SEPARATION OF POWERS THEORY ,1992 Duke Law Journal, 41 Duke L.J. 449, p. 474

In summary, **no defender of separation of powers can prove with certitude that**, but for the existence of separation of powers, **tyranny would be the inevitable outcome. But the question is whether we wish to take that risk, given the obvious severity of the harm that might result**. **Given both the relatively limited cost imposed by use of separation of powers and the great severity of the harm sought to be avoided, one should not demand a great showing of the likelihood that the feared harm would result**. For **just as in the case of the threat of nuclear war**, no one wants to be forced into the position of saying, “I told you so.”

## Plan

#### The United States Congress should amend the War Powers Act of 1973 to include the offensive use of drones into the definition of “hostilities”

## Solvency

#### Obama precedent makes WPR potentially effective but the Libya model undermines its ability to check escalation via public opinion – explicit Congressional amendment key to solve

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Hamline Journal of Public Law & Policy 33 Hamline J. Pub. L. & Pol'y 387 CURRENT PUBLIC LAW AND POLICY ISSUE: War Powers Resolution in the Age of Drone Warfare: How Drone Technology has Dramatically Reduced the Resolution's Effectiveness as a Curb on Executive Power

B. The Resolution's Usefulness Critics may argue that the Resolution in practice has not adequately curbed executive power, and that there are serious questions as to whether it is constitutional. Indeed, a majority of scholars agree that following the Supreme Court's decision in INS v. Chadha, Section 5(c) of the Resolution is likely a violation of the Constitution's Presentment Clause. 153 Further, it is at least arguable that the Resolution purports to place an overbroad and unconstitutional limit on a president's exercise of his/her authority as commander in chief. 154 These concerns, however, are likely moot because no court has been willing to rule on the Resolution's constitutionality. Rather, courts have been content to dismiss cases on procedural grounds, and by all indications will continue to do so in the future. To focus on the Resolution's shortcomings, however, is to only tell part of the story because the Resolution does retain one extremely useful feature. The Resolution remains an excellent tool for Congress to control public opinion regarding a president's unilateral deployment of armed forces and, therefore, can still encourage the president to act in accordance with its strictures despite its lack of enforceability in a court of law. 155 The history of the Resolution tells a story of consistent technical violations by the executive branch. A closer look nevertheless reveals that the Resolution has been largely successful at accomplishing its stated purpose: to "fulfill the intent of the [\*418] framers of the Constitution of the United States and insure that the collective judgment of both the Congress and the President will apply to the introduction of United States Armed Forces into hostilities." 156 Ensuring that Congress has an opportunity to weigh in on any deployment of American armed servicemen begins with the Resolution's requirement that presidents consult with Congress within 48 hours. 157 Every president has complied with the 48-hour requirement and consulted with Congress even though maintaining that the Resolution itself was unconstitutional. 158 President Obama went one step further and for the first time implicitly recognized the constitutionality of the Resolution. 159 Further, it has been effective at encouraging the executive branch to communicate openly with Congress and to not act unilaterally without a substantial showing of support. 160 Indeed, the Resolution was somewhat effective at the conflict's inception as President Obama provided notice of the conflict in compliance with the Resolution's 48-hour rule, and shaped American involvement in the NATO operation to fit its requirements. As previously discussed, the President expressly excluded the possibility of putting "boots on the ground", and from the conflict's inception, specifically defined its limited scope. 161 Compliance with the 48-hour requirement, and providing Congress with information regarding the nature of the conflict reinforces the usefulness of the Resolution because, according to a Senate report, the intent behind Section 8(c) of the Resolution was "to prevent secret, unauthorized military support activities." 162 The Resolution [\*419] has encouraged transparency when a president acts abroad, and in doing so allows the Congress to shape public opinion regarding the conflict. The Resolution was ineffective, however, at restraining President Obama as he sustained the conflict because Congress was largely unsuccessful at shaping public opinion. 163 This can partially be attributed to the operation's successful outcome and relative brevity; however, there is a more fundamental problem. The Obama administration's limited operation and use of drone technology deprived Congress of the opportunity to argue that he was putting American lives at risk. Congress was forced to present to the public an abstract debate over the meaning of "hostilities" for the purposes of the Resolution, without the benefit of concrete language that the President could not avoid. Further, perhaps in an attempt to make the debate less abstract, Congressmen were relegated to focusing on the fiscal cost of the conflict, rather than its legality. 164 Due to the unique nature of the conflict, the Resolution lost any and all effectiveness once underway. For the first time since the Resolution's passage, however, a president recognized the authority of the Resolution to restrict executive power. 165 Congress should capitalize on this fact and take the opportunity to dull some of the gloss on executive power. This is important because with each passing year, drones become more technologically capable, more deadly, and will be relied upon in greater numbers. The War Powers Resolution was not designed to restrict limited military operations that do not risk American personnel, and drones by their very nature operate in a limited fashion without risk to American servicemen. Therefore, as the [\*420] military transitions into the 21st century, so too must the Vietnam era War Powers Resolution. C. A Solution The Resolution remains an important tool for Congress to shape public opinion and needs to be updated. Therefore, with the advent of new technology that could not have been predicted by its drafters, it should be amended to make it a more effective in the 21st century. The Obama Administration's arguments for why it was not engaging in "hostilities" within the meaning of the Resolution are at the very least supportable and undermine the Resolution's effectiveness as a curb on executive power. As Representative Boehner argued, however, to suggest that one is not engaging in "hostilities" while armed drones are firing upon military targets "defies rational thought." 166 If Congress wishes to use the Resolution as a means of limiting presidential action through public pressure, than it must amend the Resolution to explicitly prohibit the offensive use of drones. As demonstrated by the conflict in Libya, assertions by members of Congress that a president is engaging in "hostilities" by deploying drones are undermined by the limited manner in which they operate, and more importantly, the relative lack of exposure of American personnel to harm. Members of Congress attempted to rectify this by passing funding legislation that would specifically prohibit the offensive use of drones in Libya, but were unsuccessful. 167 Further, if passed, the funding legislation would merely have been an ad hoc veto against the unilateral action taken by the President. This was not the intent of those who drafted the Resolution. The purpose of the Resolution was to ensure Congress' participation in the initial decision to send armed forces abroad. 168 With regards to the operation in Libya, the Resolution provided the [\*421] guidelines that shaped the scope of American involvement. 169 Indeed, it is reasonable to infer that the operation would have been carried out in a different manner, if at all, had the Resolution included a specific prohibition against the offensive use of drone technology. At the very least, should the Libyan conflict prove to be a blueprint for future small-scale military interventions, Congress would have concrete language to point to when attempting to shape public opinion. If Congress wants to ensure its role in the decision to send American military forces abroad, then it must recognize that drones are here to stay. V. Conclusion The War Powers Resolution needs updating. Though it has its critics, the Resolution does still serve a purpose in ensuring that Congress plays a concurrent role in the field of foreign policy, as intended by this Nation's Founders. The Resolution's language does not, however, adequately address the types of small-scale conflicts that are likely to occur in the 21st century. A product of the Vietnam era, the Resolution places too great of an emphasis on the exposure of American servicemen to harm, and gives presidents the freedom to rely on new technologies to skirt its strictures. Drone technology is here to stay. Technological advancements mean that drones will be more agile, more deadly, and more effective. Further, the increase in the numbers of drones utilized by American armed forces mean that they will play an even greater role in future conflicts. The drafters of the Resolution did not, and could not envision the day where American pilots could deliver their aircraft's deadly payload while remaining safely on the ground, far from the conflict. The intent in passing the Resolution was to ensure that Congress has a mechanism to ensure its concurrent participation in the decision to involve the Nation in armed conflict. Congress should therefore amend the Resolution to [\*422] include the offensive use of armed drones within the definition of "hostilities."

#### Including drones in the WPR allows for Congressional oversight, while maintain presidential flex, and domestic legitimacy

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The inclusion of drone strikes in the WPR would duly anticipate ¶ an increasing trend towards fighting through unmanned vehicles.82¶ This global trend has indicated that “technologies that remove humans from the battlefield are becoming the new normal in war.”83¶ The costs to the US in terms of personnel casualties and political capital remain so low relative to other types of conflict that drone ¶ usage will likely persist or increase in frequency. The changing ¶ nature of international conflict suggests that drones and other unmanned military assets will probably become important aspects of ¶ war. Properly classifying drones and implementing a congressional ¶ check on their usage at a time when they are emerging as conventional weapons is therefore very important. ¶ Accounting for drones through the WPR would require only ¶ small modifications to the legislation. The resolution refers to “armed ¶ forces” as the asset of interest that Congress seeks to regulate.84 To ¶ induct drones into the WPR, legislators can expand the definition ¶ of armed forces therein to explicitly include drones and other unmanned military assets. Specifically, the resolution should define ¶ “armed forces” as any US military asset, manned or unmanned, ¶ deployed in the interest of national security with specific military ¶ target(s). Similar to the current version of the resolution, the updated ¶ law should require any President that deploys these military assets to ¶ abide by the restrictions and protocols outlined therein.¶ An effective definition of drone strikes as part of the armed ¶ forces must necessarily address conditional factors since drones are ¶ not used exclusively for long-term campaigns. Drones are sometimes ¶ used for assassinations and other objectives, and although guidelines ¶ for controlling their use in these other areas are too broad to be discussed here, modifications to the resolution should account for those ¶ distinct circumstances. To avoid unnecessary and possibly detrimental consequences of reporting covert operations to Congress, the ¶ updated resolution should include a clause that limits the type of ¶ drone activity the President must report to Congress. To distinguish ¶ between long-term campaigns and single attacks, the law should ¶ specify that two attacks targeting the same group or occurring in the ¶ same country within one month of each other constitute the beginning of a campaign. Once this condition is met, proceeding with the ¶ campaign would require presidential action as outlined in the WPR. ¶ Although seemingly arbitrary, two drone strikes in one month ¶ is likely an effective indicator that a series of attacks is becoming a campaign, and Congress should have the power to exert its constitutional authority when such a benchmark is reached. Reports indicate ¶ that there have been, on average, 2.84 drone attacks per month in ¶ Pakistan since 2004.85 Attacks in Yemen exhibit similar patterns, ¶ although the consistency of those attacks has not risen to Pakistan’s ¶ levels until recently.86 Using these current trends as a baseline helps ¶ determine the appropriate attack frequency for determining the ¶ starting point of a campaign. Because unsuccessful assassination attempts may necessitate a second attack in a relatively short period of ¶ time, the success of an attack should be considered in the definition ¶ of which attacks count towards defining a series of attacks as a campaign. Only attacks that successfully eliminate the intended target ¶ should be counted towards the limit. This will allow for repeated ¶ attempts if an assassination or other single operation endeavor fails ¶ after an initial attempt. ¶ Some might argue that including drone strikes in the WPR ¶ raises the cost of using drones to an unacceptably high level because ¶ their use would require formal sanction. Congressional approval, ¶ however, does not necessarily constitute an official declaration of ¶ war. Presidents have reported a number of conflicts to Congress ¶ consistent with the WPR that have proceeded without an official ¶ declaration from Congress.87 Additionally, the Obama administration explicitly classifies the conflict with al-Qaeda and the Taliban ¶ as “armed conflict”88 and gaining explicit approval from Congress ¶ would not change the costs of moving forward with the conflict. ¶ Finally, obtaining congressional approval would potentially create greater domestic legitimacy for a campaign, thereby strengthening ¶ the President’s political position instead of weakening it. These considerations indicate that Congress can justifiably and easily address ¶ the lack of institutional oversight for drone warfare through modifying the WPR.

#### Revising the WPR provides an essential check on presidential power

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Although critics have disputed the constitutionality of the WPR, ¶ the major functional pieces of the law are specifically backed by the ¶ Constitution. Further, US Presidents have provided reports to Congress in compliance with the legislation, suggesting some level of ¶ implied legitimacy for the resolution. Revising the WPR to include ¶ drones and other non-conventional weapons will provide an essential check on presidential power as these forms of conflict become ¶ more common in the future. ¶ The current drone strikes campaign has proven very costly ¶ and the cost-benefit analysis should not be limited to the President, ¶ White House aides, and a handful of correspondents at the CIA. The ¶ negative consequences of drone strikes suggest that a greater number of decision makers should become involved in the discussion ¶ of whether or not to move forward with these costly campaigns of ¶ dubious merit. ¶ The nature of conflict is constantly evolving. Legislation must ¶ also evolve through a combination of pragmatism and foresight in ¶ the interest of protecting democratic processes and human rights.

#### Statutory WPR restrictions are vital to assure presidential self restraint

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C. The Effects of Technology-Driven Warfare on Politics and Social Movements The practical effects of this move toward a technology-driven, and therefore limited, proxy style of warfare are mixed. On the one hand, the removal of American soldiers from harm's way is a clear benefit, 124 as is the reduced harm to the American public in general. For that, we should be thankful. But there is another effect that is less easy to identify: public apathy. By increasing the use of robotics and decreasing the probability of harm to American soldiers, modern warfare has "affected the way the public views and perceives war" by turning it into "the equivalent of sports fans watching war, rather than citizens sharing in its importance." 125 As a result, the American public has slowly fallen victim to the numbing effect of technology-driven warfare; when the risks of harm to American soldiers abroad and civilians at home are diminished, so too is the public's level of interest in foreign military policy. 126 In the political sphere, this effect snowballs into both an uncaring public not able (or willing) to effectively mobilize in order to challenge presidential action and enforce the WPR, and a Congress whose own willingness to check presidential military action is heavily tied to public opinion. 127 Recall, for example, the case of the Mayaguez, where potentially unconstitutional action went unchecked because the mission was perceived to be a success. 128 Yet we can imagine that most missions involving drone strikes will be "successful" in the eyes of [\*230] the public: even if a strike misses a target, the only "loss" one needs to worry about is the cost of a wasted missile, and the ease of deploying another drone would likely provide a quick remedy. Given the political risks associated with making critical statements about military action, especially if that action results in success, 129 we can expect even less congressional WPR enforcement as more military engagements are supported (or, at the very least, ignored) by the public. In this respect, the political reaction to the Mayaguez seems to provide an example of the rule, rather than the exception, in gauging political reactions within a technology-driven warfare regime. Thus, when the public becomes more apathetic about foreign affairs as a result of the limited harms associated with technology-driven warfare, and Congress's incentive to act consequently diminishes, the President is freed from any possible WPR constraints we might expect him to face, regardless of any potential legal issues. 130 Perhaps unsurprisingly, nearly all of the constitutionally problematic conflicts carried out by presidents involved smaller-scale military actions, rarely totaling more than a few thousand troops in direct contact with hostile forces. 131 Conversely, conflicts that have included larger forces, which likely provided sufficient incentive for public scrutiny, have generally complied with domestic law. 132 The result is that as wars become more limited, 133 unilateral presidential action will likely become even more unchecked as the triggers for WPR enforcement fade away. In contrast with the social and political backlash witnessed during the Civil War, World War I, the Vietnam War, and the Iraq War, contemporary military actions provide insufficient incentive to prevent something as innocuous and limited as a drone strike. Simply put, technology-driven warfare is not conducive to the formation of a substantial check on presidential action. 134 [\*231] III The War Powers Resolution in the Era of Technology-Driven Warfare A. Why an Unconstrained Executive Matters Today If public scrutiny acts as a check on presidential action by pressuring Congress into enforcing domestic law (namely, the WPR), then that check has weakened given the increased use of technology-driven warfare abroad. 135 As a result, fewer checks on presidential military actions exist, implying that we will see more instances of unilateral presidential initiatives. But if the new era of warfare removes the very issues associated with traditional warfare, should we be concerned about the American public's increasing numbness to it all? The answer is undoubtedly yes. First, from a practical standpoint, the psychology surrounding mechanized warfare makes it easier for the United States to enter hostilities initially. 136 Without having to worry about any of the traditional costs of war (such as a draft, rationing, casualties, etc.), the triggers that have historically made the public wary of war are now gone. When machines, rather than human beings, are on the front lines, the public (and, as a result, politicians and courts) will not act to stop the continued use of drones. In other words, people will simply stop caring about our increased actions abroad, regardless of their validity, constitutionality, or foreign harm. But again one must wonder: should we care? After all, even if we increase the number of military conflicts abroad, the repercussions hardly seem worth worrying about. For example, worrying that WPR violations will cause significant harm to the United States seems somewhat misplaced given the limited nature of technology-driven warfare. Granted, this style of warfare might make it easier to enter hostilities, but the risk of subsequent harm (at least to the United States) is low enough to mitigate any real danger. Furthermore, even if the effects of warfare might become increasingly dulled, any use of force that would eventually require traditional, Vietnam-esque types of harms as the result of technology-driven warfare would in a sense "wake up the populace" in order to check potentially unconstitutional action. 137 [\*232] Thus, if our level of involvement requires machines and only machines, why worry about a restrained level of public scrutiny? The answer is that a very real risk of harm exists nonetheless. War by its very nature is unpredictable. 138 Indeed, one of the major grievances concerning the war in Vietnam was that we ended up in a war we did not sign up for in the first place. 139 The problem is not the initial action itself but the escalation. Therefore, while drone strikes might not facially involve any large commitment, the true threat is the looming possibility of escalation. 140 That threat exists in the context of drones, whether because of the risk of enemy retaliation or because of a general fear that an initial strike would snowball into a situation that would require troops on the ground. 141 In both cases, an apparently harmless initial action could eventually unravel into a situation involving harms associated with traditional warfare. 142 Worse yet, even if that blowback was sufficient to incentivize the populace and Congress to mobilize, the resulting involvement would only occur after the fact. 143 If we want restraints on presidential action, they should be in place before the United States is thrown into a war, and this would require public awareness about the use of drones. 144 As such, whether it is unforeseen issues arising out of the drones themselves 145 or unforeseen consequences stemming from what was ostensibly a minor military undertaking, there is reason to worry about a [\*233] populace who is unable to exert any influence on military actions, even as we shift toward a more limited form of warfare. 146 Another issue associated with a toothless WPR in the era of technology-drive warfare involves humanitarian concerns. If one takes the more abstract position that the public should not allow actions that will kill human beings to go unchecked, regardless of their legality or underlying rationale, then that position faces serious pressure in the era of technology-driven warfare. As the human aspect of warfare becomes more attenuated, the potential humanitarian costs associated with war will fade out of the collective consciousness, making it easier for the United States to act in potentially problematic ways without any substantial backlash. Rather than take note of whom we target abroad, for example, the numbing effect of technology-driven warfare forces the public to place "enormous trust in our leaders" despite the fact that good faith reliance on intelligence reports does not necessarily guarantee their accuracy. 147 Accordingly, as the level of public scrutiny decreases, so too will our ability to limit unwarranted humanitarian damage abroad. 148 At the very least, some dialogue should occur before any fatal action is taken; yet, in the technology-driven warfare regime, that conversation never occurs. 149 Of course, this Note has argued that the issues associated with technology-driven warfare (an increased level of military involvement abroad, potential for escalation, humanitarian difficulties, etc.) though very real, are less prominent than the harms associated with traditional warfare. But perhaps this premise is incorrect; that is, perhaps technology-driven warfare does present sufficient harm to trigger social and political scrutiny. For example, pecuniary harms are very real contemporary concerns, and they seem to play an increased role in determining a country's standing. 150 In this respect, given the financial [\*234] costs of drone strikes (and military spending in general), 151 perhaps we need not be worried about an absence of public scrutiny. Yet given the traditional costs of war, pecuniary harm hardly seems like the type of concern sufficient to create the type of political checks present in the Civil War, World War I, Vietnam, or Iraq. In all four situations, American lives were at stake, entire households faced life-changing effects of war in a very real way, and the entire country saw major social and political transformations. Economic harm is certainly an issue worth considering, especially as the United States takes on more and more debt; yet, whether that sort of harm rises to the level sufficient to trigger mass citizen mobilization remains to be seen. 152 Indeed, if the recent actions in Libya are any indication, financial harm is far too attenuated to create any sort of substantial backlash. Future technology-driven conflicts will likely create a clearer picture of the role of pecuniary damage, but as it stands, this sort of harm fails to "rally the troops" for public attentiveness. B. Why Existing Theories of Presidential Constraint Are No Longer Sufficient Naturally, some have argued that an unchecked President is not necessarily an issue at all. Specifically, in The Executive Unbound, Eric Posner and Adrian Vermeule argue that the lack of presidential constraint is actually a rational development: we want a President who can act with alacrity, especially in a world where quick decisions may be necessary (e.g., capturing a terrorist). 153 But rather than worry about this progression, Posner and Vermeule argue that sufficient political restraints remain in place to prevent a president from acting recklessly, making the inability of legal constraints (such as the WPR) to curtail presidential action a moot point. 154 Specifically, a mix of "elections, parties, bureaucracy, and the media" acts as an adequate constraint on presidential action, even absent any legal checks on the [\*235] executive. 155 Posner and Vermeule find that presidential credibility and popularity create a deep incentive for presidents to constrain their own power. This restraint does not arise from a sense of upholding the Constitution or fear of political backlash, but from the public itself. 156 Because of these nonlegal constraints, the authors conclude that the fear of an unconstrained President (one that has the potential to go so far as tyranny) is unwarranted. 157 The problem with such a theory is that the requisite social and political awareness that might have existed in large-scale wars has largely disappeared, allowing the President to act without any fear of diminished credibility or popularity. Specifically, Posner and Vermeule seem to rely on public attentiveness in order to check presidential action but do not seem to consider a situation where public scrutiny fails to materialize. The authors place an important caveat in their argument: "As long as the public informs itself and maintains a skeptical attitude toward the motivations of government officials, the executive can operate effectively only by proving over and over that it deserves the public's trust." 158 But what happens when such skepticism and scrutiny vanish? The authors premise their argument on a factor that does not exist in a regime that utilizes technology-driven warfare. If credibility is what controls a President, and an apathetic populace does not care enough to shift its political views based on the use of technology-driven warfare abroad, then a President need not worry about public sentiment when deciding whether to use such force. This in turn means that the theory of self-restraint on the part of the President fails to account for contemporary warfare and its social impact, making the problem of public numbing very pertinent. 159 Conclusion On June 21, 2011, the United States lost contact with a Fire Scout helicopter flying over Libya. Military authorities ultimately concluded [\*236] that Qaddafi forces shot the helicopter down, adding to the final cost of America's intervention. 160 Yet there would be no outrage back home: no candlelit vigils, no congressional lawsuits, no protests at the White House gates, no demands for change. Instead, few people would even know of the Fire Scout's plight, and even fewer would care. That is because the Fire Scout helicopter was a drone, a pilotless machine adding only a few digits to the final "cost" of the war, hardly worth anyone's time or effort. As these situations become more and more common - where postwar assessments look at monetary, rather than human costs - the fear of unilateral presidential action similarly becomes more pertinent. Unlike past larger-scale wars, whose traditional harms provided sufficient incentive for the populace to exert pressure on the President (either directly or via Congress), technology-driven warfare has removed the triggers for checks on presidential action. And though the military actions that have raised WPR issues involved limited, small-scale operations, the volatile and unpredictable nature of warfare itself could eventually put American lives in danger, a risk worth considering given the increased use of drones abroad. Thus, the same conditions are now in place as when the WPR was enacted, creating a need to revisit the importance of the WPR in light of the numbing effect of technology-driven warfare. Although it might be tempting to simply write off the WPR as a failed experiment in aggressive congressional maneuvering given its inability to prevent unilateral presidential action in the past, the new era of warfare and its effects on the populace has created a newfound sense of urgency, one that requires a strong statutory barrier between the President and military action abroad. Thus, we need stronger WPR enforcement as it becomes easier to enter into "hostilities." While others focus on the WPR itself, 161 the emphasis of this Note is on the public's role in preventing unilateral presidential action. In this respect, the simplest solution for the numbing effect of contemporary warfare is an increased level of public attentiveness and scrutiny concerning military actions abroad, regardless of the lack of [\*237] visible costs at home. As we have seen, once the public becomes vigilant about our less-visible foreign actions, we can expect our politicians to become receptive to domestic law. But as this Note points out, the issues surrounding a toothless WPR will continue to grow and amplify as society enters a new age of technology-driven warfare. Thus, there is a pressing need for greater public awareness of the new, and perhaps less obvious, consequences of our actions abroad. 162 Perhaps taking note of these unforeseen costs will improve the public's inquiry into potential illegal action abroad and create real incentives to enforce the WPR.