### Off

On” means directly targeted at and focused on the President's War Power's Authority. A topical aff must reduce the President's War Power Authority in targeted killing

Oxford Dictionary online, 12 [The World’s most trusted Dictionary, http://oxforddictionaries.com/definition/american\_english/on]

5. having (the thing mentioned) as a target, aim, or focus: *five* air raids on the city*,* thousands marching on Washington ,*her* eyes were fixed on his dark profile

Violation – the affirmative doesn’t place a restriction on presidential war powers authority. They just ban targeted killing

Voter for ground because they allow the aff to claim broad advantages that have nothing to do with the topic

At best they’re FXt because the ban would implicitly result in a restriction on war powers authority

### Off

The affirmative represents a strategy of lip service restraint re-affirms executive power granting legitimacy to sovereign manipulation of law

**Posner & Vermeule 10** Eric A. Posner [Kirkland & Ellis Distinguished Service Professor of Law] AND Adrian Vermeule [Jr. Professor of Law at Harvard Law School] “The Executive Unbound: After the Madisonian Republic”, Oxford: Oxford University Press, USA, 2010 [Questia] pp 3-5

Some commentators argue that the federal courts have taken over Congress’s role as aninstitutional check. It is true that the Supreme Court has shown little compunction about striking down statutes (although usually state statutes), and that it rejected some of the legal theories that the Bush administration used to justify its counterterrorism policies. However, the Court remains a marginal player. The Court ducked any legal rulings on counter terror policies until the 2004 Hamdi decision, and even after the Boumediene decision in 2008, no detainee has been released by final judicial order, from Guantánamo or elsewhere, except incases where the government chose not to appeal the order of a district judge. The vast majorityof detainees have received merely another round of legal process. Some speculate that judicialthreats to release detainees have caused the administration to release them preemptively. Yetthe judges would incur large political costs for actual orders to release suspected terrorists, andthe government knows this, so it is unclear that the government sees the judicial threats ascredible or takes them very seriously. The government, of course, has many administrativeand political reasons to release detainees, quite apart from anything the courts do. So the executive submits to judicial orders in part because the courts are careful not to give orders that the executive will resist.¶ In general, judicial opposition to the Bush administration’s counterterrorism policies took the form of incremental rulings handed down at a glacial pace, none of which actually stopped any of the major counterterrorism tactics of that administration, including the application of military power against Al Qaeda, the indefinite detention of members of Al Qaeda, targeted assassinations, the immigration sweeps, even coercive interrogation. The (limited)modifications of those tactics that have occurred resulted not from legal interventions but from policy adjustments driven by changed circumstances and public opinion, and by electoral victory of the Obama administration. However, the Obama administration has mostly confirmed and in some areas even expanded the counterterrorism policies of the Bush administration. Strong executive government is bipartisan. The 9/11 attack provided a reminder of just how extensive the president’s power is. The executive claimed the constitutional authority to, in effect, use emergency powers. Because Congress provided redundant statutory authority, and the Supreme Court has steadfastly refused to address the ultimate merits of the executive’s constitutional claims, these claims were never tested in a legal or public forum. But it is worth trying to imagine what would have happened if Congress had refused to pass the Authorization for Use of Military Force and the Supreme Court had ordered the¶ executive to release detainees in a contested case. We think that the executive, backed up as it was by popular opinion, would have refused to obey. And, indeed, for just that reason, Congress would never have refused its imprimatur and the Supreme Court would never have stood in the executive’s way. The major check on the executive’s power to declare an emergency and to use emergency powers is—political. The financial crisis of 2008–2009 also revealed the extent of executive power. Acting together, the Fed, the Treasury, and other executive agencies spent hundreds of billions of dollars, virtually nationalizing parts of the financial system. Congress put up a fuss, but it could not make policy and indeed hardly even influenced policy. Congress initially refused to supply a blank check, then in world-record time changed its mind and gave the blank check, then watched helplessly as the administration adopted policies different from those for which it said the legislation would be needed. Courts played no role in the crisis except to ratify executive actions in tension with the law.2'

The justifications for restrictions presuppose that the suspension of legal rights is the exception and not, for many people, the rule. This logic perpetuates the logic of legal black holes that subject us to the state of exception

**Fabbri 9** Lorenzo Fabbri [PhD in Romance Studies, professor of Italian @ University of Minnesota –areas of research Biopolitics, Continental Philosphy, Humanities, Italian Studies, Critical Theory, Film Studies, and Post-Colonial Studies] ¶ “Chronotopologies of the Exception: Agamben and Derrida before the Camps”¶ Diacritics, Volume 39, Number 3, Fall 2009, pp. 77-95 (Article) Published by The Johns Hopkins University Press

I begin with Bruce Ackerman who in “The Emergency Constitution” tried to demarcate ¶ an unmistakable threshold between the normal functioning of a constitutional democracy and its exceptional suspension. After having separated these two realms, Ackerman ¶ concerns himself with determining the actor who should have the authority to switch ¶ from normality to exceptionality (and vice versa). From this perspective he argues for ¶ the necessity of a statutory reform that would unmistakably preserve the legislature authority over the exception threshold, and therefore prevent the executive from turning ¶ a transitional emergency regime into a permanent police state. However imperative or ¶ praiseworthy such an attempt may be, I argue that Ackerman’s legalist framework fails ¶ to notice that the exception is not something that—sometimes and somewhere, in a local ¶ and transitory context—needs to be enforced in order to deal with national emergencies. ¶ Following Adrian Vermeule, my first critical intervention consists in showing that any ¶ defense of classic legalism overlooks the inevitable existence, within a system of rights, ¶ of legal black and grey holes that always allow for negotiations with the rule of law. ¶ Against Vermeule, I claim that these loopholes are not created by the judicial discretion ¶ inscribed in administrative law, but provoked by the naked formality of laws, i.e., by the ¶ very form of law. Inspired by Jacques Derrida’s description of the textual structure of our ¶ relation to law and Agamben’s identifying the state of exception as the paradigm of government, I argue that spectacular exceptions granted to the executive when emergencies ¶ transpire should not distract us from the micro-exceptions that are produced every time ¶ the meaning of a certain law is decided upon. In other words, the executive’s reactions ¶ to national crises should not prevent us from acknowledging that, for certain segments ¶ of the population, freedom is normally, and strategically, negated. After highlighting the ¶ structural affinities between Derrida and Agamben’s topologies of the exception, I will ¶ show why, according to Agamben, deconstruction’s eternal and tactical negotiation with a ¶ law recognized to always be in force without any fixed meaning is insufficient. In order to ¶ improve our position in the struggle against an emergency that has always been the rule, ¶ the task before us is the creation of truly extra-juridical spaces that might function as real ¶ exceptions to sovereign power.

The 1ac concerns itself with appearance and the spectacle of the law - this legitimizes state violence.

Giorgio Agamben 2000 [Phd., Baruch Spinoza Chair at European Graduate School EGS, is a professor of aesthetics at the University of Verona, Italy and teaches philosophy at the Collège International de Philosophie in Paris and at the University of Macerata in Italy] “Means Without End: Notes on Politics”, p. 93-95)

Because human beings neither are nor have to be any essence, any nature, or any specific destiny, their condition is the most empty and the most insub­stantial of all: it is the truth. What remains hidden from them is not something behind appearance, but rather appearing itself, that is, their being nothing other than a face. The task of politics is to return appearance itself to appearance, to cause appearance itself to appear. The face, truth, and exposition are today the objects of a global civil war, whose battlefield is social life in its en­tirety, whose storm troopers are the media, whose victims are all the peoples of the Earth. Politicians, the media establishment, and the advertising industry have under­stood the insubstantial character of the face and of the community it opens up, and thus they transform it into a miserable secret that they must make sure to control at all costs. State power today is no longer founded on the monopoly of the legitimate use of violence — a mo­nopoly that states share increasingly willingly with other nonsovereign organizations such as the United Nations and terrorist organizations; rather, it is founded above all on the control of appearance (of doxa). The fact that politics constitutes itself as an autonomous sphere goes hand in hand with the separation of the face in the world of spectacle — a world in which human communication is being separated from itself. Exposition thus transforms itself into a value that is accumulated in images and in the media, while a new class of bureaucrats jealously watches over its management.

This presentation of legitimacy continues crumbling the distinction between democracy and totalitarianism and reinforces death-centered thanatopolitics causeing genocide on the global scale.

**Hall 7** Lindsay Anne Hall [MA Political Science] “Death, Power, and the Body: A Bio-political Analysis of Death and Dying” May 7, 2007 (Research paper presented to faculty of the Virginia Polytechnic Institute and State University)¶ http://scholar.lib.vt.edu/theses/available/etd-05152007-134833/unrestricted/etd.pdf

Agamben, on the other hand, addresses the intertwinement of medicine, death, ¶ and power through his analysis of the modern individualís exposure to death. According ¶ to Agamben, Western culture has become “thanatopolitical,” which means that it is ¶ dominated by a politics of death that leaves us more and more exposed to both death and ¶ operations of power. For Agamben, death has become indistinct. It is both meaningful ¶ and meaningless, both individual and anonymous, both visible and invisible. Moreover, ¶ because modern society increasingly exposes individuals to death, liberal democracy ¶ becomes increasingly indistinguishable from totalitarian regimes, an issue I will explore ¶ in more detail in Chapter Three. While the issues that I am addressingólife sustaining ¶ technologiesóare merely one symptom of the greater problem that Agamben is himself ¶ concerned with, I hope that shedding more light on this particular space of power can ¶ allow us to think about and eventually challenge the greater politics of death operating in ¶ modern society.¶ In this study I will focus specifically on reconsidering the relations of power ¶ surrounding the decision to stop preserving life in the particular space of the hospital ¶ room. According to Foucaultís view, terminating life is nearly unthinkable in a biopolitical society. Thus, as Benjamin Noys elaborates, we ìtry so hard to preserve life, ¶ even at the cost of terrible suffering, because death is the limit to [bio-political] powerî ¶ (2005, 54). For Foucault, death has become ìshameful,î it is paramount to giving up, to ¶ letting go, or to admitting defeat (all things given a negative connotation in Western ¶ society) (2003c, 247). In this study I would like to reconsider these claims through ¶ Giorgio Agambenís argument that death has become more political as the boundary ¶ between life and death has become blurred. Such a state of being, he claims, exposes the ¶ body to death, and yetóas I am primarily concerned withóìsaturatesî the body with ¶ power (Agamben 1995, 164). ¶ As suggested by this synopsis, I am using Foucault as the starting point for my ¶ study. Though I ultimately bring in Agamben who question aspects of his analysis of ¶ power, I begin my first chapter with an in depth account of the ways in which Foucault ¶ believed power to be exercised upon the body. In this chapter I begin to hammer out the ¶ theoretical framework that I will then both use and challenge in order to analyze the ¶ space of the hospital room as a space of power. In The Birth of the ClinicóFoucaultís ¶ only sustained analysis of the medical disciplineóhe claimed that the body was suddenly ¶ made ìexhaustively legibleî with the birth of modern medicine. More precisely, he ¶ claims that it was ìfrom the integration of death into medicineÖthat Western man could ¶ [at last] constitute himself in his own eyes as an object of science,î grasping himself ¶ within his own language, and giving himself his own discursive existence (Foucault ¶ 1973, 197). In his later writings on power, however, Foucault gives this constitutive ¶ capacity of individuals to sexuality, not death, and as I have previously suggested, ¶ Foucault begins to look at death as a limit to power itself. Throughout this study I have ¶ attempted to reconcile this seeming contradiction in Foucaultís work through the work of ¶ Giorgio Agamben. ¶ My second chapter is an examination of what Agamben terms the ìzone of ¶ indistinctionî between life and death. For Agamben, the line between life and death has ¶ become increasingly blurred by a whole series of ìwaveringsî around both the time of¶ death and the question of who decides on this time. As Agamben claims, this decision is ¶ increasingly taken up by the medical profession, thus in the conclusion of this chapter I ¶ return to Foucaultís only sustained engagement with medical power, The Birth of the ¶ Clinic. In this section I argue that Agambenís analysis of the intertwinement between the ¶ medical discipline and power might benefit from some of the historical insights provided ¶ in Foucaultís analysis. While Agamben centers his analysis on post-World War II ¶ society, Foucaultís work demonstrates that the entanglement of medicine and sovereign ¶ power have a far longer history than perhaps Agamben realizes or is willing to engage ¶ with. ¶ In the third and final chapter of this study I examine how death is politicized. As ¶ Agamben argues, death is not a natural or biological moment but a political decision. In ¶ order to tackle the nature of this decision I look at the work of Peter Singer who ¶ compares two seemingly contradictory ethics, the ethics of the sanctity of life and the ¶ quality of life ethic. An Agambenean analysis of these ethics however, suggest some ¶ problems that Singer may have not been able to articulate because he fails to take into ¶ account the political nature of death. One of the criticisms that has been lodged against ¶ Singer is that his ethics closely parallels Nazi eugenics programs in which the medical ¶ establishment made decisions on whose life was worth living. This criticism bridges the ¶ gap between Singerís work and the point I have been making through this piece- biopower is intimately enmeshed with sovereignty. ¶ Foucault saw this combination at work primarily in totalitarian regimes. ¶ However, as Agamben argues, the distinctions between totalitarian regimes and ¶ democracies are crumbling. I argue in my Conclusion that modern power is increasingly ¶ an amalgamation between the bio-political and the thanatopolitical. For power can both ¶ manage life and expose us to death. What is crucial to take from this analysis is that we ¶ must formulate some sort of individual resistance to this power, even though techniques ¶ of modern bio-power (bureaucratic planning, statistical analysis, population control) may ¶ xpose us to death as a population rather than as individuals. This resistance must be ¶ something greater than simply a call for physician assisted suicide or an appeal for ¶ individual ownership of our bodies, it must first center on an engagement with what ¶ about life is really worth preserving.

Our alternative is to shake out the rug from under the 1ac's mode of legal analysis - this is preferable to actualizing new and less oppressive societal formulations.

Singer 84 - Associate Professor of Law (Joseph William Singer, Associate Professor of Law at Boston University, 1984, [“The Player and the Cards: Nihilism and Legal Theory,” Yale Law Journal (94 Yale L.J. 1)

What shall we do then about legal theory? I think we should abandon the idea that what we are supposed to be doing is applying or articulating a rational method that will tell us once and for all (or even for our generation) what we are supposed to believe and how we are supposed to live. We should no longer view the project of giving a "rational foundation" for law as a worthwhile endeavor. If morality and law are matters of conviction rather than logic, we have no reason to be ashamed that our deeply felt beliefs have no "basis" that can be demonstrated through a rational decision procedure or that we cannot prove them to be "true" or "right." Rorty has distinguished between two broad types of theory: systematic and edifying. n165 Systematic philosophers build systems of thought that they claim explain large bodies of material, guide theoretical development, and generate answers to difficult questions. Systematizers can be either normal or revolutionary philosophers. The normal systematizers work within established tradition; the revolutionary systematizers seek to replace the established paradigm with a new, better, or truer paradigm of thought. Both try to establish a framework that will set bounds on the legitimate content of discourse. Edifying philosophers, on the other hand, seek to shake the rug out from under existing normal or abnormal systems of thought. They seek to make us doubt the necessity and coherence of our views. They seek to free us from feeling that we have "gotten" the answer and that we no longer need to question ourselves about what we stand for. Edifying philosophers do not seek to induce people to give up their moral views. They do not [\*58] argue against profound political commitment. Rather, they strive to make us realize that our views are matters of commitment rather than knowledge. n166 Legal scholars can perform an edifying role by broadening the perceived scope of legitimate institutional alternatives. n167 One way to do this is to demonstrate the contingent and malleable nature of legal reasoning and legal institutions. The greatest service that legal theorists can provide is active criticism of the legal system. Criticism is initially reactive and destructive, rather than constructive. But our mistaken belief that our current ways of doing things are somehow natural or necessary hinders us from envisioning radical alternatives to what exists. To exercise our utopian imagination, it is helpful first to expose the structures of thought that limit our perception of what is possible. Judges rationalize their decisions as the results of reasoned elaboration of principles inherent in the legal system. Instead of choosing among available descriptions, theories, vocabularies, and course of action, the official who feels "bound" reasons from nonexistent "grounds" and hides from herself the fact that she is exercising power. n168 By systematically and constantly criticizing the rationalizations [\*59] of traditional legal reasoning, we can demonstrate, again and again, that a wider range of alternatives is available to us. I therefore advocate the persistent demonstration in all doctrinal fields that both the legal rules in force and the arguments that are presented to justify and criticize them are incoherent. n169 They are incoherent because they are constructed in ways that make it impossible for them to satisfy their own claims to determinacy, objectivity and neutrality. n170 Legal theory is at war with itself. This kind of criticism would be useful even if we could not imagine a satisfactory alternative to traditional legal theory. Such criticism reminds us that legal theory cannot answer the question of how we are going to live together. We are going to have to answer that question ourselves.

### Off

Drones are comparatively the best option – reduced reliance causes a shift to ground operations which increases civilian casualties

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No civilian death is acceptable, of course. Each one is tragic. But any assessment of civilian deaths from drone strikes needs to be compared with the potential damage from alternative tactics. Unless we are to forgo the pursuit of al-Qaeda terrorists entirely, U.S. forces must confront them either from the air or on the ground, in some of the remotest places on Earth. As aerial attacks go, drones are far more precise than manned bombers or missiles. That narrows the choice to drone strikes or ground assaults. Sometimes ground assaults go smoothly. Take the one that killed Osama bin Laden. It was executed by the best-trained, most-experienced soldiers in the world. Killed were bin Laden; his adult son Khalid; his primary protectors, the brothers Abu Ahmed al-Kuwaiti and Abrar al-Kuwaiti; and Abrar’s wife Bushra. Assuming Bushra qualifies as a civilian, even though she was helping to shelter the world’s most notorious terrorist, civilian deaths in the raid amounted to 20 percent of the casualties. In other words, even a near-perfect special-ops raid produced only a slight improvement over the worst estimates of those counting drone casualties. Many assaults are not that clean. In fact, ground combat almost always kills more civilians than drone strikes do. Avery Plaw, a political scientist at the University of Massachusetts, estimates that in Pakistani ground offensives against extremists in that country’s tribal areas, 46 percent of those killed are civilians. Plaw says that ratios of civilian deaths from conventional military conflicts over the past 20 years range from 33 percent to more than 80 percent. “A fair-minded evaluation of the best data we have available suggests that the drone program compares favorably with similar operations and contemporary armed conflict more generally,” he told The New York Times. When you consider the alternatives—even, and perhaps especially, if you are deeply concerned with sparing civilians—you are led, as Obama was, to the logic of the drone.

Reliance on ground operations forces the US into multiple wars – turns the case causes more backlash

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Once the pursuit of al-Qaeda is defined as “law enforcement,” ground assaults may be the only acceptable tactic under international law. A criminal must be given the opportunity to surrender, and if he refuses, efforts must be made to arrest him. Mary Ellen O’Connell believes the Abbottabad raid was an example of how things should work. “It came as close to what we are permitted to do under international law as you can get,” she said. “John Brennan came out right after the killing and said the seals were under orders to attempt to capture bin Laden, and if he resisted or if their own lives were endangered, then they could use the force that was necessary. They did not use a drone. They did not drop a bomb. They did not fire a missile.” Force in such operations is justified only if the suspect resists arrest—and even then, his escape is preferable to harming innocent bystanders. These are the rules that govern police, as opposed to warriors. Yet the enemies we face will not change if the war on terror ends. The worst of them—the ones we most need to stop—are determined suicidal killers and hardened fighters. Since there is no such thing as global police, any force employed would likely still come from, in most cases, American special-ops units. They are very good at what they do—but under law-enforcement rules, a lot more people, both soldiers and civilians, are likely to be killed. It would be wise to consider how bloody such operations can be. When Obama chose the riskiest available option for getting bin Laden in Abbottabad—a special-ops raid—he did so not out of a desire to conform to international law but because that option allowed the possibility of taking bin Laden alive and, probably more important, because if bin Laden was killed in a ground assault, his death could be proved. The raid went well. But what if the seal raiding party had tripped Pakistan’s air defenses, or if it had been confronted by police or army units on the ground? American troops and planes stood ready in Afghanistan to respond if that happened. Such a clash would likely have killed many Pakistanis and Americans, and left the countries at loggerheads, if not literally at war. There’s another example of a law-enforcement-style raid that conforms to the model that O’Connell and other drone critics prefer: the October 1993 Delta Force raid in Mogadishu, which I wrote about in the book Black Hawk Down. The objective, which was achieved, was to swoop in and arrest Omar Salad and Mohamed Hassan Awale, two top lieutenants of the outlaw clan leader Mohammed Farrah Aidid. As the arrests were being made, the raiding party of Delta Force operators and U.S. Army rangers came under heavy fire from local supporters of the clan leader. Two Black Hawk helicopters were shot down and crashed into the city. We were not officially at war with Somalia, but the ensuing firefight left 18 Americans dead and killed an estimated 500 to 1,000 Somalis—a number comparable to the total civilian deaths from all drone strikes in Pakistan from 2004 through the first half of 2013, according to the Bureau of Investigative Journalists’ estimates. The Somalia example is an extreme one. But the battle that erupted in Mogadishu strikes me as a fair reminder of what can happen to even a very skillful raiding party. Few of the terrorists we target will go quietly. Knowing they are targets, they will surely seek out terrain hostile to an American or UN force. Choosing police action over drone strikes may feel like taking the moral high ground. But if a raid is likely to provoke a firefight, then choosing a drone shot not only might pass legal muster (UN rules allow lethal force “when strictly unavoidable in order to protect life”) but also might be the more moral choice.

### Hegemony

#### Credibility being essential to effectively dealing with other nations is a myth- the US is the dominant actor and shouldn’t fixate on boosting its credibility. Focusing on credibility stunts effective foreign policy

Stephen M. Walt [Professor of International Relations at Harvard]¶ Tuesday, September 11, 2012¶ Why are U.S. leaders so obsessed with credibility?¶ http://walt.foreignpolicy.com/posts/2012/09/11/the\_credibility\_fetish

What's the biggest mistake the United States has made since the end of the Cold War? Invading Iraq? Helping screw up the Israel-Palestine peace process? Missing the warning signs for 9/11, and then overreacting to the actual level of danger that Al Qaeda really posed? Not recognizing we had a bubble economy and a corrupt financial industry until after the 2007 meltdown?¶ Those are all worthy candidates, and I'm sure readers can think of others. But today I want to propose another persistent error, which lies at the heart of many of the missed opportunities or sins of commission that we made since the Berlin Wall came down. It is in essence a conceptual mistake: a failure to realize just how much the world changed when the Soviet Union collapsed, and a concomitant failure to adjust our basic approach to foreign policy appropriately.¶ I call this error the "credibility fetish." U.S. leaders have continued to believe that our security depends on convincing both allies and adversaries that we are steadfast, loyal, reliable, etc., and that our security guarantees are iron-clad. It is a formula that reinforces diplomatic rigidity, because it requires us to keep doing things to keep allies happy and issuing threats (or in some cases, taking actions) to convince foes that we are serious. And while it might have made some degree of sense during the Cold War, it is increasingly counterproductive today.¶ One could argue that credibility did matter during the Cold War. The United States did face a serious peer competitor in those days, and the Soviet Union did have impressive military capabilities. Although a direct Soviet attack on vital U.S. interests was always unlikely, one could at least imagine certain events that might have shifted the global balance of power dramatically. For example, had the Soviet Union been able to conquer Western Europe or the Persian Gulf and incorporate these assets into its larger empire, it would have had serious consequences for the United States. Accordingly, U.S. leaders worked hard to make sure that the U.S. commitment to NATO was credible, and we did similar things to bolster U.S. credibility in Asia and the Gulf.¶ Of course, we probably overstated the importance of "credibility" even then. Sloppy analogies like the infamous "domino theory" helped convince Americans that we had to fight in places that didn't matter (e.g., Vietnam) in order to convince everyone that we'd also be willing to fight in places that did. We also managed to convince ourselves that credible nuclear deterrence depended on having a mythical ability to "prevail" in an all-out nuclear exchange, even though winning would have had little meaning once a few dozen missiles had been fired.¶ Nonetheless, in the rigid, bipolar context of the Cold War, it made sense for the United States to pay some attention to its credibility as an alliance leader and security provider. But today, the United States faces no peer competitor, and it is hard to think of any single event that would provoke a rapid and decisive shift in the global balance of power. Instead of a clear geopolitical rival, we face a group of medium powers: some of them friendly (Germany, the UK, Japan, etc.) and some of them partly antagonistic (Russia, China). Yet Russia is economically linked to our NATO allies, and China is a major U.S. trading partner and has been a major financier of U.S. debt. This not your parents' Cold War. There are also influential regional powers such as Turkey, India, or Brazil, with whom the U.S. relationship is mixed: We agree on some issues and are at odds on others. And then there are clients who depend on U.S. protection (Israel, Saudi Arabia, Afghanistan, Taiwan, etc.) but whose behavior often creates serious headaches for whoever is in the White House.¶ As distinguished diplomat Chas Freeman recently commented, "the complexity and dynamism of the new order place a premium on diplomatic agility. Stolid constancy and loyalty to pre-existing alliance relationship are not the self-evident virtues they once were. We should not be surprised that erstwhile allies put their own interest ahead of ours and act accordingly. Where it is to our long-term advantage, we should do the same."¶ What might this mean in practice? As I've noted repeatedly, it means beginning by recognizing that the United States is both very powerful and very secure, and that there's hardly anything that could happen in the international system that would alter the global balance of power overnight. The balance is shifting, to be sure, but these adjustments will take place over the course of decades. Weaker states who would like U.S. protection need it a lot more than we need them, which means our "credibility" is more their problem than ours. Which in turn means that if other states want our help, they should be willing to do a lot to convince us to provide it.¶ Instead of obsessing about our own "credibility," in short, and bending over backwards to convince the Japanese, South Koreans, Singaporeans, Afghans, Israelis, Saudis, and others that we will do whatever it takes to protect them, we ought to be asking them what they are going to do for themselves, and also for us. And instead of spending all our time trying to scare the bejeezus out of countries like Iran (which merely reinforces their interest in getting some sort of deterrent), we ought to be reminding them over and over that we have a lot to offer and are open to better relations, even if the clerical regime remains in power and maybe even if -- horrors! -- it retains possession of the full nuclear fuel cycle (under IAEA safeguards). If nothing else, adopting a less confrontational posture is bound to complicate their own calculations.¶ This is not an argument for Bush-style unilateralism, or for a retreat to Fortress America. Rather, it is a call for greater imagination and flexibility in how we deal with friends and foes alike. I'm not saying that we should strive for zero credibility, of course; I'm merely saying that we'd be better off if other states understood that our credibility was more conditional. In other words, allies need to be reminded that our help is conditional on their compliance with our interests (at least to some degree) and adversaries should also be reminded that our opposition is equally conditional on what they do. In both cases we also need to recognize that we are rarely going to get other states to do everything we want. Above all, it is a call to recognize that our geopolitical position, military power, and underlying economic strength give us the luxury of being agile in precisely the way that Freeman depicts.¶ Of course, some present U.S. allies would be alarmed by the course I'm suggesting, because it would affect the sweetheart deals they've been enjoying for years. They'll tell us they are losing confidence in our leadership, and they'll threaten to go neutral, or maybe even align with our adversaries. Where possible, they will enlist Americans who are sympathetic to their plight to pressure on U.S. politicians to offer new assurances. In most cases, however, such threats don't need to be taken seriously. And we just have to patiently explain to them that we're not necessarily abandoning them, we are merely 1) making our support more conditional on their cooperation with us on things we care about, and 2) remaining open to improving relations with other countries, including some countries that some of our current allies might have doubts about. I know: It's a radical position: we are simply going to pursue the American national interest, instead of letting our allies around the world define it for us.¶ The bottom line is that the United States is in a terrific position to play realpolitik on a global scale, precisely because it needs alliance partners less than most of its partners do. And even when allies are of considerable value to us, we still have the most leverage in nearly every case. As soon as we start obsessing about our credibility, however, we hand that leverage back to our weaker partners and we constrain our ability to pursue meaningful diplomatic solutions to existing conflicts. Fetishizing credibility, in short, is one of the reasons American diplomacy has achieved relatively little since the end of the Cold War.

#### Hegemonic decline causes peaceful retrenchment—prevents great power war.

MacDonald and Parent 11 – Asst Prof. of PoliSci @ Williams College and Parent, Asst Prof. PoliSci @ U of Miami, Paul and Joseph, “Graceful Decline?” International Security, 35.4, Project MUSE

In this article, we question the logic and evidence of the retrenchment pessimists. To date there has been neither a comprehensive study of great power retrenchment nor a study that lays out the case for retrenchment as a practical or probable policy. This article fills these gaps by systematically examining the relationship between acute relative decline and the responses of great powers. We examine eighteen cases of acute relative decline since 1870 and advance three main arguments.

First, we challenge the retrenchment pessimists' claim that domestic or international constraints inhibit the ability of declining great powers to retrench. In fact, when states fall in the hierarchy of great powers, peaceful retrenchment is the most common response, even over short time spans. Based on the empirical record, we find that great powers retrenched in no less than eleven and no more than fifteen of the eighteen cases, a range of 61-83 percent. When international conditions demand it, states renounce risky ties, increase reliance on allies or adversaries, draw down their military obligations, and impose adjustments on domestic populations.

Second, we find that the magnitude of relative decline helps explain the extent of great power retrenchment. Following the dictates of neorealist theory, great powers retrench for the same reason they expand: the rigors of great power politics compel them to do so.12 Retrenchment is by no means easy, but [End Page 9] necessity is the mother of invention, and declining great powers face powerful incentives to contract their interests in a prompt and proportionate manner. Knowing only a state's rate of relative economic decline explains its corresponding degree of retrenchment in as much as 61 percent of the cases we examined.

Third, we argue that the rate of decline helps explain what forms great power retrenchment will take. How fast great powers fall contributes to whether these retrenching states will internally reform, seek new allies or rely more heavily on old ones, and make diplomatic overtures to enemies. Further, our analysis suggests that great powers facing acute decline are less likely to initiate or escalate militarized interstate disputes. Faced with diminishing resources, great powers moderate their foreign policy ambitions and offer concessions in areas of lesser strategic value. Contrary to the pessimistic conclusions of critics, retrenchment neither requires aggression nor invites predation. Great powers are able to rebalance their commitments through compromise, rather than conflict. In these ways, states respond to penury the same way they do to plenty: they seek to adopt policies that maximize security given available means. Far from being a hazardous policy, retrenchment can be successful. States that retrench often regain their position in the hierarchy of great powers. Of the fifteen great powers that adopted retrenchment in response to acute relative decline, 40 percent managed to recover their ordinal rank. In contrast, none of the declining powers that failed to retrench recovered their relative position.

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Some observers might dispute our conclusions, arguing that hegemonic transitions are more conflict prone than other moments of acute relative decline. We counter that there are deductive and empirical reasons to doubt this argument. Theoretically, hegemonic powers should actually find it easier to manage acute relative decline. Fallen hegemons still have formidable capability, which threatens grave harm to any state that tries to cross them. Further, they are no longer the top target for balancing coalitions, and recovering hegemons may be influential because they can play a pivotal role in alliance formation. In addition, hegemonic powers, almost by definition, possess more extensive overseas commitments; they should be able to more readily identify and eliminate extraneous burdens without exposing vulnerabilities or exciting domestic populations.

We believe the empirical record supports these conclusions. In particular, periods of hegemonic transition do not appear more conflict prone than those of acute decline. The last reversal at the pinnacle of power was the Anglo-American transition, which took place around 1872 and was resolved without armed confrontation. The tenor of that transition may have been influenced by a number of factors: both states were democratic maritime empires, the United States was slowly emerging from the Civil War, and Great Britain could likely coast on a large lead in domestic capital stock. Although China and the United States differ in regime type, similar factors may work to cushion the impending Sino-American transition. Both are large, relatively secure continental great powers, a fact that mitigates potential geopolitical competition.93 China faces a variety of domestic political challenges, including strains among rival regions, which may complicate its ability to sustain its economic performance or engage in foreign policy adventurism.94

Most important, the United States is not in free fall. Extrapolating the data into the future, we anticipate the United States will experience a "moderate" decline, losing from 2 to 4 percent of its share of great power GDP in the five years after being surpassed by China sometime in the next decade or two.95 Given the relatively gradual rate of U.S. decline relative to China, the incentives for either side to run risks by courting conflict are minimal. The United States would still possess upwards of a third of the share of great power GDP, and would have little to gain from provoking a crisis over a peripheral issue. Conversely, China has few incentives to exploit U.S. weakness.96 Given the importance of the U.S. market to the Chinese economy, in addition to the critical role played by the dollar as a global reserve currency, it is unclear how Beijing could hope to consolidate or expand its increasingly advantageous position through direct confrontation.

In short, the United States should be able to reduce its foreign policy commitments in East Asia in the coming decades without inviting Chinese expansionism. Indeed, there is evidence that a policy of retrenchment could reap potential benefits. The drawdown and repositioning of U.S. troops in South Korea, for example, rather than fostering instability, has resulted in an improvement in the occasionally strained relationship between Washington and Seoul.97 U.S. moderation on Taiwan, rather than encouraging hard-liners in [End Page 42] Beijing, resulted in an improvement in cross-strait relations and reassured U.S. allies that Washington would not inadvertently drag them into a Sino-U.S. conflict.98 Moreover, Washington's support for the development of multilateral security institutions, rather than harming bilateral alliances, could work to enhance U.S. prestige while embedding China within a more transparent regional order.99

A policy of gradual retrenchment need not undermine the credibility of U.S. alliance commitments or unleash destabilizing regional security dilemmas. Indeed, even if Beijing harbored revisionist intent, it is unclear that China will have the force projection capabilities necessary to take and hold additional territory.100 By incrementally shifting burdens to regional allies and multilateral institutions, the United States can strengthen the credibility of its core commitments while accommodating the interests of a rising China. Not least among the benefits of retrenchment is that it helps alleviate an unsustainable financial position. Immense forward deployments will only exacerbate U.S. grand strategic problems and risk unnecessary clashes.101

#### Retrenchment is stabilizing—it solves nuclear war with Russia and China.

MacDonald and Parent 11—Paul Macdonald, Assistant Professor of Political Science at Wellesley College AND Joseph Parent, Assistant Professor of Political Science at the University of Miami, The Wisdom of Retrenchment, Foreign Affairs, November/December

Retrenchment works in several ways. One is by shifting commitments and resources from peripheral to core interests and preserving investments in the most valuable geographic and functional areas. This can help pare back the number of potential flashpoints with emerging adversaries by decreasing the odds of accidental clashes, as well as reducing the incentives of regional powers to respond confrontationally. Whereas primacy forces a state to defend a vast and brittle perimeter, a policy of retrenchment allows it to respond to significant threats at the times and in the places of its choosing. Conflict does not become entirely elective, as threats to core interests still must be met. But for the United States, retrenchment would reduce the overall burden of defense, as well as the danger of becoming bogged down in a marginal morass.¶ It would also encourage U.S. allies to assume more responsibility for collective security. Such burden sharing would be more equitable for U.S. taxpayers, who today shoulder a disproportionate load in securing the world. Every year, according to Christopher Preble of the Cato Institute, they pay an average of $2,065 each in taxes to cover the cost of national defense, compared with $1,000 for Britons, $430 for Germans, and $340 for Japanese.¶ Despite spending far less on defense, the United States' traditional allies have little trouble protecting their vital interests. No state credibly threatens the territorial integrity of either western European countries or Japan, and U.S. allies do not need independent power-projection capabilities to protect their homelands. NATO's intervention in Libya has been flawed in many respects, but it has demonstrated that European member states are capable of conducting complex military operations with the United States playing a secondary role. Going forward, U.S. retrenchment would compel U.S. allies to improve their existing capabilities and bear the costs of their altruistic impulses.¶ The United States and its allies have basically the same goals: democracy, stability, and trade. But the United States is in the awkward position of both being spread too thin around the globe and irritating many states by its presence on, or near, their soil. Delegating some of its responsibilities to allies would permit the U.S. government to focus more on critical objectives, such as ensuring a stable and prosperous economy. Regional partners, who have a greater stake in and knowledge of local challenges, can take on more responsibility. With increased input from others and a less invasive presence, retrenchment would also allow the United States to restore some luster to its leadership.¶ A MORE FRUGAL FUTURE¶ TO IMPLEMENT a retrenchment policy, the United States would have to take three main steps: reduce its global military footprint, change the size and composition of the U.S. military, and use the resulting "retrenchment dividend" to foster economic recovery at home.¶ First, the United States must reconsider its forward deployments. The top priority should be to deter aggression against its main economic partners in Europe and Asia. This task is not especially burdensome; there are few credible threats to U.S. allies in these regions, and these states need little help from the United States.¶ Although Russia continues to meddle in its near abroad and has employed oil and gas embargoes to coerce its immediate neighbors, western Europe's resources are more than sufficient to counter an assertive Russia. A more autonomous Europe would take some time to develop a coherent security and defense policy and would not always see events through the same lens as Washington. But reducing Europe's dependence on the United States would create a strong incentive for European states to spend more on defense, modernize their forces, and better integrate their policies and capabilities. U.S. forces in the European theater could safely be reduced by 40-50 percent without compromising European security.¶ Asia is also ready for a decreased U.S. military presence, and Washington should begin gradually withdrawing its troops. Although China has embarked on an ambitious policy of military modernization and engages in periodic saber rattling in the South China Sea, its ability to project power remains limited. Japan and South Korea are already shouldering greater defense burdens than they were during the Cold War. India, the Philippines, and Vietnam are eager to forge strategic partnerships with the United States. Given the shared interest in promoting regional security, these ties could be sustained through bilateral political and economic agreements, instead of the indefinite deployments and open-ended commitments of the Cold War.¶ In the event that China becomes domineering, U.S. allies on its borders will act as a natural early warning system and a first line of defense, as well as provide logistical hubs and financial support for any necessary U.S. responses. Yet such a state of affairs is hardly inevitable. For now, there are many less expensive alternatives that can strengthen the current line of defense, such as technology transfers, arms sales, and diplomatic mediation. Defending the territorial integrity of Japan and South Korea and preventing Chinese or North Korean adventurism demands rapid-response forces with strong reserves, not the 30,000 soldiers currently stationed in each country. Phasing out 20 percent of those forces while repositioning others to Guam or Hawaii would achieve the same results more efficiently.¶ Reducing these overseas commitments would produce significant savings. A bipartisan task force report published in 2010 by the Project on Defense Alternatives estimated that the demobilization of 50,000 active-duty soldiers in Europe and Asia alone could save as much as $12 billion a year. Shrinking the U.S. footprint would also generate indirect savings in the form of decreased personnel, maintenance, and equipment costs.¶ Retrenchment would also require the United States to minimize its presence in South Asia and the Middle East. The United States has an interest in ensuring the flow of cheap oil, yet armed interventions and forward deployments are hardly the best ways to achieve that goal. These actions have radicalized local populations, provided attractive targets for terrorists, destabilized oil markets, and inflamed the suspicions of regional rivals such as Iran. Similarly, the United States has a strong incentive to deny terrorist groups safe havens in ungoverned spaces. It is unclear, however, whether large troop deployments are the most cost-effective way to do so. The U.S.-led NATO mission in Afghanistan has established temporary pockets of stability, but it has enjoyed little success in promoting good governance, stamping out corruption, or eradicating the most dangerous militant networks. Nor have boots on the ground improved relations with or politics in Pakistan.¶ More broadly, the Pentagon should devote fewer resources to maintaining and developing its capabilities for engaging in peripheral conflicts, such as the war in Afghanistan. Nation building and counter-insurgency operations have a place in U.S. defense planning, but not a large one. The wars in Afghanistan and Iraq have raised the profile of counterinsurgency doctrine and brought prominence to its advocates and practitioners, such as David Petraeus, the retired general who is now director of the CIA. This is an understandable development, considering that the defense establishment was previously unprepared to wage a counterinsurgency war. But such conflicts require enormous commitments of blood and treasure over many years, rarely result in decisive victory, and seldom bring tangible rewards. A retrenching United States would sidestep such high-risk, low-return endeavors, especially when counterterrorism and domestic law enforcement and security measures have proved to be effective alternatives. Although they cannot solve every problem, relatively small forces that do not require massive bases can nevertheless carry out significant strikes--as evidenced by the operation that killed Osama bin Laden.¶ Curbing the United States' commitments would reduce risks, but it cannot eliminate them. Adversaries may fill regional power vacuums, and allies will never behave exactly as Washington would prefer. Yet those costs would be outweighed by the concrete benefits of pulling back. A focus on the United States' core interests in western Europe would limit the risk of catastrophic clashes with Russia over ethnic enclaves in Georgia or Moldova by allowing the United States to avoid commitments it would be unwise to honor. By narrowing its commitments in Asia, the United States could lessen the likelihood of conflict over issues such as the status of Taiwan or competing maritime claims in the South China Sea. Just as the United Kingdom tempered its commitments and accommodated U.S. interests in the Western Hemisphere at the turn of the last century, the United States should now temper its commitments and cultivate a lasting compromise with China over Taiwan.

#### Hegemony causes proliferation—this causes great power war and counter-balancing that makes unipolarity unsustainable.

Monteiro 12—Assistant Professor of Political Science at Yale University, Nuno, Unrest Assured: Why Unipolarity is not Peaceful, International Security, Vol. 36, No. 3, Winter

To be sure, states can never be certain of other states’ intentions.61 There are a couple of reasons, however, why this uncertainty increases in unipolarity, even when the unipole appears to be determined to maintain the status quo. First, other states cannot be certain that the unipole will always pursue nonrevisionist goals. This is particularly problematic because unipolarity minimizes the structural constraints on the unipole’s grand strategy. As Waltz writes, “Even if a dominant power behaves with moderation, restraint, and forbearance, weaker states will worry about its future behavior. . . . The absence of se- rious threats to American security gives the United States wide latitude in making foreign policy choices.”62 Second, unipolarity takes away the principal tool through which minor powers in bipolar and multipolar systems deal with uncertainty about great power intentions—alliances with other great powers. Whereas in these other systems minor powers can, in principle, attenuate the effects of uncertainty about great power intentions through external balancing, in a unipolar world no great power sponsor is present by definition. In effect, the systemic imbalance of power magnifies uncertainty about the unipole’s intentions.63 ¶ Faced with this uncertainty, other states have two options. First, they can accommodate the unipole and minimize the chances of conflict but at the price of their external autonomy.64 Accommodation is less risky for major powers because they can guarantee their own survival, and they stand to benefit greatly from being part of the unipolar system.65 Major powers are therefore unlikely to attempt to revise the status quo. Minor powers are also likely to accommodate the unipole, in an attempt to avoid entering a confrontation with a preponderant power. Thus, most states will accommodate the unipole because, as Wohlforth points out, the power differential rests in its favor.66 ¶ Accommodation, however, entails greater risks for minor powers because their survival is not assured if the unipole should turn against them. Thus some of them are likely to implement a second strategic option—resisting the unipole. ¶ The structure of the international system does not entirely determine whether or not a minor power accommodates the unipole. Still, structure conditions the likelihood of accommodation in two ways. To begin, a necessary part of a strategy of dominance is the creation of alliances or informal security commitments with regional powers. Such regional powers, however, are likely to have experienced conflict with, or a grievance toward, at least some of its neighboring minor powers. The latter are more likely to adopt a recalcitrant posture. Additionally, by narrowing their opportunities for regional integration and security maximization, the unipole’s interference with the regional balance of power is likely to lower the value of the status quo for these minor powers.67 As the literature on the “value of peace” shows, countries that attribute a low value to the status quo are more risk acceptant. This argument helps explain, for example, Japan’s decision to attack the United States in 1941 and Syria’s and Egypt’s decision to attack Israel in 1973.68 In both cases, aggressor states knew that their capabilities were significantly weaker than those of their targets. They were nonetheless willing to run the risk of launching attacks because they found the prewar status quo unacceptable.69 Thus, for these states, the costs of balancing were lower relative to those of bandwagoning. ¶ In an international system with more than one great power, recalcitrant minor powers would, in principle, be able to balance externally by ªnding a great power sponsor.70 In unipolarity, however, no such sponsors exist.71 Only major powers are available, but because their survival is already guaranteed, they are likely to accommodate the unipole. And even if some do not, they are unlikely to meet a recalcitrant minor power’s security needs given that they possess only limited power-projection capabilities.72 As such, recalcitrant minor powers must defend themselves, which puts them in a position of extreme selfhelp. ¶ There are four characteristics common to states in this position: (1) anarchy, (2) uncertainty about other states’ intentions, (3) insufficient capabilities to deter a great power, and (4) no potential great power sponsor with whom to form a balancing coalition. The first two characteristics are common to all states in all types of polarity. The third is part of the rough-and-tumble of minor powers in any system. The fourth, however, is unique to recalcitrant minor powers in unipolarity. This dire situation places recalcitrant minor powers at risk for as long as they lack the capability to defend themselves. They depend on the goodwill of the unipole and must worry that the unipole will shift to a strategy of offensive dominance or disengagement. Recalcitrant minor powers will therefore attempt to bolster their capabilities through internal balancing. ¶ To deter an eventual attack by the unipole and bolster their chances of survival in the event deterrence fails, recalcitrant minor powers will attempt to reinforce their conventional defenses, develop the most effective asymmetric strategies possible, and, most likely in the nuclear age, try to acquire the ultimate deterrent—survivable nuclear weapons.73 In so doing, they seek to become major powers. ¶ Defensive dominance, however, also gives the unipole reason to oppose any such revisions to the status quo. First, such revisions decrease the benefits of systemic leadership and limit the unipole’s ability to convert its relative power advantage into favorable outcomes. In the case of nuclear weapons, this limitation is all but irreversible, virtually guaranteeing the recalcitrant regime immunity against any attempt to coerce or overthrow it. Second, proliferation has the potential to produce regional instability, raising the risk of arms races. These would force the unipole to increase defense spending or accept a narrower overall relative power advantage. Third, proliferation would lead to the emergence of a recalcitrant major power that could become the harbinger of an unwanted large-scale balancing attempt. ¶ The unipole is therefore likely to demand that recalcitrant minor powers not revise the status quo. The latter, however, will want to resist such demands because of the threat they pose to those states’ security.74 Whereas ªghting over such demands would probably lead to defeat, conceding to them peacefully would bring the undesired outcome with certainty. A preventive war is therefore likely to ensue. ¶ In the second causal path to war, recalcitrant minor powers test the limits of the status quo by making small revisions—be they territorial conquests, altered international alignments, or an increase in relative power—evocative of Thomas Schelling’s famous “salami tactics.”75 The unipole may not, however, accept these revisions, and instead demand their reversal. For a variety of reasons, including incomplete information, commitment problems, and the need for the minor power to establish a reputation for toughness, such demands may not be heeded. As a result, war between the unipole and recalcitrant minor powers emerges as a distinct possibility.76 ¶ Regardless of the causal path, a war between the unipole and a recalcitrant minor power creates a precedent for other recalcitrant minor powers to boost their own capabilities. Depending on the unipole’s overall capabilities—that is, whether it can launch a second simultaneous conflict—it may also induce other recalcitrant minor powers to accelerate their balancing process. Thus, a war against a recalcitrant minor power presents other such states with greater incentives for, and (under certain conditions) higher prospects of, assuring their survival by acquiring the necessary capabilities, including nuclear weapons. ¶ At the same time, and depending on the magnitude of the unipole’s power preponderance, a war against a recalcitrant minor power creates an opportunity for wars among major and minor powers—including major power wars. To the extent that the unipole’s power preponderance is limited by its engagement in the first war, its ability to manage confrontations between other states elsewhere is curtailed, increasing the chances that these will erupt into military conflicts. Therefore, even when the unipole is engaged, war remains a possibility. ¶ Between the end of the Cold War and the terrorist attacks of September 11, 2001, the United States generally implemented a strategy of defensive dominance. During this period, the dynamics described in this section can be seen at work in the cases of the 1991 Persian Gulf War and the 1999 Kosovo War, as well as in the Kargil War between India and Pakistan, and in North Korea’s and Iran’s nuclear programs. ¶ On August 2, 1990, Saddam Hussein ordered his forces to invade Kuwait, convinced the United States would not oppose this revision of the status quo. During the months that followed, the United States assembled an international coalition determined to restore Kuwaiti independence, and it obtained UN authorization to use force if Iraq did not withdraw its occupation forces by January 15, 1991. Two days after this deadline, the U.S.-led coalition began military action against Iraqi forces, expelling them from Kuwait in six weeks.77 ¶ Two points deserve mention. First, the GulfWar was triggered by Iraq’s miscalculation regarding whether the United States would accept Iraqi annexation of Kuwait. At the outset of the unipolar era, great uncertainty surrounded the limits of what actions U.S. decisionmakers would ªnd permissible.78 Iraq miscalculated the degree of U.S. flexibility, and war ensued. Second, the war was made possible by unipolarity, which placed Iraq in a situation of extreme selfhelp. Indeed, lack of a great power sponsor—at the time, the Soviet Union was in strategic retrenchment—was duly noted in Baghdad. Immediately after the war, Saddam’s foreign minister, Tariq Aziz, lamented, “We don’t have a patron anymore. . . . If we still had the Soviets as our patron, none of this would have happened.”79 ¶ Similarly, in 1999, Serbian leaders miscalculated U.S. tolerance to ethnic violence in Kosovo, a secessionist province of the Federal Republic of Yugoslavia. In March 1999, reacting to increasing brutality in the province, the international community convened a conference, which produced the Rambouillet accords. This agreement called for the restoration of Kosovo’s autonomy and the deployment of NATO peacekeeping forces, both unacceptable to Serbian authorities, who refused to submit to it.80 In response, NATO launched a bombing campaign in Yugoslavia. In early June, after nine weeks of bombing, NATO offered the Serbian leadership a compromise, which it accepted, ending the war.81 ¶ Once the war had started and it became clear that Serbia had overreached, Belgrade relied on the support of its ancestral major power ally, Russia. Serbian strategy during the war thus aimed in part at buying time for Russia to increase pressure on NATO to cease hostilities. Contrary to Belgrade’s expectations, however, Russian support for Serbian aims eroded as the war continued. On May 6, Russia agreed with the Group of Seven nations on a plan that included the deployment of UN peacekeepers and a guarantee of Yugoslavia’s territorial integrity. By mid-May, faced with Serbia’s obduracy, Moscow began to press its ally to accept the offer. Thus, not only did Russian support fail to prevent a U.S.-led intervention, but it was instrumental in convincing Serbia to accede to NATO’s demands.82 ¶ The only war between major powers to have occurred thus far in a unipolar world—the Kargil War between India and Pakistan—started, as my theory would have predicted, while the United States was involved in Kosovo.83 In May 1999, India detected Pakistani forces intruding into the Kargil sector in Indian-controlled Kashmir. This action triggered the first Indo-Pakistani war of the nuclear age, which ended on July 4—after the cessation of military operations in Kosovo—when President Bill Clinton demanded Pakistan’s withdrawal, which occurred on July 26.84 ¶ In the absence of a great power sponsor and uncertain of U.S. intentions, Iran and North Korea—both recalcitrant minor powers—have made considerable efforts to bolster their relative power by developing a nuclear capability. Unsurprisingly, the United States has consistently opposed their efforts, but has so far been unable to persuade either to desist.

### Terrorism

#### Drones are the best way of reaching Al Qaeda - and the aff isnt reverse causal.

Plaw 12 (Avery, associate professor of political science at the University of Massachusetts, Dartmouth, November 14, “Drones Save Lives, American and Other” http://www.nytimes.com/roomfordebate/2012/09/25/do-drone-attacks-do-more-harm-than-good/drone-strikes-save-lives-american-and-other)

This is a tough call. Drone warfare has done a lot of good for the U.S., and could cause Americans a lot of harm. But my best judgment is that from the U.S. perspective, drone strikes have done more good than harm and should be continued, provided that the Obama administration can offer more clarity on what’s being done and can provide a sound legal justification for doing it.¶ One point in favor of drone strikes is that they are weakening Al Qaeda, the Taliban and affiliated groups, and hence protecting lives, American and other. Also, there don’t seem to be better means of doing so.¶ Where civilian casualties cannot be avoided, they must be minimized. This is what drone strikes do.¶ Points against drone strikes are the cost in civilian lives, the alienation of parts of the Islamic world, potential harm to the authority of international law, and the possibility that drone use will spread around the world, generating more conflict and harming long-term U.S. interests.¶ These are all valid points, and I respect that reasonable people could be convinced by either set. My own reasoning turns on four arguments.¶ First, states have a primary responsibility for the protection of their own citizens. If drone strikes are the best way to remove an all-too-real threat to American lives, then that is an especially weighty consideration.¶ Second, I doubt that ending drone strikes would substantially reduce anti-Americanism in the Islamic world or put a dent in radical recruitment.¶ Third, the U.S can do a lot to moderate some harms caused by its use of drones. By being clearer about what it’s doing and offering detailed legal justification, the U.S. could mitigate damage to international law and the threat of uncontrolled proliferation.¶ Finally, there is evidence that drone strikes are less harmful to civilians than other means of reaching Al Qaeda and affiliates in remote, lawless regions (for example, large-scale military operations). And that is what is required of states in armed conflict, legally and ethically: where civilian casualties cannot be avoided, they must be minimized.

#### There are fewer attacks when we use targeted killing

Johnston 2012 (Patrick B. Johnston, Associate Political Scientist at the RAND Corporation, Number 4, Spring 2012 “Does Decapitation Work?¶ Assessing the Effectiveness of Leadership Targeting in Counterinsurgency Campaigns,” International Security¶ Volume 36, Project Muse)

Next, I examined the impact of leadership decapitation on the rate of insurgent attacks. It is useful to examine attacks separately from lethality because [End Page 64] whereas violence usually captures the quality of militant operations—that is, the extent to which the insurgency is able to inflict losses on its targets—attack frequency captures the pace of militant activities. Militants using a guerrilla warfare strategy might conduct many small attacks, with lower levels of lethality, in order to harass and intimidate its adversaries, whereas other militant organizations may conduct "spectacular" but infrequent attacks.42¶ I use a similar approach to estimate the effect of decapitation on insurgent attacks. The baseline specifications are negative binomial regressions, specified in table 4 both without (column 4) and with (column 5) fixed effects. A lagged dependent variable specification is shown in column 6. The results suggest that, on average, decapitation is associated with fewer insurgent attacks. The results of the fixed-effects specifications in columns 5 and 6, for example, are negative and statistically significant at the 5 and 1 percent levels, respectively. The coefficient shown in column 4 is also negative, but it is small and insignificant. As with the violence analysis, this suggests that, after including basic controls, decapitation is associated with fewer.

#### **Drones destroy terror cells – many reasons**

Metz 2013 (Justin Metz, April, 2013, thesis for the Degree of Bachelor of Arts with Departmental Honors in Government for the Wesleyan University Honors College, “The Drone Wars: Uncovering the Dynamics and Scope of United States Drone Strikes” http://wesscholar.wesleyan.edu/cgi/viewcontent.cgi?article=2019&context=etd\_hon\_theses)

In the United States case, because US goals are focused on long-term prevention of attacks and dismantling of al-Qaeda, a wider range of targeting killing (not just killings of important figures) may be more effective-though likely even harder to measure in terms of efficacy. In Afghanistan for example, Alex Wilner argues through a study of targeted killing of Taliban members that: Findings suggest that the eliminations degraded Taliban professionalism, diminished the group’s success rates, influenced their selection of targets, and weakened morale. These findings speak to the efficacy of targeted killings in counterterrorism and counterinsurgency.87Other scholars of the US case echo Wilner’s argument using qualitative evidence finding targeting killing disrupts normal operations enough to be deemed effective. 88 Scholarly attention has focused more on high profile targeted killings such as the 2002 killing of Abu Ali al-Harithi, the Yemeni mastermind behind the attacks on the USS Cole. Because terrorists are largely unable to strike US forces it is almost impossible to measure whether targeted killings actually work. Morehouse studies general terrorist activity in Pakistan in the years 2004-2009 in relation to US drone strikes in the area to argue that there is little correlation between US drone strikes and terrorist activities. Morehouse considers a wide variety of insurgent attacks primarily against Pakistani targets as a test of the efficacy of targeted killing.89 Though an interesting method of evaluating targeted killing, the methodology is flawed. Pakistan is an incredibly volatile country. It is impossible to ascribe a terrorist attack against non-US personnel as retaliation for US action. Using largely the same dataset and similar methodology, Olney finds that there is an increase in attacks against local governments in response to US drone strikes. However, as even he admits, “without further evaluation of more variables, including domestic military operations, recruitment levels, and other political factors, it is difficult to conclude that drone strikes are solely responsible for the increased militant attacks on host nations.”90

insurgent attacks. ¶

#### Drones strikes solve large scale terror operations – whack-a-mole theory is false

Anderson 13(Kenneth, law professor at Washington College of Law, American University, a research fellow of the Hoover Institution at Stanford University, “The Case for Drones,” May 24, http://www.realclearpolitics.com/articles/2013/05/24/the\_case\_for\_drones\_118548-full.html)

Are drone technology and targeted killing really so strategically valuable? The answer depends in great part not on drone technology, but on the quality of the intelligence that leads to a particular target in the first place. The drone strike is the final kinetic act in a process of intelligence-gathering and analysis. The success—and it is remarkable success—of the CIA in disrupting al-Qaeda in Pakistan has come about not because of drones alone, but because the CIA managed to establish, over years of effort, its own ground-level, human-intelligence networks that have allowed it to identify targets independent of information fed to it by Pakistan’s intelligence services. The quality of drone-targeted killing depends fundamentally on that intelligence, for a drone is not much use unless pointed toward surveillance of a particular village, area, or person. It can be used for a different kind of targeting altogether: against groups of fighters with their weapons on trucks headed toward the Afghan border. But these so-called signature strikes are not, as sometimes represented, a relaxed form of targeted killing in which groups are crudely blown up because nothing is known about individual members. Intelligence assessments are made, including behavioral signatures such as organized groups of men carrying weapons, suggesting strongly that they are “hostile forces” (in the legal meaning of that term in the U.S. military’s Standing Rules of Engagement). That is the norm in conventional war. Targeted killing of high-value terrorist targets, by contrast, is the end result of a long, independent intelligence process. What the drone adds to that intelligence might be considerable, through its surveillance capabilities—but much of the drone’s contribution will be tactical, providing intelligence that assists in the planning and execution of the strike itself, in order to pick the moment when there might be the fewest civilian casualties. Nonetheless, in conjunction with high-quality intelligence, drone warfare offers an unparalleled means to strike directly at terrorist organizations without needing a conventional or counterinsurgency approach to reach terrorist groups in their safe havens. It offers an offensive capability, rather than simply defensive measures, such as homeland security alone. Drone warfare offers a raiding strategy directly against the terrorists and their leadership. If one believes, as many of the critics of drone warfare do, that the proper strategies of counterterrorism are essentially defensive—including those that eschew the paradigm of armed conflict in favor of law enforcement and criminal law—then the strategic virtue of an offensive capability against the terrorists themselves will seem small. But that has not been American policy since 9/11, not under the Bush administration, not under the Obama administration—and not by the Congress of the United States, which has authorized hundreds of billions of dollars to fight the war on terror aggressively. The United States has used many offensive methods in the past dozen years: Regime change of states offering safe havens, counterinsurgency war, special operations, military and intelligence assistance to regimes battling our common enemies are examples of the methods that are just of military nature. Drone warfare today is integrated with a much larger strategic counterterrorism target—one in which, as in Afghanistan in the late 1990s, radical Islamist groups seize governance of whole populations and territories and provide not only safe haven, but also an honored central role to transnational terrorist groups. This is what current conflicts in Yemen and Mali threaten, in counterterrorism terms, and why the United States, along with France and even the UN, has moved to intervene militarily. Drone warfare is just one element of overall strategy, but it has a clear utility in disrupting terrorist leadership. It makes the planning and execution of complex plots difficult if only because it is hard to plan for years down the road if you have some reason to think you will be struck down by a drone but have no idea when. The unpredictability and terrifying anticipation of sudden attack, which terrorists have acknowledged in communications, have a significant impact on planning and organizational effectiveness. This is all subject to objections, of course, and the objections generally fall into three categories: unnecessary, ineffective, or counterproductive. There are some who argue that drone warfare is unnecessary because the right approach is simply to defend the homeland from within the homeland; among liberals this is often a way of saying, fight terrorists with law enforcement and criminal law, while among some conservatives it corresponds closely with the resurgence of right-wing isolationism. Other critics argue that drone warfare is ineffective because killing one operational commander merely means that another rises to take his place. This is the source of the oft-heard remark that drone warfare is a “whack-a-mole” strategy: Kill one here and another pops up there. Drone warfare is nothing more than a tactic masquerading as a strategy, it is said. Worse, it indulges one of the oldest and most seductive quests of modern military technology, the one that says you can win a war from the air alone. The whack-a-mole criticism is wildly overstated and, as a matter of terrorist leadership, simply not true. Captured terrorist communications show that qualified and experienced operational commanders are not so easy to come by. One can argue that the failure to carry off large-scale attacks in the West is the result of the defensive hardening of targets and better homeland security, which is certainly true; but culling the ranks of terrorist leaders and the resulting inability to plan another 9/11 is also critical.

#### No scenario for nuclear terror---consensus of experts

Matt Fay 13, PhD student in the history department at Temple University, has a Bachelor’s degree in Political Science from St. Xavier University and a Master’s in International Relations and Conflict Resolution with a minor in Transnational Security Studies from American Military University, 7/18/13, “The Ever-Shrinking Odds of Nuclear Terrorism”, webcache.googleusercontent.com/search?q=cache:HoItCUNhbgUJ:hegemonicobsessions.com/%3Fp%3D902+&cd=1&hl=en&ct=clnk&gl=us&client=firefox-a

For over a decade now, one of the most oft-repeated threats raised by policymakers—the one that in many ways justified the invasion of Iraq—has been that of nuclear terrorism. Officials in both the Bush and Obama administrations, including the presidents themselves, have raised the specter of the atomic terrorist. But beyond mere rhetoric, how likely is a nuclear terrorist attack really?¶ While pessimistic estimates about America’s ability to avoid a nuclear terrorist attack became something of a cottage industry following the September 11th attacks, a number of scholars in recent years have pushed back against this trend. Frank Gavin has put post-9/11 fears of nuclear terrorism into historical context (pdf) and argued against the prevailing alarmism. Anne Stenersen of the Norwegian Defence Research Establishment has challenged the idea that al Qaeda was ever bound and determined to acquire a nuclear weapon. John Mueller ridiculed the notion of nuclear terrorism in his book Atomic Obsessions and highlighted the numerous steps a terrorist group would need to take—all of which would have to be successful—in order to procure, deliver, and detonate an atomic weapon. And in his excellent, and exceedingly even-handed, treatment of the subject, On Nuclear Terrorism, Michael Levi outlined the difficulties terrorists would face building their own nuclear weapon and discussed how a “system of systems” could be developed to interdict potential materials smuggled into the United States—citing a “Murphy’s law of nuclear terrorism” that could possibly dissuade terrorists from even trying in the first place.¶ But what about the possibility that a rogue state could transfer a nuclear weapon to a terrorist group? That was ostensibly why the United States deposed Saddam Hussein’s regime: fear he would turnover one of his hypothetical nuclear weapons for al Qaeda to use.¶ Enter into this discussion Keir Lieber and Daryl Press and their article in the most recent edition of International Security, “Why States Won’t Give Nuclear Weapons to Terrorists.” Lieber and Press have been writing on nuclear issues for just shy of a decade—doing innovative, if controversial work on American nuclear strategy. However, I believe this is their first venture into the debate over nuclear terrorism. And while others, such as Mueller, have argued that states are unlikely to transfer nuclear weapons to terrorists, this article is the first to tackle the subject with an empirical analysis.¶ The title of their article nicely sums up their argument: states will not turn over nuclear weapons terrorists. To back up this claim, Lieber and Press attack the idea that states will transfer nuclear weapons to terrorists because terrorists operate of absent a “return address.” Based on an examination of attribution following conventional terrorist attacks, the authors conclude:¶ [N]either a terror group nor a state sponsor would remain anonymous after a nuclear attack. We draw this conclusion on the basis of four main findings. First, data on a decade of terrorist incidents reveal a strong positive relationship between the number of fatalities caused in a terror attack and the likelihood of attribution. Roughly three-quarters of the attacks that kill 100 people or more are traced back to the perpetrators. Second, attribution rates are far higher for attacks on the U.S. homeland or the territory of a major U.S. ally—97 percent (thirty-six of thirty-seven) for incidents that killed ten or more people. Third, tracing culpability from a guilty terrorist group back to its state sponsor is not likely to be difficult: few countries sponsor terrorism; few terrorist groups have state sponsors; each sponsor terrorist group has few sponsors (typically one); and only one country that sponsors terrorism, has nuclear weapons or enough fissile material to manufacture a weapon. In sum, attribution of nuclear terror incidents would be easier than is typically suggested, and passing weapons to terrorists would not offer countries escape from the constraints of deterrence.¶ From this analysis, Lieber and Press draw two major implications for U.S. foreign policy: claims that it is impossible to attribute nuclear terrorism to particular groups or potential states sponsors undermines deterrence; and fear of states transferring nuclear weapons to terrorist groups, by itself, does not justify extreme measures to prevent nuclear proliferation.¶ This is a key point. While there are other reasons nuclear proliferation is undesirable, fears of nuclear terrorism have been used to justify a wide-range of policies—up to, and including, military action. Put in its proper perspective however—given the difficulty in constructing and transporting a nuclear device and the improbability of state transfer—nuclear terrorism hardly warrants the type of exertions many alarmist assessments indicate it should.

### 2NC

### Perm

This strategy of reform is a means to shoreup criticism against totaltiarianism and results in massive violence agianst the Other.

Spanos 2K (William, Prof of English and Comparative Literature at Binghamton University, America’s Shadow, pg 141-144)

With this symbolic denouement, the “wound” suffered by “America” has been utterly, if not explicitly, healed. To invoke an analogous metaphor, the ghost that has haunted the collective American psyche is exorcised. The internal divisions within the American body politic have not only been reconciled; the reconciliation has rendered the res publica stronger and more dedicated to the principles of American democracy in its struggle against radicals and communist imperialism. But what, in the context of the emergence of the end-of-the-Cold War discourse, needs to be thematized is that the metaphor of trauma has undergone a telling metamorphosis: the metaphor of the wound, which implies healing, that is, ideological reconciliation, has become – or is at the threshold of being represented as – a collective psychological illness, a national “syndrome,” which implies the imperative to blame a negative ideological cause. The fourth and “final” phase of the American culture industry’s renarrativization of the Vietnam War was inaugurated on the concurrent occasion of the collapse of the Soviet Union and the United States’s surgically executed “victory” against Saddam Hussein in the Gulf War. What is especially telling about the official representation of this historical conjecture, especially by the television networks, is that, from beginning to end, it was this contrasting negative measure of Vietnam that utterly determined its narrative shape: the linear/circular structure of decisive victory. From the inaugural debates about the question of legitimacy of America’s intervention in the face of Iraq’s invasion of Kuwait through the brief period of the war itself to its immediate aftermath, it was the specter of the Vietnam War – the “divisive” and “self-defeating” national anxiety precipitated by its radical indeterminacy – that the narrative structure of closure, enabled by a “victory” by the United States in the Cold War, was intended to decisively efface. This transformation of a national anxiety into a productive negative image was symptomatically reflected by President Bush’s virtually unchallenged guarantee to the American public on the eve of the war that it would not be “another Vietnam” and, more strategically, by the exclusive mediation of the events of the Gulf War by the American military information agencies in a way that the events of the Vietnam War had made unthinkable. And it was the long process of cultural forgetting, which had ostensibly (re)constituted the actual defeat of the United States into a drastically mistaken withdrawal from Vietnam, that had prepared the ground for this cultural transformation. In short, the representational forgetting of the actualities of the war systematically undertaken by the ideological state apparatuses had generally arrived at a form of remembering it that attributed the defeat of America to the infectious impact of the multisituated protest movement in the United States on the American public and its intellectual deputies. In this “final” phase, that is, the earlier public need to “heal the wound” – a recuperative and conciliatory gesture of forgetting – became, in the words of President George Bush and official Washington, a matter of “kicking the Vietnam syndrome.” Aided and abetted by the culture industry, this early gesture of forgetting metamorphosed at the time of the Gulf “crisis” into a virulently assured assumption that the resistance to America’s intervention and conduct of the war in Vietnam in the 1960s was a symptom of the national neurosis. (This interpretation of the active resistance to the Vietnam War was not a sudden reactionary political initiative enabled by the circumstances of the Gulf War. Its origins can be traced back to the period of the Vietnam War itself, to the reaction against the protest movement by such influential conservative and liberal humanist intellectuals as George Kennan, Walter Jackson Bate, and Allan Bloom, among many others. The disruptions of the traditional white Anglo-American and male-dominated cultural value system in American colleges and universities – whether in the form of the common body of shared knowledge informing the general education program [the litterae humaniores] or the canon of great books – were undertaken in the name of relevance. In the name of high seriousness, these anxious traditionalists reduced this emancipator initiative to an unhealthy or neurotic obsession with novelty and/or vulgarity and represented it – as Arnold had represented the rise of working-class consciousness in late Victorian Britain – as a symptom not simply of a “centrifugal” process precipitating a dangerous cultural “heterogeneity,” but as a collective “death wish” [Bate] on the part of the American academy.) Whatever its limitations, the protest movement in the Vietnam decade was, in fact, a symptomatic manifestation of a long-overdue and promising national self-doubt about the alleged legitimacy of America’s representation of its internal constituencies (blacks, women, gays, ethnic minorities, the poor, the young, and so on) and about the alleged benignity of its historically ordained exceptionalist mission to transform the world (the barbarous Others) in its own image. In this last phase of the amnesiac process, this healthy and potentially productive self-examination of the American cultural identity came to be represented as a collective psychological sickness that, in its disintegrative momentum, threatened to undermine “America’s” promised end. By this I mean the end providentially promised to the original Puritans and later, after the secularization of the body politic, by History: the building of “the city on the hill” in the “New World,” which is to say, the advent of the New World Order and the end of history. In the wake of the Cold War, and especially the defeat of Saddam Hussein’s army – and the consequent representation of the shattered American consensus occasioned by the Vietnam War as a recovery of a collective mental illness – there came in rapid and virtually unchallenged succession a floodtide of “reforms,” reactionary in essence, intended to annul the multiply situated progressive legacy of the protest movement(s) of the Vietnam decade by overt abrogation or accommodation. Undertaken in the name of the “promise” of “America,” these reforms were intended to reestablish the ontological, cultural, and political authority of the enlightened, American “vital center” and its circumference and thus to recontain the dark force of the insurgent differential constituencies that had emerged at the margins in the wake of the disclosures of the Vietnam War. At the domestic site, these included the coalescence of capital (the Republican Party) and the religious and political Right into a powerful dominant neoconservative culture (a new “Holy Alliance,” as it were) committed to an indissolubly linked militantly racist, antifeminist, antigay, and anti-working class agenda; the dominant liberal humanist culture’s massive indictment of deconstructive and destructive theory as complicitous with fascist totalitarianism; the nationwide legislative assault on the post-Vietnam public university by way of programs of economic retrenchment affiliated with the representation of its multicultural initiative as a political correctness of the Left; the increasing subsumption of the various agencies of cultural production and dissemination (most significantly, the electronic information highways) under fewer and fewer parent, mostly American, corporations; the dismantling of the welfare program; and, symptomatically, the rehabilitation of the criminal president, Richard Nixon. At the international site, this “reformist” initiative has manifested itself as the rehabilitation of the American errand in the world, a rehabilitation exemplified by the United States’s virtually uncontested moral/military interventions in Panama, Somalia, Haiti, Bosnia, the Middle East, and Kosovo; its interference in the political processes of Russia by way of providing massive economic support for Boris Yeltsin’s democratic/capitalist agenda against the communist opposition; its unilateral assumption of the lead in demanding economic/political reforms in Southeast Asian countries following the collapse of their economies in 1998; its internationalization of the “free market”; and, not least, its globalization of the instrumentalist version of the English language. What needs to be foregrounded is that these global post-Cold War “reformist” initiatives are not discontinuous processes, a matter of historical accident. Largely enabled by the “forgetting” of Vietnam – and of the repression or accommodation or self-immolation of the emergent decentered modes of thinking the Vietnam War precipitated – they are, rather, indissolubly, however unevenly, related. Indeed, they are the multisituated practical consequences of the planetary triumph (the “end”) of the logical economy of the imperial ontological discourse that has its origins in the founding of the idea of the Occident and its fulfilled end in the banal instrumental/technological reasoning in the discourse of “America.” In thus totally colonizing thinking, that is, this imperial “Americanism” has come to determine the comportment toward being of human beings, in all their individual and collective differences, at large – even of those postcolonials who would resist its imperial order. This state of thinking, which has come to be called the New World Order (though to render its rise to ascendancy visible requires reconstellating the Vietnam War into this history), subsumes the representative, but by no means complete, list of post-Cold War practices to which I have referred above. And it is synecdochically represented by the massive mediatization of the amnesiac end-of-history discourse and the affiliated polyvalent rhetoric of the Pax Americana. Understood in terms of this massive effort to endow hegemonic status to the transformation of the metaphorics of the “wound” to (neurotic) “syndrome,” the forgotten of the systematic process of forgetting apparently accomplished by the renarrativization of history since the humiliatingly visible fall of Saigon in 1975 takes on a spectral resonance of epochal and planetary significance. As such, it calls on the differential community of oppositional intellectuals to undertake a genealogy of this end-of-history discourse that would retrieve (wiederholen) as precisely as possible the essence of that which the United States’s intervention in Vietnam and its conduct of the war disclosed, that which the American Cultural Memory, in the form of a “new Holy Alliance,” has feverishly attempted to bury in oblivion by way of its multisituated and long-term labor to hegemonize a demonic representation of this (self-)disclosure.

Targeted killing doesn’t include drone signature strikes – means aff can’t solve

Kenneth Anderson 11, Professor at Washington College of Law, American University, Hoover Institution visiting fellow, Non-Resident Visiting Fellow at Brookings, “Distinguishing High Value Targeted Killing and ‘Signature’ Attacks on Taliban Fighters,” August 29 2011, http://www.volokh.com/2011/08/29/distinguishing-high-value-targeted-killing-and-signature-attacks-on-taliban-fighters/

From the US standpoint, it is partly that it does not depend as much as it did on Pakistan’s intelligence. But it is also partly, as a couple of well-publicized incidents a few months ago made clear, that sharing targeting decisions with Pakistan’s military and ISI runs a very considerable possibility of having the targets tipped off (as even The Onion has observed). The article notes in this regard, the U.S. worries that “if they tell the Pakistanis that a drone strike is coming someone within Pakistani intelligence could tip off the intended target.” However, the Journal’s reporting goes from there to emphasize an aspect of targeted killing and drone warfare that is not sufficiently appreciated in public discussions trying to assess such issues as civilian collateral damage, strategic value and uses, and the uses of drones in counterterrorism and counterinsurgency as distinct activities. The article explains:¶ The CIA carries out two different types of drone strikes in the tribal areas of Pakistan—those against so-called high-value targets, including Mr. Rahman, and “signature” strikes targeting Taliban foot-soldiers who criss-cross the border with Afghanistan to fight U.S. forces there.¶ High-value targets are added to a classified list that the CIA maintains and updates. The agency often doesn’t know the names of the signature targets, but it tracks their movements and activities for hours or days before striking them, U.S. officials say.¶ 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.)¶ This analytic point affects how one sees the levels of drone attacks going up or down over the years. Neither the total numbers of fighters killed nor the total number of drone strikes – going up or down over months – tells the whole story. Total numbers do not distinguish between the high value targets, being targeted as part of the top down dismantling of Al Qaeda as a transnational terrorist organization, on the one hand, and ordinary Taliban being killed in much larger numbers as part of counterinsurgency activities essentially part of the ground war in Afghanistan, on the other. Yet the distinction is crucial insofar as the two activities are, at the level of truly grand strategy, in support of each other – the war in Afghanistan and the global counterterrorism war both in support of the AUMF and US national security broadly – but at the level of ordinary strategic concerns, quite distinct in their requirements and conduct. If targeted killing against AQ leadership goes well in Pakistan, those might diminish at some point in the future; what happens in the war against the Afghan Taliban is distinct and has its own rhythm, and in that effort, drones are simply another form of air weapon, an alternative to manned aircraft in an overt, conventional war. Rising or falling numbers of drone strikes in the aggregate will not tell one very much without knowing what mission is at issue.

Ev gov distinction.

Micah Zenko 12, the Douglas Dillon Fellow at the Council on Foreign Relations, 7/16/12, “Targeted Killings and Signature Strikes,” http://blogs.cfr.org/zenko/2012/07/16/targeted-killings-and-signature-strikes/

Although signature strikes have been known as a U.S. counterterrorism tactic for over four years, no administration official has acknowledged or defended them on-the-record. Instead, officials emphasize that targeted killings with drones (the official term is “targeted strikes”) are only carried out against specific individuals, which are usually lumped with terms like “senior” and “al-Qaeda.”

Harold Koh: “The United States has the authority under international law, and the responsibility to its citizens, to use force, including lethal force, to defend itself, including by targeting persons such as high-level al-Qaeda leaders who are planning attacks.”

John Brennan: “This Administration’s counterterrorism efforts outside of Afghanistan and Iraq are focused on those individuals who are a threat to the United States.”

Jeh Johnson: “In an armed conflict, lethal force against known, individual members of the enemy is a long-standing and long-legal practice.”

Eric Holder: “Target specific senior operational leaders of al Qaeda and associated forces.”

In April, Brennan was asked, “If you could address the issue of signature strikes, which I guess aren’t necessarily targeted against specific individuals?” He replied: “You make reference to signature strikes that are frequently reported in the press. I was speaking here specifically about targeted strikes against individuals who are involved.” Shortly thereafter, when the White House spokesperson was asked about drone strikes, he simply stated: “I am not going to get into the specifics of the process by which these decisions are made.”

#### Obama would just say he is conducting 'assassinations'.

Hunter 9 - intelligence officer with the Defense intelligence ¶ agency (Dia) from June 2002 to april 2007; specialized in the analysis of terrorist tactics, techniques, and procedures (ttP) which included in-depth ¶ study of improvised explosive devices (ieDs) and the ttP employed in ¶ their use worldwide; holds a master’s degree in unconventional warfare from the american ¶ Military university, a master’s degree in international security studies ¶ from the university of St. andrews (Scotland) [Thomas Byron Hunter Targeted Killing: Self-Defense, Preemption, and the War on Terrorism. Journal of Strategic Security, 2009, 2 (2): 1-52. Available at: http://scholarcommons.usf.edu/jss/vol2/iss2/1]

As mentioned previously, killings conducted for political reasons rather ¶ than for direct security concerns are not targeted killings, but rather ¶ assassinations. For example, as cited in the case of Israel’s elimination ¶ of Sheikh Ahmed Yassin, there are individuals whose elimination may ¶ serve both purposes. The death of Yassin both eliminated a high-ranking politico-religious figure, and it may also have had a negative effect on ¶ HAMAS’s ability to wage its terrorist campaign.

#### The executive will arbitrarily define words - means even if you don't find my analysis compelling military lawyers are much smarter than that.

Pollack, 13 -- MSU Guggenheim Fellow and professor of history emeritus [Norman, "Drones, Israel, and the Eclipse of Democracy," Counterpunch, 2-5-13, www.counterpunch.org/2013/02/05/drones-israel-and-the-eclipse-of-democracy/, accessed 9-1-13, mss]

Bisharat first addresses the transmogrification of international law by Israel’s military lawyers. We might call this damage control, were it not more serious. When the Palestinians first sought to join the I.C.C., and then, to receive the UN’s conferral of nonmember status on them, Israel raised fierce opposition. Why? He writes: “Israel’s frantic opposition to the elevation of Palestine’s status at the United Nations was motivated precisely by the fear that it would soon lead to I.C.C. jurisdiction over Palestinian claims of war crimes. Israeli leaders are unnerved for good reason. The I.C.C. could prosecute major international crimes committed on Palestinian soil anytime after the court’s founding on July 1, 2002.” In response to the threat, we see the deliberate reshaping of the law: Since 2000, “the Israel Defense Forces, guided by its military lawyers, have attempted to **remake the laws** of war by consciously violating them and then **creating new legal concepts to provide juridical cover** for their misdeeds.” (Italics, mine) In other words, habituate the law to the existence of atrocities; in the US‘s case, targeted assassination, repeated often enough, seems permissible, indeed clever and wise, as pressure is steadily applied to the laws of war. Even then, “collateral damage” is seen as unintentional, regrettable, but hardly prosecutable, and in the current atmosphere of complicity and desensitization, never a war crime. (**Obama is hardly a novice at** this game of **stretching the law to suit the convenience of**, shall we say, the **national interest**? In order to ensure the distortion in counting civilian casualties, which would bring the number down, as Brennan with a straight face claimed, was “zero,” the Big Lie if ever there was one, placing him in distinguished European company, Obama **redefined the meaning** of “combatant” status to be any male of military age throughout the area (which we) declared a combat zone, which noticeably led to a higher incidence of sadism, because it allowed for “second strikes” on funerals—the assumption that anyone attending must be a terrorist—and first responders, those who went to the aid of the wounded and dying, themselves also certainly terrorists because of their rescue attempts.) These guys play hardball, perhaps no more than in using—by report—the proverbial baseball cards to designate who would be next on the kill list. But funerals and first responders—verified by accredited witnesses–seems overly much, and not a murmur from an adoring public.

### 1NR

#### Decapitation works—it takes out key pieces of terrorist operations, keeps leaders on the run, and creates infighting that causes organizations to collapse.

Wilner 10, (Alex S. Wilner, Center for Security Studies, ETH Zurich, Swiss Federal Institute of Technology, Targeted Killings in Afghanistan: Measuring Coercion and Deterrence in Counterterrorism and Counterinsurgency, Studies in Conflict & Terrorism, Vol. 33 No. 4, 09 Mar 2010, http://dx.doi.org/10.1080/10576100903582543)

For smaller terrorist groups and cells, where leadership, knowledge, and power are centralized, eliminations can have the dramatic effect of completely destroying a specific threat. Groups with particularly charismatic leaders are especially prone to decapitating strikes.39 Both assumptions rest on the notion that terrorist organizations depend on the work of a few key individuals. Isaac Ben-Israel and colleagues note, for instance, that the number of “key activists in the Hamas,”—those that are actively “engaged in preparing an act of terror”—number in the low hundreds. A state only needs “to neutralize 20– 30 percent of them,” they suggest, “for the organization’s ‘production’ of acts of terror to drop significantly.”40 The argument suggests that terrorism is a process that requires a “production line” of activity—from scouting targets to preparing bombers—if coordinated acts of violence are to take place.41 All along this process, individuals play important roles, fulfilling particular jobs and functions. As such, violent, non-state groups are perhaps best thought of as coercive systems, dependent on the interaction of a variety of semi-autonomous parts and processes.42 Paul Davis and Brian Jenkins reiterate: “the terrorist problem occurs in a rich context with many interacting entities and processes.”43 While eliminating particular individuals with functional roles will not wholly eradicate the threat of terrorism, the selective removal of central players does restrict the terrorism process and degrades an organization’s overall capability to plan, coordinate, and carryout acts of violence.¶ The very threat of coercion forces leaders to worry about their safety, hinders their freedom of movement, and requires that they spend time and resources in avoiding their own death rather than planning the death of others. In a 2004 letter to bin Laden, AQI’s al-Zarqawi stresses this persistent dilemma. “What is preventing us from making a general call to arms,” he protests, “is the fact that the country of Iraq has no mountains in which to seek refuge, or forest in which to hide. Our presence is apparent and our movement is out in the open. Eyes are everywhere.”44 Leaders in hiding face the related problem of motivating and leading their followers; championing a cause from the frontline is far more effective than doing so from the safety of a bunker or villa in a neighboring region. Likewise, by eliminating skilled facilitators, organizations become de-professionalized. Finding individuals that are able and willing to replace eliminated bomb makers and tactical planners, for instance, takes time, notwithstanding the fact that not just any substitute will do. Few individuals have the skill sets needed to design and build effective bombs that do not prematurely detonate or the leadership characteristics required to successfully manage a military organization. While reports suggest that many of today’s top terrorist leaders are highly educated individuals, holding graduate, legal, and medical degrees, this does not necessarily translate into solid military and strategic know-how. Furthermore, attracting and recruiting the right people to a life of violent hardship that invariable comes with joining a terrorist organization can be difficult. Even in the case of suicide bombings, it is not enough to simply equip and send out a great many operatives on suicide missions—the individuals need to have the intellect and training to know where to go, who to target, how and when to detonate their bombs, and what to do in case of mishap.45 They must also be trained not to renege on their decision to die and to know, too, never to get caught. In fact, there is very real danger in sending out poorly trained or intellectually unstable suicide operatives. “Dud bombers”—those that fail in their attempt to detonate their explosives—get caught and can crack under interrogation, causing irreparable damage to their group, cell, or operator.¶ Failing to replace fallen leaders expeditiously can also lead to defections, infighting, and purges. Likewise, if there is doubt regarding the perpetrators of a targeted elimination or uncertainty over how intelligence on a target was collected, speculation over traitors and informants might further deteriorate camaraderie.46 Infighting should not be taken lightly. A number of organizations have met their end after purges were carried out among and between members.47 A recent example of an internal feud instigated, in part, by a targeted killing, comes from the Afghan–Pakistan theater. In 2007, a gulf emerged between various Islamist factions active in Pakistan’s tribal zone of South Waziristan; foreign fighters associated with Al Qaeda’s Islamic Movement of Uzbekistan fought local Pakistani Taliban. Reports suggest that up to several hundred local and foreign militants were killed.48 Syed Saleem Shahzad of Asia Times recounts that ideological differences between local and foreign fighters was primarily to blame. “Many of the foreign volunteers,” he writes, “are Takfirists, who regard ‘bad Muslims’ as the real enemy.” The result was that trained fighters of Arab, Chechen, and Uzbek origin persuaded Pakistani militants to carry out attacks against “apostate” Pakistan rather than Coalition forces in Afghanistan. Indigenous Pakistani Islamists did not always accept takfiri practices, however. Shahzad suggests that many local organizations “reacted uncomfortably to the growth of this near-heresy within al Qaeda,” which in relentlessly targeting Muslims, “brought chaos to the populations it claim[ed] to defend.”49 This elicited an unfavorable reaction from a number of Afghan and Pakistani Taliban, whose primary objective was to target NATO personnel and Westerners. While on the surface the spat seems to have had little to do with a specific case of targeted killing, closer examination of the case does reveal that it had everything to do with the absence of strong leadership.

#### Limiting targeted killings in Pakistan causes a shift to ground assaults---turns the case and collapses the Pakistani government

Richard Weitz 11, Senior Fellow and Director of the Center for Political-Military Analysis at the Hudson Institute, 1/2/11, “WHY UAVS HAVE BECOME THE ANTI-TERROR WEAPON OF CHOICE IN THE AFGHAN-PAK BORDER,” http://www.sldinfo.com/why-uavs-have-become-the-anti-terror-weapon-of-choice-in-the-afghan-pak-border/

Perhaps the most important argument in favor of using UAV strikes in northwest Pakistan and other terrorist havens is that alternative options are typically worse.

The Pakistani military has made clear that it is neither willing nor capable of repressing the terrorists in the tribal regions. Although the controversial ceasefire accords Islamabad earlier negotiated with tribal leaders have formally collapsed, the Pakistani Army has repeatedly postponed announced plans to occupy North Waziristan, which is where the Afghan insurgents and the foreign fighters supporting them and al-Qaeda are concentrated.

Such a move that would meet fierce resistance from the region’s population, which has traditionally enjoyed extensive autonomy. The recent massive floods have also forced the military to divert its assets to humanitarian purposes, especially helping the more than ten million displaced people driven from their homes.

But the main reason for their not attacking the Afghan Taliban or its foreign allies based in Pakistan’s tribal areas is that doing so would result in their joining the Pakistani Taliban in its vicious fight with the Islamabad government.

Yet, sending in U.S. combat troops on recurring raids or a protracted occupation of Pakistani territory would provoke widespread outrage in Pakistan and perhaps in other countries

as well since the UN Security Council mandate for the NATO-led International Security Assistance Force (ISAF) in Afghanistan only authorizes military operations in Pakistan.

On the one known occasion when U.S. Special Forces actually conducted a ground assault in the tribal areas in 2008, the Pakistanis reacted furiously. On September 3, 2008, a U.S. Special Forces team attacked a suspected terrorist base in Pakistan’s South Waziristan region, killing over a dozen people. These actions evoked strong Pakistani protests. Army Chief of Staff Gen. Ashfaq Kayani, who before November 2007 had led Pakistan’s Inter-Services Intelligence (ISI), issued a written statement denying that “any agreement or understanding [existed] with the coalition forces” [in Afghanistan] allowing them to strike inside Pakistan.” The general pledged to defend Pakistan’s sovereignty and territorial integrity “at all cost.” Prime Minister Yousaf Raza Gilani and President Asif Ali Zardari also criticized the U.S. ground operation on Pakistani territory. On September 16, 2008, the Pakistani army announced it would shoot any U.S. forces attempting to cross the Afghan-Pakistan border.

On several occasions since then, Pakistani troops and militia have fired at what they believed to be American helicopters flying from Afghanistan to deploy Special Forces on their territory, though there is no conclusive evidence that the U.S. military has ever attempted another large-scale commando raid in Pakistan after the September 2008 incident.

Further large-scale U.S. military operations into Pakistan could easily rally popular support behind the Taliban and al-Qaeda. It might even precipitate the collapse of the Islambad government and its replacement by a regime in nuclear-armed Pakistan that is less friendly to Washington.

#### Given these alternatives, continuing the drone strikes appears to be the best of the limited options available to deal with a core problem, giving sanctuary to terrorists striking US and coalition forces in Afghanistan and beyond