# NEG UMKC Round 5 vs. Wyoming PM

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### Debt deal happening now but PC is key to prevent Republican hardline stance on spending cuts – our evidence assumes dem concessions

Kapur 9/9 Sahil Kapur, TPM's senior congressional reporter and Supreme Court correspondent, his articles covering politics and public policy have been published in The Huffington Post, The Guardian and The New Republic, “{Is House GOP Backing Down In Debt Limit Fight?”, Talking Points Memo, Seotember 9th, 2013, http://tpmdc.talkingpointsmemo.com/2013/09/house-gop-cantor-memo-debt-ceiling-cr-sequester-immigration.php?ref=fpb

House Republicans are taming members’ expectations ahead of the debt limit showdown, signaling that they may not be able to extract significant concessions from Democrats.¶ A Friday memo to GOP members by Majority Leader Eric Cantor (R-VA) says “the House will act to prevent a default on our obligations before” the mid-October deadline the Obama administration has established. “House Republicans,” he says, “will demand fiscal reforms and pro-growth policies which put us on a path to balance in ten years in exchange for another increase in the debt limit.”¶ The language is vague — intentionally so, in order to maintain wiggle room for Republicans to avert a disastrous debt default. President Barack Obama has vowed not to pay a ransom to ensure the U.S. can meet its obligations.¶ If and when they do cave, Republicans will be hard-pressed to show their base they got something in return for raising the debt ceiling. In January, they got Senate Democrats to agree to pass a non-binding budget resolution. This time around, the possibilities for symbolic concessions range from a doomed Senate vote to delay or defund Obamacare or instructions to initiate the process of tax reform.¶ There are a number of demands rank-and-file Republicans have urged leaders to make which could genuinely complicate the battle, such as dollar-for-dollar spending cuts or unwinding Obamacare. Cantor’s memo mentioned neither. GOP members have also called on leadership not to bring up any debt limit bill that lacks the support of half the conference. Boehner hasn’t committed to this and Cantor didn’t mention it in his memo.¶ There are several reasons Republicans will have a hard time extracting concessions. Back in January, when Obama held firm and refused to negotiate on the debt limit, Republicans folded and agreed to suspend the debt ceiling without substantial concessions but rather symbolic ones. And due to deep divisions within the conference, House Republicans will face enormous challenges in rounding up 218 votes to pass any conceivable debt limit hike.

### Drones are politically popular

Smithson, 12

(S, witer for the Washington Times, "Drones over U.S. get OK by Congress", Feb 7, [www.washingtontimes.com/news/2012/feb/7/coming-to-a-sky-near-you/?page=all](http://www.washingtontimes.com/news/2012/feb/7/coming-to-a-sky-near-you/?page=all) NL)

Look! Up in the sky! Is it a bird? Is it a plane? It’s … a drone, and it’s watching you. That’s what privacy advocates fear from a bill [Congress](http://www.washingtontimes.com/topics/congress/) passed this week to make it easier for the government to fly unmanned spy planes in U.S. airspace. The [FAA](http://www.washingtontimes.com/topics/federal-aviation-administration/) Reauthorization Act, which President [Obama](http://www.washingtontimes.com/topics/barack-obama/) is expected to sign, also orders the [Federal Aviation Administration](http://www.washingtontimes.com/topics/federal-aviation-administration/) to develop regulations for the testing and licensing of commercial drones by 2015. Privacy advocates say the measure will lead to widespread use of drones for electronic surveillance by police agencies across the country and eventually by private companies as well. “There are serious policy questions on the horizon about privacy and surveillance, by both government agencies and commercial entities,” said [Steven Aftergood](http://www.washingtontimes.com/topics/steven-aftergood/), who heads the Project on Government Secrecy at the [Federation of American Scientists](http://www.washingtontimes.com/topics/federation-of-american-scientists/). The [Electronic Frontier Foundation](http://www.washingtontimes.com/topics/electronic-frontier-foundation/) also is “concerned about the implications for surveillance by government agencies,” said attorney [Jennifer Lynch](http://www.washingtontimes.com/topics/jennifer-lynch/). The provision in the legislation is the fruit of “a huge push by lawmakers and the defense sector to expand the use of drones” in American airspace, she added. According to some estimates, the commercial drone market in the United States could be worth hundreds of millions of dollars once the [FAA](http://www.washingtontimes.com/topics/federal-aviation-administration/) clears their use. The agency projects that 30,000 drones could be in the nation’s skies by 2020. The highest-profile use of drones by the United States has been in the [CIA](http://www.washingtontimes.com/topics/united-states-central-intelligence-agency/)’s armed Predator-drone program, which targets [al Qaeda](http://www.washingtontimes.com/topics/al-qaeda/) terrorist leaders. But the vast majority of U.S. drone missions, even in war zones, are flown for surveillance. Some drones are as small as model aircraft, while others have the wingspan of a full-size jet. In [Afghanistan](http://www.washingtontimes.com/topics/afghanistan/), the U.S. use of drone surveillance has grown so rapidly that it has created a glut of video material to be analyzed. The legislation would order the [FAA](http://www.washingtontimes.com/topics/federal-aviation-administration/), before the end of the year, to expedite the process through which it authorizes the use of drones by federal, state and local police and other agencies. The [FAA](http://www.washingtontimes.com/topics/federal-aviation-administration/) currently issues certificates, which can cover multiple flights by more than one aircraft in a particular area, on a case-by-case basis. The [Department of Homeland Security](http://www.washingtontimes.com/topics/department-of-homeland-security/) is the only federal agency to discuss openly its use of drones in domestic airspace. U.S. Customs and Border Protection, an agency within the [department](http://www.washingtontimes.com/topics/department-of-homeland-security/), operates nine drones, variants of the [CIA](http://www.washingtontimes.com/topics/united-states-central-intelligence-agency/)’s feared Predator. The aircraft, which are flown remotely by a team of 80 fully qualified pilots, are used principally for border and counternarcotics surveillance under four long-term [FAA](http://www.washingtontimes.com/topics/federal-aviation-administration/) certificates. Officials say they can be used on a short-term basis for a variety of other public-safety and emergency-management missions if a separate certificate is issued for that mission. “It’s not all about surveillance,” [Mr. Aftergood](http://www.washingtontimes.com/topics/steven-aftergood/) said. Homeland Security has deployed drones to support disaster relief operations. Unmanned aircraft also could be useful for fighting fires or finding missing climbers or hikers, he added. The [FAA](http://www.washingtontimes.com/topics/federal-aviation-administration/) has issued hundreds of certificates to police and other government agencies, and a handful to research institutions to allow them to fly drones of various kinds over the United States for particular missions. The agency said it issued 313 certificates in 2011 and 295 of them were still active at the end of the year, but the [FAA](http://www.washingtontimes.com/topics/federal-aviation-administration/) refuses to disclose which agencies have the certificates and what their purposes are. The [Electronic Frontier Foundation](http://www.washingtontimes.com/topics/electronic-frontier-foundation/) is suing the [FAA](http://www.washingtontimes.com/topics/federal-aviation-administration/) to obtain records of the certifications. “We need a list so we can ask [each agency], ‘What are your policies on drone use? How do you protect privacy? How do you ensure compliance with the Fourth Amendment?’ ” [Ms. Lynch](http://www.washingtontimes.com/topics/jennifer-lynch/) said. “Currently, the only barrier to the routine use of drones for persistent surveillance are the procedural requirements imposed by the [FAA](http://www.washingtontimes.com/topics/federal-aviation-administration/) for the issuance of certificates,” said [Amie Stepanovich](http://www.washingtontimes.com/topics/amie-stepanovich/), national security counsel for the Electronic Privacy Information Center, a research center in Washington. The Department of Transportation, the parent agency of the [FAA](http://www.washingtontimes.com/topics/federal-aviation-administration/), has announced plans to streamline the certification process for government drone flights this year, she said. “We are looking at our options” to oppose that, she added. Section 332 of the new [FAA](http://www.washingtontimes.com/topics/federal-aviation-administration/) legislation also orders the agency to develop a system for licensing commercial drone flights as part of the nation’s air traffic control system by 2015. The agency must establish six flight ranges across the country where drones can be test-flown to determine whether they are safe for travel in congested skies. Representatives of the fast-growing unmanned aircraft systems industry say they worked hard to get the provisions into law. “It sets deadlines for the integration of [the drones] into the national airspace,” said [Gretchen West](http://www.washingtontimes.com/topics/gretchen-west/), executive vice president of the Association for Unmanned Vehicle Systems International, an industry group. She said drone technology is new to the [FAA](http://www.washingtontimes.com/topics/federal-aviation-administration/). The legislation, which provides several deadlines for the [FAA](http://www.washingtontimes.com/topics/federal-aviation-administration/) to report progress to [Congress](http://www.washingtontimes.com/topics/congress/), “will move the [drones] issue up their list of priorities,” [Ms. West](http://www.washingtontimes.com/topics/gretchen-west/) said.

### Default collapses international status of the dollar – fiscal security is the ONLY reason surplus countries still invest

Masters 13 Jonathan Masters, has a graduate degree in social theory from The New School University where he focused on media and international relations. He also holds a B.A. in political science from Emory University, writes on issues related to national security and civil liberties, and contributes to CFR's Renewing America initiative that focuses on the economic underpinnings of U.S. foreign policy, “U.S. Debt Ceiling: Costs and Consequences”, Council on Foreign Relations, January 2nd, 2013, http://www.cfr.org/international-finance/us-debt-ceiling-costs-consequences/p24751#p8

Historically, the U.S. Treasury market has been driven by huge investments from surplus countries like Japan and China, which view the United States as the safest place to store their savings. A 2011 Congressional Research Service report suggests that a loss of confidence in the debt market could prompt foreign creditors to unload large portions of their holdings, thus inducing others to do so, and causing a run on the dollar in international markets. However, others claim that a sudden sell-off would run counter to foreign economic interests, as far as those interests run parallel to a robust U.S. economy.¶ While many U.S. exporters would benefit from dollar depreciation because it would increase foreign demand for their goods (effectively making them cheaper), the same firms would also bear higher borrowing costs from rising interest rates.¶ A potential long-term concern of some U.S. officials is that persistent volatility of the dollar will add force to recent calls by the international community for an end to its status as the world's reserve currency. A 2010 survey performed by the McKinsey Global Institute found fewer than 20 percent of business executives surveyed expected the dollar to be the dominant global reserve currency by 2025.

### Dollar hegemony status is key to overall US economic and military leadership

William Clark, 2003; economic consultant and journalist, January (revised March 2003), “The Real Reasons for the Upcoming War with Iraq”, <http://www.ratical.org/ratville/CAH/RRiraqWar.html>

This unique geo-political agreement with Saudi Arabia in 1974 has worked to our favor for the past 30 years, as this arrangement has eliminated our currency risk for oil, raised the entire asset value of all dollar denominated assets/properties, and allowed the Federal Reserve to create a truly massive debt and credit expansion (or `credit bubble' in the view of some economists). These structural imbalances in the U.S. economy are sustainable as long as: 1. Nations continue to demand and purchase oil for their energy/survival needs 2. the world's monopoly currency for global oil transactions remains the US dollar 3. the three internationally traded crude oil markers remain denominated in US dollars These underlying factors, along with the `safe harbor' reputation of U.S. investments afforded by the dollar's reserve currency status propelled the U.S. to economic and military hegemony in the post-World War II period. However, the introduction of the euro is a significant new factor, and appears to be the primary threat to U.S. economic hegemony. Moreover, in December 2002 ten additional countries were approved for full membership into the E.U. Barring any surprise movements, in 2004 this will result in an aggregate E.U. GDP of $9.6 trillion and 450 million people, directly competing with the U.S. economy ($10.5 trillion GDP, 280 million people).

### Global economic crisis causes nuclear war

Cesare Merlini 11, nonresident senior fellow at the Center on the United States and Europe and chairman of the Board of Trustees of the Italian Institute for International Affairs, May 2011, “A Post-Secular World?”, Survival, Vol. 53, No. 2

Two neatly opposed scenarios for the future of the world order illustrate the range of possibilities, albeit at the risk of oversimplification. The first scenario entails the premature crumbling of the post-Westphalian system. One or more of the acute tensions apparent today evolves into an open and traditional conflict between states, perhaps even involving the use of nuclear weapons. The crisis might be triggered by a collapse of the global economic and financial system, the vulnerability of which we have just experienced, and the prospect of a second Great Depression, with consequences for peace and democracy similar to those of the first. Whatever the trigger, the unlimited exercise of national sovereignty, exclusive self-interest and rejection of outside interference would self-interest and rejection of outside interference would likely be amplified, emptying, perhaps entirely, the half-full glass of multilateralism, including the UN and the European Union. Many of the more likely conflicts, such as between Israel and Iran or India and Pakistan, have potential religious dimensions. Short of war, tensions such as those related to immigration might become unbearable. Familiar issues of creed and identity could be exacerbated. One way or another, the secular rational approach would be sidestepped by a return to theocratic absolutes, competing or converging with secular absolutes such as unbridled nationalism**.**

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### Counterterrorism is effective now

Anderson 2013 [Kenneth Anderson Professor of Law, Washington College of Law, American University, and Research Fellow--+-+, The Hoover Institution, Stanford University and Member of its Task Force on National Security and the Law May 24, 2013 “The Case for Drones” Real Clear Politics http://www.realclearpolitics.com/articles/2013/05/24/the\_case\_for\_drones\_118548-full.html]

Barack Obama campaigned for his first presidential term on the platform of ending America’s wars. Obama voters and much of the rest of the world figured this promise referred not only to the conventional conflicts in Iraq and Afghanistan, but also to what liberals considered the long and unnecessary national nightmare of the war on terror. It now seems clear he was misunderstood—though we don’t know yet whether the misunderstanding was by Obama’s design or due to changes that took place after he assumed office. Obama’s policy proved not to be “peace breaks out.” It was, rather, that America would wind down its two counterinsurgency, boots-on-the-ground wars and undertake a refocused effort against the terrorists who had set this all in motion. He framed it this way during the 2008 race. “If Pakistan cannot or will not take out al-Qaeda leadership when we have actionable intelligence about their whereabouts,” he said on the campaign trail, “we will act to protect the American people. There can be no safe haven for al-Qaeda terrorists.” No safe havens—that has been Barack Obama’s strategic lodestar in the war on terror.¶ It is this proposition, more than any other, that gets us to drone warfare.¶ Even as Obama publicly disdained the institutions and methodologies of Bush’s war on terror, he was issuing a new call to arms in that war. Taking the fight directly to the enemy required a means of combat other than counterinsurgency warfare on the ground, and the United States turned to a technology the Israelis had used effectively in their war against Palestinian terrorists: unmanned surveillance drones, now weaponized.¶ This tool had been used during the Bush administration, but sparingly-—largely due to geopolitical fears, but also because it was only by the second Bush term that the CIA had established ground-level human-intelligence networks in Afghanistan and Pakistan sufficient for making independent targeting decisions without having to rely on the questionable and self-interested information coming from Pakistan’s intelligence services.¶ The strategy has worked far better than anyone expected. It is effective, and has rightfully assumed an indispensable place on the list of strategic elements of U.S. counterterrorism-on-offense.

### Drones are key to counterterror operations- improvements in technology make them incredibly precise and make oversight awesome

Cartwright 2013 [General (ret) James E. Cartwright¶ my testimony will be based on my 40 years of military experience and work I am currently supporting with various universities, think tanks and studies Testimony to the Senate Judiciary Subcommittee on the ¶ Constitution, Civil Rights, and Human Rights¶ 24 March 2013 “CONSTITUTIONAL AND COUNTER TERRORISM IMPLICATIONS OF TARGETED KILLING” http://www.judiciary.senate.gov/pdf/04-23-13CartwrightTestimony.pdf]

Advances in high band-width satellite communications, sensing technologies -¶ particularly full motion video - combined with existing aircraft technology has allowed ¶ armed drones to emerge as the platform of choice in this counter terror mission space. In ¶ military operations, these drones are highly capable and sought after by ground forces. ¶ They cost roughly $4-5M versus a modern fighter’s $150M. They persist on station for ¶ 15-20 hours without refueling, versus 1-2 hours for fighter attack aircraft. They consume ¶ 100 gallons of fuel per flight versus 1,000-3,000 gallons for an unrefueled fighter attack ¶ aircraft. Their optics provides full motion imagery at far greater distances and altitudes ¶ than the human eye, and the crews are not distracted or disabled by the constant duties of ¶ flight. Their sensor information can be distributed to fixed and mobile users in real time. ¶ For a Marine, this means getting up in the morning, getting a patrol assignment, ¶ monitoring the target area in real time, while conducting mission planning, followed by ¶ travel to the target area, execution of the mission, return to base and debriefing. They can ¶ rerun the entire mission for accurate debriefings and mission effectiveness and ¶ accountability. During all that, they have an armed escort that can see over hills, and ¶ around corners, in the palm of their hand. Not hard to see why military operations are ¶ significantly improved by this technology.¶ Drones offer many advantages over other conventional forces in counter terrorism ¶ missions. Basing can be located far from the area of interest without sacrificing time on ¶ station. They have far greater mobility than a similar ground or naval capability. Their ¶ elevated sensors are generally more effective in locating and pursuing a threat. They can ¶ persist in an area for extended periods of time awaiting emergence or a clear opportunity. ¶ They can quickly adapt to fixed and mobile targets. These and many other attributes of ¶ armed drones make them the leading choice in counter terrorism operations.

### There is a linear increase in risk every time the Aff prevents action

Metz 2013 [Steven Metz is a defense analyst and the author of "Iraq and the Evolution of American Strategy." His weekly WPR column, Strategic Horizons, appears every Wednesday 27 Feb 2013 World Politics Review “Strategic Horizons: The Strategy Behind U.S. Drone Strikes” http://www.worldpoliticsreview.com/articles/12747/strategic-horizons-the-strategy-behind-u-s-drone-strikes]

The current strategy of containing al-Qaida-style extremism may repeat this pattern. Its strategic logic is the same, even if its methods differ. Yet, as during the Cold War, remaining steadfast until the strategy works will not be easy. Many parts of it are difficult, even repellent. Drone strikes are an example. But there is no other sustainable method of offensive actions that can effectively hinder the ability of the terrorists to organize and execute attacks. Even though this conflict does not look like the sort of traditional wars that Americans are used to, it cannot be handled like a law enforcement issue. And those who support a strictly defensive version of containment may be right that al-Qaida's flame will eventually burn out on its own. But without an offensive element to U.S. strategy, this day will be postponed, increasing the chances that a terrorist will get through America's defenses. And extending the conflict also brings even greater suffering to the people al-Qaida and its ilk hide behind.¶ Nearly all Americans would embrace a strategy that counters and defeats al-Qaida-style extremists without using drone strikes. So far, though, critics of the drones have not provided a viable alternative or made the case that the strategic costs of drones outweigh the benefits. At this point, drones remain the only effective offensive tool in a strategy that requires them.

### C/A Ayson

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### Text: The President of the United States should issue a national security directive consolidating lead executive authority for planning and conducting non-battlefield targeted killings through the Department of Defense.

### An executive directive transferring authority from the CIA to the DOD is key to targeted killing reform

Zenko 13 Micah Zenko, Douglas Dillon fellow in the Center for Preventive Action (CPA) at the Council on Foreign Relations, worked for five years at Harvard University’s Kennedy School of Government, and in Washington, DC, at the Brookings Institution, Congressional Research Service, and State Department's Office of Policy Planning, “Clip the Agency's Wings, Why Obama needs to take the drones away from the CIA.”, Foreign Policy, April 16th, 2013, http://www.foreignpolicy.com/articles/2013/04/16/clip\_the\_agencys\_wings\_cia\_drones

Implementing the 9/11 Commission recommendation has been proposed repeatedly over the last nine years, but neither the Bush nor Obama administrations seriously considered it. Subsequently, the lead executive authority for targeted killings became divided between the CIA and Joint Special Operations Command (JSOC) -- a subunified command of Special Operations Command. Since 9/11, with a few exceptions, non-battlefield targeted killings have been carried out in Pakistan by the CIA, in Somalia by JSOC, and in Yemen by both. (The CIA also conducted one drone strike in the Philippines in 2006.) Of the approximately 420 targeted killing attempts, the lead executive authority for over 90 percent has been the CIA.¶ Last month, Daniel Klaidman reported that three senior officials had told him that President Obama would gradually transfer targeted killings to the Pentagon during his second term. Other journalists report that this is not a certainty or that "it would most likely leave drone operations in Pakistan under the CIA," making any transition meaningless since over 80 percent of all U.S. targeted killings have occurred in Pakistan. But if Obama is serious about reforming targeted killing policies, as he has stated, then he needs to sign an executive order transferring lead executive authority for non-battlefield targeted killings from the CIA to the Defense Department. Doing this has three significant benefits for U.S. foreign policy.

### Bipartisian support for the CP – congress and the military think our strategy solves reform better

Zenko 13 Micah Zenko, Douglas Dillon Fellowat the Council on Foreign Relations, “Transferring CIA Drone Strikes to the Pentagon”, Council on Foreign Relations, April 2013, http://www.cfr.org/wars-and-warfare/reforming-us-drone-strike-policies/p29736

In 2004, the 9/11 Commission recommended that the "lead responsibility for directing and executing paramilitary operations, whether clandestine or covert, should shift to the Defense Department" to avoid the "creation of redundant, overlapping capabilities and authorities in such sensitive work." The recommendation was never seriously considered because the CIA wanted to retain its covert action authorities and, more important, it was generally believed such operations would remain a rarity. (At the time, there had been only one nonbattlefield targeted killing.) Nearly a decade later, there is increasing bipartisan consensus that consolidating lead executive authority for drone strikes would pave the way for broader strategic reforms, including declassifying the relevant legal memoranda, explicitly stating which international legal principles apply, and providing information to the public on existing procedures that prevent harm to civilians. During his February 2013 nomination hearing, CIA director John O. Brennan welcomed the transfer of targeted killings to the DOD: "The CIA should not be doing traditional military activities and operations."

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### The United States federal government should restrict the 2001 AUMF war powers authority of the president to carry out signature strikes.

### CP solves the Aff

Benson 2014 [Kristina E. Benson. 2014. ""Kill 'em and Sort it Out Later:" Signature Drone Strikes in International Humanitarian Law" TBD http://works.bepress.com/kristina\_benson/2/]

It should be clear at this point that “signatures” are not necessarily an accurate proxy for determining direct participation consistent with IHL, and that the problematic nature of signature strike protocol may lead to a disproportionate number of civilian deaths. It should also be clear that the unpredictability of signature drone strikes has put local civilian populations in a state of terror, which may not be illegal under IHL, but certainly compromises the stated goal of winning over hearts and minds. ¶ “We did not know that America existed. We did not know what its geographical location was, how its government operated, what its government was like, until America invaded Iraq and Afghanistan. We do know that Americans supported the Taliban in our area, North Waziristan, to fight off the Soviets. But [now with] the Soviets divided and broken . . . we have become victims of Americans. We don’t know how they treat their citizens or anything about them. All we know is that they used to support us, and now they don’t. . . . [W]e didn’t know how they treated a common man. Now we know how they treat a common man, what they’re doing to us.” ¶ There are several possibilities that can explain the unpredictability of signature drone strikes. The first is that signature strike protocol is underdeveloped, giving it an improvisatory and therefore unpredictable character. Drone operators and their supervisors may be left to their own devices to figure out what behaviors merit the lethal use of force, and assessment of such behaviors may vary from operator to operator, or even from shift to shift. The risk, however, is that the improvisatory nature of such protocol becomes codified: drone operators may conclude regularly that driving in convoy, for example, is suspicious. Administration officials may then infer from the fact that drone strikes have often killed military-aged males traveling in convoys that terrorists or combatants are more likely than others to drive in a convoy. As time passes, driving in a convoy may join an official list of behaviors deemed suspicious.¶ Another possiblity, however, is that the protocol itself--as aforementioned--is designed to target terrorists rather than combatants, and that there is not enough of an overlap between the two to effectively and consistently distinguish. The overlap between the day-to-day life of a terrorist and the day-to-day life of a civilian, as noted, may be profound given that a drone operator is not privy to cultural context; civilians are often mistakenly targeted as a result.¶ This leads us to a final possibility, which is that signature strike protocol conforms in theory with IHL, but in practice is difficult to apply due to cultural misunderstandings: drone operators and their supervisors may simply not be exposed to enough cultural material to understand which practices are commonplace in a given strike zone, and which are indeed “suspicious,” out of the ordinary, or consistent with behavior performed by terrorists. ¶ Whatever the case, it is clear from eye-witness reports and on-the-ground reporting that signature drone strike protocol requires revisiting and fine-tuning, as it may be in violation of several aspects of IHL.

### Signature strikes kill civilians, personality strikes kill insurgents

Benson 2014 [Kristina E. Benson. 2014. ""Kill 'em and Sort it Out Later:" Signature Drone Strikes in International Humanitarian Law" TBD http://works.bepress.com/kristina\_benson/2/]

Even so, an official speaking to the New York Times noted that the use of a “signature”—which in theory should map onto behavior consistent with terrorism—often accidentally conflates civilians with combatants: “It bothers me when they say there were seven guys, so they must all be militants. They count the corpses and they’re not really sure who they are.” Others—also from the State Department, also speaking to the New York Times on condition of anonymity—complain that when the C.I.A. sees “three guys doing jumping jacks,” the agency thinks it is a terrorist training camp. ¶ There is little public information about what kinds of behavior are sufficiently suspicious to merit a signature strike. Still, we can infer from a combination of leaks and investigative reporting that the “signature” of a potential militant or terrorist is defined very broadly. Once again, it bears mentioning that terrorist” and “militant” are political terms with no grounding in international humanitarian law: in IHL, a person is either a combatant or civilian, and there is no such thing as a “militant” or a “terrorist.” The “signature” of a terrorist or militant, therefore, may not be consistent with the “signature” of a combatant simply because a “combatant” is not the same as a “terrorist”/”militant.” ¶ Of course, this may be a feature, rather than a bug, of the signature strike program, which may be in place to snuff out militants and terrorists rather than snuff out combatants. It should also be noted that “personality strikes” are used to go after known terrorists or known members of Al Qaeda; signature strikes, on the other hand, target persons who act like they are al Qaeda, assuming that a person who acts like al Qaeda is Al Qaeda. This is a problematic assumption, howver, given that in some strike zone, “fighters regularly intermingle with civilians...and do not wear uniforms.” Nonetheless, militaries engaged in an armed conflict must always attempt to distinguish between legitimate and illegitimate targets for an attack.

## Case-adv 1

### The positive effects of targeted killing on warfighting overwhelm blowback

Johnston 2012 [Patrick B. Johnston is Associate Political Scientist at the RAND Corporation. He wrote this article while he was a fellow at the Center for International Security and Cooperation and the Empirical Studies of Conflict Project at Stanford University and at the International Security Program at Harvard Kennedy School's Belfer Center for Science and International Affairs International Security¶ Volume 36, Number 4, Spring 2012 “Does Decapitation Work?¶ Assessing the Effectiveness of Leadership Targeting in Counterinsurgency Campaigns” Project Muse]

The results strongly suggest that successful leadership removals, not blowback from failed attempts, drive the overall effect of leadership decapitation. The results are displayed in table 5. For both successful and unsuccessful decapitation attempts, the results are similar across the matched and unmatched samples and are robust to the inclusion of fixed effects and controls. Confidence in the findings is enhanced by the fact that the point estimates for successful leadership removals shown in table 5 are consistent with those displayed in table 3, which used exogenous variation in attempt outcomes to examine whether the correlation between successful attempts and campaign termination and government victory differed from the correlations between failed attempts and those outcomes. Specifically, the estimated effect of successful decapitation attempts remains similar in size to the estimates shown in table 3. The coefficients presented in table 5 suggest that leadership decapitation is associated with a 28-percentage point increase in the probability of termination during the year in which the decapitation attempt occurred and a 29- or 30-percentage point increase in the probability of government victory. Both of these results are significant at the 1 percent level.¶ There is little evidence of a "blowback effect." As the blowback hypothesis would predict, the point estimates for failed attempts are negative, which indicates that failed attempts to capture or kill insurgent leaders may have counterproductive effects on governments' chances of defeating insurgencies. [End Page 68] There is not enough evidence, however, to reject the null hypothesis—that failed decapitation operations have no overall impact on states' chances of strategic success. Indeed, the estimated effect of failed attempts is small and far from statistically significant, with p-values that range from 0.356 to 0.788. Taken together, this evidence strongly indicates that the successful removal of insurgent leaders, not blowback from failed attempts, underlies my key findings on the effects of leadership decapitation in counterinsurgency operations.

### Drones solve civ casualties – precision

Brooks 2012 [Rosa Brooks is a law professor at Georgetown University and a Schwartz senior fellow at the New America Foundation. She served as a counselor to the U.S. defense undersecretary for policy from 2009 to 2011 and previously served as a senior advisor at the U.S. State Department “What's Not Wrong With Drones?” September 5, 2012 Foreign Policy http://www.foreignpolicy.com/articles/2012/09/05/whats\_not\_wrong\_with\_drones?page=0,3]

But to paraphrase the NRA, "Drones don't kill people, people kill people." At any rate, drone strikes kill civilians at no higher a rate, and almost certainly at a lower rate, than most other common means of warfare. Drones actually permit far greater precision in targeting. Today's unmanned aerial vehicles (UAVs) can carry small bombs that do less widespread damage, and there's no human pilot whose fatigue might limit flight time. Their low profile and relative fuel efficiency combines with this to permit them to spend more "time on target" than any manned aircraft.¶ Drones can engage in "persistent surveillance.­" That means they don't just swoop in, fire missiles and swoop out: they may spend hours, days, or even months monitoring a potential target. Equipped with imaging technologies that enable operators even thousands of miles away to see details as fine as individual faces, modern drone technologies allow their operators to distinguish between civilians and combatants far more effectively than most other weapons systems.

### Groupthink doesn’t exist—individual minds are independent

Vieru 10 (March 25th, 2010, 09:45 GMT · By Tudor Vieru 'Group Think' May Not Exist citing Rob Wilson univ of alberta phil prof; http://news.softpedia.com/news/Group-Think-May-Not-Exist-138384.shtml)

Some of the cruelest, most unjust actions that groups of people have performed over the centuries have been attributed by various scientists and their theories to what is known as “group think.” This common psychological phenomenon is used to account for the actions that individuals take while inside the confines of a group, when under the cover of anonymity. Many experts have proposed countless explanations for what goes on in the human brain at those times, but now a study comes to dispute the very notion that the phenomenon of “group think” exists. According to investigators at the University of Alberta, in Canada, it is virtually impossible for a group to develop a mind of its own, independent from the minds of all the individuals making it up. The notion of a collective mind is also problematic, in the sense that little background can be gathered to support it. As far as UA Department of Philosophy professor Rob Wilson is concerned, this idea does nothing but provide an escape goat for people not willing to take responsibility for their own actions. “Groups are not thinking entities and do not share a collective consciousness. The mind does not begin or end in the skull, but it's still the mind of the individual. It is individual minds, not group minds, that exists. The idea of group minds [is] either an ontological extravagance or an outright mystery,” Wilson believes. He expands on this idea in his book “Boundaries of the Mind,” which also goes on to detail the positive aspects of groups – defined as a number of at least two people.

### No nuclear terrorism –chances are zero

John Mueller (Woody Hayes Chair of National Security Studies, Mershon Center, and is professor of Political Science, at Ohio State University) 2010 “Atomic Obsession: Nuclear Alarmism from Hiroshima to Al Qaeda” p, 187-190

Assigning a probability that terrorists will be able to overcome each barrier is, of course, a tricky business, and any such exercise should be regarded as rather tentative and exploratory, or perhaps simply as illustrative-though it is done all the time in cost-benefit analysis. One might begin a quantitative approach by adopting probability estimates that purposely, and heavily, bias the case in the terrorists' favor. In my view, this would take place if it is assumed that the terrorists have a fighting chance of 50 percent of overcoming each of the 20 obstacles displayed in Table 13-1, though for many barriers, probably almost all, the odds against them are surely much worse than that. Even with that generous bias, the chances that a concerted effort would be successful comes out to be less than one in a million, specifically 1,048,576. Indeed, the odds of surmounting even seven of the 20 hurdles at that unrealistically, even absurdly, high presumptive success rate is considerably less than one in a hundred. If one assumes, somewhat more realistically, that their chances at each barrier are one in three, the cumulative odds they will be able to pull off the deed drop to one in well over three billion specifically 3.486,784,401. What they would be at the (still entirely realistic) level of one in ten boggles the mind. One could also make specific estimates for each of the hurdles, but the cumulative probability statistics are likely to come out pretty much the same-or even smaller. There may be a few barriers, such as numbers 13 or absolute loyalty trump the one oftechnical competence. This would increase the chances that the bomb-making enterprise would go undetected, while at the same time decreasing the likelihood that it would be successful. However, given the monumentality of the odds confronting the would-be atomic terrorist, adjustments for such issues are scarcely likely to alter the basic conclusion. That is, if one drastically slashed the one in 3.5 billion estimate a thousandfold, the odds of success would still be one in 3.5 million. Moreover, all this focuses on the effort to deliver a single bomb. If the requirement were to deliver several, the odds become, of course, even more prohibitive. Getting away from astronomical numbers for a minute, Levi points out that even if there are only ten barriers and even if there were a wildly favorable 80 percent chance of overcoming each hurdle, the chance of final success, following the approach used here, would only be 10 percent. Faced even with such highly favorable odds at each step, notes Levi, the wouldbe atomic terrorist might well decide "that a nuclear plot is too much of a stretch to seriously try." Similarly, Jenkins calculates that even if there are only three barriers and each carried a 50/50 chance of success, the likelihood of accomplishing the full mission would only be 12.5 percent.14 Odds like that are not necessarily prohibitive, of course, but they are likely to be mind-arrestingly small if one is betting just about everything on a successful outcome. Multiple Attempts The odds considered so far are for a single attempt by a single group, and there could be multiple attempts by multiple groups, of course. Although Allison considers al-Qaeda to be "the most probable perpetrator" on the nuclear front, he is also concerned about the potential atomic exploits of other organizations such as Indonesia's Jemaah Islamiyah, Chechen gangsters, Lebanon's Hezbollah, and various doomsday cults. IS However, few, if any, groups appear to have any interest whatever in striking the United States except for al-Qaeda, an issue to be discussed more fully in the next chapter. But even setting that consideration aside, the odds would remain long even with multiple concerted attempts.16 If there were a hundred such efforts over a period of time, the chance at least one of these would be successful comes in at less than one in over 10,000 at the one chance in two level. At the far more realistic level of one chance in three, it would be about one in nearly 35 million. If there were 1,000 dedicated attempts, presumably over several decades, the chance of success would be worse than one in a thousand at the SO/50 level and one in nearly 3.5 million at the one in three level.I7 Of course, attempts in the hundreds are scarcely realistic, though one might be able to envision a dozen or so. Additionally, if there were a large number of concerted efforts, policing and protecting would presumably become easier because the aspirants would be exposing themselves repeatedly and would likely be stepping all over each other in their quest to access the right stuff. Furthermore, each foiled attempt would likely expose flaws in the defense system, holes the ...,. defenders would then plug, making subsequent efforts that much more dif• ficult. For example, when the would-be peddler of a tiny amount of pur loined highly enriched uranium was apprehended in 2006, efforts were made to trace its place of origin using nuclear forensics. IS ." Also, the difficulties for the atomic terrorists are likely to increase over time because of much enhanced protective and policing efforts by ... self-interested governments. Already, for example, by all accounts Russian nuclear materials are much more adequately secured than they were 10 or ~, .-s 15 years ago.19

### Drones don’t drive AQAP recruitment- interviews with tribal leaders confirm

Swift 2012 [Christopher Swift is a fellow at the University of Virginia’s Center for National Security Law and author of the forthcoming “The Fighting Vanguard: Local Insurgencies in the Global Jihad July 1, 2012 Foreign Affairs “The Drone Blowback Fallacy¶ Strikes in Yemen Aren't Pushing People to Al Qaeda” http://www.foreignaffairs.com/articles/137760/christopher-swift/the-drone-blowback-fallacy]

Last month, I traveled to Yemen to study how AQAP operates and whether the conventional understanding of the relationship between drones and recruitment is correct. While there, I conducted 40 interviews with tribal leaders, Islamist politicians, Salafist clerics, and other sources. These subjects came from 14 of Yemen’s 21 provinces, most from rural regions. Many faced insurgent infiltration in their own districts. Some of them were actively fighting AQAP. Two had recently visited terrorist strongholds in Jaar and Zinjibar as guests. I conducted each of these in-depth interviews using structured questions and a skilled interpreter. I have withheld my subjects’ names to protect their safety — a necessity occasioned by the fact that some of them had survived assassination attempts and that others had recently received death threats.¶ These men had little in common with the Yemeni youth activists who capture headlines and inspire international acclaim. As a group, they were older, more conservative, and more skeptical of U.S. motives. They were less urban, less wealthy, and substantially less secular. But to my astonishment, none of the individuals I interviewed drew a causal relationship between U.S. drone strikes and al Qaeda recruiting. Indeed, of the 40 men in this cohort, only five believed that U.S. drone strikes were helping al Qaeda more than they were hurting it.¶ Al Qaeda exploits U.S. errors, to be sure. As the Yemen scholar Gregory Johnsen correctly observes, the death of some 40 civilians in the December 2009 cruise missile strike on Majala infuriated ordinary Yemenis and gave AQAP an unexpected propaganda coup. But the fury produced by such tragedies is not systemic, not sustained, and, ultimately, not sufficient. As much as al Qaeda might play up civilian casualties and U.S. intervention in its recruiting videos, the Yemeni tribal leaders I spoke to reported that the factors driving young men into the insurgency are overwhelmingly economic.

### Success in fighting AQAP now- drones key

Terrill 2013 [W. Andrew Terrill is the ¶ Strategic Studies Institute's ¶ Middle East specialist. He ¶ served with the Lawrence ¶ Livermore National ¶ Laboratory and US Air ¶ War College. Dr. Terrill ¶ has published in numerous ¶ academic journals on a wide ¶ range of topics, including ¶ nuclear proliferation. He has ¶ participated in the Middle ¶ Eastern Track 2 talks, part of ¶ the Middle East Peace Process. Parameters 42(4)/43(1) Winter-Spring 2013 “Drones over Yemen: Weighing Military Benefits and Political Costs” http://strategicstudiesinstitute.army.mil/pubs/parameters/Issues/WinterSpring\_2013/2\_Article\_Terrill.pdf]

The history of US drone activity in Yemen is still subject to considerable secrecy and cannot be written in full until more information ¶ has been declassified and released. Nevertheless, there are a number ¶ of known examples where drones appear to have made a significant ¶ difference in helping the Yemeni government cope with AQAP while ¶ reducing that organization’s ability to conduct international terrorism. ¶ Two of these instances are especially compelling and deserve special ¶ consideration. They are:¶ (1) the September 2011 death of terrorist leader Anwar al Awlaki, ¶ and ¶ (2) the use of drones to support Yemen’s May-June 2012 offensive ¶ against AQAP insurgents and members of the AQAP insurgent organization, Ansar al Shariah, which by early 2012 had seized power in a ¶ number of southern Yemeni towns and cities. ¶

### Drones empirically effective in Yemen

Watts and Cilluffo 2012 [Clinton Watts is a Senior Analyst with the Navanti Group and a Senior Fellow at The ¶ George Washington University Homeland Security Policy Institute (HSPI). He is also a ¶ former U.S. Army Officer and former Special Agent with the FBI. Frank J. Cilluffo is ¶ Director of HSPI. ¶ Founded in 2003, The George Washington University Homeland Security Policy ¶ Institute (HSPI) is a nonpartisan “think and do” tank whose mission is to build bridges ¶ between theory and practice to advance homeland security through an ¶ interdisciplinary approach. By convening domestic and international policymakers and ¶ practitioners at all levels of government, the private and non-profit sectors, and academia, HSPI creates innovative strategies and solutions to current and future threats ¶ to the nation HSPI Issue Brief 16 ¶ June 21, 2012 “DRONES IN YEMEN: IS THE U.S. ON TARGET?” http://www.gwumc.edu/hspi/policy/drones.pdf]

In the past year, drone strikes and Special Operations Forces (SOF) eliminated key ¶ AQAP members at a time when the U.S. lacked any viable counterterrorism partner in ¶ Yemen.¶ 5¶ Drones (airstrikes) have eliminated several key AQAP leaders over the past ¶ year. On September 30, 2011, U.S. counterterrorism forces killed Anwar al-Awlaki, an ¶ important member of AQAP’s external operations branch and a key online radicalizer ¶ facilitating the recruitment of Western al Qaeda fighters. Eliminating Awlaki robbed al ¶ Qaeda of one of its few notable theologians with the cultural and linguistic fluency to ¶ resonate powerfully with Westerners. Additionally, Awlaki had the potential to invigorate al Qaeda’s brand during a particularly dark period for our adversaries after ¶ Bin Laden’s death. With Awlaki came the demise of Samir Khan, AQAP’s American ¶ propagandist and editor of the online al Qaeda English language magazine Inspire. ¶ While Inspire’s effectiveness as an online radicalizing agent is debatable, the ¶ magazine’s frequency and quality have been notably diminished since Khan’s death, ¶ and the magazine appears to be less effective in rallying future rounds of AQAP foreign ¶ fighter recruits. ¶ More recently, two current members of AQAP involved in al Qaeda’s bombing of the ¶ U.S.S. Cole in 2000, Abdul Mun’im Salim al Fatahani (January 31, 2012) and Fahd alQuso (May 6, 2012), were also killed by airstrikes.¶ 6¶ In addition, several other airstrikes ¶ have eliminated key AQAP members with operational linkages to al Qaeda’s senior ¶ leaders and training camps. Overall, the past year has clearly demonstrated the ¶ capability of U.S. drones and Special Operations Forces to engage AQAP in locations ¶ that would otherwise be unreachable, or require a significant military presence.

### We’ll keep it open

ESGPA 11 (Enterprise Strike Group Transits Bab el-Mandeb Strait, Enters Gulf of Aden Story Number: NNS110218-13Release Date: 2/18/2011 10:55:00 AM By Enterprise Strike Group Public Affairs)

USS ENTERPRISE, Red Sea (NNS) -- Enterprise Carrier Strike Group (CSG) transited the Bab el-Mandeb Strait and entered the Gulf of Aden, Feb. 18 in the U.S. 5th Fleet area of responsibility (AOR). Enterprise, the world's largest aircraft carrier, transited the strait along with guided-missile cruiser USS Leyte Gulf (CG 55) and fast combat support ship USNS Arctic (T-AOE 8). According to the U.S. Department of Energy, the Strait of Bab el-Mandab is a key chokepoint between the horn of Africa and the Middle East, and a strategic link between the Mediterranean Sea and Indian Ocean. It is located between Yemen, Djibouti, and Eritrea, and connects the Red Sea with the Gulf of Aden and the Arabian Sea. Three to four billion barrels of oil per day are shipped through the Strait, making it a vital waterway for the global economy. "The Bab el-Mandeb Strait and Gulf of Aden are strategically important to the United States as an important sea lane for lawful shipping and transit," said Rear Adm. Terry B. Kraft, Commander of Enterprise CSG. "Our presence in the region helps ensure this freedom of navigation and the defense of these interests." Enterprise and Carrier Air Wing One are deployed to the U.S. 5th Fleet AOR to conduct maritime security operations and to provide support to operations Enduring Freedom and New Dawn.

### No economic impact

**Kahn 2011** (Jeremy Kahn, journalist based in New Dehli, February 12, 2011, Boston Globe, “Crude Reality,” http://articles.boston.com/2011-02-13/news/29336191\_1\_crude-oil-shocks-major-oil-producers)

The idea that a sudden spike in oil prices spells economic doom has influenced America’s foreign policy since at least 1973, when Arab states, upset with Western support for Israel during the Yom Kippur War, drastically cut production and halted exports to the United States. The result was a sudden quadrupling in crude prices and a deep global recession. Many Americans still have vivid memories of gas lines stretching for blocks, and of the unemployment, inflation, and general sense of insecurity and panic that followed. Even harder hit were our allies in Europe and Japan, as well as many developing nations. Economists have a term for this disruption: an oil shock. The idea that such oil shocks will inevitably wreak havoc on the US economy has become deeply rooted in the American psyche, and in turn the United States has made ensuring the smooth flow of crude from the Middle East a central tenet of its foreign policy. Oil security is one of the primary reasons America has a long-term military presence in the region. Even aside from the Iraq and Afghan wars, we have equipment and forces positioned in Oman, Saudi Arabia, Kuwait, and Qatar; the US Navy’s Fifth Fleet is permanently stationed in Bahrain. But a growing body of economic research suggests that this conventional view of oil shocks is wrong. The US economy is far less susceptible to interruptions in the oil supply than previously assumed, according to these studies. Scholars examining the recent history of oil disruptions have found the worldwide oil market to be remarkably adaptable and surprisingly quick at compensating for shortfalls. Economists have found that much of the damage once attributed to oil shocks can more persuasively be laid at the feet of bad government policies. The US economy, meanwhile, has become less dependent on Persian Gulf oil and less sensitive to changes in crude prices overall than it was in 1973.

### Econ collapse doesn’t cause war – prefer our studies

Samuel Bazzi (Department of Economics at University of California San Diego) and Christopher Blattman (assistant professor of political science and economics at Yale University) November 2011 “Economic Shocks and Conflict: The (Absence of?) Evidence from Commodity Prices” <http://www.chrisblattman.com/documents/research/2011.EconomicShocksAndConflict.pdf?9d7bd4>

VI. Discussion and conclusions A. Implications for our theories of political instability and conflict The state is not a prize?—Warlord politics and the state prize logic lie at the center of the most influential models of conflict, state development, and political transitions in economics and political science. Yet we see no evidence for this idea in economic shocks, even when looking at the friendliest cases: fragile and unconstrained states dominated by extractive commodity revenues. Indeed, we see the opposite correlation: if anything, higher rents from commodity prices weakly 22 lower the risk and length of conflict. Perhaps shocks are the wrong test. Stocks of resources could matter more than price shocks (especially if shocks are transitory). But combined with emerging evidence that war onset is no more likely even with rapid increases in known oil reserves (Humphreys 2005; Cotet and Tsui 2010) we regard the state prize logic of war with skepticism.17 Our main political economy models may need a new engine. Naturally, an absence of evidence cannot be taken for evidence of absence. Many of our conflict onset and ending results include sizeable positive and negative effects.18 Even so, commodity price shocks are highly influential in income and should provide a rich source of identifiable variation in instability. It is difficult to find a better-measured, more abundant, and plausibly exogenous independent variable than price volatility. Moreover, other time-varying variables, like rainfall and foreign aid, exhibit robust correlations with conflict in spite of suffering similar empirical drawbacks and generally smaller sample sizes (Miguel et al. 2004; Nielsen et al. 2011). Thus we take the absence of evidence seriously. Do resource revenues drive state capacity?—State prize models assume that rising revenues raise the value of the capturing the state, but have ignored or downplayed the effect of revenues on self-defense. We saw that a growing empirical political science literature takes just such a revenue-centered approach, illustrating that resource boom times permit both payoffs and repression, and that stocks of lootable or extractive resources can bring political order and stability. This countervailing effect is most likely with transitory shocks, as current revenues are affected while long term value is not. Our findings are partly consistent with this state capacity effect. For example, conflict intensity is most sensitive to changes in the extractive commodities rather than the annual agricultural crops that affect household incomes more directly. The relationship only holds for conflict intensity, however, and is somewhat fragile. We do not see a large, consistent or robust decline in conflict or coup risk when prices fall. A reasonable interpretation is that the state prize and state capacity effects are either small or tend to cancel one another out. Opportunity cost: Victory by default?—Finally, the inverse relationship between prices and war intensity is consistent with opportunity cost accounts, but not exclusively so. As we noted above, the relationship between intensity and extractive commodity prices is more consistent with the state capacity view. Moreover, we shouldn’t mistake an inverse relation between individual aggression and incomes as evidence for the opportunity cost mechanism. The same correlation is consistent with psychological theories of stress and aggression (Berkowitz 1993) and sociological and political theories of relative deprivation and anomie (Merton 1938; Gurr 1971). Microempirical work will be needed to distinguish between these mechanisms. Other reasons for a null result.—Ultimately, however, the fact that commodity price shocks have no discernible effect on new conflict onsets, but some effect on ongoing conflict, suggests that political stability might be less sensitive to income or temporary shocks than generally believed. One possibility is that successfully mounting an insurgency is no easy task. It comes with considerable risk, costs, and coordination challenges. Another possibility is that the counterfactual is still conflict onset. In poor and fragile nations, income shocks of one type or another are ubiquitous. If a nation is so fragile that a change in prices could lead to war, then other shocks may trigger war even in the absence of a price shock. The same argument has been made in debunking the myth that price shocks led to fiscal collapse and low growth in developing nations in the 1980s.19 B. A general problem of publication bias? More generally, these findings should heighten our concern with publication bias in the conflict literature. Our results run against a number of published results on commodity shocks and conflict, mainly because of select samples, misspecification, and sensitivity to model assumptions, and, most importantly, alternative measures of instability. Across the social and hard sciences, there is a concern that the majority of published research findings are false (e.g. Gerber et al. 2001). Ioannidis (2005) demonstrates that a published finding is less likely to be true when there is a greater number and lesser pre-selection of tested relationships; there is greater flexibility in designs, definitions, outcomes, and models; and when more teams are involved in the chase of statistical significance. The cross-national study of conflict is an extreme case of all these. Most worryingly, almost no paper looks at alternative dependent variables or publishes systematic robustness checks. Hegre and Sambanis (2006) have shown that the majority of published conflict results are fragile, though they focus on timeinvariant regressors and not the time-varying shocks that have grown in popularity. We are also concerned there is a “file drawer problem” (Rosenthal 1979). Consider this decision rule: scholars that discover robust results that fit a theoretical intuition pursue the results; but if results are not robust the scholar (or referees) worry about problems with the data or empirical strategy, and identify additional work to be done. If further analysis produces a robust result, it is published. If not, back to the file drawer. In the aggregate, the consequences are dire: a lower threshold of evidence for initially significant results than ambiguous ones.20

## Case-adv 2

### Drone courts don’t solve – they aren’t transparent

Shane, 2013 (Scott Shane, New York Times, February 8, 2013, “Debating a Court to Vet Drone Strikes” [http://www.nytimes.com/2013/02/09/world/a-court-to-vet-kill-lists.html)\*](http://www.nytimes.com/2013/02/09/world/a-court-to-vet-kill-lists.html%29%2A)[] inserted for clairty

With such limits, however, a drone court would not address many of the most pressing concerns, including decisions on which foreign militants should be targeted; how to avoid civilian deaths; and how to provide more public information about strike rules and procedures. “In terms of the politics and the optics, aren’t you in the same position that you are now?” said William C. Banks, a national security law expert at Syracuse University. “It’s still secret. The target wouldn’t be represented. It’s a mechanism that wouldn’t satisfy critics or advance the due process cause much.” Indeed, Hina Shamsi, director of the American Civil Liberties Union[ACLU]’s national security project, said that a drone court would be a step backward, and that extradition and criminal prosecution of suspected terrorists was a better answer. “I strongly agree that judicial review is crucial,” she said. “But judicial review in a new secret court is both unnecessary and un-American.” Nor are judges clamoring to take up the challenge. At an American Bar Association meeting in November, a retired FISA judge, James Robertson, rejected the idea that judges should approve “death warrants.” “My answer is, that’s not the business of judges,” Mr. Robertson said, “to decide without an adversary party to sign a death warrant for somebody.”

### 1NC Drone Prolif Now

### **It’s too late to solve prolif – more than 50 countries have the tech – the drone market has already been established**

Noel Sharkey, December 1, 2011, Professor of AI and Robotics and Professor of Public Engagement at the University of Sheffield and Leverhulme Research Fellow on Battlefield Robots, “The Automation and Proliferation of Military Drones and the Protection of Civilians,” http://ehis.ebscohost.com/ehost/pdfviewer/pdfviewer?sid=03668503-81b1-4af6-9fef-7418e6466828%40sessionmgr104&vid=2&hid=106

There are now at least 50 countries using UAVs.2 Many of these are being developed in-house and many are being bought in (and probably copied). The US sells many of its drones to its closest allies in Europe, and recently the US company General Atomics was granted permission to sell its earlier generation predators in the Middle East and Latin America. Israel has an even wider range of markets, having recently expanded into Latin American countries. Countries that do not have the advantage of being a close ally of the US cannot yet buy armed drones, and so they are having to find other means of acquiring or developing them. India and Pakistan are working hard to develop attack drones, having failed to purchase any from the US or Israel. Russia has shown models of the MiG Skat unmanned combat aircraft, which is intended to carry out strike missions on air defences. It is, according to reports from Russia, able to carry cruise missiles and can strike both ground and naval targets. Iran demonstrated a rocket-launched UAV, the Karrar or ambassador of death, to the press in 2010. It carries two cruise missiles. It is not possible to ascertain how operational the Iranian and Russian craft are, but it is clear that, at the very least, they are moving in the right direction to make the technology. China is showing the greatest commercial potential for selling armed UAVs over the coming decade. It has made a showing of many different types of UAV at its air shows over the last five years, some almost replicas of the US drones. The US-China Economic and Security Review Commission said that China ‘has deployed several types of unmanned aerial vehicles for both reconnaissance and combat’.3 According to the Washington Post, at the Zhuhai air show in China in November 2010, there were more than two dozen Chinese UAV models on display.4 Worryingly, the Washington Post quotes Zhang Qiaoliang of the Chengdu Aircraft Design and Research Institute as saying, ‘The United States doesn’t export many attack drones, so we’re taking advantage of that hole in the market.’ This is worrying because it indicates the opening up of a large and expanding market of which all the major players will want a share. If it looks like China’s combat UAVs threaten to dominate the market, then others will start selling them and every developed nation will have them. This could have a significant impact on how disputes are handled and what constitutes a war.

### 1NC No Deterrence Collapse

### No risk of an impact – deterrence and political ramifications check just like nuke weapons

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

Bold predictions of a coming drones arms race are all the rage since the uptake in their deployment under the Obama Administration. Noel Sharkey, for example, argues in an August 3 op-ed for the Guardian that rapidly developing drone technology — coupled with minimal military risk — portends an era in which states will become increasingly aggressive in their use of drones.¶ As drones develop the ability to fly completely autonomously, Sharkey predicts a proliferation of their use that will set dangerous precedents, seemingly inviting hostile nations to use drones against one another. Yet, the narrow applications of current drone technology coupled with what we know about state behavior in the international system lend no credence to these ominous warnings.¶ Indeed, critics seem overly-focused on the domestic implications of drone use.¶ In a June piece for the Financial Times, Michael Ignatieff writes that “virtual technologies make it easier for democracies to wage war because they eliminate the risk of blood sacrifice that once forced democratic peoples to be prudent.”¶ Significant public support for the Obama Administration’s increasing deployment of drones would also seem to legitimate this claim. Yet, there remain equally serious diplomatic and political costs that emanate from beyond a fickle electorate, which will prevent the likes of the increased drone aggression predicted by both Ignatieff and Sharkey.¶ Most recently, the serious diplomatic scuffle instigated by Syria’s downing a Turkish reconnaissance plane in June illustrated the very serious risks of operating any aircraft in foreign territory.¶ States launching drones must still weigh the diplomatic and political costs of their actions, which make the calculation surrounding their use no fundamentally different to any other aerial engagement.¶ This recent bout also illustrated a salient point regarding drone technology: most states maintain at least minimal air defenses that can quickly detect and take down drones, as the U.S. discovered when it employed drones at the onset of the Iraq invasion, while Saddam Hussein’s surface-to-air missiles were still active.¶ What the U.S. also learned, however, was that drones constitute an effective military tool in an extremely narrow strategic context. They are well-suited either in direct support of a broader military campaign, or to conduct targeted killing operations against a technologically unsophisticated enemy.¶ In a nutshell, then, the very contexts in which we have seen drones deployed. Northern Pakistan, along with a few other regions in the world, remain conducive to drone usage given a lack of air defenses, poor media coverage, and difficulties in accessing the region.¶ Non-state actors, on the other hand, have even more reasons to steer clear of drones:¶ – First, they are wildly expensive. At $15 million, the average weaponized drone is less costly than an F-16 fighter jet, yet much pricier than the significantly cheaper, yet equally damaging options terrorist groups could pursue.¶ – Those alternatives would also be relatively more difficult to trace back to an organization than an unmanned aerial vehicle, with all the technical and logistical planning its operation would pose.¶ – Weaponized drones are not easily deployable. Most require runways in order to be launched, which means that any non-state actor would likely require state sponsorship to operate a drone. Such sponsorship is unlikely given the political and diplomatic consequences the sponsoring state would certainly face.¶ – Finally, drones require an extensive team of on-the-ground experts to ensure their successful operation. According to the U.S. Air Force, 168 individuals are needed to operate a Predator drone, including a pilot, maintenance personnel and surveillance analysts.¶ In short, the doomsday drone scenario Ignatieff and Sharkey predict results from an excessive focus on rapidly-evolving military technology.¶ Instead, we must return to what we know about state behavior in an anarchistic international order. Nations will confront the same principles of deterrence, for example, when deciding to launch a targeted killing operation regardless of whether they conduct it through a drone or a covert amphibious assault team.¶ Drones may make waging war more domestically palatable, but they don’t change the very serious risks of retaliation for an attacking state. Any state otherwise deterred from using force abroad will not significantly increase its power projection on account of acquiring drones.¶ What’s more, the very states whose use of drones could threaten U.S. security – countries like China – are not democratic, which means that the possible political ramifications of the low risk of casualties resulting from drone use are irrelevant. For all their military benefits, putting drones into play requires an ability to meet the political and security risks associated with their use.¶ Despite these realities, there remain a host of defensible arguments one could employ to discredit the Obama drone strategy. The legal justification for targeted killings in areas not internationally recognized as war zones is uncertain at best.¶ Further, the short-term gains yielded by targeted killing operations in Pakistan, Somalia and Yemen, while debilitating to Al Qaeda leadership in the short-term, may serve to destroy already tenacious bilateral relations in the region and radicalize local populations.¶ Yet, the past decade’s experience with drones bears no evidence of impending instability in the global strategic landscape. Conflict may not be any less likely in the era of drones, but the nature of 21st Century warfare remains fundamentally unaltered despite their arrival in large numbers.

### 1NC Drone Prolif Good

### Military tech breakthroughs happen all the time –reduced collateral damage and increased precision mean there’s only a risk drones strengthen deterrence – they misinterpret policies and means

Stimson 13 Charles “Cully” Stimson, Manager, National Security Law Program and Senior Legal Fellow, served as deputy assistant secretary of defense for detainee affairs. He advised then-Secretary of Defense Donald Rumsfeld and coordinated the Pentagon’s global detention policy and operations, including at Guantanamo Bay and in Iraq and Afghanistan, holds a law degree from the George Mason University School of Law. He is a graduate of Kenyon College and studied at Harvard and Exeter universities. An avid runner and triathlete, he serves on the board of the U.S. Soccer Foundation. He and his wife reside in Maryland with their four children and a black Labrador Retriever, “Law of Armed Conflict and the Use of Military Force”, Heritage Foundation, May 16th, 2013, http://www.heritage.org/research/testimony/2013/05/the-law-of-armed-conflict

These principles are particularly important to keep in mind when, for example, discussing the Committee’s questions concern the use of remotely piloted aircraft, or “drones.” Although the technology may be new, drones are simply tools subject to the same principles for deployment as any other weapons system employed under the law of armed conflict. As my colleague Steven Groves has explained in an exhaustively detailed report on the legal basis for drone warfare, the Obama Administration’s framework for carrying out targeted strikes with drones appears to adhere to recognized principles of the law of war described above.[4] Indeed, drones may allow a greater degree of distinction than previous generations of weapons technology, reducing expected collateral damage and injuries. In this way, the United States may carry out the necessities of warfare in a highly efficient and targeted fashion.¶ I also agree with the point raised by the Brookings Institution’s Benjamin Wittes that any thoughtful discussion of drone warfare must distinguish between policy and means. Much criticism of drone warfare is actually criticism of broader policies, such as the application of the law of armed conflict to the present conflict, geographical limitations on such conflict, and targeting decisions. Whether a strike is carried out by a drone or an airplane (with the pilot in the vehicle itself) has little or no bearing on these broader policy issues.[5] As Wittes explains, drone use is appropriate in the context of an armed conflict.

### 1NC Long Timeframe

### The impact is a decade away and not likely

Zenko 2013 [Micah Zenko is the Douglas Dillon fellow in the Center for Preventive Action (CPA) at the Council on Foreign Relations (CFR). Previously, he worked for five years at the Harvard Kennedy School and in Wash- ington, DC, at the Brookings Institution, Congressional Research Ser- vice, and State Department’s Office of Policy Planning January 2013 Council on Foreign Relations Special Report no. 65 “Reforming U.S. Drone Strike Policies”]

Based on current trends, it is unlikely that most states will have, within ten years, the complete system architecture required to carry out distant drone strikes that would be harmful to U.S. national interests. However, those candidates able to obtain this technology will most likely be states with the financial resources to purchase or the industrial base to manufacture tactical short-range armed drones with limited firepower that lack the precision of U.S. laser-guided munitions; the intelligence collection and military command-and-control capabilities needed to deploy drones via line-of-sight communications; and cross- border adversaries who currently face attacks or the threat of attacks by manned aircraft, such as Israel into Lebanon, Egypt, or Syria; Russia into Georgia or Azerbaijan; Turkey into Iraq; and Saudi Arabia into Yemen. When compared to distant U.S. drone strikes, these contingen- cies do not require system-wide infrastructure and host-state support. Given the costs to conduct manned-aircraft strikes with minimal threat to pilots, it is questionable whether states will undertake the significant investment required for armed drones in the near term.

### 1NC No Deterrence Collapse

### Deterrence breakdowns don’t cause full-scale nuclear war

Waltz 3—Kenneth, Emeritus Professor of Political Science at UC Berkeley and Adjunct Senior Research Scholar at Columbia University, The Spread of Nuclear Weapons: A Debate Renewed, p. 34-35

States are deterred by the prospect of suffering severe damage and by their inability to do much to limit it. Deterrence works because nuclear weapons enable one state to punish another state severely without first defeating it. "Victory," in Thomas Schelling's words, "is no longer a prerequisite for hurting the enemy." 37 Countries armed only with conventional weapons can hope that their military forces will be able to limit the damage an attacker can do. Among countries armed with strategic nuclear forces, the hope of avoiding heavy damage depends mainly on the attacker's restraint and little on one's own efforts. Those who compared expected deaths through strategic exchanges of nuclear warheads with casualties suffered by the Soviet Union in World War II overlooked the fundamental difference between conventional and nuclear worlds. 38¶ Deterrence rests on what countries can do to each other with strategic nuclear weapons. From this statement, one can easily leap to the wrong conclusion: that deterrent strategies, if they have to be carried through, will produce a catastrophe. That countries are able to annihilate each other means neither that deterrence depends on their threatening to do so nor that they will necessarily do so if deterrence fails. Because countries heavily armed with strategic nuclear weapons can carry war to its ultimate intensity, the control of force becomes the primary objective. If deterrence fails, leaders will have the strongest incentives to keep force under control and limit damage rather than launching genocidal attacks. If the Soviet Union had attacked Western Europe, NATO's objectives would have been to halt the attack and end the war. The United States had the ability to place thousands of warheads precisely on targets in the Soviet Union. Surely we would have struck military targets before striking industrial targets and industrial targets before striking cities. The intent to hit military targets first was sometimes confused with a war-fighting strategy, but it was not one. It would not have significantly reduced the Soviet Union's ability to hurt us. Whatever American military leaders thought, our strategy rested on the threat to punish. The threat, if it failed to deter, would have been followed not by spasms of violence but by punishment administered in ways that conveyed threats of more to come.¶ A war between the United States and the Soviet Union that got out of control would have been catastrophic. If they had set out to destroy each other, they would have greatly reduced the world's store of developed resources while killing millions outside of their own borders through fallout. Even while destroying themselves, states with few weapons would do less damage to others. As ever, the biggest international dangers come from the strongest states. Fearing the world's destruction, one may prefer a world of conventional great powers having a higher probability of fighting less- destructive wars to a world of nuclear great powers having a lower probability of fighting more-destructive wars. But that choice effectively disappeared with the production of atomic bombs by the United States during World War II.

### 1NC No Asian War

### No Asia war—multiple safeguards and reversible tensions

Feng 10 **–** professor at the Peking University International Studies [Zhu, “An Emerging Trend in East Asia: Military Budget Increases and Their Impact”, http://www.fpif.org/articles/an\_emerging\_trend\_in\_east\_asia?utm\_source=feed]

As such, the **surge of defense expenditures in East Asia does not add up to an arms race. No country** in East Asia **wants** to see **a new geopolitical divide and spiraling tensions** in the region. The growing defense expenditures powerfully illuminate the deepening of a regional “security dilemma,” whereby the “defensive” actions taken by one country are perceived as “offensive” by another country, which in turn takes its own “defensive” actions that the first country deems “offensive.” As long as the region doesn’t split into rival blocs, however, an arms race will not ensue. **What is happening** in East Asia **is** the extension of what Robert Hartfiel and Brian Job call “**competitive arms processes.” The history of the cold war is telling** in this regard. **Arm races occur** between great-power rivals **only if the rivalry is doomed to intensify**. The perceived **tensions** in the region **do not automatically translate into** consistent and lasting increases in military **spending**. Even declared **budget increases are reversible**. Taiwan’s defense budget for fiscal year 2010, for instance, will fall 9 percent. This is a convincing case of how domestic constraints can reverse a government decision to increase the defense budget. Australia’s twenty-year plan to increase the defense budget could change with a domestic economic contraction or if a new party comes to power. **China’s** two-digit **increase** in its military budget **might vanish** one day **if the** type of **regime changes or** the high rate of economic **growth slows**. Without a geopolitical split or a significant great-power rivalry, military budget increases will not likely evolve into “arms races.” The security dilemma alone is not a leading variable in determining the curve of military expenditures. Nor will trends in weapon development and procurement inevitably induce “risk-taking” behavior. **Given the stability of the regional** security architecture—the combination of **U.S.-centered** alliance politics and regional, cooperation-based security networking—any **power shift** in East Asia **will hardly upset** the overall status **quo**. China’s military modernization, its determination to “prepare for the worst and hope for the best,” hasn’t yet led to a regional response in military budget increases. In contrast, **countries** in the region **continue to emphasize** political and economic **engagement** with China, though “balancing China” strategies can be found in almost every corner of the region as part of an overall balance-of-power logic. In the last few years, China has taken big strides toward building up asymmetric war capabilities against Taiwan. Beijing also holds to the formula of a peaceful solution of the Taiwan issue except in the case of the island’s de jure declaration of independence. Despite its nascent capability of power projection, **China shows no sign that it would** coerce Taiwan or **become militarily** assertive over contentious territorial claims ranging from the Senkaku Islands to the Spratly Islands to the India-China border dispute.

### No SCS conflict

Gupta 11

Rukmani Gupta, Associate Fellow at the Institute for Defence Studies and Analyses,10/23/11, South China Sea Conflict? No Way, the-diplomat.com/2011/10/23/south-china-sea-conflict-no-way/

These suggestions to recalibrate Indian policy towards the South China Sea and its relationship with Vietnam are premature at best. Despite the rhetoric, conflict in the South China Sea may well not be inevitable. If the history of dialogue between the parties is any indication, then current tensions are likely to result in forward movement. In the aftermath of statements by the United States, and skirmishes over fishing vessels, ASEAN and China agreed upon the Guidelines on the Implementation of the Declaration on the Conduct of Parties in the South China Sea at the Bali Summit in July 2010. And recent tensions may well prod the parties towards a more binding code of conduct. This isn’t to suggest that territorial claims and sovereignty issues will be resolved, but certainly they can become more manageable to prevent military conflict. There’s a common interest in making the disputes more manageable, essentially because, nationalistic rhetoric notwithstanding, the parties to the dispute recognize that there are real material benefits at stake. A disruption of maritime trade through the South China Sea would entail economic losses – and not only for the littoral states. No party to the dispute, including China, has thus far challenged the principle of freedom of navigation for global trade through the South China Sea. The states of the region are signatories to the UNCLOS, which provides that ‘Coastal States have sovereign rights in a 200-nautical mile exclusive economic zone (EEZ) with respect to natural resources and certain economic activities, and exercise jurisdiction over marine science research and environmental protection’ but that ‘All other States have freedom of navigation and over flight in the EEZ, as well as freedom to lay submarine cables and pipelines.’ The prospect of threats to SLOCS thus seems somewhat exaggerated.

# 2NC

## CP

### CP Solvency General

#### Aff agrees

1AC Zenko Solvency Card

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

#### Signature strikes violate the proportionality requirements of international law

Benson 2014 [Kristina E. Benson. 2014. ""Kill 'em and Sort it Out Later:" Signature Drone Strikes in International Humanitarian Law" TBD http://works.bepress.com/kristina\_benson/2/]

Proportionality is a critical component of IHL, and refers to the notion that an attack “which may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated, is prohibited.” Article 51(5)(b) of the 1977 Additional Protocol I prohibits “an attack which may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated.” ¶ While Additional Protocol II does not contain an explicit reference to the principle of proportionality in attack, it has been argued that “it is inherent in the principle of humanity” explicitly applicable to the Protocol in the preamble, and additionally, has been included in the Amended Protocol II to the Convention on Certain Conventional Weapons, and is therefore relevant to non-international armed conflicts. According to the U.S. Naval Handbook (1995), for example, “it is not unlawful to cause incidental injury to civilians or collateral damage to civilian objects, during an attack upon a legitimate military objective. Incidental injury or collateral damage must not, however, be excessive in light of the military advantage anticipated by the attack.” The fact that drone strike protocol seems unable to take cultural context into account, however, may have lead to several disproportionate attacks on civilians in violation of IHL. ¶ For example, tribal elders hold a position in Pushtun culture that is difficult for the average American to appreciate. Pushtunwali, a Pushtun socio-legal system found in Afghanistan and Pakistan, is a series of local, cultural practices that regulate behavior and maintain social order. Pushtunwali, among other things, obligates a villager to open his home to tribal elders, including those that the United States has designated as “militants” or “terrorists.” In homosocial societies like Pakistan and Afghanistan, is also possible that a tribal leader would meet with military-aged men for reasons other than to “plan or conduct attacks, regroup for future hostilities, [or] train.” As Waziristan resident Daud Khan explained, “All the local people must offer [the Taliban] food,” and if they stop by, it is impossible to turn them away. Cultural practices such as this may lead drone operators to conclude civilians are part of the Taliban when in fact they are simply bound to offer them hospitality as dictated by Pushtunwali.¶ An inability to contextualize commonplace social gatherings has also led on occasion to a disproportionate amount of civilian deaths. On one occasion, a signature strike was executed against a heavily armed group that was believed to be “[acting] in a manner consistent with [al-Qaeda] linked militants” and included men “connected to al Qaeda.” After executing the strike, the US claimed it had killed 20 “militants,” however, community members and Pakistani officials said that the missiles had struck a jirga—a type of meeting held to resolve local disputes. Such a meeting requires the presence of high-ranking tribal officials, some of whom are Taliban, in order for the resolution to have any legitimacy. In the end, it turned out that only four Taliban were killed, present at the meeting because any resolution to the dispute would have lacked binding authority absent their approval. The rest of the dead included over 40 civilians, one of which was Daud Khan’s son. Pakistan’s Army Chief, General Ashfaq Parvez Kayani, issued a statement that the tribal elders “had been carelessly and callously targeted with complete disregard to human life.”

#### Signature strikes are the ones that violate I-law

McInerny citing Heller 2013 [Peggy McInerny Director of Communications UCLA Burkle Center for International Relations citing Kevin Jon Heller is Associate Professor & Reader at the Law School of Melbourne University, Australia. A permanent member of the international law blog “Opinio Juris,” he is also Project Director for International Criminal Law at the Asia Pacific Centre for Military Law, a joint project of Melbourne Law School and the Australian Defence Force “U.S. drone signature strikes: An often illegal “killing machine”” April 11, 2013 http://www.international.ucla.edu/burkle/news/article.asp?parentid=131351]

 “Signature strikes,” explained Heller, make up the overwhelming majority of drone attacks carried out by the United States. These strikes target individuals whose identities are unknown, but who exhibit certain patterns of behavior or defining characteristics associated with terrorist activity. In contrast, “personality” strikes target specific, known individuals, such as the strike that killed American-born Anwar al-Awlaki in Yemen in October 2011.¶ “It is critically important to understand that an extra-territorial targeted killing potentially violates two different, but equally fundamental, rights under international law,” said Heller. First, it could violate the right of the affected state to territorial sovereignty, as protected under Article 24 of the U.N. Charter. Second, it could violate the targeted individual’s right to life, as protected under Article 6 of the International Covenant on Civil and Political Rights (ICCPR).¶ Even if a U.S. signature strike can be considered a necessary proportionate response to an armed attack, Heller insisted that this did not mean that the use of deadly force against an individual was legal—a distinction the United States does not seem to understand.¶ In other words, he continued, the United States must be able to justify both the violation of a state’s right to sovereignty (e.g., citing self-defense under Article 51 of the U.N. Charter) and the denial of an individual’s right to life (either under the rules of international humanitarian law if the killing takes place in an armed conflict, or under the rules of international human rights law if it takes place outside of armed conflict).¶ The United States takes the position that all of its signature strikes are governed by international humanitarian law (IHL) and not international human rights law, a point disputed by Heller. Even so, he said, not all such strikes necessarily comply with IHL.¶ “To determine the legality of any particular strike, we must ask two interrelated questions,” said the speaker. “Was the particular signature legally sufficient to establish that the victim of the signature strike was targetable? Was the evidence sufficient to determine that the targeted individual was engaged in the signature behavior?” A signature strike is legal only when the answer to both questions is “yes,” argued Heller.¶ Using these requirements of legal and evidentiary adequacy, the speaker examined several of the some 14 (or more) “signatures” used to justify U.S. drone strikes on unknown individuals. In his view, two types are legally justified: strikes against unknown individuals who are transporting weapons and attacks on known Al Queda compounds.¶ In the first case, however, he specified that individuals cannot be attacked simply for being armed (for example, nearly all men in Yemen are armed). In the second case, he specified that a compound used primarily for civilian purposes is only legally targetable when it is being used for military purposes.¶ Using the same criteria, Heller found that three types of signature strikes are never legal because they blatantly violate the evidentiary requirement. These are strikes against:¶ military-aged males in an area of known terrorist activity (a category that Heller deemed an unfortunate remnant of the Vietnam War);¶ individuals who “consort” with known militants; and¶ groups of armed men traveling in trucks in areas currently under the control of Al Queda.¶ Finally, Heller claimed that one signature — “facilitating terrorist activity” — was inherently neither legally adequate or inadequate, as it depended on how the United States interpreted the conditions in question.¶ In his view, direct participation in hostilities, gathering military intelligence in enemy territory, acting as a guide for an organized armed group, or providing ammunition during hostilities fulfilled the requirements of legal adequacy for this signature. However, “war-sustaining activities” such as recruitment, propaganda, fighters, financing, or providing fighters food, lodging, or logistical support, did not.¶ With respect to the evidentiary adequacy of signature strikes, Heller identified two main challenges: lack an international standard for the level of certainty required to target unknown individuals and lack of transparency on the part of the U.S. government. The government won’t make public either the signatures or the evidence it uses to justify signature strikes (asserting that the information is “classified”), he observed, which makes it difficult to judge their legality.¶ Numerous documented cases of incorrect targeting and the killing of innocent civilians, however, indicate insufficient evidence of a “signature” prior to strikes, said Heller. He noted that the inability of drones to distinguish individuals in very densely populated urban areas or in areas covered with vegetation was also responsible for incorrect targeting.¶ Heller concluded that the United States was clearly willing to launch signature strikes on the basis of evidence that was anything but definitive. He noted that in order to confirm certain signatures (e.g., behavior indicating that an individual is a member of an armed organized group), individuals need to be tracked over time, based on analysis of communication intercepts and intelligence from human sources.¶ Yet, signature strikes have overwhelmingly targeted low- and middle-level militants, he continued, who are unlikely to be the object of specific, resource-intensive investigations. Moreover, added Heller, the most controversial signature strikes take place in areas highly unlikely to have signal intercepts or human sources, such as the Federally Administered Tribal Areas (FATA) in Pakistan and areas of Yemen.¶ The speaker ended his talk with several key observations. “The belief of the United States that the self-defense clause of the U.N. Charter justifies depriving an individual of his right to life is simply inaccurate," he said. "In addition, the United States appears to have launched drone strikes on the basis of a number of signatures that are either per se unlawful or are only lawful if interpreted in a manner not suggested by U.S. practice. And there are significant questions about whether the United States demands evidence of targetability sufficient to rebut the presumption of civilian status under international humanitarian law.”

#### Signature strikes increase anti- Americanism

Herb 2012 [Jeremy Herb 6-13-2012 The Hill “Lawmakers want legal justification for drone strikes” http://thehill.com/blogs/defcon-hill/operations/232523-lawmakers-want-legal-justification-for-drone-strikes]

The House members warned in a letter to President Obama Tuesday that the “signature” strikes can generate “powerful and enduring anti-American sentiment.”¶ “We are concerned that the use of such ‘signature’ strikes could raise the risk of killing innocent civilians or individuals who may have no relationship to attacks on the United States,” they wrote. “The implications of the use of drones for our national security are profound. They are faceless ambassadors that cause civilian deaths, and are frequently the only direct contact with Americans that the targeted communities have.”

#### Uncertainty of signature strikes causes backlash from locals- its not drones that terrify them but their unrestrained usage

Benson 2014 [Kristina E. Benson. 2014. ""Kill 'em and Sort it Out Later:" Signature Drone Strikes in International Humanitarian Law" TBD http://works.bepress.com/kristina\_benson/2/]

Signature strike protocol and its inability to properly distinguish, therefore, may lead to violations of proportionality, but so too can the unpredictable character signature strike protocol itself, due to the stress this causes on civilian populations. A common thread in interviews with Waziristan residents is a fear of drone strikes’ uncertainty and unpredictability. This fear has paralyzed entire communities, leading people to stop going to work, going to school, going to the market, or gathering in large groups. According to one man whose brother died in a drone strike, ¶ [Before, e]verybody was involved in their own labor work. We were all busy. But since the drone attacks have started, everybody is very scared and everybody is terrorized. . . . People are out of business, people are out of schools, because people are being killed by these drone attacks.” Tahir emphasized, “It’s not a [fictional] story. It’s brutality that we are undergoing and that needs to be stopped.

#### Targeting low ranking operatives is what causes backlash

Boyle 2013 [Michael J. Boyle an Assistant Professor of Political Science at La Salle University in Philadelphia. He was previously a Lecturer in International Relations and Research Fellow at the Centre for the Study of Terrorism and Political Violence (CSTPV) at the University of St. Andrews ¶ “The costs and consequences ¶ of drone warfare” International Affairs 89: 1 (2013) 1–29 http://www.chathamhouse.org/sites/default/files/public/International%20Affairs/2013/89\_1/89\_1Boyle.pdf]

The second major claim for the effectiveness of drone strikes is based on ¶ their ability to kill HVTs, defined as key operational and political leaders of ¶ Al-Qaeda and related groups. From the campaign trail to his time in office, President Obama has consistently maintained that he would not hesitate to use lethal ¶ force to remove leading figures in Al-Qaeda.¶ 44¶ Yet the actual record of drone ¶ strikes suggests that forces under his command have killed far more lower-ranked ¶ operatives associated with other Islamist movements and civilians than HVTs ¶ from Al-Qaeda. Peter Bergen has estimated that the drone strikes have killed 49 ¶ high-ranking ‘militant’ leaders since 2004, only 2 per cent of the total number ¶ of deaths from drone strikes.¶ 45¶ The remaining 98 per cent of drone strikes have ¶ been directed against lower-ranking operatives, only some of whom are engaged ¶ in direct hostilities against the United States, and civilians. Many of these actors ¶ pose no direct or imminent threats, but rather speculative ones, such as individuals who might some day attack the US or its interests abroad.¶ 46¶ Even as President Obama has increased the number of drone strikes, the number of HVTs ¶ killed has ‘slipped or barely increased’.¶ 47¶ In 2010, a mid-ranking Haqqani network ¶ fighter concluded that ‘it seems they really want to kill everyone, not just the ¶ leaders’.¶ 48¶ The decision to expand targeted killing to this scale and take aim at ¶ even low-ranking ‘foot soldiers’ is unprecedented and sets the Obama administration’s drone programme apart in both scale and character from targeted killing ¶ operations elsewhere.¶ 49 The extent to which the Obama administration has targeted lower-ranked ¶ operatives is not without consequences. Many of these lower-ranked operatives ¶ are densely connected to local tribal and clan structures. Their deaths in drone ¶ strikes may lead those connected to them by family and tribal ties to seek revenge, ¶ thus swelling the ranks of Al-Qaeda and its affiliate groups. As David Kilcullen ¶ and Andrew Exum have argued, ‘every one of these dead noncombatants represents an alienated family, a new desire for revenge, and more recruits for a militant ¶ movement that has grown exponentially even as drone strikes have increased’.¶ 50¶ Moreover, the vast increase in the number of deaths of low-ranking operatives ¶ has deepened political resistance to the US programme in Pakistan, Yemen and ¶ other countries. For example, while Pakistani officials have supported and even ¶ celebrated drone strikes against high-ranking operatives such as Baitullah Mehsud, ¶ they have taken a dimmer view of CIA attempts to kill mere foot soldiers with ¶ similar strikes.¶ 51¶ Such strikes tend to generate more political pressure on the ¶ Pakistani government to oppose the US than strikes against well-known figures ¶ whose leadership in militant networks was indisputable. Pakistani opposition ¶ leader Imran Khan has pointed directly to the deaths of civilians and low-level ¶ operatives as the reason why, if elected to office, he would order the air force to ¶ shoot down US drones.¶ 52¶ A similar dynamic has occurred in Yemen, where US ¶ drone strikes have driven more civilians into the ranks of Al-Qaeda and strengthened local insurgent forces challenging the Yemeni government.¶ 53

#### Signature strikes are the ones that cause civilian casualties- increased rate of false positives- when their evidence talks about indiscriminate killing this is what they are talking about

Boyle 2013 [Michael J. Boyle an Assistant Professor of Political Science at La Salle University in Philadelphia. He was previously a Lecturer in International Relations and Research Fellow at the Centre for the Study of Terrorism and Political Violence (CSTPV) at the University of St. Andrews ¶ “The costs and consequences ¶ of drone warfare” International Affairs 89: 1 (2013) 1–29 http://www.chathamhouse.org/sites/default/files/public/International%20Affairs/2013/89\_1/89\_1Boyle.pdf]

The increasingly indiscriminate nature of the drone strikes can also be seen ¶ in the adoption of so-called ‘signature strikes’, where the targeting criterion is ¶ not the combatant status of an individual but rather their ‘pattern of behavior’.¶ 41¶ In these cases, strikes are authorized without knowledge of the identity of the ¶ target, solely on the basis of behaviour—such as gathering at a known Al-Qaeda ¶ compound, loading a truck with what appears to be bomb-making material or ¶ even crossing a border multiple times in a short period—that appears suspicious. ¶ The obvious risk is that more innocent civilians will be killed on the basis of a misinterpretation of their behaviour by drone operators, or that the standards by ¶ which a ‘pattern of life’ is identified might be too lax.¶ 42¶ One senior State Department official remarked that when CIA officials see ‘three guys doing jumping ¶ jacks’ they assume it must be a terrorist training camp.¶ 43¶ The dangers of a false ¶ positive—that is, a strike which kills only civilians by mistaking them for combatants—with signature strikes is much greater than with those strikes in which the ¶ target is identified, however imperfectly, in advance. At a more fundamental level, ¶ the adoption of signature strikes makes indiscriminate killing a policy and reflects ¶ an underlying indifference to the combatant status of potential victims that is at ¶ odds with much of the legal and ethical foundation of modern warfare.

### 2NC Perm Do the CP

#### CP is functionally and textually competitive- these two missions are distinct

#### Signature strikes are not targeted killing

Zenko 2013 [Micah Zenko is the Douglas Dillon fellow in the Center for Preventive Action (CPA) at the Council on Foreign Relations (CFR). Previously, he worked for five years at the Harvard Kennedy School and in Wash- ington, DC, at the Brookings Institution, Congressional Research Ser- vice, and State Department’s Office of Policy Planning January 2013 Council on Foreign Relations Special Report no. 65 “Reforming U.S. Drone Strike Policies”]

Whereas previously President George W. Bush had only permitted the targeted killing of specific individuals, in 2008 he authorized the prac- tice of so-called signature drone strikes against suspected al-Qaeda and Taliban fighters in Pakistan. Also termed “crowd killing” or terrorist attack disruption strikes by CIA officials, signature strikes target anon- ymous suspected militants “that bear the characteristics of Qaeda or Taliban leaders on the run.”31 President Obama extended and expanded this practice into Yemen, which “in effect counts all military-age males in a strike zone as combatants . . . unless there is explicit intelligence posthumously proving them innocent.”32 Human rights advocates, international legal experts, and current and former U.S. officials dis- pute whether this post hoc methodology meets the principle of distinc- tion for the use of lethal force.

#### Targeted killing refers only to personality strikes

Rushforth 2012 [Elinor June Rushforth Fall, 2012¶ Arizona Journal of International and Comparative Law¶ 29 Ariz. J. Int'l & Comp. Law 623¶ “NOTE: THERE'S AN APP FOR THAT: IMPLICATIONS OF ARMED DRONE ATTACKS AND PERSONALITY STRIKES BY THE UNITED STATES AGAINST NON-CITIZENS, 2004-2012”]

Often treated as interchangeable terms, the definitions of "assassination" and "targeted killing" will continue to shape the discussion of targeted killing in modern conflict. "Targeted killing" refers to personality strikes on identifiable terrorist leaders. 42 Academics, jurists, international figures, and military officials alike have struggled to create a meaningful distinction between the two without appearing to have a political agenda. With this in mind, defining "assassination" remains perhaps one of the most controversial aspects of the assassination/targeted killing debate. The United States and the international community have had trouble defining this term because doing so inevitably requires assumptions and judgment calls that would make any official uncomfortable. "Political assassination," "head-of-state," "de facto head-of-state," "lawful killing": all are terms that have plagued those who have sought to give the term assassination a definition that is both meaningfully specific, yet broad enough to cover enough situations. 43 In this section, the traditional definition of assassination (stated below) will guide the discussion.

#### Signature strikes are not targeted killing- keeping the concepts distinct is necessary

Anderson 2011 [Kenneth Anderson Professor of Law, Washington College of Law, American University, and Research Fellow, The Hoover Institution, Stanford University and Member of its Task Force on National Security and the Law August 29th, 2011 “Distinguishing High Value Targeted Killing and “Signature” Attacks on Taliban Fighters” http://opiniojuris.org/2011/08/29/distinguishing-high-value-targeted-killing-and-signature-attacks-on-taliban-fighters/]

Another way to put this is that, loosely speaking, the high value targets are part of a counterterrorism campaign – a worldwide one, reaching these days to Yemen and other places. It is targeted killing in its strict sense using drones – aimed at a distinct individual who has been identified by intelligence. The “signature” strikes, by contrast, are not strictly speaking “targeted killing,” because they are aimed at larger numbers of fighters who are targeted on the basis of being combatants, but not on the basis of individuated intelligence. They are fighting formations, being targeted on a mass basis as part of the counterinsurgency campaign in Afghanistan, as part of the basic CI doctrine of closing down cross-border safe havens and border interdiction of fighters. Both of these functions can be, and are, carried out by drones – though each strategic function could be carried out by other means, such as SEAL 6 or CIA human teams, in the case of targeted killing, or manned aircraft in the case of attacks on Taliban formations. The fundamental point is that they serve distinct strategic purposes. Targeted killing is not synonymous with drone warfare, just as counterterrorism is analytically distinct from counterinsurgency (I discuss this in the opening sections of this draft chapter on SSRN.)

### Conditionality is good

#### Forces 2ac critical thinking by forcing them to take into account multiple possible strategic options – forces them to read their best arguments on each flow – key to education. Dispo would not solve this

#### Status quo should always logically be an option for a policy-maker

#### Multiple conditional CPs are key to advantage CPs – otherwise its impossible to adequately test the intrinsicness of the aff advantages – key to negative flex

#### Skew inevitable – T arguments and speed differential makes your offense inevitable

#### Key to rampant aff flex – 2ac addons and shifts in aff explanation

#### Perms check time skews

#### Increases research – multiple counterplan exposes the aff to a greater breadth of arguments. If the aff knows that they have to be ready for everything in our tubs, then that will force teams to do more extensive research- dispo doesn’t solve this they would just pick one cp to straight turn all year

#### Aff side bias demands multiple counterplans – the aff speaks first and last and chooses the ground. Any abuse is REQUIRED to get the neg back to ground zero.

#### Most real world – key to best policy option – policymakers attack positions from all angles – they should be forced to defend

### Ov

#### Causes sustained shut-down of trade, spurs protectionism and collapses the global economy

Richardson 2004 (Michael Richardson, former Asia Editor of the International Herald Tribune and a Visiting Senior Research Fellow at the Institute of Southeast Asian Studies, 2004, “A Time Bomb for Global Trade,” google books)

A nuclear 9/11 would make the World Trade Center attacks look like a warning shot. It would be impossible to calculate the economic costs, because there is no way to calculate how long it would take for citizens to recover the confidence they need to spend and invest. The public would assume that if the terrorists had one nuclear weapon, they could get another. If they would use it in one city, they would use it in another. If even one goes off, it’s hard to see how we would recover. We have to prevent it from happening- ever. Former US Senator and arms control expert, Sam Nunn, who co-chairs the Nuclear Threat Initiatve. The use of either a nuclear or powerful radiological bomb in a major port-city would cut the arteries of maritime commerce if it was believed to have come by sea. It would halt many of the world’s trade and severely damage the global economy, as governments scrambled to put in place extra security measures to proect their people, cities and economies. Such measures would be drastic and include: lengthy cargo inspections in the ports of the affected country, as well as in ports of nations that did extensive sea trade with it, or even the complete closure of ports for an indefinite period, while extra checks and safeguards were put in place to allay public anxiety.

### Unq

#### Embassy threats prove the threat is high but manageable

Garamone 2013 [Jim Garamone American Forces Press Service 8-7-2013 “Threats Show Need to Keep Ahead of Terror Groups, Obama Says” http://www.defense.gov/news/newsarticle.aspx?id=120593]

The threats to U.S. embassies and consulates in the Middle East and Africa show the importance of America staying ahead of terrorists, President Barack Obama said on NBC’s “Tonight Show” yesterday.¶ Obama told host Jay Leno that the United States is taking every precaution to protect American diplomats from al-Qaida threats. “Whenever we see a threat stream that we think is specific enough that we can take some specific precautions within a certain timeframe, then we do so,” he said.¶ Obama cited the progress the United States has made against al-Qaida in the past. But the violent radical extremist group is still a danger, he said, “and we've got to stay on top of it.”

#### Terrorist capabilities are degraded- they still have operational intent though

McLaughlin 2013 [John McLaughlin was a CIA officer for 32 years and served as deputy director and acting director from 2000-2004. He currently teaches at the Johns Hopkins University's School of Advanced International Studies and is a Non-Resident Senior Fellow at the Brookings Institution July 12, 2013 “Terrorism at a moment of transition” http://security.blogs.cnn.com/2013/07/12/terrorism-at-a-moment-of-transition/]

On targets, jihadists are now pulled in many directions. Many experts contend they are less capable of a major attack on the U.S. homeland. But given the steady stream of surprises they’ve sprung – ranging from the 2009 “underwear bomber” to the more recent idea of a surgically implanted explosive – it is hard to believe they’ve given up trying to surprise us with innovations designed to penetrate our defenses.¶ We especially should remain alert that some of the smaller groups could surprise us by pointing an attacker toward the United States, as Pakistan’s Tehrik e Taliban did in preparing Faizal Shazad for his attempted bombing of Times Square in 2010.¶ At the same time, many of the groups are becoming intrigued by the possibility of scoring gains against regional governments that are now struggling to gain or keep their balance – opportunities that did not exist at the time of the 9/11 attacks.¶ Equally important, jihadists are now learning from their mistakes, especially the reasons for their past rejection by populations where they temporarily gained sway.¶ Documents from al Qaeda in the Islamic Maghreb, discovered after French forces chased them from Mali, reveal awareness that they were too harsh on local inhabitants, especially women. They also recognized that they need to move more gradually and provide tangible services to populations – a practice that has contributed to the success of Hezbollah in Lebanon.¶ We are now seeing a similar awareness among jihadists in Syria, Tunisia, Libya, and Yemen. If these “lessons learned” take hold and spread, it will become harder to separate terrorists from populations and root them out.¶ Taken together, these three trends are a cautionary tale for those seeking to gauge the future of the terrorist threat.¶ Al Qaeda today may be weakened, but its wounds are far from fatal. It is at a moment of transition, immersed in circumstances that could sow confusion and division in the movement or, more likely, extend its life and impart new momentum.¶ So if we are ever tempted to lower our guard in debating whether and when this war might end, we should take heed of these trends and of the wisdom J. R. R. Tolkien has Eowyn speak in “Lord of the Rings”: "It needs but one foe to breed a war, not two ..."

#### Terror threat is lower now- they cant conduct major attacks

The Nation 2013 [The Nation 8-12-2013 “Terror can’t be wiped out completely : Obama” http://www.nation.com.pk/pakistan-news-newspaper-daily-english-online/international/12-Aug-2013/terror-can-t-be-wiped-out-completely-obama]

"This is an ongoing process," the president said of the fight against terrorists. "We are not going to completely eliminate terrorism. What we can do is to weaken it and to strengthen our partnerships in such a way that it does not pose the kind of horrible threat that we saw on 9/11."¶ In his first press conference in four months on Friday, he assured reporters that al-Qaeda terrorists “are less likely to be able to carry out spectacular homeland attacks like 9/11.” The president’s statement came in the midst of concerns about the group’s resurgence, which earlier this week prompted the closure of American embassies throughout the Middle East. Non-essential personnel were evacuated earlier today from the American consulate in Lahore. The president also reiterated that while “core al-Qaeda is on its heels, has been decimated,” it has “metastasized” into regional groups that threaten the United States on a smaller scale than the original terror organization.

### Links

#### Congressional action to restrict targeted killing causes soft I-law to prevent drone strikes

Anderson 2009 [Kenneth Anderson Professor of Law, Washington College of Law, American University, and Research Fellow, The Hoover Institution, Stanford University and Member of its Task Force on National Security and the Law May 11, 2009 “Targeted Killing in U.S. Counterterrorism Strategy and Law” A Working Paper of the Series on Counterterrorism and American Statutory Law, a joint project of the Brookings Institution, the Georgetown University Law Center, and the Hoover Institution]

Yet the problem is still deeper and more immediate than that, for the accepted space for targeted killings is eroding even within what a reasonable American might understand as the four corners of our conflict with al Qaeda. In many situations in which any American president, Obama certainly included, would want to use a targeted killing, it is unclear to some important actors—at the United Nations, among our allies, among international law scholars, and among NGO activists—as a matter of international law that a state of armed conflict actually exists or that a targeted killing can qualify as an act of self-defense. The legal situation, therefore, threatens to become one in which, on the one hand, targeted killing outside of a juridical armed conflict is legally impermissible and, on the other hand, as a practical matter, no targeted killing even within the context of a “war” with al Qaeda is legally permissible, either.¶ Congress’s role in this area is admittedly a peculiar one. It is mostly—though not entirely—politically defensive in nature. After all, the domestic legal authorities to conduct targeted killings and other “intelligence” uses of force have existed in statutory form at least since the legislation that established the Central Intelligence Agency in 1947 and in other forms long pre-dating that.9 The problem is that although domestic legal authority exists for the use of force against terrorists abroad, currents are stirring in international law and elsewhere that move to undermine that authority. Powerful trend and opinion-setting—so-called “soft law”—currents are developing in ways that, over time, promise to make the exercise of this activity ever more difficult and to create a presumption, difficult to overcome, that targeted killing is in fact both illegitimate and, indeed, per se illegal except in the narrowest of war-like conditions. The role of Congress is therefore to reassert, reaffirm, and reinvigorate the category as a matter of domestic law and policy, and as the considered, official view of the United States as a matter of international law.

#### Executive authority is key to usage of drone tech

Anderson 2009 [Kenneth Anderson Professor of Law, Washington College of Law, American University, and Research Fellow, The Hoover Institution, Stanford University and Member of its Task Force on National Security and the Law May 11, 2009 “Targeted Killing in U.S. Counterterrorism Strategy and Law” A Working Paper of the Series on Counterterrorism and American Statutory Law, a joint project of the Brookings Institution, the Georgetown University Law Center, and the Hoover Institution]

At this moment in which many policymakers, members of Congress and serious observers see primarily a need to roll back policies and assertions of authority made by the Bush Administration, any call for the Obama Administration and Congress to insist upon powers of unilateral targeted killing and to claim a zone of authority outside of armed conflict governed by IHL that even the Bush Administration did not claim must seem at once atavistic, eccentric, myopic and perverse. Many will not much care that such legal authority already exists in international and U.S. domestic law. Yet the purpose of this chapter is to suggest that, on the contrary, the uses to which the Obama Administration seeks to put targeted killing are proper, but they will require that it carefully preserve and defend legal authorities it should not be taking for granted and that its predecessors, including the Bush Administration, have not adequately preserved for their present day uses.

#### Requiring targeted killing to be against combatants prevents the ability to fight emerging terrorist threats

Anderson 2009 [Kenneth Anderson Professor of Law, Washington College of Law, American University, and Research Fellow, The Hoover Institution, Stanford University and Member of its Task Force on National Security and the Law May 11, 2009 “Targeted Killing in U.S. Counterterrorism Strategy and Law” A Working Paper of the Series on Counterterrorism and American Statutory Law, a joint project of the Brookings Institution, the Georgetown University Law Center, and the Hoover Institution]

People who threaten serious harm to the United States will not always be al Qaeda, after all. Nor will they forever be those persons who, in the words of the Authorization for the Use of Military Force (AUMF), “planned, authorized, committed or aided” the attacks of¶ September 11.7 As I will explain, it would have been better had the Bush and Clinton Administrations, for their parts, formulated their legal justifications for the targeted uses of force around the legal powers traditionally asserted by the United States: the right of self-defense, including the right to use force even in circumstances not rising to the level of an “armed conflict” in order to have firmly fixed in place the clear legal ability of the United States to respond as it traditionally has. Although the United States still has a long way to go to dismember al Qaeda, its affiliates and subsidiaries, although Osama bin Laden and key al Qaeda terrorist leaders remain at large, and although the President of the United States still exercises sweeping powers both inherent and granted by Congress to use all national power against the perpetrators of September 11, time moves on. New threats will emerge, some of them from states and others from non-state actors, including terrorist organizations. Some of those new threats will be new forms of jihadist terrorism; others will champion new and different causes. Even now, Islamist terror appears to be fragmenting into loose networks of shared ideology and aspiration rather than tightly vertical organizations linked by command and control.8 It will take successive feats of intellectual jujitsu to cast all of the targets such developments will reasonably put in the cross hairs as, legally speaking, combatants.

### A2: Domestic Constraints on Drones Inevitable

#### We will still use them- defense budget cuts

Masters 2013 [Jonathan Masters, Deputy Editor Council on Foreign Relations May 23, 2013 “Targeted Killings Backgrounder” Council on Foreign Relations http://www.cfr.org/counterterrorism/targeted-killings/p9627]

Analysts point to several factors that indicate U.S. targeted killings are likely to expand in the near term. Drone strikes and special operations raids put fewer Americans in harm's way and provide a low-cost alternative to expensive and cumbersome conventional forces, especially given likely cuts in the defense budget and a waning public appetite for long wars.

#### Tech advances will make them more palatable

Masters 2013 [Jonathan Masters, Deputy Editor Council on Foreign Relations May 23, 2013 “Targeted Killings Backgrounder” Council on Foreign Relations http://www.cfr.org/counterterrorism/targeted-killings/p9627]

Other experts say technological advances, including precision-guided munitions and enhanced surveillance, have given the United States a greater ability to target these particular individuals while reducing collateral damage. In July 2011, Chief Counterterrorism Adviser Brennan, provided a portent of things to come: "Going forward, we will be mindful that if our nation is threatened, our best offense won't always be deploying large armies abroad but delivering targeted, surgical pressure to the groups that threaten us."

#### Brennan is head of the CIA too

Masters 2013 [Jonathan Masters, Deputy Editor Council on Foreign Relations May 23, 2013 “Targeted Killings Backgrounder” Council on Foreign Relations http://www.cfr.org/counterterrorism/targeted-killings/p9627]

President Obama's January 2013 selection of Brennan to take over at CIA has reinforced the notion among some analysts that targeted killings will continue to be a central component of U.S. counterterrorism policy. Brennan played a significant role in the administration's expansion of targeted killings, including overseeing the process by which suspected militants and terrorists are selected for strikes.

#### Rise of nonstate actors

Masters 2013 [Jonathan Masters, Deputy Editor Council on Foreign Relations May 23, 2013 “Targeted Killings Backgrounder” Council on Foreign Relations http://www.cfr.org/counterterrorism/targeted-killings/p9627]

The rise of the so-called "non-state actors," operating in loose transnational networks, as the principal threat to U.S. national security also lends itself to an expansion of U.S. targeted killings, some experts say. In January 2012, the Pentagon released a fundamental strategy review that outlines defense priorities "in light of the changing geopolitical environment and our changing fiscal circumstances." The new guidance stresses the persistent threat of al-Qaeda and affiliates in South Asia and the Middle East, and commits the military to actively pursuing these threats by "directly striking the most dangerous groups and individuals when necessary."

## Prolif

### No War

#### Zero risk of a global drones precedent---it’s inevitable regardless of what the U.S. does

Robert Wright 12, “The Incoherence of a Drone-Strike Advocate,” 11/14/12, http://www.theatlantic.com/international/archive/2012/11/the-incoherence-of-a-drone-strike-advocate/265256/

Naureen Shah of Columbia Law School, a guest on the show, had raised the possibility that America is setting a dangerous precedent with drone strikes. If other people start doing what America does--fire drones into nations that house somebody they want dead--couldn't this come back to haunt us? And haunt the whole world? Shouldn't the U.S. be helping to establish a global norm against this sort of thing? Host Warren Olney asked Boot to respond. ¶ Boot started out with this observation:¶ I think the precedent setting argument is overblown, because I don't think other countries act based necessarily on what we do and in fact we've seen lots of Americans be killed by acts of terrorism over the last several decades, none of them by drones but they've certainly been killed with car bombs and other means.¶ That's true--no deaths by terrorist drone strike so far. But I think a fairly undeniable premise of the question was that the arsenal of terrorists and other nations may change as time passes. So answering it by reference to their current arsenal isn't very illuminating. In 1945, if I had raised the possibility that the Soviet Union might one day have nuclear weapons, it wouldn't have made sense for you to dismiss that possibility by noting that none of the Soviet bombs dropped during World War II were nuclear, right? ¶ As if he was reading my mind, Boot immediately went on to address the prospect of drone technology spreading. Here's what he said: ¶ You know, drones are a pretty high tech instrument to employ and they're going to be outside the reach of most terrorist groups and even most countries. But whether we use them or not, the technology is propagating out there. We're seeing Hezbollah operate Iranian supplied drones over Israel, for example, and our giving up our use of drones is not going to prevent Iran or others from using drones on their own. So I wouldn't worry too much about the so called precedent it sets..."

#### Doesn’t lower the threshold for conflict

Carpenter and Shaikhouni 2011 [Charli Carpenter is associate professor of international relations at the University of Massachusetts, Amherst, and blogs about human security at the Duck of Minerva. Lina Shaikhouni is completing a degree in political science at the University of Massachusetts, Amherst, with an emphasis on human rights and humanitarian law. June 7 2011 Foreign Policy “Don’t Fear the Reaper” http://www.foreignpolicy.com/articles/2011/06/07/dont\_fear\_the\_reaper?page=0,1]

Misconception No. 2: Drones Make War Easy and Game-Like, and Therefore Likelier. Remote-controlled violence even with a human in the loop also has people concerned: Nearly 40 percent of the op-eds we studied say that remote-control killing makes war too much like a video game. Many argue this increases the likelihood of armed conflict.¶ It's a variation on an old argument: Other revolutions in military technology -- the longbow, gunpowder, the airplane -- have also progressively removed the weapons-bearer from hand-to-hand combat with his foe. Many of these advances, too, were initially criticized for degrading the professional art of war or taking it away from military elites. For example, European aristocrats originally considered the longbow and firearms unchivalrous for a combination of these reasons.¶ It's true that all killing requires emotional distancing, and militaries throughout time have worked hard to devise ways to ease the psychological impact on soldiers of killing for the state in the national interest. Yet it's not so clear whether the so-called Nintendo effect of drones increases social distance or makes killing easier. Some anecdotal evidence suggests the opposite: Drone pilots say they suffer mental stress precisely because they have detailed, real-time images of their targets, and because they go home to their families afterward rather than debriefing with their units in the field. Studies haven't yet confirmed which view is accurate or whether it's somehow both.¶ Even if some variant of the Nintendo effect turns out to be real, there is little evidence that distancing soldiers from the battlefield or the act of killing makes war itself more likely rather than less. If that were true, the world would be awash in conflict. As former Lt. Col. Dave Grossman has documented, at no time in history has the combination of technology and military training strategies made killing so easy -- a trend that began after World War I. Yet as political scientist Joshua Goldstein demonstrates in a forthcoming book, the incidence of international war -- wars between two or more states -- has been declining for 70 years.¶ The political debate over drones should move away from the fear that military advancements mean war is inevitable and instead focus on whether certain weapons and platforms are more or less useful for preventing conflict at a greater or lesser cost to innocent civilian lives. Activists should keep pressure on elected officials, military personnel, and other public institutions to make armed conflict, where it occurs, as bloodless as possible. For example, some human rights groups say the Nintendo effect itself could be harnessed to serve humanitarian outcomes -- by embedding war law programming into game designs.

#### Obama will be able to stand strong over Republicans now in avoiding acrimonious debt ceiling battles

Politico, 9-12-13 Read more: http://www.politico.com/story/2013/09/white-house-obamacare-debt-negotiations-96741.html#ixzz2epOKtixt

Senate Democratic leaders echoed White House arguments in a Capitol Hill press conference on Thursday, and they feel confident that their solidarity will prevail over a fractured House Republican Conference that just had to pull a stopgap bill to keep the government funded into the fall because it wouldn’t gut Obamacare. “The biggest thing has been the uniformity in the refusal to negotiate on the debt ceiling,” said Matt House, the communications director for Sen. Chuck Schumer (D-N.Y.). “We think at the last minute they’re going to be the ones that have to blink and come to us.”

House Republicans are badly fractured over spending. They can’t agree among themselves on whether to keep spending on its current trajectory, cut it further than the caps agreed to in previous budget deals, or, as a handful of Republicans believe, raise it a little bit. More important at the moment, they are divided over whether to shut down the government in the name of starving Obamacare.

#### Obama thinks that pol cap is finite – he’ll back off controversial issues even if he’s winning

Kuttner 9, co-editor of The American Prospect and a senior fellow at Demos, author of "Obama's Challenge: America's Economic Crisis and the Power of a Transformative Presidency, 4/28/’9

(Robert, “Obama Has Amassed Enormous Political Capital, But He Doesn't Know What to Do with It,” http://www.alternet.org/economy/138641/obama\_has\_amassed\_enormous\_political\_capital,\_but\_he\_doesn%27t\_know\_what\_to\_do\_with\_it/?page=entire)

We got a small taste of what a more radical break might feel like when Obama briefly signaled with the release of Bush's torture memos that he might be open to further investigation of the Bush's torture policy, but then backtracked and quickly asked the Democratic leadership to shut the idea down. Evidently, Obama's political self wrestled with his constitutional conscience, and won. Civil libertarians felt a huge letdown, but protest was surprisingly muted. Thus the most important obstacle for seizing the moment to achieve enduring change: Barack Obama's conception of what it means to promote national unity. Obama repeatedly declared during the campaign that he would govern as a consensus builder. He wasn't lying. However, there are two ways of achieving consensus. One is to split the difference with your political enemies and the forces obstructing reform. The other is to use presidential leadership to transform the political center and alter the political dynamics. In his first hundred days, Obama has done a little of both, but he defaults to the politics of accommodation.

#### Political capital theory is true – newest data proves that presidents have significant legislative influence

Beckman 10 – Professor of Political Science

(Matthew N. Beckman, Professor of Political Science @ UC-Irvine, 2010, “Pushing the Agenda: Presidential Leadership in U.S. Lawmaking, 1953-2004,” pg. 2-3)

Developing presidential coalition building as a generalizable class of strategies is itself instructive, a way of bringing clarity to presidential– congressional dynamics that have previously appeared idiosyncratic, if not irrational. However, the study’s biggest payoff comes not from identifying presidents’ legislative strategies but rather from discerning their substantive effects. In realizing how presidents target congressional processes upstream (how bills get to the ﬂoor, if they do) to inﬂuence downstream policy outcomes (what passes or does not), we see that standard tests of presidential inﬂuence have missed most of it. Using original data and new analyses that account for the interrelationship between prevoting and voting stages of the legislative process, I ﬁnd that presidents’ legislative inﬂuence is real, often substantial, and, to date, greatly underestimated.

## link

### Plan results in fierce congressional opposition – empirics and bellicose congress members

Ackerman 5/23 Spencer Ackerman, Senior reporter for the Danger Room @ Wired, recently won the 2012 National Magazine Award for Reporting in Digital Media, “Exclusive: Congressman Preps Bill to End Terror War Authority”, Wired, May 23rd, 2013, http://www.wired.com/dangerroom/2013/05/schiff-aumf/

Rep. Adam Schiff (D-Calif.) is preparing a piece of legislation that would “sunset” the 2001 Authorization to Use Military Force (AUMF), a foundational law passed in the days after the 9/11. “The current AUMF is outdated and straining at the edges to justify the use of force outside the war theater,” Schiff tells Danger Room.¶ Repealing the AUMF would be the boldest restriction of presidential war powers since 9/11. Both the Bush and Obama administrations have relied on the document to authorize everything from the warrantless electronic surveillance of American citizens to drone strikes against al-Qaida offshoots that did not exist on 9/11. Getting rid of it is certain to invite fierce opposition from more bellicose members of Congress, who have repeatedly demagogued efforts to roll back any post-9/11 wartime authority, let alone the most important one.¶ Rep. Barbara Lee (D-Calif.), the only legislator to vote against the authorization in 2001, has long fought unsuccessfully to repeal the AUMF. But Schiff is a moderate, not a firebreathing liberal, and while sunsetting the AUMF is sure to be a big legislative challenge, even conservative legislators like Rand Paul (R-Ky.) are raising fundamental questions about the merits of a never-ending war.

### Modifying the AUMF solves partisanship but repealing it causes bipartisan opposition and fights from the DOD

Ackerman 5/23 Spencer Ackerman, Senior reporter for the Danger Room @ Wired, recently won the 2012 National Magazine Award for Reporting in Digital Media, “Exclusive: Congressman Preps Bill to End Terror War Authority”, Wired, May 23rd, 2013, http://www.wired.com/dangerroom/2013/05/schiff-aumf/

“I look forward to engaging Congress and the American people in efforts to refine, and ultimately repeal, the AUMF’s mandate,” Obama said. “And I will not sign laws designed to expand this mandate further. Our systematic effort to dismantle terrorist organizations must continue. But this war, like all wars, must end.”¶ That’s a position that may not sit well with the U.S. military. During a Senate hearing last week, generals from the Joint Staff and senior Pentagon civilians argued that the AUMF was a necessary law that should remain in place — unchanged. The position satisfied neither Democratic and Independent critics who saw it as a blank check for war nor Republican critics who considered it too restrictive to fight 2013-era terrorism.¶ One of them is McKeon, the first legislator who proposed reexamining the AUMF. Repealing it outright doesn’t sit well with him — and probably many other congressional Republicans and some Democrats.¶ “The chairman is far from convinced that’s the direction we need to go,” says an aide to McKeon’s committee. “We need to reaffirm our authority with respect to those [al-Qaida] affiliated groups.” What’s more, Obama’s willingness to “ultimately repeal” the AUMF runs right smack into his codification of a more limited counterterrorism war lasting for years. At the National Defense University, Obama simultaneously talked about a longer war and removing his own authorities for waging it.¶ Schiff sees all this tension — on the Hill and within the administration — as an opportunity. “There’s probably bipartisan support for the idea that the existing AUMF is ill-suited to the nature of the threats we face now,” he says. But there’s “probably bipartisan opposition to what would come after,” both from the left and right. Schiff thinks that disagreement means a congressional debate about the future of presidential authority against terrorism is overdue. He intends to kickstart one.

## case

### Empirically denied

**Kahn 2011** (Jeremy Kahn, journalist based in New Dehli, February 12, 2011, Boston Globe, “Crude Reality,” http://articles.boston.com/2011-02-13/news/29336191\_1\_crude-oil-shocks-major-oil-producers)

One striking example was the height of the Iran-Iraq War in the 1980s. If anything was likely to produce an oil shock, it was this: two major Persian Gulf producers directly targeting each other’s oil facilities. And indeed, prices surged 25 percent in the first months of the conflict. But within 18 months of the war’s start they had fallen back to their prewar levels, and they stayed there even though the fighting continued to rage for six more years. Surprisingly, during the 1984 “Tanker War” phase of that conflict — when Iraq tried to sink oil tankers carrying Iranian crude and Iran retaliated by targeting ships carrying oil from Iraq and its Persian Gulf allies — the price of oil continued to drop steadily. Gholz and Press found just one case after 1973 in which the market mechanisms failed: the 1979-1980 Iranian oil strike which followed the overthrow of the Shah, during which Saudi Arabia, perhaps hoping to appease Islamists within the country, also led OPEC to cut production, exacerbating the supply shortage.