### Disad - 1NC

**Pres war powers strong now**

**National Journal 10/3** “The Do-It-Yourself Presidency,” National Journal staff, 10/3/2013, http://www.nationaljournal.com/magazine/the-do-it-yourself-presidency-20131003

After 20 children were gunned down at a Connecticut elementary school, President Obama pledged swift action to curtail mass shootings. And, after reports surfaced that Bashar al-Assad had gassed his own people, the president vowed swift retaliation. And finally, after Republicans threatened to shutter the government over health care, Obama warned that "one faction of one party in one house of Congress in one branch of government doesn't get to shut down the entire government just to refight the results of an election." There are as many AR-15s on the street today as there ever were, no Syrian targets have felt the brunt of an American missile, and the federal government has closed down for the first time in 17 years. So you would be forgiven for believing, as many do, that Barack Obama is a weak, ineffectual, even impotent leader. But move past the banner headlines and you'll see that **Obama, by force of will and wielding of pen, is on track to be recorded as one of the most powerful presidents the country has known**. Full stop. No caveat is coming here. **On the biggest, most significant issues affecting America and its place among global powers, this White House has aggressively forced its agenda from concept to implementation**—**ignoring congressional opposition**—**by assuming powers and authorities that previous administrations have only dreamt of invoking. This aggressiveness is perhaps most clearly seen in national security**, **where Obama's embrace of government surveillance and a death-by-drone program ballooned beyond all known bounds despite a jaw-dropping lack of evidence against hundreds of the targets, Americans included**. But he hasn't stopped there. On immigration, Obama unilaterally granted to undocumented children brought here illegally by their parents the right to stay, study, and work. After Congress refused to act. On climate, he has single-handedly choreographed the demise of the industry that spews the most greenhouse gas into the air. After Republicans said, no. Even on health care and guns, the two most controversial and politically divisive issues of his presidency, Obama has used his executive authority to put into practice policies that Congress has specifically and emphatically declined to endorse. "I don't think you can argue that the Congress is a coequal branch of government anymore," said Lee Hamilton, a former House Democrat whose work on multiple bipartisan panels puts him among the leading voices of governing and policy. "Power is now driving to the executive. It's a worrisome trend. How far down this road of increasing presidential power can you go and still have a representative democracy?" Obama's supporters say he didn't want to do this, but **Congress's refusal to negotiate on any issues—from housing reform and student loans to government funding and the debt limit—forced him into a do-it-yourself presidency**. "It's gotten so bad that the president feels compelled to act with executive authority, and is doing so without compunction," said Paul Bledsoe, a former Clinton White House climate adviser and now a senior fellow on energy and climate at the German Marshall Fund. **"In the first term he did so with reluctance. Now he's embracing it."** Current and former Obama aides offer evidence that this president, the former constitutional law professor, would have preferred a more cooperative Congress similar to the one he had during his first two years in office. It was the chief executive himself, according to White House aides, who came up with the "We Can't Wait" phrase to talk (in an election year) about all the things Republicans were refusing to advance on Capitol Hill. This summer, in fact, Obama defended unilateral action on implementing the health care law by saying: "Where Congress is unwilling to act, I will take whatever administrative steps that I can in order to do right by the American people." Certainly, Obama is not the first president to take the powers he wanted and the actions he determined necessary when Congress refused to act. Indeed, every president for the last 30 years has used the regulatory rule-making process, executive **at no time, perhaps since FDR, has a Congress faced a president so willing to do it himself** orders, or signing statements to craft policies that ran counter to congressional intent. Some have gone too far, abusing their authority—recall Franklin Delano Roosevelt, who interned American citizens of Japanese descent; George W. Bush, who authorized U.S. agents to torture prisoners, violating the Geneva Conventions; Richard Nixon, who … well, you know. But **at no time, perhaps since the years after the Civil War, has a president faced a Congress so divided and unwilling to do anything on substantive policy issues. And.**

**Congressional interference signals a diluted American commitment to force – that emboldens enemies**

**Newton ’12** Michael A. Newton, professor at Vanderbilt Law, “Inadvertent Implications of the War Powers Resolution,” Case Western Reserve Journal of International Law, Vol. 45, No. 1, 2012, http://papers.ssrn.com/sol3/papers.cfm?abstract\_id=2232354

The corollary to this modern reality, and the second of three inadvertent implications of the Resolution, is that **our enemies now focus on American political will as the Achilles heel of our vast capabilities**. Prior to the War Powers Resolution, President Eisenhower understood that it was necessary to “seek the cooperation of the Congress. Only with that can we give the reassurance needed to deter aggression.”62 President Clinton understood the importance of clear communication with the Congress and the American people in order to sustain the political legitimacy that is a vital element of modern military operations. Justifying his bombing of targets in Sudan, he argued that the “risks from inaction, to America and the world, would be far greater than action, for that would embolden our enemies, leaving their ability and their willingness to strike us intact.”63 In his letter to Congress “consistent with the War Powers Resolution,” the president reported that the strikes “were a necessary and proportionate response to the imminent threat of further terrorist attacks against U.S. personnel and facilities” and “were intended to prevent and deter additional attacks by a clearly identified terrorist threat.”64 The following day, in a radio address to the nation, the president explained his decision to take military action, stating, “Our goals were to disrupt bin Laden’s terrorist network and destroy elements of its infrastructure in Afghanistan and Sudan. And our goal was to destroy, in Sudan, the factory with which bin Laden’s network is associated, which was producing an ingredient essential for nerve gas.”65 Citing “compelling evidence that the bin Laden network was poised to strike at us again” and was seeking to acquire chemical weapons, the president declared that we simply could not ignore the threat posed, and hence ordered the strikes.66 Similarly, President Clinton understood that intervention in Bosnia could not be successful absent some national consensus, which had been slow to form during the long Bosnian civil war.67 Secretary of State George Schultz provided perhaps the most poignant and pointed example of this truism in his testimony to Congress regarding the deployment of US Marines into Lebanon to separate the warring factions in 1982. On September 21, 1983, he testified before the Senate Foreign Relations Committee and provided a chilling premonition of the bombing that would come only one month later and kill 241 Americans, which was the bloodiest day in the Marine Corps since the battle of Iwo Jima.68 Seeking to bolster legislative support and to better explain the strategic objectives, he explained that: It is not the mission of our marines or of the [Multinational Force in Lebanon] as a whole to maintain the military balance in Lebanon by themselves. Nevertheless, their presence remains one crucial pillar of the structure of stability. They are an important deterrent, a symbol of the international backing behind the legitimate Government of Lebanon, and an important weight in the scales. To remove the marines would put both the Government and what we are trying to achieve in jeopardy. This is why our domestic controversy over the war powers has been so disturbing. **Uncertainty about the American commitment can only weaken our effectiveness. Doubts about our staying power can only cause political aggressors to discount our presence or to intensify their attacks in hopes of hastening our departure.** An accommodation between the President and Congress to resolve this dispute will help dispel those doubts about our staying power and strengthen our political hand.69 Following the spectacularly successful terrorist attack on the Marine barracks in Beirut, President Reagan withdrew the Marines. Osama bin Laden later cited this as an example of American weakness that could not withstand the jihadist fury he sought.70 The legal battles over the scope and effect of the War Powers Resolution have highlighted the focus on national political will as the fulcrum of successful military operations by requiring assurances that military operations are limited in nature, duration, and scope, and therefore well within the president’s constitutional authority as Commander-in-Chief and chief executive. President Obama’s report to Congress in the context of the Libya operations in 2011 cited precedent from air strikes in Bosnia that took just over two weeks and involved more than 2,300 US sorties and the deployment of US forces in Somalia in 1992 and Haiti in 1993.71 The White House released a memorandum from the OLC, similar to previous interventions, explaining how the authorization to use such force was constitutional on the basis that “‘war’ within the meaning of the [Constitution’s] Declaration of War Clause” does not encompass all military engagements, but only those that are “prolonged and substantial . . . typically involving exposure of U.S. military personnel to significant risk over a substantial period.”72 President Obama consistently maintained that the US role in Libya was limited, unlikely to expose any US persons to attack (especially given the role of missiles and drones and the utter inability of Qaddafi’s forces to strike back with conventional means), and likely to end expeditiously.73 By that logic, it did not require authorization from Congress. The administration ultimately adopted a legal analysis that the US military’s activities fell short of “hostilities,” and thus, the president needed no permission from Congress to continue the mission after the expiration of the sixty-day reporting window specified in the War Powers Resolution.74 The president’s reasoning rested on previous OLC opinions that what counts as war depends on “a fact- specific assessment of the ‘anticipated nature, scope, and duration’ of the planned military operations.”75 Present justifications for bypassing the War Powers Resolution hinge on interpretations that it requires “prolonged and substantial military engagements, typically involving exposure of U.S. military personnel to significant risk over a substantial period.”76 The OLC engaged in similar reasoning in the Bosnia intervention in 1995, explaining that in deciding whether the proposed deployment into Bosnia amounted to a “‘war’ in the constitutional sense, considerable weight was given to the consensual nature and protective purposes of the operation.”77 That deployment was similarly intended to be a limited mission but that mission, in contrast to the present one, was in support of an agreement that the warring parties had reached and it was at the invitation of the parties that led to the belief that little or no resistance to the deployment would occur. Though some scholars argued that the Libya OLC Memorandum defended its reasoning for why the operation did not amount to “war,” it did not address whether the administration believed that it will have to stop operations upon expiration of the sixty-ninety-day clock under the War Powers Resolution.78 The deadline passed with little fanfare. The memorandum also relied upon quite distinguishable precedent to serve as a guiding point in this intervention. Professor Goldsmith argued the opinion broke “new ground . . . in its extension of the ‘no war’ precedents beyond the Bosnia and Haiti situations—which involved consensual peacekeeping-like introductions of ground troops but no significant uses of force—to cover two weeks of non-consensual aerial bombardments.”79 Thus, even as it incentivizes short term, limited deployments, **the War Powers Resolution embeds an inevitable constitutional collision between the coordinate branches.** **Our enemies can rely upon constitutional carping from Congress, and in fact can adapt tactics and statements that seek to undermine political will in the US Congress and among the American people from the first days of an operation. The Resolution helps to ensure that such debates over the national political will take center stage sooner rather than later, and an asymmetric enemy can in theory erode our political will even before it solidifies.**

**Exec flex key to prevent rogue state and terrorist WMD use**

**Royal ’11** JOHN PAUL ROYAL, “War Powers and the Age of Terrorism,” Center for the Study of the Presidency & Congress The Fellows Review 2011, http://www.thepresidency.org/storage/Fellows2011/Royal-\_Final\_Paper.pdf

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

**Exec NSC CP**

**The Executive Branch should establish a National Security Court to approve or deny targeted killing orders. This Court’s decisions should be forwarded to Congressional intelligence committees for review.**

**NSC solves the aff but avoids the executive flex DA**

**Katyal ’13** Neal Katyal, NDT semifinalist, was Acting Solicitor General of the United States for Obama, served as Al Gore’s co-counsel in Bush v. Gore and lead counsel in Hamdan v. Rumsfeld, “Who Will Mind the Drones?” New York Times, 2/21/2013, <http://www.nytimes.com/2013/02/21/opinion/an-executive-branch-drone-court.html> jss

**Imagine instead that the president had an internal court, staffed by expert lawyers to represent both sides. Those lawyers, like the Judge Advocate General’s Corps in the military, would switch sides every few years, to develop both expertise as repeat players and the ability to understand the other point of view.** The adjudicator would be a panel of the president’s most senior national security advisers, who would issue decisions in writing if at all possible. Those decisions would later be given to the Congressional intelligence committees for review. Crucially, the president would be able to overrule this court, and take whatever action he thought appropriate, but would have to explain himself afterward to Congress. **Such a court would embed accountability and expertise into the drone program. With a federal drone court, it would simply be too easy for a president or other executive-branch official to point his finger at a federal judge for the failure to act. With an internal court, it would be impossible to avoid blame.** It’s true that a court housed within the executive branch might sound nefarious in today’s “Homeland” culture — if Alexander Hamilton celebrated the executive, in Federalist No. 70, for its “decision, activity, secrecy and dispatch,” some now look at those same qualities with skepticism, if not fear. In contrast, advocates of a drone court say it would bring independent, constitutional values of reasoned decision making to a process that is inherently murky. But **simply placing a drone court in the judicial branch is not a guaranteed check**. **The FISA Court’s record is instructive**: **between 1979 and 2011 it rejected only 11 out of more than 32,000 requests** — **making the odds of getting a request rejected, around 1 in 3,000, approximately the same as those of being struck by lightning in one’s lifetime**. **What reason does the FISA Court give us to think that judges are better than specialists at keeping executive power in check?** The **written decisions of an internal national security court**, in contrast, **would be products of an adversarial system** (unlike the FISA Court), **and** later **reviewed by Congressional intelligence committees**. **If members of Congress saw troublesome trends developing, it could push legislation to constrain the executive**. **That is something a federal judge cannot do.** One of our Constitution’s greatest virtues is that it looks to judges as a source of reasoned, practical, rights-minded decision making. But **judges should be left to what they know.** **A national security court** inside the executive branch may not be a perfect solution, but it **is a better way to balance the demands of secrecy and speed with those of liberty and justice**.

## LATKRIT

**L—The aff’s discussion of racism in Africa is premised on the black white binary which excludes latinos.**

**Perea 1997 (Juan, Professor of Law, University of Florida College of Law, “The Black/White Binary Paradigm of Race: The Normal Science of American Racial Thought,” California Law Review, October, p.1253)**

One could defend the Black/White paradigm on the grounds that it represents the efforts of scholars to study the most virulent form of rac-ism in the United States, White racism against Blacks, and that study of the most virulent form will naturally encompass less virulent forms such as those experienced by Latinos/as. The extent of White racism against Blacks, cruelly manifested in slavery, was unprecedented. Pervasive and continuing racism against Blacks justifies every effort dedicated to its eradication. **There are** at least **three reasons**, however, **why an exclusive focus on Blacks and Whites is not justified.** First, **it is important to work to eradicate all racism**, **not just the racism experienced by Blacks.** Second, **it is wrong to assume that racism against Latinos/as is simply a less virulent form of the same racism experienced by Blacks**. As Blauner described, racism against Latinos/as has a different genesis. It may also be different in kind in ways that are very important. For example, Blacks may or may not ever experience the language and accent discrimination faced by many Latinos/as. Finally**, our national demographics are changing significantly. One cannot simply ignore the concerns of an increasingly large and subordinated group of Latinos/as forever. A society is just only if everyone can participate in it on equal terms.**

**The Black/White paradigm is insidious, reinforcing White supremacy and White privilege. LatCrit expands our conception of racism, removing social and legal barriers that are at odds with all races – Turns Case.**

**Valdes 1997 (Francisco, Visiting Prof. of Law, University of Miami, California Law Review, October, p.1105- 1106**)

**The predominance of this paradigm in legal and social thought thus must be well understood and fully voiced;** **the savage institutionalization of the enslavement of Blacks by Whites, and the continuing resonance of that unique institution and its racial ideology, pull critical attention toward Black/White frames and foci**. The complaint pressed here, however, is that an "exclusive focus" or framing of race issues on Black/White terms marginalizes "other people of color" and prevents understanding of other racisms: "An exclusive focus on the Black/White relationship, and the concomitant marginalization of "other people of color,' can operate to prevent understanding of other racisms and to obscure their particular operation," Professor Perea writes. **This critique consequently is not meant to cause a displacement or contraction of Black/White discourse, but an expansion of it that is both quantitative and qualitative. This** call for expansion is triggered by the view that unexplored pockets of racialized and ethnicized power relations constrict the outsider critique of subordinating social and legal structures. **Thus, LatCrit critiques leveled at this paradigm, both here and elsewhere, espouse dismantlement of social and legal structures inimical not only to Latinas/os but also to all people of color, including Blacks. These critiques always must acknowledge that the Black/White paradigm not only erases Native Americans, Asian Americans, and Latinas/os, but that it also relegates Blacks to the "bottom" half of the paradigmatic status quo. Ignoring intermediate groups in Black/White analyses also tends to obscure the causes or effects of Latina/o or Asian-American racism against Blacks, or vice** **versa. An "exclusive focus" on Black/White relations obscures color-on-color issues, reinforcing the marginalization of non-White identification. In short, this paradigm structures race, law, and society around White supremacy and White privilege. LatCrit and other outsider scholars therefore should not permit this paradigm to likewise structure our critiques of race, law, and society.**

**The alternative is to reject the 1AC in favor of a latino criticism.**

**The black/white binary of history ensures that Latino/as will remain invisible and their struggle will never be known and renders them spectators in the civil rights struggle. Our strategy supplements – their strategy supplants.**

**Perea 1997 (Juan, Professor of Law, University of Florida College of Law, “The Black/White Binary Paradigm of Race: The Normal Science of American Racial Thought,” California Law Review, October, p.1250-1252)**

I**n the context of constitutional law, the paradigmatic presentation of the evolution of equality jurisprudence virtually guarantee**s **that students will learn nothing about the history of racism and "separate but equal" segregation against Mexican Americans nor about the federal cases in which the courts found such segregation unconstitutional. How many of my present readers are aware that Mexican Americans, like Blacks, were lynched frequently? Mexican Americans were also segregated in separate but unequal schools, were kept out of public parks by law, were refused service in restaurants, were prohibited from attending "White" churches on Sundays, and were denied burial in "White" cemeteries, among all of the other horrors of the separate but equal scheme. The paradigmatic, truncated presentation of racial and legal history that results from the Black/White binary paradigm ensures that most readers will never learn anything about Mexican American struggles for equality. A presentation of this omitted history, on the other hand, would present law students with a more complex and accurate sense of the scope of racism and the multiple struggles mounted against it. Cases such as Lopez, Mendez and Hernandez should be included in every book that discusses racism and segregation, especially books on constitutional law. Omit these cases, omit this history, and the vast majority of law students (and many law teachers) will have no clue that the Mexican-American struggle against segregation has been long and hard-fought in the courts. Omit these cases and most law students will have no clue that the Mexican American struggle against segregation has a place in our constitutional history. Omit these cases and we get the story of the struggle for equality told only in Black and White. We get only the paradigm, not the picture**. I have shown that the tendency to present a linear story of the development of equality doctrines corresponding to the Black/White paradigm leads to the omission of Mexican-American history. Robert Blauner describes more generally the omission of Chicano history by White scholars, which leads directly to reproduction of the Black/White paradigm and public ignorance about Latinos/as: **Even informed Anglos [and Blacks] know almost nothing about La Raza, its historical experience, its present situation, its collective moods. And the average citizen doesn't have the foggiest notion that Chicanos have been lynched in the Southwest and continue to be abused by the police, that an entire population has been exploited economically, dominated politically, and raped culturally. In spite of the racism that attempts to wipe out or, failing that, distort and trivialize the history and culture of the colonized, both expert and man in the street are far more aware of the past and present oppression suffered by blacks. Blauner refers to this continuing omission as "academic colonialism" by White scholars who persist in ignoring the history and problems encountered by Mexican Americans. Similar "academic colonialism" exists among constitutional law casebook authors who persist in omitting significant developments in constitutional law and history affecting Latinos/as, for the sake of a linear story within the Black/White binary paradigm.** I want to know how casebook authors of constitutional law can justify leaving out the legal history I have described above. Do they deem it unimportant? If the reason for omitting Mexican-American legal history is a judgment that it is unimportant, how was that conclusion reached? **Adding this history presents a radically different picture of Latinos/as and Blacks struggling for equality and desegregation, and demonstrates some coalition between Latinos/as and Blacks in the struggle. Omitting this history offers us only a paradigmatic and distorted history in Black and White. The burden should be on constitutional law casebook authors to justify their decisions to omit this material, because its omission leads directly to a distorted picture of Latinos/as as non-participants and "spectators" in the struggle for civil rights.**

### Drones Good – 1NC

#### Drone strikes best solve terror

Byman ’13 Daniel L. Byman, Professor in the Security Studies Program of the School of Foreign Service at Georgetown University, Research Director, Saban Center for Middle East Policy, and Senior Fellow, Foreign Policy, Saban Center for Middle East Policy @ Brookings, former Director of the Center for Peace and Security Studies and the Security Studies Program at the Edmund A. Walsh School of Foreign Service, Georgetown University, “Why Drones Work,” Foreign Affairs, July/August 2013, http://www.brookings.edu/research/articles/2013/06/17-drones-obama-weapon-choice-us-counterterrorism-byman jss

The Obama administration relies on drones for one simple reason: they work. According to data compiled by the New America Foundation, since Obama has been in the White House, U.S. drones have killed an estimated 3,300 al Qaeda, Taliban, and other jihadist operatives in Pakistan and Yemen. That number includes over 50 senior leaders of al Qaeda and the Taliban—top figures who are not easily replaced. In 2010, Osama bin Laden warned his chief aide, Atiyah Abd al-Rahman, who was later killed by a drone strike in the Waziristan region of Pakistan in 2011, that when experienced leaders are eliminated, the result is “the rise of lower leaders who are not as experienced as the former leaders” and who are prone to errors and miscalculations. And drones also hurt terrorist organizations when they eliminate operatives who are lower down on the food chain but who boast special skills: passport forgers, bomb makers, recruiters, and fundraisers. Drones have also undercut terrorists’ ability to communicate and to train new recruits. In order to avoid attracting drones, al Qaeda and Taliban operatives try to avoid using electronic devices or gathering in large numbers. A tip sheet found among jihadists in Mali advised militants to “maintain complete silence of all wireless contacts” and “avoid gathering in open areas.” Leaders, however, cannot give orders when they are incommunicado, and training on a large scale is nearly impossible when a drone strike could wipe out an entire group of new recruits. Drones have turned al Qaeda’s command and training structures into a liability, forcing the group to choose between having no leaders and risking dead leaders.

#### Civilian casualties are exaggerated – drones are the most safe and precise form of warfare to decrease innocent death

Byman ’13 Daniel L. Byman, Professor in the Security Studies Program of the School of Foreign Service at Georgetown University, Research Director, Saban Center for Middle East Policy, and Senior Fellow, Foreign Policy, Saban Center for Middle East Policy @ Brookings, former Director of the Center for Peace and Security Studies and the Security Studies Program at the Edmund A. Walsh School of Foreign Service, Georgetown University, “Why Drones Work,” Foreign Affairs, July/August 2013, http://www.brookings.edu/research/articles/2013/06/17-drones-obama-weapon-choice-us-counterterrorism-byman jss

The truth is that all the public numbers are unreliable. Who constitutes a civilian is often unclear; when trying to kill the Pakistani Taliban leader Baitullah Mehsud, for example, the United States also killed his doctor. The doctor was not targeting U.S. or allied forces, but he was aiding a known terrorist leader. In addition, most strikes are carried out in such remote locations that it is nearly impossible for independent sources to verify who was killed. In Pakistan, for example, the overwhelming majority of drone killings occur in tribal areas that lie outside the government’s control and are prohibitively dangerous for Westerners and independent local journalists to enter. Thus, although the New America Foundation has come under fire for relying heavily on unverifiable information provided by anonymous U.S. officials, reports from local Pakistani organizations, and the Western organizations that rely on them, are no better: their numbers are frequently doctored by the Pakistani government or by militant groups. After a strike in Pakistan, militants often cordon off the area, remove their dead, and admit only local reporters sympathetic to their cause or decide on a body count themselves. The U.S. media often then draw on such faulty reporting to give the illusion of having used multiple sources. As a result, statistics on civilians killed by drones are often inflated. One of the few truly independent on-the-ground reporting efforts, conducted by the Associated Press last year, concluded that the strikes “are killing far fewer civilians than many in [Pakistan] are led to believe.” But even the most unfavorable estimates of drone casualties reveal that the ratio of civilian to militant deaths—about one to three, according to the Bureau of Investigative Journalism—is lower than it would be for other forms of strikes. Bombings by F-16s or Tomahawk cruise missile salvos, for example, pack a much more deadly payload. In December 2009, the United States fired Tomahawks at a suspected terrorist training camp in Yemen, and over 30 people were killed in the blast, most of them women and children. At the time, the Yemeni regime refused to allow the use of drones, but had this not been the case, a drone’s real-time surveillance would probably have spotted the large number of women and children, and the attack would have been aborted. Even if the strike had gone forward for some reason, the drone’s far smaller warhead would have killed fewer innocents. Civilian deaths are tragic and pose political problems. But the data show that drones are more discriminate than other types of force.

#### No escalation from Africa

Taire ‘4 Morenike Taire, “SPEAKING OUT:- AFRICA AND THE FUTURE OF TERRORISM,” Venguard (Nigeria) – AAGM, Global News Wire – Asia Africa Intelligence Wire, 4/9/2004, lexis

Defining our role may not have to be as difficult as it might first seem. In the first instance,, in spite of Libya feat in WMD technology, borrowed and invented, and despite the feat of others who, like Libya, has flirted and romanced with terrorism in the past, it is unlikely that Africa would be in a position to involve itself in any conflicts with any States outside its own shores. She does not have the technology, and might have trouble summoning the collective will. And so while America grapples with impending energy troubles or rumours of it and Europe battles with the European Union, Africa battles with hunger, and pretty much everything else that has ceased to be of any significance to anyone in the first world.

#### Deutsch card is terrible – it’s unqualified, unwarranted, and illogical – the “Rabid Tiger Project” is totally defunct and their webpage isn’t even accessible anymore, and it’s empirically denied by a host of African conflicts

#### No escalation from failed states

Stewart Patrick, “The Brutal Truth,” Foreign Policy, July/August 2011, http://www.foreignpolicy.com/articles/2011/06/20/the\_brutal\_truth?page=full

The brutal truth is that the vast majority of weak, failing, and failed states pose risks primarily to their own inhabitants. When governments cannot discharge basic functions, their citizens pay the heaviest price. Countries in the top ranks of the FSI face a much higher risk of internal conflict, civil violence, and humanitarian catastrophe (both natural and man-made). They are settings for the worst human rights abuses, the overwhelming source of the world's refugees, and the places where most U.N. peacekeepers must go. Home to humanity's "bottom billion," they suffer low or negative economic growth, and their populations are more likely to be poor and malnourished; experience pervasive insecurity; endure gender discrimination; lack access to education, basic health care, and modern technology; and die young or suffer chronic illness. Think of Nigeria (No. 14 on the list), a country that spends only $10 per capita on health care annually and has an average life expectancy of just 46 years, or Zimbabwe (6), whose venal authoritarian leader, Robert Mugabe, has driven a once-promising country into repressive horror. Beyond those living in such countries, the heaviest brunt of state failure is borne by neighboring states; violent conflict, refugee flows, arms trafficking, and disease are rarely contained within national borders. A case in point has been the devastation wrought throughout Africa's Great Lakes region in the decade and a half since the Rwandan genocide, with warring militias, arms flows, and epidemics crisscrossing notional national frontiers. As the Great Lakes show, the risk of regional contagion is compounded when weak and vulnerable states are adjacent to other countries with similar characteristics and few defenses against spillovers. And even when they are not exporting violence, fragile states impose dramatic economic costs on their neighbors. According to Oxford University economist Paul Collier and his colleague Lisa Chauvet, the total cost of a single country falling into the "fragile state" category, for itself and its neighbors, may reach $85 billion. This is a gargantuan sum, equivalent to 70 percent of worldwide official development assistance from international donors in 2009. But such troubles -- bad as they are -- do not automatically endanger the wider world, much as it may be a convenient sales pitch to argue otherwise. The world, it turns out, is not quite as interdependent as advertised. What happens in the poorest, most marginalized, and most dysfunctional places in the developing world only rarely comes back to bite those living in the wealthy world. What happens in failed states often stays in failed states.

#### Drones key to heg – make counterinsurgency economically and politically sustainable

Reynolds ’13 Michael A. Reynolds, Department of Near Eastern Studies , Princeton University, “Return of the Maxim Gun? Technology and empire in an age of austerity,” Global Discourse: An Interdisciplinary Journal of Current Affairs and Applied Contemporary Thought, Volume 3, Issue 1, 2013, pp. 120-128, DOI: 10.1080/23269995.2013.807603 jss

The United States, although it may not have the equivalent of the mythological Maxim gun, has successfully leveraged technology to extend its power and reach into foreign societies in ways that would have been inconceivable to the empires of the high-imperial age. American military personnel, often physically located in the interior of the continental United States, have employed thousands of unmanned aerial vehicles, UAVs, or drones more popularly, to surveil, track, and kill hostile individuals literally around the globe, particularly in Iraq, Afghanistan, Pakistan, Yemen, and Libya. From 2004 through 2012, American drone strikes in Pakistan, Yemen, and Somalia have killed nearly 3500 people (Zenko 2012). Guerrillas, insurgents, and terrorists have long protected themselves from the superior firepower of regular armies and police forces by declining to wear uniforms or other open markers of identity and by refusing to fight in the open. These tactics compel states to do one of the two things: either to curb their use of firepower and thereby neutralize their own advantage, or to employ force indiscriminately and thereby risk alienating their population and public opinion around the world with excessive violence. This is the classic dilemma of counter-insurgency and counter-terrorism. To American strategic planners, surveillance and attack drones hold out the promise that they can, if not overcome this dilemma, at least mitigate it. By employing drones to find, monitor, and track specific individuals, the United States can aspire to identify whether or not those individuals are hostile and then seamlessly employ an attack drone to destroy that individual. Thus, the United States government now routinely uses drones to mount extended and even around-the-clock observation of foreign locales to identify and kill suspected terrorists. To be sure, non-combatants are all too often casualties of such strikes and the use of drones has by no means dissolved the counter-insurgent dilemma. Indeed, some observers argue that the so-called ‘collateral damage’ from drone strikes generate more opponents of the United States than they could kill or intimidate (International Human Rights and Conflict Resolution Clinic at Stanford Law School and Global Justice Clinic at NYU School of Law 2012). Nonetheless, it seems clear that drones have reduced the counter-insurgent dilemma. In countries where they fly they certainly have made life for armed opponents of the United States and its allies significantly more difficult. Alongside their utility in locating, tracking, targeting, and destroying individuals, a major appeal of drones is their cost. Drones pose no risk of death to highly trained and valuable pilots and they are comparatively cheap. The Predator, the best-known armed drone, costs a little over $4 million. The more capable Reaper costs $37 million. By comparison, an F-35 fighter costs on the order of $235 million. Relative to their capabilities, drones will likely only grow cheaper as design improves, economies of scale drive costs down, and computer components continue to fall in price. Indeed, observation drones are available for purchase to the general public for only several hundred dollars. When combined with the increasingly sophisticated signals, intelligence capabilities of the United States armed forces and intelligence agencies, drones emerge as a potent tool for monitoring unstable regions and meting out punishment to violent challengers. The drone is, in essence, a tool well-suited to imperial policing, on sea as well as on land. Thus, the withdrawal of American military forces from Iraq, Afghanistan, and elsewhere in the greater Middle East due to war fatigue and financial constraints will not necessarily equate to an equivalent reduction in America’s coercive capabilities. For better or for worse, technology such as drones, satellite surveillance, and improved signals intelligence provide the world’s policeman with a more potent, if not bigger, baton for the buck. Further advances in computer technology, imaging, nano-technology, biotechnology, and other fields may be translated into more powerful and effective systems of coercion. Technology makes many things possible. Empire in an age of austerity might well be one of them.

#### Heg key to peace – transition would cause extinction

Barnett ’11 Thomas P. M. Barnett, Former Senior Strategic Researcher and Professor in the Warfare Analysis & Research Department, Center for Naval Warfare Studies, U.S. Naval War College American military geostrategist and Chief Analyst at Wikistrat., worked as the Assistant for Strategic Futures in the Office of Force Transformation in the Department of Defense, “The New Rules: Leadership Fatigue Puts U.S., and Globalization, at Crossroads,” World Politics Review, 3/7/2011, http://www.worldpoliticsreview.com/articles/8099/the-new-rules-leadership-fatigue-puts-u-s-and-globalization-at-crossroads

It is worth first examining the larger picture: We live in a time of arguably the greatest structural change in the global order yet endured, with this historical moment's most amazing feature being its relative and absolute lack of mass violence. That is something to consider when Americans contemplate military intervention in Libya, because if we do take the step to prevent larger-scale killing by engaging in some killing of our own, we will not be adding to some fantastically imagined global death count stemming from the ongoing "megalomania" and "evil" of American "empire." We'll be engaging in the same sort of system-administering activity that has marked our stunningly successful stewardship of global order since World War II. Let me be more blunt: As the guardian of globalization, the U.S. military has been the greatest force for peace the world has ever known. Had America been removed from the global dynamics that governed the 20th century, the mass murder never would have ended. Indeed, it's entirely conceivable there would now be no identifiable human civilization left, once nuclear weapons entered the killing equation. But the world did not keep sliding down that path of perpetual war. Instead, America stepped up and changed everything by ushering in our now-perpetual great-power peace. We introduced the international liberal trade order known as globalization and played loyal Leviathan over its spread. What resulted was the collapse of empires, an explosion of democracy, the persistent spread of human rights, the liberation of women, the doubling of life expectancy, a roughly 10-fold increase in adjusted global GDP and a profound and persistent reduction in battle deaths from state-based conflicts. That is what American "hubris" actually delivered. Please remember that the next time some TV pundit sells you the image of "unbridled" American military power as the cause of global disorder instead of its cure. With self-deprecation bordering on self-loathing, we now imagine a post-American world that is anything but. Just watch who scatters and who steps up as the Facebook revolutions erupt across the Arab world. While we might imagine ourselves the status quo power, we remain the world's most vigorously revisionist force. As for the sheer "evil" that is our military-industrial complex, again, let's examine what the world looked like before that establishment reared its ugly head. The last great period of global structural change was the first half of the 20th century, a period that saw a death toll of about 100 million across two world wars. That comes to an average of 2 million deaths a year in a world of approximately 2 billion souls. Today, with far more comprehensive worldwide reporting, researchers report an average of less than 100,000 battle deaths annually in a world fast approaching 7 billion people. Though admittedly crude, these calculations suggest a 90 percent absolute drop and a 99 percent relative drop in deaths due to war. We are clearly headed for a world order characterized by multipolarity, something the American-birthed system was designed to both encourage and accommodate. But given how things turned out the last time we collectively faced such a fluid structure, we would do well to keep U.S. power, in all of its forms, deeply embedded in the geometry to come. To continue the historical survey, after salvaging Western Europe from its half-century of civil war, the U.S. emerged as the progenitor of a new, far more just form of globalization -- one based on actual free trade rather than colonialism. America then successfully replicated globalization further in East Asia over the second half of the 20th century, setting the stage for the Pacific Century now unfolding. As a result, the vector of structure-building connectivity shifted from trans-Atlantic to trans-Pacific. But if the connectivity push of the past several decades has been from West to East, with little connectivity extended to the South outside of the narrow trade of energy and raw materials, the current connectivity dynamic is dramatically different. Now, the dominant trends are: first, the East cross-connecting back to the West via financial and investment flows as well as Asian companies "going global"; and second, the East creating vast new connectivity networks with the South through South-South trade and investment. The challenge here is how to adjust great-power politics to these profound forces of structural change. Because of the West's connectivity to the East, we are by extension becoming more deeply connected to the unstable South, with China as the primary conduit. Meanwhile, America's self-exhausting post-Sept. 11 unilateralist bender triggered the illusion -- all the rage these days -- of a G-Zero, post-American world. The result, predictably enough for manic-depressive America, is that we've sworn off any overall responsibility for the South, even as we retain the right to go anywhere and kill any individuals -- preferably with flying robots -- that we deem immediately threatening to our narrowly defined national security interests. The problem with this approach is that China has neither the intention nor the ability to step up and play anything resembling a responsible Leviathan over the restive South, where globalization's advance -- again, with a Chinese face -- produces a lot of near-term instability even as it builds the basis for longer-term stability. Libya is a perfect example of where the world is now stuck: America is very reticent to get involved militarily, while China, for the first time in its history, engages in long-range military operations to evacuate its workforce there. Meanwhile, the expanding civil war rages on, to everyone's moral and economic distress. The point is not that America must invade Libya pronto to keep the world as we know it from coming to an end. But if the United States and the West sit by while the Rest, risers that they are, manage nothing more than pious warnings about needlessly butting in, then we all run the risk of collectively making the post-American, G-Zero, do-nothing storyline a self-fulfilling prophecy. While that alone won't stop the world from spinning, if it persists as a pattern, globalization will slide down another path: one of regionalism, spheres of influence and neocolonial burdens that are intuitively hoarded by great powers grown increasingly suspicious of one another. And if you know your history, that should make you nervous.

#### Continued drone strikes in Yemen key to prevent dangerous AQAP attacks

Washington Post ’12 “The U.S. is right to strike hard at terrorists in Yemen,” Washington Post editorial board, 5/8/2012, http://articles.washingtonpost.com/2012-05-08/opinions/35454765\_1\_underwear-bomb-aqap-drone-attacks

THE RECOVERY of a sophisticated bomb that U.S. officials believe was intended to be used in a suicide attack against the United States has underlined the reality that the war against al-Qaeda is not yet over — and that it will not necessarily end, as President Obama suggested last week, in Afghanistan. Though many of the details of the latest plot have not been disclosed, officials say the bomb plot originated with al-Qaeda’s robust organization in Yemen, called al-Qaeda in the Arabian Peninsula, or AQAP. The group has tried repeatedly to attack U.S. targets in recent years: It launched the Christmas Day 2009 attack on an airliner by underwear bomber Umar Farouk Abdulmutallab and tried to send packages with explosives on cargo planes in 2010. The new bomb is described as a more sophisticated version of the underwear bomb. The CIA’s disruption of the plot delivered another blow to a group that on Sunday also saw its external operations chief, Fahd al-Quso, killed in a drone attack in southern Yemen. AQAP, however, is far from crippled. The bomb maker who prepared the munitions for the various attacks, Ibrahim Hassan al-Asiri, is still at large, as are other senior leaders. An affiliated militia called Ansar al-Sharia has taken over large pieces of southern Yemen during the past year, while the country has been rocked by revolution and a multi-sided power struggle. On Monday the group assaulted a Yemeni military base, killing at least 20 soldiers. The United States has carried out about 30 drone strikes and airstrikes in Yemen, according to the Long War Journal, a Web site that tracks drone operations. But the militants still have the potential to use the territory they control to prepare and launch attacks against the U.S. homeland, which is why the Obama administration now describes AQAP as the most active and threatening branch of al-Qaeda. It also explains why the White House recently authorized an expansion of drone attacks in Yemen. In addition to targeting designated leaders connected to plots against the United States, the new authority allows strikes against militants who are believed to be preparing attacks but whose identities might not be fully known. The drone attacks are controversial, so it was fitting and commendable that White House counterterrorism adviser John O. Brennan delivered a speech last week publicly acknowledging and defending the program for the first time. His explanation was well founded: Drone attacks, he pointed out, are justified by Congress’s authorization of the use of force against al-Qaeda after Sept. 11, 2001, as well as by the principle of self-defense. Critics describe drone strikes as “extra-judicial executions,” a term that implies those targeted are criminals who should be subject to the U.S. legal system. They also say that AQAP is not directly connected to the group that staged the 9/11 attacks. But senior leaders of AQAP worked closely with Osama bin Laden before 2001, and there are regular communications between the Yemen branch and the al-Qaeda base in Pakistan. Most important, the latest bomb plot should make clear that AQAP is an armed group attempting to wage war against the United States. Drone strikes alone will not eliminate the threat: The United States must also aim at the political and economic stabilization of Yemen. But President Obama is not only justified in responding with military force, he is obligated to do so in order to defend the country.

#### AQAP attack on the Bab al-Mandeb highly likely, collapses global trade and economic growth

Nincic ’12 Donna J. Nincic, PhD in Political Science from New York University and currently is Professor and Director of the ABS School of Maritime Policy and Management at the California Maritime Academy, a campus of the California State University, in Vallejo, “Maritime Terrorism: How Real is the Threat?” Fair Observer, 7/16/2012, http://www.fairobserver.com/article/maritime-terrorism-how-real-threat

However, with the exception of al-Qaeda Jamaah Islamiyah in Indonesia, and the Abu Sayaaf Group (ASG) in the Philippines, many terrorist and/or insurgency groups of most concern to maritime security trade do not appear on this list — either because they had not been designated as Foreign Terrorist Organizations by the United States, or because they had not yet demonstrated maritime capabilities. Since 2009, groups known to be acquiring maritime capabilities have been added. These include: al-Shabaab, al-Qaeda in the Arabian Peninsula (AQAP), and the Abdallah Azzam Brigades, an affiliate of al-Qaeda responsible for the 2010 attack on the M Star. To date, the Abu Sayaaf Group is responsible for the most destructive maritime terrorist act in modern history; the bombing attack on SuperFerry 14 in Manila Bay in February 2004, which killed 116 people. This said, of all the groups with known maritime capabilities, al-Qaeda has had the most far-reaching and developed maritime strategy. Initially developed by Abd al Rahman al-Nashiri, this four-part strategy consisted of: 1) suicide attacks on vessels, 2) hijacking ships and using them as “weapons” against port or transportation infrastructure, 3) attacking large vessels such as supertankers from the air by using explosive-laden small aircraft, and 4) attacking vessels with underwater demolition teams or with suicide bombers. Al-Qaeda has demonstrated its maritime terrorist capabilities, particularly also in a 2004 attack on a smaller boat launched from the USS Firebolt in the Persian Gulf. These attacks were consistent with a documented al-Qaeda strategy to attack Western maritime targets, particularly those with economic importance such as the M/V Limburg. Since the capture of al-Nashiri in 2002, there has been little maritime threat directly from al-Qaeda. Rather, maritime terrorist concerns seem to have now shifted to al-Qaeda-related affiliates, many of which operate in Africa. In February 2010, Yemen-based al Qaeda in the Arabian Peninsula (AQAP) stated it would coordinate with “Islamic fighters” from Somalia to secure both sides of the Bab al-Mandab strait, through which 30% of the world’s trade passes annually. While there are doubts about AQAP’s current ability to close the strait, both the Yemeni and Somali governments have urged the international community to take steps to eliminate AQAP and al-Shabaab “to avert the risk to the global economy posed by a seizure of Bab al-Mandab.” The real threat Despite these threats, given the relative recent quiet on the maritime front, how concerned should we be about maritime terrorism? The answer, unfortunately, is that we should continue to be very concerned. A former UK First Sea Lord and Chief of Naval Staff deemed maritime terrorism “a clear and present danger” that may “potentially cripple global trade and have grave knock-on effects on developed economies.” USN Captain Jim Pelkofski (Ret.) has noted that “indications point to an acceleration of the pace of maritime terrorism, heralding a coming campaign.” The real concern however is not so much that a maritime terrorist attack might or might not be imminent; rather the threat is the potential for harm were even one minor maritime terrorist event to occur in a major port or maritime facility. Hijacking and using a ship as a weapon or to sink and close a major shallow chokepoint such as the Strait of Malacca or the Suez Canal could have significant economic implications for the global economy. Similarly, an improvised explosive device (IED), chemical or biological weapon, or other weapon of mass destruction discovered in a container could have dramatic economic repercussions. A 2003 OECD report described a port security war game simulating the discovery of several radiological devices in shipping containers throughout ports in the United States. Despite the fact that these devices were not detonated in the scenario, the estimated economic costs totaled $58bn for the United States alone, with US ports affected for over three months. Depending on the measure, between 80% and 90% of global trade moves by sea, with the majority of non-bulk cargo carried in shipping containers. Over 15,000,000 containers are currently in circulation, making over 200,000,000 port visits annually. The world’s top ten container ports handled 178,000 thousand TEU (twenty foot equivalents) in 2010, nearly as much as the next 40 ports together (179,070 thousand TEU). With trade concentrated in so few ports in today’s global economy, even a single maritime terrorist incident has the potential for significant economic disruptions with considerable financial and human implications. Given these potential impacts, the threat of maritime terrorism must continue to be taken very seriously.

#### Economic collapse causes global wars

Royal ‘10 director of Cooperative Threat Reduction at the U.S. Department of Defense (Jedediah, Economics of War and Peace: Economic, Legal, and Political Perspectives, pg 213-215)

Less intuitive is how periods of economic decline may increase the likelihood of external conflict. Political science literature has contributed a moderate degree of attention to the impact of economic decline and the security and defence behaviour of interdependent stales. Research in this vein has been considered at systemic, dyadic and national levels. Several notable contributions follow. First, on the systemic level. Pollins (20081 advances Modclski and Thompson's (1996) work on leadership cycle theory, finding that rhythms in the global economy are associated with the rise and fall of a pre-eminent power and the often bloody transition from one pre-eminent leader to the next. As such, exogenous shocks such as economic crises could usher in a redistribution of relative power (see also Gilpin. 19SJ) that leads to uncertainty about power balances, increasing the risk of miscalculation (Fcaron. 1995). Alternatively, even a relatively certain redistribution of power could lead to a permissive environment for conflict as a rising power may seek to challenge a declining power (Werner. 1999). Separately. Pollins (1996) also shows that global economic cycles combined with parallel leadership cycles impact the likelihood of conflict among major, medium and small powers, although he suggests that the causes and connections between global economic conditions and security conditions remain unknown. Second, on a dyadic level. Copeland's (1996. 2000) theory of trade expectations suggests that 'future expectation of trade' is a significant variable in understanding economic conditions and security behaviour of states. He argues that interdependent states are likely to gain pacific benefits from trade so long as they have an optimistic view of future trade relations. However, if the expectations of future trade decline, particularly for difficult to replace items such as energy resources, the likelihood for conflict increases, as states will be inclined to use force to gain access to those resources. Crises could potentially be the trigger for decreased trade expectations either on its own or because it triggers protectionist moves by interdependent states.4 Third, others have considered the link between economic decline and external armed conflict at a national level. Momberg and Hess (2002) find a strong correlation between internal conflict and external conflict, particularly during periods of economic downturn. They write. The linkage, between internal and external conflict and prosperity are strong and mutually reinforcing. Economic conflict lends to spawn internal conflict, which in turn returns the favour. Moreover, the presence of a recession tends to amplify the extent to which international and external conflicts self-reinforce each other (Hlomhen? & Hess. 2(102. p. X9> Economic decline has also been linked with an increase in the likelihood of terrorism (Blombcrg. Hess. & Wee ra pan a, 2004). which has the capacity to spill across borders and lead to external tensions. Furthermore, crises generally reduce the popularity of a sitting government. "Diversionary theory" suggests that, when facing unpopularity arising from economic decline, sitting governments have increased incentives to fabricate external military conflicts to create a 'rally around the flag' effect. Wang (1996), DcRoucn (1995), and Blombcrg. Hess, and Thacker (2006) find supporting evidence showing that economic decline and use of force arc at least indirecti) correlated. Gelpi (1997). Miller (1999). and Kisangani and Pickering (2009) suggest that Ihe tendency towards diversionary tactics arc greater for democratic states than autocratic states, due to the fact that democratic leaders are generally more susceptible to being removed from office due to lack of domestic support. DeRouen (2000) has provided evidence showing that periods of weak economic performance in the United States, and thus weak Presidential popularity, are statistically linked lo an increase in the use of force. In summary, rcccni economic scholarship positively correlates economic integration with an increase in the frequency of economic crises, whereas political science scholarship links economic decline with external conflict al systemic, dyadic and national levels.' This implied connection between integration, crises and armed conflict has not featured prominently in the economic-security debate and deserves more attention.

#### Drone strikes down

* Numerically – in both Yemen and Pakistan
* Legally – USFG is turning down requests to initiate hostilities in other non-combat zones

Zenko 10/28 Micah Zenko, Fellow in the Center for Preventive Action at the Council on Foreign Relations, “Two Cheers For America's Restraint in the Drone War,” Foreign Policy, 10/28/2013, http://www.foreignpolicy.com/articles/2013/10/28/two\_cheers\_for\_america\_s\_restraint\_in\_the\_drone\_war

However, even while analysts and policymakers evaluate policies based on incomplete information and with motivated biases that does not mean the task is impossible. One apparently observable fact is the diminishing prominence of non-battlefield targeted killings in U.S. counterterrorism strategies. On current trend lines, 2013 will have the fewest targeted killings since President Obama entered office, with drone strikes down 39 percent in Pakistan and 37 percent in Yemen over the same period in 2012. While some people are up in arms about the sourcing and accuracy of certain findings from the HRW and Amnesty reports, there is an important and under-studied trend in U.S. targeted killing policies: The Obama administration's decision not to extend targeted killings into additional non-battlefield settings. Beginning at least as early as March 2013, Iraqi officials have requested U.S. drone strikes against members of al Qaeda in Iraq and al-Sham or Jabhat al-Nusra that are fighting in Syria's civil war and destabilizing Iraq with gruesome terrorist attacks. In August, foreign minister Hoshyar Zebari noted that Iraqis would support drone strikes that "target al Qaeda and their bases," but only provided that they do not create "collateral damage." However, in early October, an anonymous administration official told Foreign Policy that drone strikes in Iraq are not seriously being discussed or even considered. In March 2013, Jordanian officials reportedly offered basing rights for CIA drones in order to conduct lethal strikes in Syria. According to the Pentagon, there were roughly 1,000 U.S. military personnel in Jordan as of this summer. In August, Jordanian officials reportedly asked the United States for surveillance drones to help secure its border with Syria, but Chairman of the Joint Chiefs Gen. Martin Dempsey pointedly told journalists that "If Jordan were offered surveillance systems ... they would be piloted airplanes, not remotely piloted drones." Obviously, President Obama never authorized a limited cruise missile strike against Syria's chemical weapons delivery capabilities, and, to date, has refrained from accepting Jordan's offer of hosting U.S. drones for strikes in Syria. Likewise, the United States has acted with restraint in expanding targeted strikes to other non-battlefield regions. In September, Niger's foreign minister Mohamed Bazoum declared: "I would really welcome armed drones to shoot down drug traffickers, and all those who live from activities linked to drug trafficking. I don't see why that shouldn't be possible." Since February, the U.S. military has flown a small number of unarmed drones out of an airstrip in Niamey -- one crashed in Mali in April -- to track suspected Islamic militants in Mali and provide targeting intelligence to France. Niger initially wanted the U.S. drones to be armed, but as an unnamed senior official claimed: "The whole issue is lethality. We don't want to abet a lethal action." So far, the Obama administration has decided not to arm the drones -- though they have not ruled this out -- and have only authorized their use for surveillance missions in support of French operations. These requests demonstrate that the seductive allure of drone strikes has not been lost on political and military leaders in conflict-prone regions. I have noticed when speaking with diplomatic and military officials from several such countries about U.S. targeted killing policies that their public condemnation of U.S. practices is followed by a private acknowledgment of an interest to acquire the capability to conduct such lethal actions themselves. This explains why leaders from Pakistan, Yemen, Turkey, Iraq, the United Arab Emirates, and elsewhere, have repeatedly requested to procure armed-capable drone systems from the United States. To date, however, all of their requests have been denied -- so far. Nevertheless, they all have programs at various stages of development to buy, jointly develop, or indigenously produce their own armed drones. The requests from Iraq, Jordan, and Niger are examples of negative cases, where an outcome of interest was possible, relevant, or expected, but never happened. Defining what constitutes something as being possible, relevant, or expected is challenging, which explains why there are no databases of drone strikes that never happened. However, for the purposes of evaluating U.S. targeted killings, it is as important to study the instances where lethal force is proposed, debated, and ultimately rejected, as it is to study drone strikes themselves. Moreover, the good news for interested analysts is that the publicly available information about negative cases of drone strikes is perhaps more complete than what one can find for actual events. This coming Sunday marks the 11th anniversary of America's Third War of non-battlefield targeted killings. U.S. officials and policymakers will tell you that there are as many of the categories of targeted individuals on target lists today as there were three or four years ago, yet the number of overall drone strikes has diminished. It is apparent that President Obama has decided to kill fewer suspected militants and terrorists than he was willing to just a few years ago. Of course, the entire point of the administration's announced reforms in May was to placate public criticism in order to assure that the president would retain the authority to conduct additional lethal strikes at any point in the future. Still, the Obama administration has been wise to reduce the overall number of drone strikes, while rejecting demands for U.S. drone strikes on behalf of additional countries. Such requests are not just a tactic to attempt to kill suspected militants, but a means to deepen America's commitment to providing for that country's security against domestic and regionally focused terrorist organizations. Given that there are several thousand al Qaeda-affiliated terrorists, according to the State Department's own estimates, in the Middle East and North Africa, an open-ended policy of drone strikes for friends would never end. And that, clearly, would only create additional enemies for the United States.

### Adv 2

#### Banning drone strikes just causes shift to captures

Shane 13

Scott, NYT Writer, “Targeted Killing Comes to Define War on Terror,” Published by New York Times April 7, 2013. <http://www.nytimes.com/2013/04/08/world/targeted-killing-comes-to-define-war-on-terror.html?pagewanted=all&_r=0>

When Sulaiman Abu Ghaith, a son-in-law of Osama bin Laden, was taken into American custody at an airport stopover in Jordan last month, he joined one of the most select groups of the Obama era: high-level terrorist suspects who have been located by the American counterterrorism juggernaut, and who have not been killed. Mr. Abu Ghaith’s case — he awaits a federal criminal trial in New York — is a rare illustration of what Obama administration officials have often said is their strong preference for capturing terrorists rather than killing them. “I have heard it suggested that the Obama administration somehow prefers killing Al Qaeda members rather than capturing them,” said [John O. Brennan](http://topics.nytimes.com/top/reference/timestopics/people/b/john_o_brennan/index.html?inline=nyt-per), in a [speech](http://www.wilsoncenter.org/event/the-efficacy-and-ethics-us-counterterrorism-strategy) last year when he was the president’s counterterrorism adviser; he is now the [C.I.A.](http://topics.nytimes.com/top/reference/timestopics/organizations/c/central_intelligence_agency/index.html?inline=nyt-org) director. “Nothing could be further from the truth.” In fact, he said, “Our unqualified preference is to only undertake lethal force when we believe that capturing the individual is not feasible.” Despite Mr. Brennan’s protestations, an overwhelming reliance on killing terrorism suspects, which began in the administration of George W. Bush, has defined the Obama years. Since Mr. Obama took office, the C.I.A. and military have killed about 3,000 people in counterterrorist strikes in Pakistan, Yemen and Somalia, mostly using drones. Only a handful have been caught and brought to this country; an unknown number have been imprisoned by other countries with intelligence and other support from the United States. **This policy** on targeted killing, according to experts on counterterrorism inside and outside the government, **is shaped by** several factors: the availability of a weapon that does not risk American casualties; the resistance of the authorities in Pakistan and Yemen to even brief incursions by American troops; and the decreasing urgency of interrogation at a time when the terrorist threat has diminished and the United States has deep intelligence on its enemies. Though no official will publicly acknowledge it, the bottom line is clear: killing is more convenient than capture for both the United States and the foreign countries where the strikes occur. The drone strikes have become unpopular abroad; in [a Pew Research Center poll](http://www.pewglobal.org/2012/06/27/pakistani-public-opinion-ever-more-critical-of-u-s/) last year, just 17 percent of Pakistanis supported them against leaders of extremist groups. And domestic critics have attacked from two different directions: Some Republicans in Congress accuse Mr. Obama of adopting a de facto kill preference because he shut down the C.I.A.’s overseas prisons and does not want to send more detainees to Guantánamo Bay, Cuba. Human rights advocates argue that some drone strikes have amounted to extrajudicial killings, the execution without trial of people suspected of being militants whose identities American officials often do not know and who sometimes pose little threat to the United States. But with the American public, the strikes remain popular. Even as some senior former American security officials question whether the strikes are beginning to do more harm than good, 65 percent of Americans questioned in a [Gallup poll last month](http://www.gallup.com/poll/161474/support-drone-attacks-terrorists-abroad.aspx) approved of strikes to kill suspected foreign terrorists; only 28 percent were opposed. Mr. Brennan’s criterion for capture — when it is “feasible” — is a very subjective judgment, said Matthew C. Waxman, a former Defense Department official who is now at Columbia Law School. “Those simple statements about a preference to capture mask a much more complicated story,” Mr. Waxman said. “The U.S. military and intelligence community can do a great deal if they’re directed to do it. Sometimes where we say it’s infeasible, we mean it’s too risky.” But he believes the hazards of a capture strategy are real. “I think in most cases we could not capture people without significant risk to our own forces or to diplomatic relations,” he said. The uncertainties were evident nine months into Mr. Obama’s first term, when intelligence agencies tracked down Saleh Ali Saleh Nabhan, a suspect in the attacks on two American embassies in East Africa in 1998. The original plan had been to fire long-range missiles to hit Mr. Nabhan and others as they drove in a convoy from Mogadishu, Somalia, to the seaside town of Baraawe. But that plan was scrubbed at the last minute, and instead a Navy SEALs team helicoptered from a ship and strafed Mr. Nabhan’s convoy, [killing him](http://www.nytimes.com/2009/09/15/world/africa/15raid.html) and three others. The SEALs landed to collect DNA samples to confirm the identities of the dead. The episode raised uncomfortable questions for some at the Pentagon. If the United States took the risk to land troops in Somalia, they wondered, why did they not capture Mr. Nabhan instead of killing him? Or consider the case of Anwar al-Awlaki, the Yemeni-American cleric who had joined the Qaeda branch in Yemen. In September 2011, when American intelligence located him, it might conceivably have been possible to organize a capture by Yemeni or American commandos. But a drone strike was politically far less complicated for both countries, said Gregory D. Johnsen, an expert on Yemen at Princeton. If American forces captured him, their presence on Yemeni soil might have spurred unrest, Mr. Johnsen said. If the forces of the Yemeni president at the time, Ali Abdullah Saleh, caught him, he said, “Does he turn him over to the Americans and risk a backlash? Does he hold him? It was easier for Saleh to let the Americans take a shot at Awlaki than to send his troops to catch him.” The trade-offs have not changed under Yemen’s new president, [Abdu Rabbu Mansour Hadi](https://connect.nytco.com/owa/redir.aspx?C=6323d7a21a8a4d6aaad0afd798c1b1df&URL=http%3a%2f%2ftopics.nytimes.com%2ftop%2freference%2ftimestopics%2fpeople%2fh%2fabdu_rabbu_mansour_hadi%2findex.html%3finline%3dnyt-per%2522%2520%255Co%2520%2522More%2520articles%2520about%2520Abdu%2520Rabbu%2520Mansour%2520Hadi.), who lauded the precision of drone strikes in a 2012 speech in Washington. Two months later, an American strike killed Adnan al-Qadhi, a well-connected Qaeda supporter, even though he was in a town near the capital, Sana, where several high-level officials live. Neighbors told reporters that he could easily have been captured. In Pakistan, where the SEAL raid that killed Bin Laden sent Pakistani-American relations into a tailspin, drone strikes — though deeply unpopular — are tolerated by the security establishment. “There’s an intangible notion that a drone flying over is less of an intrusion than troops on the ground,” said Ashley S. Deeks, a University of Virginia law professor and a former State Department lawyer. Then there is the question of very real danger to Americans in capturing heavily armed terrorists. The SEALs sent to Abbottabad were instructed that if Bin Laden immediately surrendered, he should be detained, according to Matt Bissonnette, a member of the SEAL team who wrote a book on the raid. But if Americans died trying to catch a midlevel militant — when drones were available but went unused — there would be a huge public outcry, most officials believe. Only in the drone era has killing terrorism suspects become routine. In the 1980s and 1990s, counterterrorism officers captured several suspects overseas and brought them back to the United States for trial. Brad Garrett, a former F.B.I. agent, was on the teams that caught both Ramzi Ahmed Yousef, an organizer of the first World Trade Center attack in 1993, and Mir Aimal Kansi, who shot five C.I.A. employees, two of them fatally, outside the agency’s headquarters in Virginia the same year. Teams of American and Pakistani officers caught the men by kicking down doors at their guesthouses, and “no shots were fired in either case,” he said. As an investigator, Mr. Garrett said, “I’ve spent my life talking to live people. That’s the downside of drones. There’s no one left to talk to.” But he said that catching a solo suspect in an urban setting, while risky, was far less hazardous than confronting a gang of heavily armed men in the hostile territory of Pakistan’s or Yemen’s tribal areas. “I don’t think you can really compare them,” he said.

#### Drones offer us the most ethical and effective way to conduct warfare – loss of drones causes conflict escalation and civilian violence

Issacharoff 13

Samuel and Richard Pildes, NYU School of Law, NELLCO Legal Scholarship Repository. Published “Drones and the Dilemma of Modern Warfare,” 6/1/2013. http://lsr.nellco.org/cgi/viewcontent.cgi?article=1408&context=nyu\_plltwp

A more complicated picture emerges if we shift from the perspective of the civilian leaders who authorize the use of force to those who actually deliver that force. One of the consequences created by individuating the responsibility of specific enemies, combined with drone technology, is the possibility of a much greater sense of personal responsibility and accountability on the part of drone operators for lethal uses of force than that exhibited by prior generations of fighters. At least some drone operators report exactly this kind of experience of personal responsibility for their actions, including their mistakes, that was much less likely in earlier generations when “the enemy” was faceless and undifferentiated in most circumstances.34 Of course, if such a perverse tradeoff does end up driving state practice, the same concern could be applied to the use of force for humanitarian purposes, as in Libya. Did the use of drones in the Libya operation make humanitarian interventions “too easy?” The right question, it seems to us, should focus on whether the use of force is justified in the first place. Moreover, one should be careful not to romanticize traditional combat and the pressures toward excessive violence it nearly always unleashes. To the extent the humanitarian critique of the use of drones is that sending in ground troops acts as a restraint on the use of force, compared to the use of force from remote locations, such as with drones technology, this idea might have matters backwards, at least once the decision to use force at all has been made (and made, hopefully, for appropriate and lawful reasons). Dramatic overuse of force is most likely when scared kids come under attack on an active battlefield and respond with massive uses of force directed at only vaguely identified targets. Remoteness from the immediate battlefield – with operators able to see much more of what is going on – almost surely enables much more deliberative responses. One Air Force combat officer who became a drone operator supports this conclusion; he comments that compared to conventional combat, both in the air and on the ground, the distance involved with drones enable operations to be “deliberate instead of reactionary;” 35 compared to manned combat flights, he experienced drones as affording “the ability to think clearly at zero knots and one G”; 36 and he observed that other “methods of warfare could be, and often were, much more destructive” 37 —indeed, he goes so far as to comment that when marines were sent into operations, they “broke things and killed people” while drones enabled U.S. military force to be “less brutal.” 38 Whether one accepts or not this particular self-reported drone operator experience, a realistic appraisal of all the costs and benefits of the use of drones must confront the “compared to what” question. Perhaps in some contexts, if drones were not available, no force would be used; but in many cases, it seems likely that much greater force would be used instead. Put another way, powerful nation-states are unlikely to remain passive in the face of significant risks to the physical security of their citizens and property that emanate from other nations that are unwilling or unable to control these threats. Nor is it clear why states should be understood to have a moral obligation to permit their citizens and territory to be attacked. If states have the capacity to do so, they will neutralize these threats through killing or capture; and at times, the humanitarian costs of capture, in terms of harm to and loss of innocent life will be great, and at other times, capture might not be practicable for any number of reasons (a complex issue to which we return below). As a result, it seems to us that any general humanitarian critique of the targeted killing has a moral obligation to offer a credible, practical alternative that a state can realistically employ to protect the lives of its citizens and that better serves the humanitarian aims of the laws of war.

#### Drones are the most effective weapon to advance the laws of war and makes intervention more effective. No civilian deaths ever

Issacharoff 13

Samuel and Richard Pildes, NYU School of Law, NELLCO Legal Scholarship Repository. Published “Drones and the Dilemma of Modern Warfare,” 6/1/2013. http://lsr.nellco.org/cgi/viewcontent.cgi?article=1408&context=nyu\_plltwp

A third prevalent misconception, in our view, is that drones and targeted killing pose a major threat to the humanitarian purposes and aims of the laws of war. The key principles of the laws of war are the principles of necessity, distinction and proportionality – the principles that force should intentionally be used only against military targets and that the damage to individual citizens should be minimized and proportionate. Drones, as against other uses of military force, better realize these principles than any other technology currently available. Indeed, they allow for the most discriminating uses of force in the history of military technology and warfare, in contexts in which the use of force is otherwise justified. If the alternative is sending US ground forces into Yemen or the frontier regions of Pakistan, the result will be far greater loss of civilian life, and far greater loss of combatant lives, than with drone technology. A more subtle concern that perhaps underlies the humanitarian critique of targeted killings is that drone warfare might make the use of force “too easy.” Since powerful states do not have to put their own pilots or soldiers directly at risk, will they resort to force and violence more easily? This is a serious issue, but some historical perspective might help put this concern in a broader frame. Throughout the modern history of warfare, there has been concern that humanitarian developments in the way war is conducted will, perversely, make it more likely that states will go to war. The argument is essentially that there is a Faustian tradeoff between the laws of war and the initial decision to go to war. This is an enduring, moral complex issue that has attended virtually every effort in the paradoxical-sounding project of making warfare more humane; pacifists in the 19th century objected to the formation of the International Committee of the Red Cross and its efforts to mitigate the horrors of war.32 Moreover, the same paradox surrounds even purely humanitarian aid during wartime; in some contexts, access to such aid has become a strong economic incentive to continue the war, for the very purpose of extracting more of this financial assistance.33