# 1AC – Districts

### Plan

**The United States federal government ought to substantially increase judicial restrictions** **on the war powers authority of the President of the United States by subjecting targeted killings against United States citizens to due process review.**

### Due Process

**Advantage 1 is Due Process**

#### Prior, judicial oversight ensures impartial decision-making – vital to due process

Adelsberg 12 (Samuel, J.D. – Yale Law School, “Bouncing the Executive's Blank Check: Judicial Review and the Targeting of Citizens,” Harvard Law & Policy Review, Summer, 6 Harv. L. & Pol'y Rev. 437, Lexis)

The relevance of these precedents to the targeting of citizens is clear: the constitutional right to due process is alive and well--regardless of geographic location. We now turn to what type of process is due.¶ III. BRING IN THE COURTS: BRINGING JUDICIAL LEGITIMACY TO TARGETED KILLINGS¶ The function of this Article is not to argue that targeted killing should be removed from the toolbox of American military options. Targeted killing as a military tactic is here to stay. n34 Targeting strikes have robust bipartisan political support and have become an increasingly relied upon weapon as the United States decreases its presence in Iraq and Afghanistan. n35 The argument being asserted here, therefore, is that in light of the protections the Constitution affords U.S. citizens, there must be a degree of inter-branch process when the government targets such individuals.¶ The current intra-executive process afforded to U.S. citizens is not only unlawful, but also dangerous. n36 Justice O'Connor acknowledged the danger inherent in exclusively intra-branch process in Hamdi when she asserted that an interrogator is not a neutral decision-maker as the "even purportedly fair adjudicators are disqualified by their interest in the controversy." n37 In rejecting the government's argument that a "separation of powers" analysis mandates a heavily circumscribed role for the courts in these circumstances, Justice O'Connor contended that, in times of conflict, the Constitution "most assuredly envisions a role for all three branches when individual liberties are at stake." n38 Similarly, Justice Kennedy was unequivocal in Boumediene about the right of courts to enforce the Constitution even in times of war. Quoting Chief Justice Marshall in Marbury v. Madison, n39 Kennedy argued that holding "that the political branches may switch the constitution on or off at will would lead to a regime in which they, not this Court, say 'what the law is.'" n40 This sentiment is very relevant to our targeted killing analysis: in the realm of targeted killing, where the deprivation is of one's life, the absence of any "neutral decision-maker" outside the executive branch is a clear violation of due process guaranteed by the Constitution.¶ Justices O'Connor and Kennedy are pointing to a dangerous institutional tension inherent in any intra-executive process regime. Targeting decisions are no different; indeed, the goal of those charged with targeting citizens like al-Awlaki is not to strike a delicate balance between security [\*444] and liberty but rather, quite single-mindedly, to prevent attacks on the United States. n41 In describing the precarious nature of covert actions, James Baker, a distinguished military judge, noted, "the twin necessities of secrecy and speed may pull as they do against the competing interests of deliberate review, dissent, and informed accountable decision-making." n42 While Judge Baker concluded that these risks "magnify the importance of a meaningful process of ongoing executive appraisal," he overlooked the institutional tension, seized upon by Justices O'Connor and Kennedy, which would preclude the type of process that he was advocating. n43¶ Although there may be a role for Congress in such instances, a legislative warrant for specific cases would likely be cumbersome, carry significant security risks, and may violate the spirit of the Bill of Attainder Clause, which prohibits the legislature from performing judicial or executive functions. The current inter-branch process for covert actions, in which the President must make a finding and notify the leaders of Congress and the intelligence committees, is entirely ex post and also has not been proven to provide a meaningful check on executive power. n44 Moreover, most politicians are unqualified to make the necessary legal judgments that these situations require.¶ Solutions calling for the expatriation of citizens deemed to be terrorists are fraught with judicial complications and set very dangerous precedents for citizenship revocation. n45 Any post-deprivation process, such as a Bivens-style action, for a targeted attack would also be problematic. n46 Government officials charged with carrying out these attacks might be hesitant to do so if there were a threat of prosecution. Moreover, post-deprivation process for a target would be effectively meaningless in the wake of a successful attack.¶ [\*445] Rather, as recognized by the Founders in the Fourth Amendment, balancing the needs of security against the imperatives of liberty is a traditional role for judges to play. Two scholars of national security law recently highlighted the value of judicial inclusion in targeting decisions: "Judicial control of targeted killing could increase the accuracy of target selection, reducing the danger of mistaken or illegal destruction of lives, limbs, and property. Independent judges who double-check targeting decisions could catch errors and cause executive officials to avoid making them in the first place." n47 Judges are both knowledgeable in the law and accustomed to dealing with sensitive security considerations. These qualifications make them ideal candidates to ensure that the executive exercises constitutional restraint when targeting citizens.¶ Reforming the decision-making process for executing American citizens to allow for judicial oversight would restore the separation of powers framework envisioned by the Founders and increase democratic legitimacy by placing these determinations on steadier constitutional ground. For those fearful of judicial encroachment on executive war-making powers, there is a strong argument that this will actually strengthen the President and empower him to take decisive action without worrying about the judicial consequences. As Justice Kennedy put it, "the exercise of [executive] powers is vindicated, not eroded, when confirmed by the Judicial Branch." n48 Now, we will turn to what this judicial involvement would look like.

#### Due process reforms for detention didn’t solve – lack of protection for targeted killing combined with sole executive authority triggers the impact

Alford, 11 [Copyright (c) 2011 Utah Law Review Society Utah Law Review 2011 Utah Law Review 2011 Utah L. Rev. 1203 LENGTH: 41771 words ARTICLE: The Rule of Law at the Crossroads: Consequences of Targeted Killing of Citizens NAME: Ryan Patrick Alford\* BIO: \* © 2011 Ryan Patrick Alford, Assistant Professor, Ave Maria School of Law, p. lexis]

From 2001 to 2004, the constitutional order of the United States was severely tested. In Hamdi v. Rumsfeld, n408 the Supreme Court held that the writ of habeas corpus extended to a United States citizen held at Guantanamo Bay. n409 Eight of the nine Justices agreed that the executive branch did not have the power to hold a citizen indefinitely, without access to basic due process protections enforceable in open court. n410 This case was properly seen as a watershed, a rejection of theories of executive detention that were incompatible with the basic tenets of our common law tradition. n411 However, the clear right to habeas corpus is only slightly over three hundred years old - the right not to be killed without due process of law is twice as old and considerably more fundamental. As Blackstone made clear, habeas corpus was originally necessary because it was a prophylactic protection for Magna Carta's right not to be killed. n412 To turn a blind eye to executive death warrants would be to trample upon numerous principles the Framers believed so important as to put into a document that outlines the parameters of the state itself. It would also trample upon principles that predate the Bill of Rights: the balance of powers, the constraints on arbitrary executive action, and the specific requirements of additional due process for those accused of crimes amounting to treason. It would also make a mockery of their [\*1271] comprehensive view of due process, which precluded the use of military justice against civilians. It would allow a return to the very features of royalist justice that they and their forbearers detested, such as allowing the executive the power of judgment and denying the courts the power to intervene - this was the hallmark of the detested Star Chamber, which was abolished on these grounds in 1641. n413 What is perhaps most perplexing about this current crossroads is that there seems to be very little discussion of the importance of this case within the legal profession in general, and in particular among the scholars and lawyers who had opposed the legal framework for the indefinite detention of the detainees at Guantanamo Bay. It is difficult to understand why so much determined opposition should emerge to the withholding of the rights of habeas corpus from American citizens (which led to the decision in Hamdi), n414 while the administration's decision to issue executive death warrants has led to so little. Apart from the decision of the ACLU and the CCR to litigate the case on behalf of Nasser Al-Aulaqi, there has been very little action taken within the legal community to publicize the Obama Administration's decision to use the targeted killing program to assassinate an American citizen. n415 As the discussion of the targeted killing program after Al-Awlaki's extrajudicial execution reveals, American militants like Anwar al-Awlaki are placed on a kill or capture list by a secretive panel of senior government officials, which then informs the president of its decisions ... . There is no public record of the operations or decisions of the panel, which is a subset of the White House's National Security Council ... . Neither is there any law establishing its existence or setting out the rules by which it is supposed to operate. n416 [\*1272] Not only is there no law addressing the due process rights of Americans with respect to targeted killing, but no law on this subject can be made. The executive branch has prevented the judiciary from addressing the killing of citizens by asserting that the courts do not have jurisdiction over these cases because they present political questions. Since the judiciary may not adjudicate the claims of those about to be killed, the prevailing law of the land now comes in the form of secret memoranda created by the executive's Office of Legal Counsel ("OLC"). n417 The executive branch now has the final say on the constitutionality of its decision to kill an American citizen, since it asserts that no court has jurisdiction to review its opinion. This is executive privilege beyond James I's wildest dreams. While the administration insists that the OLC memorandum did not formulate general criteria for deciding whether Americans accused (impliedly, but not formally) of treason may be tortured or killed, n418 its version of events is actually worse than the alternative. The administration advances the position that a citizen suspected of treason may be killed after a singular determination within the executive branch that this would not violate the citizen's due process rights. "If that's true, then the Obama Administration is playing legal Calvinball, making decisions based on individual cases, rather than consistent legal criteria." n419 Unfortunately, this has been confirmed to be true: the recommendations for targeted killings are reportedly made on a case-by-case basis by "a grim debating society" of "more than 100 members of the government's sprawling national security apparatus," who provide no indication of using legal principles when determining such issues as which sort of "facilitators" of terrorism should be marked for death. n420 This sort of Star Chamber is precisely what the rule of law was designed to protect us against. After months of silence, Attorney General of the United States Eric Holder traced out the rationale for the targeted killing of an American citizen. n421 Rebutting this article's thesis, he argued: Some have argued that the president is required to get permission from a federal court before taking action against a United States citizen who is a senior operational leader of Al Qaeda or associated forces... . [\*1273] This is simply not accurate. "Due process" and "judicial process" are not one and the same, particularly when it comes to national security. The Constitution guarantees due process, not judicial process. n422 Given the Obama Administration's decision not to release the OLC memorandum or even acknowledge that they did in fact kill Al-Awlaki, n423 this will likely be the most comprehensive description of the legal case for targeted killings the American people ever receive. Its arrogance is stunning. Attorney General Holder appears to rely implicitly on a Court decision holding that those having their social security benefits terminated are not entitled to a hearing in advance in support of another proposition. Namely, that some unspecified degree of procedural fairness apportioned in secret within the executive branch is all that is required before an American citizen can be killed. The Constitution, and a tradition of resistance to arbitrary executive power that it reaffirmed that extends back to the Magna Carta, is being held for naught - on the basis of a holding from an administrative law case wrenched forcibly out of context. With this flimsy justification, the administration rationalizes the creation of a new Star Chamber, newly empowered to administer capital punishment in secret and unchallengeable proceedings. Should this pass unchallenged, this may herald the end of the rule of law in America.

#### Judicial review is critical to due process rights.

Kwoka 11 (Lindsay, University of Pennsylvania Law School, J.D, Journal of Constitutional Law, “Trial by Sniper: The Legality of Targeted Killing in the War on Terror,” 2011, Lexis)\*\*we reject any gendered or offensive language used in this evidence

Even if the executive has the authority to target an individual for death, this does not resolve the issue of what is required to satisfy the target's due process rights. The Hamdi Court recognized that, even where the President has authority to take an action under AUMF, the citizenship of the individual in question implicates special due process concerns." Even if the President is authorized to use tar- geted killing under AUMF, it is essential to determine what process is due to a U.S. citizen targeted for death. After determining that at least some procedure is required before an individual is targeted for death, I will argue that the executive's decision to target an individual for death must be reviewed by an Article III judge before the killing takes place in order to satisfy due process.¶ The location of the citizen targeted does not impede his due process rights under the Fifth Amendment. The Supreme Court has recognized that U.S. citizens living abroad were entitled to the pro- tections of the Due Process Clause. 7" Thus a citizen's location outside of the United States is not determinative in the assessment of his Due Process rights. The Supreme Court, of course, has yet to address the issue of what due process requires for a U.S. citizen who is targeted for death. In Hamdi, the Court addressed the due process requirements for a U.S. citizen within the context of detention, and held that the detainee was entitled to notice, a fair opportunity to rebut the assertions against him(SIC), and a neutral decisionmaker." Although the reasoning in Hamdi is instructive, it is not determinative in the present context. Targeted killing raises unique concerns that are not at stake in the context of detention. For example, unlike with detention, targeted killing does not allow for the possibility of appeal.o Despite the lack of clarity regarding the Court's approach to tar- geted killing, I will assess what Due Process may require in that con- text. The Court typically employs the Mathews balancing test in de- termining what procedural rights an individual is entitled to, even in cases involving suspected terrorists." Thus, I will apply that test here.

#### None of their drone court answers apply – the aff is a uniquely limited court

Weinberger 13 (Dr. Seth, Associate Professor in the Department of Politics & Government – University of Puget Sound, “Enemies Among Us: The Targeted Killing of American Members of al Qaeda and the Need for Congressional Leadership,” Global Security Studies Review, 5-7, <https://blogs.commons.georgetown.edu/globalsecuritystudiesreview/2013/05/07/enemies-among-us-the-targeted-killing-of-american-members-of-al-qaeda-and-the-need-for-congressional-leadership/>)

Several people have voiced objections to the creation of a FISA-style “drone court.” One worries that a court of “generalist federal judges” will lack “national security expertise,” “are not accustomed to ruling on lightning-fast timetables,” and should not be able to involve themselves in “questions about whether to target an individual for assassination by a drone strike.” [22] Another writes that, “the determination of whether a person is a combatant to judicial review would seem to rather clearly violate the separation of powers requirements in the Constitution,” as in Ex Parte Milligan, the Supreme Court ruled that the congressional war power “extends to all legislation essential to the prosecution of the war…except such as interferes with the command of the forces and the conduct of campaigns,” which includes, the author argues, the “sole authority to determine who the specific combatants are when conducting a campaign.”[23] While in a traditional war such objections are almost certainly correct, in the context of the Hamdi decision and with the unconventional nature of the armed conflict against al Qaeda, they become less compelling. First, if properly defined, the new court could be limited solely to questions of eligibility, not the decision of whether and when to conduct a drone strike. The court would carry out a function quite similar to the FISA courts, judging whether the Executive Branch has sufficient evidence to support its claim that a citizen has become a senior operational member of a group covered under the AUMF and 2012 NDAA. This would differ little from the FISA courts’ assessments of Executive Branch requests to wiretap individuals believed to be agents of a foreign power without a warrant. Second, given the definition of imminent threat in the Department of Justice’s white paper – a definition that incorporates “considerations of the relevant window of opportunity, the possibility of reducing collateral damage to civilians, and the likelihood of heading off future disastrous attacks on Americans”[24] – such eligibility decisions are not likely to be made in the moments immediately prior to a drone strike. Rather, eligibility decisions are likely made in the process of long investigations and in light of much intelligence. Finally, while Anthony Arend is almost certainly correct that in nearly every other incidence of armed conflict, Congress would not be permitted to involve itself in determinations of who is and who is not an eligible target for the American military, as Hamdi makes clear, the armed conflict against al Qaeda is not like every other armed conflict. The Supreme Court has already inserted a judicial proceeding into the determination of whether an American citizen seized on the battlefield is actually an enemy combatant and therefore eligible for indefinite detention, a determination that traditionally has been solely within the purview of executive power. It would be counterintuitive – to say the least – if an American citizen could be killed, but not detained, without judicial involvement.

#### Judicial review is key – executive restraint can’t solve

Kwoka 11 (Lindsay, University of Pennsylvania Law School, J.D, Journal of Constitutional Law, “Trial by Sniper: The Legality of Targeted Killing in the War on Terror,” 2011, Lexis)

The executive's decision to target an individual for death should be reviewed by an Article III judge before the killing is carried out.¶ The use of an Article III judge as a neutral decisionmaker would legi- timize the executive's actions and hold the executive branch accoun- table during wartime. Providing an intra-executive process is not sufficient in the con- text of targeted killing of a U.S. citizen outside of a war zone.12 Mur- phy and Radsan argue that due process would be satisfied if, after a strike has already occurred, the executive branch launched an inves- tigation of its legality.23 They argue that interference from the judi- cial branch would undermine the executive's decisionmaking and compromise state secrets. On the contrary, judicial intervention would not undermine the executive's decisionmaking, but rather would serve to legitimize the executive's actions. Even during wartime, many are critical of actions taken by the executive to deprive individuals of rights without inter- vention by the judicial branch. For instance, many objected to the Military Commissions Act on the grounds that it did not afford the accused of an independent judiciary.12 Furthermore, as noted above, the concerns about minimizing the disclosure of state secrets would be alleviated by permitting only the decisionmaker to review the evidence. The hearing would be con- ducted privately and the information would be conveyed on a "need- to-know" basis only. Thus the confidentiality problems associated with affording suspected terrorists a full jury trial are not present in a process where the judge reviews the evidence in confidence. Not only would judicial intervention decrease public skepticism of the executive's decisions, but would also promote accuracy and fairness." Because mistakes are possible (and have happened regarding misclassification of terrorists), accuracy is better preserved by allow- ing the judiciary to check the actions of the executive.'2 The process would likely be fairer because federal judges are appointed for life tenure, and thus are less likely to be subject to public pressure.12 Moreover, having a federal judge decide on whether targeted killing is permissible would alleviate executive branch pressure. If a member of the executive branch were to be the neutral decisionmaker, he(SIC) would have incentive to permit the President to do whatever he deems necessary. A federal judge would not likely be subject to such influence. Advocates for judicial deference argue that the executive branch should be given extensive authority during wartime, and the judicial branch should not interfere with executive decisionmaking. Justice Thomas' dissent in Hamdi reflects this sentiment. He argues that al- lowing process on the battlefield would undermine the executive's authority.2" He asserts that the constitutional structure is based upon the notion of a unitary executive with extensive war powers, and that this structure would be undermined by judicial interference.3 0 As a result of this structure, he argues that due process merely requires a "good-faith executive determination." Similarly, others argue that the lack of judicial deference during a war could disrupt the system of political cooperation in wartime.132 Under this argument, the executive branch is better suited to interp-ret laws relating to wartime and foreign affairs. As a result, the ex- ecutive branch is better able to make determinations regarding war- time issues not only because it has expertise in this area, but also because the executive branch is more politically accountable than the judicial branch.'34 Because the judicial branch lacks expertise in these areas, the judicial branch must afford significant deference to 135 the executive branch during wartime. ¶ These arguments in favor of judicial deference are problematic for a number of reasons. First, permitting the decision to target an individual for death to take place solely within the executive branch would strengthen precedent for an unchecked executive in wartime. To allow the executive to act without judicial review would legitimize a constitutional doctrine whereby the executive would be subject to no limitations and would not be constrained by any requirements of due process.' 6 Permitting the judiciary to review decisions made by the executive in the context of the war on terror would uphold a con- stitutional system of checks and balances whereby the executive branch is subject to constraints. Secondly, even if the argument of "executive expertise" is ac- cepted, judicial intervention would serve the interests of the public by ensuring that the executive does not have a blank check to unilateral- ly determine who should be killed.'" Even during wartime, it is inap- propriate to allow the executive branch to act as all three branches of government.' The judicial branch should be involved in cases relat- ing to terrorism in order to prevent an arbitrary exercise of power by the executive.3 9 Finally, the Court itself has rejected the notion that the judicial branch must defer when the rights of a citizen are involved. The Hamdi Court places great emphasis on the notion that the Courts play a key role even in the context of war.o 40 Given the importance of the civil rights and liberties at stake, it would be counterintuitive to deprive the courts of their role in such a circumstance.'4 Thus, there is tremendous support for judicial involvement in the war on terror. Judicial intervention would increase the accuracy of the determination while also giving legitimacy to the executive's decision and upholding civil rights.

#### Judicial and external review is key – allows for extensive processes that can’t be overridden by the president

Somin 13 (Ilya, Professor of Law – George Mason University School of Law, Hearing on “Drone Wars: The Constitutional and Counterterrorism Implications of Targeted Killing,” United States Senate Judiciary Subcommittee on the Constitution, Civil Rights, and Human Rights, 4-23, <http://www.judiciary.senate.gov/pdf/04-23-13SominTestimony.pdf>)

One partial solution to the problem of target selection would be to require officials to get advance authorization for targeting a United States citizen from a specialized court, similar to the FISA Court, which authorizes intelligence surveillance warrants for spying on suspected foreign agents in the United States. The specialized court could act faster than ordinary courts do and without warning the potential target, yet still serve as a check on unilateral executive power. In the present conflict, there are relatively few terrorist leaders who are American citizens. Given that reality, we might even be able to have more extensive judicial process than exists under FISA. Professor Amos Guiora of the University of Utah, a leading expert on legal regulation of counterterrorism operations with extensive experience in the Israeli military, has developed a proposal for a FISA-like oversight court that deserves serious consideration by this subcommittee, and Congress more generally.22 The idea of a drone strike oversight court has also been endorsed by former Secretary of Defense Robert Gates, who served in that position in both the Obama and George W. Bush administrations. Gates emphasizes that “some check on the president’s ability to do this has merit as we look to the long-term future,” so that the president would not have the unilateral power of “being able to execute” an American citizen.23 We might even consider developing a system of judicial approval for targeted strikes aimed at non-citizens. The latter process might have to be more streamlined than that for citizens, given the larger number of targets it would have to consider. But it is possible that it could act quickly enough to avoid compromising operations, while simultaneously acting as a check on abusive or reckless targeting. However, the issue of judicial review for strikes against non-citizens is necessarily more difficult than a court that only covers relatively rare cases directed at Americans. Alternatively, one can envision some kind of more extensive due process within the executive branch itself, as advocated by Neal Katyal of the Georgetown University Law Center.24 But any internal executive process has the flaw that it could always be overridden by the president, and possibly other high-ranking executive branch officials. Moreover, lower level executive officials might be reluctant to veto drone strikes supported by their superiors, either out of careerist concerns, or because administration officials are naturally likely to share the ideological and policy priorities of the president. An external check on targeting reduces such risks. External review might also enhance the credibility of the target-selection process with informed opinion both in the United States and abroad.

#### Lack of due process on drones spills over and destroys human rights credibility.

Blum and Heymann 10 (Gabriella, Assistant Professor of Law – Harvard Law School, and Philip, Professor of Law – Harvard Law School, “Law and Policy of Targeted Killing,” Harvard National Security Journal, 1 Harv. Nat'l Sec. J. 145, Lexis)

As we have shown, targeted killings may be justified even without declaring an all-out "war" on terrorism. A war paradigm is overbroad in the sense that it allows the targeting of any member of a terrorist organization. For the United States, it has had no geographical limits. When any suspected member of a hostile terrorist organization--regardless of function, role, or degree of contribution to the terrorist effort--might be targeted anywhere around the world without any due process guarantees or monitoring procedures, targeted killings run grave risks of doing both short-term and lasting harm. In contrast, a peacetime paradigm that enumerates specific exceptions for the use of force in self-defense is more legitimate, more narrowly tailored to the situation, offers potentially greater guarantees for the rule of law. It is, however, harder to justify targeted killing operations under a law enforcement paradigm when the tactic is used as a continuous and systematic practice rather than as an exceptional measure. Justifying targeted killings under a law enforcement paradigm also threatens to erode the international rules that govern peacetime international relations as well as the human rights guarantees that governments owe their own citizens.

#### That’s necessary to solve WMD conflict and US-UN cooperation.

William W. Burke-White, Lecturer in Public and International Affairs and Senior Special Assistant to the Dean, Woodrow Wilson School of Public and International Affairs, Princeton University, Spring 2004, Harvard Human Rights Journal, 17 Harv. Hum. Rts. J. 249, Lexis Academic \*\*we reject any gendered or offensive language used in this evidence

[\*249] For most of the past fifty years, U.S. foreign policymakers have largely viewed the promotion of human rights and the protection of national security as in inherent tension. Almost without exception, each administration has treated the two goals as mutually exclusive: promote human rights at the expense of national security or protect national security while overlooking international human rights. While U.S. policymakers have been motivated at times by human rights concerns, such concerns have generally been subordinate to national security. For example, President Bush's 2002 U.S. National Security Strategy speaks of a "commitment to protecting basic human rights." In the same document, President Bush makes it clear that "defending our Nation against its enemies is the first and fundamental commitment of the Federal Government." n1 This subordination of human rights to national security is both unnecessary and strategically questionable. A more effective U.S. foreign policy would view human(SIC) rights and national security as correlated and complementary goals. Better protection of human rights around the world would make the United States safer and more secure. The United States needs to restructure its foreign policy accordingly. This Article presents a strategic--as opposed to ideological or normative--argument that the promotion of human rights should be given a more prominent place in U.S. foreign policy. It does so by suggesting a correlation between the domestic human(SIC) rights practices of states and their propensity to engage in aggressive international conduct. Among the chief threats to U.S. national security are acts of aggression by other states. Aggressive acts of war may directly endanger the United States, as did the Japanese bombing of Pearl Harbor in 1941, or they may require U.S. military action overseas, as in Kuwait fifty years later. Evidence from the post-Cold War period [\*250] indicates that states that systematically abuse their own citizens' human rights are also those most likely to engage in aggression. To the degree that improvements in various states' human rights records decrease the likelihood of aggressive war, a foreign policy informed by human rights can significantly enhance U.S. and global security. Since 1990, a state's domestic human rights policy appears to be a telling indicator of that state's propensity to engage in international aggression. A central element of U.S. foreign policy has long been the preservation of peace and the prevention of such acts of aggression. n2 If the correlation discussed herein is accurate, it provides U.S. policymakers with a powerful new tool to enhance national security through the promotion of human rights. A strategic linkage between national security and human rights would result in a number of important policy modifications. First, it changes the prioritization of those countries U.S. policymakers have identified as presenting the greatest concern. Second, it alters some of the policy prescriptions for such states. Third, it offers states a means of signaling benign international intent through the improvement of their domestic human rights records. Fourth, it provides a way for a current government to prevent future governments from aggressive international behavior through the institutionalization of human rights protections. Fifth, it addresses the particular threat of human rights abusing states obtaining weapons of mass destruction (WMD). Finally, it offers a mechanism for U.S.-U.N. cooperation on human(SIC) rights issues.

#### US-UN cooperation solves extinction.

Helena Cobban, September 8, 2005, CSM, The Bolton backfire: Weaken UN, imperil Americans

During the cold war, the UN helped mediate what would otherwise have been an even more precarious situation of hair-trigger nuclear destruction. After the Soviet empire collapsed, the UN helped ease transitions on several continents - as it did earlier in helping manage instabilities that arose when the West European nations' empires splintered. The UN-related economic bodies - the World Bank, International Monetary Fund, and World Trade Organization - have meanwhile buttressed a global market system that has generally been very good to Americans. So why - at a time when it is increasingly evident that in Iraq, as in the fight against violent extremism elsewhere, the US needs international cooperation more than ever - should the Bush administration and its man in New York be threatening to cause serious disruption to Washington's relations with the world body? Mr. Bolton - named by Mr. Bush as a "recess appointment" ambassador to the UN last month, bypassing the wait for a Senate confirmation - startled the representatives of most other nations in New York with his list of amendments to the summit declaration. On one issue he wants amended - the list of "Millennium Development Goals" that the UN adopted back in 2000 - a key Bolton spokesman got downright ornery, accusing UN officials of "manipulating the truth" when they claimed the US had previously endorsed these goals and now seemed to be backtracking from that earlier commitment. (The UN officials look right on that one.) The tiff over this key issue in international development efforts epitomizes the deeper discord over whether the US really judges that responsibilities within the world system should be reciprocal and based on the principles of human equality and human solidarity - or not. The UN majority today thinks they should be. Bolton and his boss, the president, apparently disagree with that majority. Yes, it's true that the UN itself is far from perfect. But at the end of the day, the United Nations is just that: a confederation of the world's largely independent nation-states. It has very little independent existence of its own, and can only ever be as strong as the commitment it gets from its members. Under Bush - especially since he made the near-unilateral decision to initiate a war against Iraq in 2003 - the commitment of the world's most powerful nation to the UN and its principles has eroded drastically. To reduce American support for the foundations of this vital institution any further would be crazy. A UN that is any further weakened means the increased insecurity of everyone in the world. And, yes, that includes Americans.

#### Rights protection is key to leadership – failure to do so reverberates globally and causes anti-US backlash

Ghitis, 12 [“On human rights, U.S. must lead — or no one will”, Frida,a world affairs columnist at the World Politics Review, author and consultant. She started her career at CNN, where she worked initially as a show producer, http://www.miamiherald.com/2012/08/06/2930361/on-human-rights-us-must-lead-or.html]

Read more here: http://www.miamiherald.com/2012/08/06/2930361/on-human-rights-us-must-lead-or.html#storylink=cpy

Now, in an unexpected turn of events, Washington’s harshest critics are asking the United States to take an even greater role in world affairs, but to do it for the sake of protecting human rights across the globe. Whoever wins the presidential elections, President Obama or Mitt Romney, human-rights activists, including Amnesty International and the ACLU, are imploring him to move decisively to the forefront of world affairs and take a firm stand in order to prevent genocide, human rights abuses and terrorism. The goal is morally defensible — what could be more important than preventing genocide — but it is also one with strategic benefits for the United States. It turns out the alternative to American leadership is no leadership at all, or not much of one. Often that means conflicts that spiral out of control with disastrous consequences, as we have seen time and time again. America’s relative power has declined significantly, especially in the last half-decade of economic weakness. The powers whose rise has paralleled the American decline, such as China, have shown no inclination to lift a finger in defense of human rights or for the prevention of conflicts that could devastate civilian populations. As far as China, and still Russia, are concerned, conflicts are a problem only in that they interfere with trade or with strategic alliances. But the greatest threat, in their view, is a world that gives itself the right to tell other countries to respect freedoms, because they might later come calling in places like Tibet. As the United States’ ability to shape events diminished, it sought to rely more on international organizations and multilateral partnerships. But time and time again it has become clear that, as Bill Clinton’s Secretary of State Madeleine Albright put it back in the days of the war in Bosnia, America is “the indispensable nation.” Back then, Albright was arguing that the United States should step in and stop the slaughter in the Balkans. The massacres ended rather quickly after U.S. fighter planes started slicing across the sky. In many quarters, American military power is viewed with suspicion. And that’s understandable. But even on the left, among those who care deeply about the suffering of human beings of all nationalities regardless of who their tormentors are, the view that the United States is indispensable is growing. They don’t want to see American soldiers marching across the globe, but they want to see America prevent and solve conflicts and lead the international community to a consensus that human-rights matter. Amnesty International and the ACLU joined in a group of 22 well-known organizations and individuals who recently released a detailed study of the human-rights challenges facing the world — and the American president. They listed the top 10, along with a plaintive appeal that whoever sits in the Oval Office next year should embrace America’s leadership position. They didn’t call for the United States to act alone and didn’t necessarily call for military intervention of any kind, but they noted that “U.S. leadership is critical to effectively address international human-rights issues.” They recommended 10 policies, beginning with the need to “Prioritize U.S. leadership on international norms and universality of human rights.” Not everyone will agree with their second policy recommendation, that America “Act to prevent genocide and mass atrocities,” or the next one, that Washington “Pursue policies that protect people from the threat of terrorism . . . ” Ideally, American actions to prevent genocide and human-rights abuses would not require military action. Making them a priority would enlist international support and help countries everywhere internalize rules of behavior, and send a message that violating them could have consequences. For that, however, there really must be consequences. That includes international condemnation, economic sanctions and, as a final resort, the use of force. The authors of the human-rights paper correctly argue that a policy with a strong focus on human rights makes sense strategically. It’s an argument others, including Albright, have made many times before. When the United States stands for the dignity of individuals against the worst abuses of tyrants, it strengthens its moral core and it becomes a magnet for international support. Doing this is not always easy. It can create enormous practical dilemmas. Still, both Romney and Obama would do well to listen to this group’s advice.

#### It’s key to sustain political support for U.S. leadership – hard power is insufficient

Kenneth Anderson 07, Professor of law, Washington College of Law, American University, February, Fordham International Law Journal, 30 Fordham Int'l L.J. 455, Lexis Academic

The point is this: The United States' superpower status is irretrievably bound up in its own mind, in its political center, in its mainstream politics, both Democratic and Republican, with the moral legitimacy of that power. One may scoff at that, shudder even, think it supremely hypocritical, accept it as the fact of power without legitimacy, regard it as an exercise in gross wickedness, etc.--but it would be a profound mistake to imagine that a change of administration in the United States will deeply alter that internal perception. Superpower emphasizes "power." U.S. politics, by contrast, even with the bitter debates over the morality of U.S. actions in the world from Guantanamo to Abu Ghraib, emphasizes U.S. legitimacy. A new Democratic administration is unlikely to draw from the experience post 9/11 that the United States is a superpower by reason of power alone, but instead the quite different lesson that it has to clean up the moral mess of the Bush Administration in order to continue what it, along with the U.S. "vital center," has long seen as the legitimate international moral order--a flexible, pragmatic international system that consists of a sometimes messy, sometimes inconsistent, fundamentally conjoined United States-international system. In the collective mind of that U.S. vital center, the international community, the U.N., international law are not--as they are for [\*470] some on the U.S. right--irrelevant. Just as they are not--as they are for some on the U.S. left--overriding. It is a messily conjoined system. If all that is even approximately so, the question then becomes, what is the status and role of international human(SIC) rights, particularly as understood and interpreted by the human rights movement, Western European governments, and international bodies, for new, post-Bush Administration regimes in the United States, in a continuing U.S. claim of "superpowerness" that also asserts legitimacy? The U.S. political center partakes directly of a central proposition that Fukuyama identifies with neoconservatism, n39 but would be better understood as a central proposition of all mainstream U.S. political idealism about the international world--the conjoined U.S. belief in both the legitimacy of the exercise of U.S. power as a force for generally good order in the world, and the U.S. exceptionalism that goes along with that. Perhaps I am wrong, but I do not suppose that this fundamental internal perception, held across the U.S. political spectrum, has been altered for the long term, even by the reign of the Bush Administration.

#### US leadership solves extinction

Zhang & Shi 11 – Yuhan Zhang, researcher at the Carnegie Endowment for International Peace; Lin Shi, Columbia University, independent consultant for the Eurasia Group and consultant for the World Bank, January 22, 2011, “America’s decline: A harbinger of conflict and rivalry,” East Asia Forum, online: http://www.eastasiaforum.org/2011/01/22/americas-decline-a-harbinger-of-conflict-and-rivalry/

Over the past two decades, no other state has had the ability to seriously challenge the US military. Under these circumstances, motivated by both opportunity and fear, many actors have bandwagoned with US hegemony and accepted a subordinate role. Canada, most of Western Europe, India, Japan, South Korea, Australia, Singapore and the Philippines have all joined the US, creating a status quo that has tended tomute great power conflicts. ¶ However, as the hegemony that drew these powers together withers,so will the pulling power behind the US alliance. The result will be an international order where power is more diffuse, American interests and influence can be more readily challenged, and conflicts or wars may be harder to avoid.¶ Ashistory attests,power decline and redistribution result in military confrontation. For example, in the late 19th century America’s emergence as a regional power saw it launch its first overseas war of conquest towards Spain. By the turn of the 20th century, accompanying the increase in US power and waning of British power, the American Navy had begun to challenge the notion that Britain ‘rules the waves.’ Such a notion would eventually see the US attain the status of sole guardians of the Western Hemisphere’s security to become the order-creating Leviathan shaping the international system with democracy and rule of law.¶ Defining this US-centred system are three key characteristics: enforcement of property rights, constraints on the actions of powerful individuals and groups and some degree of equal opportunities for broad segments of society. As a result of such political stability, free markets, liberal trade and flexible financial mechanismshave appeared. And, with this, many countries have sought opportunities to enter this system, proliferating stable and cooperative relations.¶ However, what will happen to these advances as America’s influence declines? Given that America’s authority, although sullied at times, has benefited people across much of Latin America, Central and Eastern Europe, the Balkans, as well as parts of Africa and, quite extensively, Asia, the answer to this question couldaffect global society in a profoundly detrimental way.¶ Public imagination and academia have anticipated that a post-hegemonic world would return to the problems of the 1930s: regional blocs, trade conflicts and strategic rivalry. Furthermore, multilateral institutions such as the IMF, the World Bank or the WTO might give way to regional organisations.¶ For example, Europe and East Asia would each step forward to fill the vacuum left by Washington’s withering leadership to pursue their own visions of regional political and economic orders. Free markets would become more politicised — and, well, less free — and major powers would compete for supremacy.¶ Additionally, such power plays have historically possessed a zero-sum element. In the late 1960s and 1970s, US economic power declined relative to the rise of the Japanese and Western European economies, with the US dollar also becoming less attractive. And, as American power eroded, so did international regimes (such as the Bretton Woods System in 1973).¶ A world without American hegemony is one wheregreat power wars re-emerge, theliberal international system is supplanted by an authoritarian one, andtrade protectionism devolves into restrictive, anti-globalisation barriers. This, at least, is one possibility we can forecast in a future that will inevitably be devoid of unrivalled US primacy.

### Drones

**Advantage 2 is the Drone Industry**

**Backlash undermines domestic drone industry- non-military companies are key**

Lowdy ‘13 (Joan Lowy, “Drone industry worries about privacy backlash”, <http://bigstory.ap.org/article/drone-industry-worries-about-privacy-backlash>, March 29, 2013)

It’s a good bet that in the not-so-distant future aerial drones will be part of Americans’ everyday lives, performing countless useful functions. A far cry from the killing machines whose missiles incinerate terrorists, these generally small unmanned aircraft will help farmers more precisely apply water and pesticides to crops, saving money and reducing environmental impacts. They’ll help police departments to find missing people, reconstruct traffic accidents and act as lookouts for SWAT teams. They’ll alert authorities to people stranded on rooftops by hurricanes, and monitor evacuation flows. Real estate agents will use them to film videos of properties and surrounding neighborhoods. States will use them to inspect bridges, roads and dams. Oil companies will use them to monitor pipelines, while power companies use them to monitor transmission lines. With military budgets shrinking, drone makers have been counting on the civilian market to spur the industry's growth. But there's an ironic threat to that hope: Success on the battlefield may contain the seeds of trouble for the more benign uses of drones at home. The civilian unmanned aircraft industry worries that it will be grounded before it can really take off because of fear among the public that the technology will be misused. Also problematic is a delay in the issuance of government safety regulations that are needed before drones can gain broad access to U.S. skies. Some companies that make drones or supply support equipment and services say the uncertainty has caused them to put U.S. expansion plans on hold, and they are looking overseas for new markets. "Our lack of success in educating the public about unmanned aircraft is coming back to bite us," said Robert Fitzgerald, CEO of The BOSH Group of Newport News, Va., which provides support services to drone users. "The U.S. has been at the lead of this technology a long time," he said. "If our government holds back this technology, there's the freedom to move elsewhere ... and all of a sudden these things will be flying everywhere else and competing with us." Since January, drone-related legislation has been introduced in more than 30 states, largely in response to privacy concerns. Many of the bills are focused on preventing police from using drones for broad public surveillance, as well as targeting individuals for surveillance without sufficient grounds to believe they were involved in crimes. Law enforcement is expected to be one of the bigger initial markets for civilian drones. Last month, the FBI used drones to maintain continuous surveillance of a bunker in Alabama where a 5-year-old boy was being held hostage. In Virginia, the state General Assembly passed a bill that would place a two-year moratorium on the use of drones by state and local law enforcement. The bill must still be signed by Gov. Bob McDonnell, a Republican. The measure is supported by groups as varied as the American Civil Liberties Union on the left and the Virginia Tea Party Patriots Federation on the right. "Any legislation that restricts the use of this kind of capability to serve the public is putting the public at risk," said Steve Gitlin, vice president of AeroVironment, a leading maker of smaller drones, including some no bigger than a hummingbird Seattle abandoned its drone program after community protests in February. The city's police department had purchased two drones through a federal grant without consulting the city council. Drones "clearly have so much potential for saving lives, and it's a darn shame we're having to go through this right now," said Stephen Ingley, executive director of the Airborne Law Enforcement Association. "It's frustrating."

**Resolving public hostility key – nations are overtaking manufacturing**

Kaste ’13 (Martin Kaste / NPR, “Will Bureaucracy Keep The U.S. Drone Industry Grounded?”, <http://www.ideastream.org/news/npr/179843540>, April 30, 2013)

Tough federal aviation rules and public backlash against drones have raised worries that the U.S. unmanned aerial vehicle industry will be left behind foreign competitors. Developers say the U.S. light drone industry is being overtaken by manufacturers in Israel and Australia. Americans are suspicious of drones. Reports of the unmanned aerial vehicles' use in war zones have raised concerns about what they might do here at home. For instance, in Seattle earlier this year, a public outcry forced the police department to abandon plans for eye-in-the-sky UAV helicopters. The backlash worries Paul Applewhite, an aerospace engineer with 10 years of experience at companies like McDonnell Douglas and Sikorsky. He now runs his own startup company, Applewhite Aero, in an industrial park on the south side of Seattle. Applewhite is developing drones — or UAVs, as the industry calls them. He shows off a 3-pound Styrofoam plane he has dubbed the Invenio. "We bought the airframe and the motor off of an online hobby shop," he says. To make it a UAV, he added a GPS antenna and a circuit board that allows it to fly autonomously. He hopes to sell it to aid agencies; medical teams could use it to fly tissue samples back to a lab, for instance. They'd enter the coordinates, and the Invenio would find its way back. That's the theory. The reality is, Applewhite can't know for sure what his plane can do, because he's not allowed fly it. The Federal Aviation Administration bars the use of UAVs for commercial purposes. That means, even though it's perfectly legal for hobbyists to fly small UAVs, Applewhite may not, because he's in business. He has applied for a special test permit, called a certificate of airworthiness, but that process has dragged on since last August. "We've generated a 62-page document that we've submitted to the federal government," he says, and he assumes he'll have to meet personally with regulators in Washington, D.C., before he's allowed to make a few short flights with his modified toy. "Quite frankly, I could do what I need to do in a cow pasture," he says. "I just need some legal and efficient way to test this aircraft." Applewhite is quick to stress his respect for the FAA's thoroughness in the interest of safety. But in the case of lightweight experimental UAVs, he says, that thoroughness threatens to stifle startups like his — and perhaps a whole nascent industry. He says he's losing valuable time while potential customers go elsewhere. "A lot of our universities that are developing [UAV] training programs, they're buying a vehicle from Latvia," he says. "I think I could compete on that, but I just can't test mine in the United States." Developers say the U.S. light drone industry is being overtaken by manufacturers in Israel and Australia; Seattle's controversial police UAVs came from Canada. The FAA won't comment on the permitting process for UAV tests. Heidi Williams, vice president for air traffic services and modernization at the Aircraft Owners and Pilots Association, defends the FAA's cautious approach. "Their primary mission is ensuring that the airspace environment that we all operate in is safe," says Williams, who is also a pilot. "Things that are really tiny or small to see, sometimes can be very close before you actually have time to see them and react and avoid them." UAV developers admit there's still no reliable way to "teach" small drones to avoid other aircraft, but they say there's little danger as long as they're tested at low altitudes, away from airports — the same rules that already apply to radio-controlled hobby aircraft. Juris Vagners, a professor emeritus of aeronautics at the University of Washington, helped pioneer UAVs in the 1990s. "There was some paperwork, but it wasn't anything like what's going on today," he says. Now the permitting process verges on the absurd. During a recent application, he says, it took a couple of months to satisfy the FAA that the University of Washington is, in fact, a public institution. Vagners blames the red tape on the public's hostility toward drones. "As everyone can't help but be aware, there's the whole big flap about privacy issues," Vagners says. "And the approach that is being taken by the FAA is basically a one size fits all." For example, commercial developers of 3-pound modified toy airplanes find themselves having to apply for an "N-number" — the same flying license plate that's required for Cessnas and 747s. Some frustrated American companies are now taking their prototypes to Mexico and Australia for testing. In Canada, the Canadian Centre for Unmanned Vehicle Systems is offering access to a test site among the flat farm fields of southern Alberta. One American drone developer has already used the facility, which is run by Sterling Cripps. He marvels at the bureaucratic hurdles for UAVs, both in Canada and in the U.S. "Here's the hypocrisy: Our governments allow us to fly UAVs over war-stricken, terrified civilians in other lands, but the moment you bring them back to our precious neck of the woods, where we're not getting shot at, where we have insurance, we have lawyers, they won't allow it," Cripps says. Regulators say they will allow it — eventually. Congress has given the FAA until September 2015 to come up with a plan for integrating commercial UAVs to the domestic airspace. As part of that process, the FAA will pick six sites around the country for UAV testing. The sites are expected to be selected by the end of the year. That's an eternity to UAV developers like Paul Applewhite. "We have a technology — we have an industry — that could be ours for the taking," Applewhite says. "We're losing it because we can't test the vehicles."

**Judicial review solves trust in TK’s – key to viability of the program**

\*\*The cards on Due Process also support this

Corey 12, Army Colonel, (Colonel Ian G. Corey, “Citizens in the Crosshairs: Ready, Aim, Hold Your Fire?,” http://www.dtic.mil/cgi-bin/GetTRDoc?AD=ADA561582)

Alternatively, targeted killing decisions could be subjected to judicial review. 103 Attorney General Holder rejected ex ante judicial review out of hand, citing the Constitution’s allocation of national security operations to the executive branch and the need for timely action.104 Courts are indeed reluctant to stray into the realm of political questions, as evidenced by the district court’s dismissal of the ACLU and CCR lawsuit. On the other hand, a model for a special court that operates in secret already exists: the Foreign Intelligence Surveillance Court (FISC) that oversees requests for surveillance warrants for suspected foreign agents. While ex ante judicial review would provide the most robust form of oversight, ex post review by a court like the FISC would nonetheless serve as a significant check on executive power.105 Regardless of the type of oversight implemented, some form of independent review is necessary to demonstrate accountability and bolster confidence in the targeted killing process. Conclusion The United States has increasingly relied on targeted killing as an important tactic in its war on terror and will continue to do so for the foreseeable future.106 This is entirely reasonable given current budgetary constraints and the appeal of targeted killing, especially UAS strikes, as an alternative to the use of conventional forces. Moreover, the United States will likely again seek to employ the tactic against U.S. citizens assessed to be operational leaders of AQAM. As demonstrated above, one can make a good faith argument that doing so is entirely permissible under both internnational and domestic law as the Obama Administration claims, the opinions of some prominent legal scholars notwithstanding. The viability of future lethal targeting of U.S. citizens is questionable, however, if the government fails to address legitimate issues of transparency and accountability. While the administration has recently made progress on the transparency front, much more remains to be done, including the release in some form of the legal analysis contained in OLC’s 2010 opinion. Moreover, the administration must be able to articulate to the American people how it selects U.S. citizens for targeted killing and the safeguards in place to mitigate the risk of error and abuse. Finally, these targeting decisions must be subject to some form of independent review that will both satisfy due process and boost public confidence.

#### It’s not about surveillance – Targeted killings are the key issue

Wood 13 (David Wood, Wood has been a journalist since 1970, a staff correspondent successively for Time Magazine, the Los Angeles Times, Newhouse News Service, The Baltimore Sun and Politics Daily. A birthright Quaker and former conscientious objector, he covers military issues, foreign affairs and combat operations. His 10-part series on the severely wounded of Iraq and Afghanistan won the 2012 Pulitzer Prize for national reporting, A Pulitzer Prize finalist, he has won the Gerald R. Ford Prize for Distinguished Defense Reporting and other national awards. He has appeared on CNN, CSPAN, the PBS News Hour, WUSA , RTV and the BBC, and is a regular guest on National Public Radio’s Diane Rehm Show. He has lectured at the U.S. Army Eisenhower Fellows Conference , the Marine Staff College, the Joint Forces Staff College and Temple University, “Drone Attacks Spur Legal Debate On Definition Of 'Battlefield'”, <http://www.huffingtonpost.com/2013/02/14/drone-attacks-legal-debate_n_2687980.html>, February 14, 2013)\*\*we reject any abelist or offensive language used in this evidence

WASHINGTON -- After a CIA Predator drone released its guided bomb high over Yemen on Nov. 3, 2002, the resulting explosion did more than kill six suspected al Qaeda terrorists riding in the targeted car. This strike, the first by an armed drone outside a traditional, recognized war zone, also blew apart long-held notions of "war" and "battlefield" which had guided the application of the legal traditions, treaties and laws of armed conflict for centuries. Until that day, armed drones had been used only in Afghanistan, easily identifiable as a traditional battlefield or war zone because it had supported al Qaeda's 9/11 plotters and the U.S. armed response was justifiable self-defense. Any casual observer could see a war was underway. Yemen was different. The White House was not sending tens of thousands of troops, and there was no solemn Oval Office speech summoning the nation to battle there. However, though few knew it at the time, earlier that year Yemen had been officially designated as a "combat zone" making the killings legal, at least in the eyes of the CIA and the White House of George W. Bush. But ever since that first "non-battlefield" drone strike, generals and legal scholars, pundits and politicians have argued passionately about what, exactly, constitutes an armed conflict, or a war zone, or a battlefield, and what is outside armed conflict. The distinction matters. "Inside an armed conflict, you are allowed to kill people without warning. Outside, you are not," says Notre Dame law professor Mary Ellen O'Connell, a specialist in international laws of war and conflict. "That makes it pretty important to know whether you're on a battlefield or not." And not just if you're standing on a battlefield. As difficult as it is to pin down the law of armed conflict, "it's really important to raise these questions, because we've been lulled since 9/11 into the sense that our government has the ability to decide through its intelligence agencies who is a bad guy and to kill him and the people around him," O'Connell told The Huffington Post. "I don't want to see them drag the law down and lose the world as a place in which the law is held as a high standard." Difficult questions about international law are boiling up because of the Obama administration's accelerating use of armed(SIC) drones against what it says are suspected terrorists in Pakistan, Yemen and Somalia, and potentially elsewhere as well. In his State of the Union address Tuesday, President Obama seemingly acknowledged the growing public unease about the program's troubling secrecy and whether the strikes are justified and legal. He would, he promised, be "even more transparent" about how the strikes comply with the law. That vague wording promises that the bitter disagreements over what the law says, and how it applies, are only going to get more heated. "I don't think we are ever going to have a precise answer," says Laurie R. Blank, director of the International Humanitarian Law Center at Emory University School of Law and the author of several books on war and international law. In the long history of warfare, there have been clear-cut cases where existing law applies, mostly when two governments are at war in a geographically defined area. "But the nature of the world today is that it makes it difficult to put war into neat and tidy packages," Blank says. War and the law have come a long way from that muddy day in October almost 600 years ago when British infantry and archers memorably clashed with French knights near the Normandy village of Maisoncelles. It was a modest, neatly-defined battle, or armed conflict: the belligerents were drawn up at either end of a small wheat field; the bristling battle lines were barely 1,000 yards apart, and when the carnage was over in a few hours, a pair of professional referees declared British King Henry V the winner and named the battle Agincourt, after a nearby castle. By contrast, many of today's conflicts range over time and space, and belligerents morph from terrorist to civilian to warrior. Do a few suicide bombings in Islamabad define a war zone? Does the taking of hostages at an Algerian gas plant constitute an international armed conflict? Does a skyjacking plot conceived in Afghanistan and planned in Germany, which kills 3,000 people in New York and Washington, create legal war zones or armed conflicts in all four places? What if one of the plotters is hiding in Cleveland? How far does the concept of self-defense go? Can someone just declare an area to be a free-fire "battlefield"? If the United States is at war with terrorists, and there are terrorists inside the United States, can they be targeted with armed(SIC) drones? If a Taliban sneaks across the Afghan border with Iran, can the U.S. target him there? And is Iran then justified under the U.N. rule of self defense to plant a terrorist bomb in Times Square? Could an al Qaeda terrorist protect himself by becoming an American citizen?

**Drones are key to Agriculture**

Bennett ’13 (Chris Bennett, Farm Press Blog, “Drones begin descent on US agriculture”, <http://westernfarmpress.com/blog/drones-begin-descent-us-agriculture>, February 12, 2013)

No one is laughing now. Once considered only a cut above remote-controlled toys, drones have proven their potency in Afghanistan and the Middle East, and manufacturers are eyeing U.S. agriculture as a tremendous market opportunity. Speaking to Wired magazine, Chris Mailey, vice president of the Association for Unmanned Vehicle Systems International (AUVSI), said, “Agriculture is gonna be the big market.” Wired reports that Japan used drones, or unmanned aerial vehicles (UAVs), to spray 30 percent of its rice fields in 2010. UAV technology is rapidly evolving and drones are already seeing limited use in the wine industry. In 2012, AirCover Integrated Solutions Corp., a California drone manufacturer, opened a plant in Carroll, Iowa. “UAVs can play a part in helping the American farmer lower costs and increase productivity. Unless an expensive helicopter is hired, or a flyby photo with a plane is done, farmers have limitations in assessing their crops until it’s time for harvest,” CEO James Hill told the Daily Times Herald. According to the Herald, the AirCover drones measure “about 2-1/2 feet by 2-1/2 feet and 3.7 pounds — are slightly larger than a seagull. The drones, managed from the ground by state-of-the-art computer systems, can climb 80 feet per second, or about four stories per second. They travel horizontally at 45 mph.” Drone use advocates for agriculture and other commercial industries will have to navigate through a minefield of privacy and legal issues. Lance Gooden, Texas state representative, has introduced a bill that with few exceptions, would ban the use of drones by private citizens — or state or federal law enforcement. WOAI reported the following: "These drones are going to get so cheap that soon you'll be able to buy your own drone at Best Buy," Gooden said. "You could park it a foot above the ground in your neighbor's back yard and film into their house. If someone wanted to film your children out playing by the pool and put that video on the Internet ... as creepy as that sounds." The Federal Aviation Administration, after getting swamped with thousands of drone applications from universities (with a heavy agricultural focus), law enforcement and private citizens, has a 2015 “deadline” to open up U.S. skies to civilian drones. The San Francisco Chronicle reports: "the drone makers have sought congressional help to speed their entry into a domestic market valued in the billions. The 60-member House of Representatives' "drone caucus" -- officially, the House Unmanned Systems Caucus -- has helped push that agenda." A host of industries are on hold to see what rules and regulations are finalized when concrete laws are laid down. The commercial industry market for drones is extremely difficult to gauge — but the potential is genuinely massive — measured in the billions. The New York Times puts the drone market value at $5.9 billion and growing: "The market for drones is valued at $5.9 billion and is expected to double in the next decade, according to industry figures. Drones can cost millions of dollars for the most sophisticated varieties to as little as $300 for one that can be piloted from an iPhone." Regardless of how good the drone technology is, the market scope and profit potential for agriculture will hinge on drone costs. Mailey believes farming and drones will be a fit, as he told Wired: “Spraying, watering — there’s a whole market for precision agriculture, and when you put that cost-benefit together, farmers will buy [drones].”

**Specifically precision farming**

Griekspoor ’13 (P.J. Griekspoor, “Precision Agriculture Seen as Big Winner in Drone Technology”, <http://farmprogress.com/story-precision-agriculture-seen-big-winner-drone-technology-9-96113>, March 21, 2013)

The biggest thing on the horizon in precision agriculture is Unmanned Aerial Vehicle flights, according to a new report from the Association for Unmanned Vehicle Systems International. Kansas, already a leader in research on the vehicles that are expected to see explosive growth when integration into national airspace begins in 2015, ranks No. 7 among states likely to see economic benefits the report says, with the state expected to see a $2.9 billion impact and 3,700 new jobs between 2015 and 2025. The greatest area of growth indicated by the report will be in precision agriculture, which is slated to grow 10 times that of the public safety market for UAS. Precision agriculture use of UAS refers to two segments of the farm market: remote sensing used to scan plants for health problems, growth rates and hydration; and precision application of needed pesticides or nutrients in order to save money and reduce environmental impact. Aerial sensing with the hexacopter, can provide mapping of an entire section of land at 1-inch resolution in about 18 minutes – a task that would take hours if not days on a tractor.Aerial sensing with the hexacopter, can provide mapping of an entire section of land at 1-inch resolution in about 18 minutes – a task that would take hours if not days on a tractor. Members of the Kansas Ag Research and Technology Association got an upclose look at the work that is being done at Kansas State University by agronomy professor Kevin Price, who is working closely with Deon van der Merwe, head of the toxicology section at the K-State Veterinary Diagnostic Laboratory. UAVs can help monitor crop conditions Van der Merwe is a remote-controlled aircraft enthusiast who is excited about the prospect of using UAVs, commonly referred to as drones, to detect blue-green algae blooms in bodies of water. Price brought two aircraft to the KARTA conference, a flying wing by RiteWingRC called the Zephyr II and a DJI S800 Spreading Wings hexacopter. Price said the promise of using the aircraft to do remote sensing to monitor crop condition, detect diseases and map fields for variable rate application of nutrients or pinpoint areas for fungicide or pesticide application, is huge. Aerial sensing with the hexacopter, for example, can provide mapping of an entire section of land at 1-inch resolution in about 18 minutes – a task that would take hours if not days on a tractor. You can read more about the K-State Unmanned Aerial Vehicle program in the March, 2013 Kansas Farmer magazine. Find it online at the Farm Progress website. Click on Magazine Online and go to Page 21. The entire AUVSI report on the economic prospects of unmanned vehicles can be found here.

**Key to prevent ag collapse**

Gonzales ’13 (Sarah Gonzalez, Associate Editor for Agri-Pulse, “Data analysis, biotech are key in agriculture's future sustainability”, <http://www.agri-pulse.com/ag-issues-biotech-future-22613.asp>, February 27, 2013)

Bayer's forum, which began on Tuesday in Orlando, Florida, included a futuristic look at agriculture in the year 2025, just 25 years before the world population is expected to reach nine billion and agriculture is required to increase productivity by 70 percent. “We've been able to convince consumers that biotechnology is the core of sustainability” by 2025, Kottmeyer said, adding that convincing and educating consumers is more important than convincing regulators. During the shift of focus from regulator to consumer he predicts, Kottmeyer said it is important to appeal to the emotional sentiments on which the consumer bases decisions. Furthermore, the organic customer is attracted to simpler agriculture, social justice, sustainability and good stewardship, which he says are all things biotechnology can provide. “The approach that they're rejecting has a clear benefit to the very things most important to them,” he said. The benefits of seed technology will be realized, particularly because of the increased global population in 2050, as well as the prediction that more than half the world population will be in the middle class by that date. He said this huge middle class, particularly in China and India, will create a new consumer. While the European Union currently blocks all U.S. biotechnology products, Kottmeyer is optimistic the consumer will drive a change. He noted that data analytics, which allowed him to make his 2025 predictions, show that finding ways to influence consumers is much simpler than normally anticipated. “You just have to crunch the data,” he said. In fact, the entire agriculture industry is currently moving into a “data-centric” era, said David Nicholson, head of Bayer's Research and Development, during the forum. Using the information gained from technology in a way that helps agriculture achieve the required 70 percent increase in productivity is the key to success or failure, he said. Precision agriculture, in particular, is the focus of this data-driven era allowing the farmer to know what to grow and where to grow it for the best results. “When we think of the farmer of the future we see a grower as CEO,” said David Hollinrake, Bayer's Vice President of Agriculture Commercial Operations Marketing, adding that farming will increasingly become a business investment instead of a lifestyle or family choice. “We want to be able to participate as an enabler of using data as precision tools.”

**Food wars go nuclear**

Brown 09 [Lester R., United States environmental analyst, founder of the Worldwatch Institute, and founder and president of the Earth Policy Institute, a nonprofit research organization based in Washington, D.C., recipient of 26 honorary degrees and a MacArthur Fellowship, Brown has been described by the Washington Post as "one of the world's most influential thinkers,” has been the recipient of many prizes and awards, including, the 1987 United Nations Environment Prize, the 1989 World Wide Fund for Nature Gold Medal, and the 1994 Blue Planet Prize for his "contributions to solving global environmental problems,” “Can Food Shortages Bring Down Civilization?” Scientific American, May]

The biggest threat to global stability is the potential for food crises in poor countries to cause government collapse. Those crises are brought on by ever worsening environmental degradation One of the toughest things for people to do is to anticipate sudden change. Typically we project the future by extrapolating from trends in the past. Much of the time this approach works well. But sometimes it fails spectacularly, and people are simply blindsided by events such as today's economic crisis. For most of us, the idea that civilization itself could disintegrate probably seems preposterous. Who would not find it hard to think seriously about such a complete departure from what we expect of ordinary life? What evidence could make us heed a warning so dire--and how would we go about responding to it? We are so inured to a long list of highly unlikely catastrophes that we are virtually programmed to dismiss them all with a wave of the hand: Sure, our civilization might devolve into chaos--and Earth might collide with an asteroid, too! For many years I have studied global agricultural, population, environmental and economic trends and their interactions. The combined effects of those trends and the political tensions they generate point to the breakdown of governments and societies. Yet I, too, have resisted the idea that food shortages could bring down not only individual governments but also our global civilization. I can no longer ignore that risk. Our continuing failure to deal with the environmental declines that are undermining the world food economy--most important, falling water tables, eroding soils and rising temperatures--forces me to conclude that such a collapse is possible. The Problem of Failed States Even a cursory look at the vital signs of our current world order lends unwelcome support to my conclusion. And those of us in the environmental field are well into our third decade of charting trends of environmental decline without seeing any significant effort to reverse a single one. In six of the past nine years world grain production has fallen short of consumption, forcing a steady drawdown in stocks. When the 2008 harvest began, world carryover stocks of grain (the amount in the bin when the new harvest begins) were at 62 days of consumption, a near record low. In response, world grain prices in the spring and summer of last year climbed to the highest level ever. As demand for food rises faster than supplies are growing, the resulting food-price inflation puts severe stress on the governments of countries already teetering on the edge of chaos. Unable to buy grain or grow their own, hungry people take to the streets. Indeed, even before the steep climb in grain prices in 2008, the number of failing states was expanding [see sidebar at left]. Many of their problem's stem from a failure to slow the growth of their populations. But if the food situation continues to deteriorate, entire nations will break down at an ever increasing rate. We have entered a new era in geopolitics. In the 20th century the main threat to international security was superpower conflict; today it is failing states. It is not the concentration of power but its absence that puts us at risk. States fail when national governments can no longer provide personal security, food security and basic social services such as education and health care. They often lose control of part or all of their territory. When governments lose their monopoly on power, law and order begin to disintegrate. After a point, countries can become so dangerous that food relief workers are no longer safe and their programs are halted; in Somalia and Afghanistan, deteriorating conditions have already put such programs in jeopardy. Failing states are of international concern because they are a source of terrorists, drugs, weapons and refugees, threatening political stability everywhere. Somalia, number one on the 2008 list of failing states, has become a base for piracy. Iraq, number five, is a hotbed for terrorist training. Afghanistan, number seven, is the world's leading supplier of heroin. Following the massive genocide of 1994 in Rwanda, refugees from that troubled state, thousands of armed soldiers among them, helped to destabilize neighboring Democratic Republic of the Congo (number six). Our global civilization depends on a functioning network of politically healthy nation-states to control the spread of infectious disease, to manage the international monetary system, to control international terrorism and to reach scores of other common goals. If the system for controlling infectious diseases--such as polio, SARS or avian flu--breaks down, humanity will be in trouble. Once states fail, no one assumes responsibility for their debt to outside lenders. If enough states disintegrate, their fall will threaten the stability of global civilization itself.

**Solves pesticides and environmental runoff**

Ghose ’13 (Tia Ghose, LiveScience Staff Writer, “Could Drones Revolutionize Agriculture?”, <http://www.livescience.com/34503-could-drones-revolutionize-agriculture.html>, May 20, 2013)

[Pin It] Chris Anderson talks to an audience at Maker Faire Bay Area on May 18, 2013, about how small foam drones could revolutionize farming. SAN MATEO, Calif. — The word "drone" tends to conjure up images of planes that kill terrorists or of creepy surveillance tools. But tiny drone airplanes made of foam may be more useful in rural environments, one researcher says. There, the fliers could revolutionize agriculture, reducing the need for pesticides and improving crop production. Because drones can fly cheaply at a low altitude, they can get highly detailed images of cropland, said Chris Anderson, the CEO of 3D Robotics and former editor-in-chief of Wired, here on Saturday (May 18) at this year's Maker Faire Bay Area, a two-day celebration of DIY science, technology and engineering. Drone-captured close-ups of fields could help farmers tailor their pesticide treatment and identify subtle differences in soil productivity. [Rise of the Drones: Photos of Unmanned Aircraft] Vast unknown The automation of farming has led to fewer farmers tending massive plots of land. That means they don't know how each leaf looks, notice changes in the height of plants, or the color of soil "Once upon a time farms were small and people could walk the farm," Anderson said. Now, however, "farms are too big to measure and too big to manage." As a result, farmers may not know about the condition of vast stretches of their land and make many decisions as if plots of land were uniform. For instance, they may blanket their entire crop with fungicide in June because fungal infections typically strike in July, whether or not their crop is actually afflicted, Anderson said. Plane power Drones provide a potential solution to this problem because they can provide high-resolution images of crops, are cheap to make and can fly unregulated over private lands, Anderson said. Anderson is developing tiny, foam drone airplanes that fly using a $170 autopilot — essentially a brain for the plane — that works in any kind of automated vehicle. Because the drones fly low to the ground, they can use cheap point-and-shoot technology to take pictures, instead of the costly equipment that enables satellite imagery. In addition, drones can store ultra-precise GPS coordinates for each picture they take. That information allows the planes to stitch pictures together more accurately, getting a better image of what's happening on the ground. Pinpointing problems One possible application is to pinpoint damage to crops early on. Early signs of plant damage show up in chlorophyll, the energy-making machinery. This damage changes how the plant appears in infrared and near-infrared images, which could be captured in drone airplane imagery. More precise imagery could also allow farmers to target pesticides just to the plants that need them, reducing how much ends up in the food supply, Anderson said. Drones could also be used by vineyards to make better wines, by identifying patches of soil with richer moisture content. Then the owners of vineyards could have greater control over the wines they produced by sorting grapes based on the soil in which they grew, Anderson said.

**American pesticides are destroying ecosystems and keystone species- monoculture and crop overproduction that kills sustainable ag**

Cook ‘5 (Christopher D. Cook is an award-winning investigative journalist who writes for Mother Jones, Harper's, The Nation, and elsewhere. He is author of Diet for a Dead Planet: How the Food Industry Is Killing Us, published November 2004 by the New Press. This article was adapted from the book, Earth Island Journal, “The Spraying of America”, <http://www.thirdworldtraveler.com/Environment/Spraying_America.html>, Spring 2005)

When Rachel Carson's Silent Spring was published in 1962, the American pesticide business was in full postwar bloom. These "elixirs of death," descended from World War II chemical warfare experiments, were suddenly ubiquitous - growing fivefold from 124 million pounds in 1947, to 637 million by 1960. Roughly 60 percent of these synthetic potions, some 376 million pounds, were applied on food. Toxic residues from pesticides were found everywhere: in water systems; in animals, including the "vast majority of human beings"; even in that most sacred nectar, mother's milk. That now-infamous poison, DDT, was "so universally used that in most minds the product takes on the harmless aspect of the familiar." Fast-forward 40 years: President George W. Bush, campaigning for a second term, eases restrictions on pesticide use by farmers and homeowners. In a move cheered by agribusiness and pesticide producers, the Bush administration enables the Environmental Protection Agency - often criticized for issuing permissive pesticide standards to approve pesticides on its own, without consulting other federal agencies about effects on endangered species. Court-ordered "no-spray zones," established along rivers to protect salmon and other fish, could soon be rolled back. Using toxins that may imperil life just got easier. The food industry benefits from a decided hush when it comes to today's silent spring. With concerns about genetically modified foods capturing the headlines - as well as the attentions of most food-industry critics today - the grave ecological effects of pesticides have been relegated to the back burner. After decades of activism and success banning "dirty dozen" pesticides such as DDT and chlordane, we are told a cleaner future lies ahead. In the brave new high-tech world of bio-engineered crops, like the Monsanto potato that secretes its own pesticide, it seems we needn't worry ourselves about poisoned farmworkers, pesticide drift, and children munching on toxic apples. Genetically modified crops are, according to USDA and corporate biotech officials, helping to cleanse the environment by reducing pesticides. As Bush's agriculture secretary Ann Veneman told a UN Food and Agriculture Organization conference, biotechnology promises to 'make agriculture more environmentally sustainable." The facts clearly refute the happy claims of Veneman and the politically connected GMO business: American industrial agriculture today dumps close to one billion pounds of pesticides on food crops, producing a truly toxic harvest. Despite public assurances of a kinder, gentler agriculture, the biotech and pesticide businesses march hand-in-hand, two sides of the same corporate coin. The industry's most prominent product, Monsanto's "Roundup Ready" soybean, was designed to withstand intensive spraying, thus expanding sales of the firm's highly popular - and highly toxic herbicide, Roundup. Since the 1996 introduction of Roundup Ready, the use of glyphosate, a key Roundup ingredient that studies have linked to non-Hodgkin's lymphoma, has risen. Roughly 85 percent of all cropland in America relies on herbicides - a business which will remain stable as long as agribusiness fights off new pesticide bans and maintains the myth that biotech is eliminating toxins in the fields. Since the publication of Silent Spring, the amount of pesticides applied to our food has more than doubled. In 1997, according to industry figures, US growers poured more than 985 million pounds of pesticides onto their crops. The US accounts for more than one third of the $33.5 billion in global pesticide sales, the vast majority for farming. That's an $11 billion business interest for the petrochemical and biotech industries to protect. They've protected it well, perpetually - though not always successfully - fighting and delaying new regulations to limit toxins in the fields. After a modest decline in the 1980s, the amount of pesticides used each year has increased by more than 100 million pounds since 1991. At the same time, there's been a dramatic increase in costs borne by farmers, whose spending on herbicides has more than doubled since 1980. Each year, over 100 million pounds of highly toxic active ingredients from pesticides are released into the environment in California alone. In the world's backyard If it were merely a matter of waiting for Rachel Carson's DDT ghosts of the 1960s to fade away, we might one day be in the clear. Rivers, lakes, fish, and birds might, over time, cleanse themselves of these toxins. But agriculture's chemicals continue to flood our water and air with contamination. What is particularly startling is the degree to which pesticides have spread throughout the entire environment. One might lament the plight of poisoned farmworkers or the effects of pesticides on farming communities and consign them to the realm of regrettable problems over which one has little control. While few would openly counsel reckless disregard for the health of farmworkers and their families who pay a very high price for our pesticide-based food system - it is all too easy to ignore and forget. But according to a 1998 analysis by the California Public Interest Research Group, nearly four million Californians live within half a mile of heavy applications of pesticides, a third of which are "designated by state or federal regulatory agencies as carcinogens, reproductive toxins or acute nerve poisons." Spring, if not silent, is no doubt quieter. Every year agricultural pesticides alone kill an estimated 67 million birds. An array of disturbing side effects is in store for those lucky enough to survive a sublethal dose, including 'increased susceptibility to predation, decreased disease resistance, lack of interest in mating and defending territory, and abandonment of nestlings," according to a 1999 report by Californians for Pesticide Reform and the Pesticide Action Network. A key indicator of today's pesticide pollution epidemic lies underground, in the hidden waters that ultimately percolate up into rivers, lakes, and wells. Groundwater is the source of 50 percent of America's drinking water, and it is intimately interconnected with surface water. Since the late 1970s, studies have found more than 139 different pesticide residues in groundwater in the US, most frequently in corn- and soybean-growing regions. One study of a Nebraska aquifer found numerous pesticides at "lifetime health advisory" levels. All of the samples contained atrazine, the most commonly-used pesticide applied to America's cornfields. In Iowa, toxic chemicals are found in roughly half of the groundwater. Even closer to home were the findings of a 1992 national pesticide survey by the EPA, which discovered that ten percent of community wells "contained detectable levels of one or more pesticides." Well water samples gathered by the California Department of Pesticide Regulation show residues of 16 active ingredients and breakdown products from agricultural pesticides. Groundwater pesticide presence, though, pales in comparison with the chemicals' prevalence in surface rivers and streams. In California, state regulators detected pesticides in 95 of 100 locations in the Central Valley. More than half of these sites exceeded safe levels for aquatic life and drinking water consumption. In Kentucky, where farmers annually apply roughly 4.5 million pounds of the top five herbicides, these chemicals showed up routinely in rivers. A two-year study by the state Department of Environmental Protection discovered atrazine and metolachior, both used heavily on corn, in a full 100 percent of the 26 river sites they examined; another chemical, simazine, was found 91 percent of the time. The spread of these toxins is a serious matter affecting both environmental and public health. Atrazine, found widely in drinking water across the Midwest and detectable on many foods, is a "possible human carcinogen," according to the EPA. Studies suggest it may cause ovarian cancer. Nationwide reports are equally troubling and reveal a bath of chemicals harmful to fish and the broader freshwater ecosystem. In a ten-year study examining thousands of streams across the country, the US Geological Survey traced the proliferation of numerous agricultural pesticides: atrazine was in 90 percent of the streams; deethylatrazine and metolachlor were in 82 percent of all samples; others were detected at least 40 percent of the time. Still more disquieting was a 1999 USGS finding of an average of 20 pesticides, mostly agricultural, at each river or stream tested. Chemical concentrations of some compounds were frequently found to exceed allowable levels in drinking water, and one or more standards for protecting aquatic life were exceeded in 39 of 58 sites. In studies conducted over the past 30 years, nearly half of all pesticides targeted for research were found in stream sediment, and some 64 percent in edible fish, mollusks, and other aquatic life. More and more, scientists are observing important changes in hormones and reproductive systems among fish and other waterborne creatures exposed to pesticides One study of sex hormones in carp revealed that the ratio of estrogen to testosterone in both males and females was "lower at sites with more pesticides." Pesticides may also be a factor behind rising numbers of frog deformities, such as extra or missing limbs. In a 2002 study published in the Proceedings of the National Academy of Sciences, biologist Joseph Kiesecker compared frogs in several Pennsylvania ponds, with and without pesticide runoff. The rate of misshapen frogs was nearly four times higher in the ponds with pesticides. Environmentalists and scientists are not the only ones complaining. Fishing enthusiasts are angry about the poisoning of their prey. Randy Fry of the Recreational Fishing Alliance of Northern California has written that pesticide pollution "seriously impacts the estuary's food-web and thereby limits the productivity of Central Valley populations of salmon, steelhead, striped bass, and sturgeon while increasing the pollutants carried by these fish." Fry has noted declines in fisheries throughout the Valley. Something in the air Perhaps the greatest - yet most elusive measure of pesticides' long reach is their presence in the air we breathe. "Nearly every pesticide that has been investigated has been detected in air, rain, snow, or fog across the nation at different times of year," says the US Geological Survey. Given just a lazy breeze, toxins can migrate for miles. A seemingly innocuous spraying or fumigation of a rural farm field can let pesticides drift through air currents for hours, even days, ending up as residue in nearby towns, ruining organic crops downwind and further polluting waterways. Diazinon, a highly volatile agent sprayed widely on nuts and stone fruit, actually increases its drift concentrations as time passes, the greatest amount of drift showing up two to three days after spraying. Although levels generally diminish, pesticide drift can last for weeks, and sometimes months after application. The epicenter for the pesticide drift problem, particularly its human effects, is California, where decades of suburban sprawl - and intensely consolidated agriculture - have wedged burgeoning population centers up against farms. Blending agriculture with suburbs would seem a fine rural-urban complement but for the rampant use and drift of pesticides, which are exceedingly toxic, even at low levels, for children. "Pesticides in air are often invisible and odorless, but like second-hand cigarette smoke, inhaling even small amounts over time can lead to serious health problems, especially for children," reports Susan Kegley, staff scientist for the Pesticide Action Network. More than 90 percent of pesticides used in California (including non-agricultural pesticides) are likely to drift, and roughly a third of those are highly toxic to humans, according to a 2003 study by Californians for Pesticide Reform. Samples of two pesticides, chiorpyrifos and metam sodium, taken near sprayed fields, produced residues that were, respectively, some 184 and 111 times the acute exposure standards set by government for a one-year-old child. The Gulf of Toxins The Gulf of Mexico is afflicted with a "dead zone" stretching across several thousand square miles along the Louisiana-Texas coast. A massive algae bloom feasts on a steady diet of nitrogen and other nutrients flowing downstream from the Mississippi River. In summer, when the river's flow peaks, the bloom spreads and chokes the Gulf's northern coasts, cutting off oxygen that supports sea life. In 1999 the zone ballooned to nearly 12,500 square miles - the size of New Jersey. The depleted water near the bottom of the Gulf contains less than two parts per million of dissolved oxygen, not enough to sustain fish or bottom-dwelling life. One of the chief contributors to this dead zone is American agriculture and its countless tributaries of petroleum-based fertilizers, pesticides, and animal feces overflowing from giant factory farms. The Mississippi River Basin, which drains an area representing about 41 percent of the contiguous US, is home to the majority of the nation's agricultural chemicals. About seven million metric tons of nitrogen in commercial fertilizers are applied in the Basin each year, and the annual load of nitrates poured from the Mississippi River into the Gulf has tripled since the late 1950s, when pesticides and synthetic fertilizers began to dominate the agricultural scene. Another key ingredient is on the rise: billions of tons of factory-farm animal waste, overloaded with nitrogen and other potentially damaging nutrients. In 1999, when Congress, the EPA and environmental groups pressed for cuts in farm pollution to clean up the Gulf of Mexico, some agricultural trade groups raised the specter of farm closures and diminished food production. 'Crop yields in the Midwest could shrink if federal regulators try to reduce use of fertilizers to cut pollution in the Mississippi River and in the Gulf of Mexico," the Associated Press reported, summing up the agribusiness argument. Asking farmers to reduce fertilizers would be "basically asking them to go out of business," said Cliff Snyder, representing the Potash and Phosphate Institute. "It would have a significant economic impact if producers were required to reduce nutrient input.., at a time when the farm economy is dismal." Despite the economic trap, some forward-looking farmers are contemplating ways to either use less synthetic fertilizer, which itself is quite costly, or at least drain their fields away from rivers, perhaps into wetlands that could use the nitrogen. Fertilizing sterility Beyond the Gulf case, chemical fertilizers - laden with nitrogen, ammonia, and phosphorus, as well as trace toxic metals like cadmium - are a serious environmental problem. Overshadowed in the public mind by pesticides, synthetic chemical fertilizers severely deplete and erode soil and drain toxic nutrients into the water supply. They have become a perilous crutch - with over 14 million tons applied annually, seven tons per square mile in the upper Midwest - injecting excessive nutrients into the ground, and ironically, robbing soil of its fertility. A 1984 World Bank report concluded that American agriculture's growing reliance on synthetic fertilizers "has allowed farmers to abandon practices - such as crop rotation and the incorporation of plant and animal wastes into the soil - which had previously maintained soil fertility." The petrochemical addiction Why has pesticide use increased even in this time of growing ecological awareness? In Living Downstream, scientist-author Sandra Steingraber describes the political economy that has driven agriculture into a self-feeding cycle of poison. First, the arrival of synthetic pesticides following World War II reduced labor on the farm. Simultaneously, profits per acre began to shrivel. "Both these changes pressed farmers into managing more acres to earn a living for their families." Bigger farms, and federal subsidies promoting mono-crop agriculture, "further increased the need for chemicals to control pests. And the use of these chemicals themselves set the stage for additional ecological changes that only more chemicals could offset." The decline of crop rotation in favor of monocropping - the planting of the same crop year after year - enables insects to adapt and recover, continuing the upward chemical spiral. Through Darwinian natural selection, the strongest few insects able to resist insecticides "become the progenitors of the next generation as their more chemically sensitive compatriots are killed off," explains Steingraber. Thus pesticides ultimately create insects that are less susceptible to them. During the postwar pesticide revolution between 1950 and 1990, the number of insect species resistant to pesticides mushroomed from fewer than 20 to more than 500. In roughly the same period, the amount of crops lost due to insect damage doubled. It doesn't have to be this way. Agriculture can be prolific and efficient without pesticides. The miraculous march of American agriculture toward unparalleled productivity long before the postwar pesticide revolution is a compelling testimonial to the possibilities of organic farming. Before agribusiness' petrochemical addiction, farmers used crop rotation and diversified agriculture to replenish soils and keep pests on the run. Crop diversity supplied sustenance for farm families and livestock and a natural insurance policy against pest outbreaks or weather disasters. While many so-called conventional" growers have bravely made the transition into organics - itself a lengthy and costly process for which there is virtually no government support the wider food economy and the profits of agribusiness rely on farmers' continued deployment of chemical warfare in the fields. The near-perennial , American surplus fueled by petrochemicals keeps farm crops cheap, l-,4' not so much for consumers as for the f intermediary complex of food processors, fast-food chains, and supermarkets. Back in the days of Silent Spring, o the US had for years been stockpiling food, requiring ever-larger subsidy payments and growing pressures on exports and food aid. As Carson remarked then, We are told that the enormous and expanding use of pesticides is necessary to maintain farm production." Yet, she said - noting that American taxpayers were paying more than $1 billion a year for this surplus food storage - "Is our real problem not one of over-production?" Excess supply is primarily a problem for farmers, both here and abroad, who are forced by price-depressing surpluses to "get big or get out." For the petrochemical industry and its close partner, the biotech business, today's economy of surplus production and exports, and of a mono-crop industrial agriculture stripped of its natural sustainability, is not a problem at all. Except that they, too - and their children - must inhabit a poisoned world. \*

**Ecosystem collapse causes extinction**

**Coyne and Hoekstra ‘7** [Jerry and Hopi, professor in the Department of Ecology and Evolution at the University of Chicago and Associate Professor in the Department of Organismic and Evolutionary Biology at Harvard University, “The Greatest Dying,” 9/24, <http://www.truthout.org/article/jerry-coyne-and-hopi-e-hoekstra-the-greatest-dying>]

But it isn't just the destruction of the rainforests that should trouble us. Healthy ecosystems the world over provide hidden services like waste disposal, nutrient cycling, soil formation, water purification, and oxygen production. Such services are best rendered by ecosystems that are diverse. Yet, through both intention and accident, humans have introduced exotic species that turn biodiversity into monoculture. Fast-growing zebra mussels, for example, have outcompeted more than 15 species of native mussels in North America's Great Lakes and have damaged harbors and water-treatment plants. Native prairies are becoming dominated by single species (often genetically homogenous) of corn or wheat. Thanks to these developments, soils will erode and become unproductive - which, along with temperature change, will diminish agricultural yields. Meanwhile, with increased pollution and runoff, as well as reduced forest cover, ecosystems will no longer be able to purify water; and a shortage of clean water spells disaster. In many ways, oceans are the most vulnerable areas of all. As overfishing eliminates major predators, while polluted and warming waters kill off phytoplankton, the intricate aquatic food web could collapse from both sides. Fish, on which so many humans depend, will be a fond memory. As phytoplankton vanish, so does the ability of the oceans to absorb carbon dioxide and produce oxygen. (Half of the oxygen we breathe is made by phytoplankton, with the rest coming from land plants.) Species extinction is also imperiling coral reefs - a major problem since these reefs have far more than recreational value: They provide tremendous amounts of food for human populations and buffer coastlines against erosion. In fact, the global value of "hidden" services provided by ecosystems - those services, like waste disposal, that aren't bought and sold in the marketplace - has been estimated to be as much as $50 trillion per year, roughly equal to the gross domestic product of all countries combined. And that doesn't include tangible goods like fish and timber. Life as we know it would be impossible if ecosystems collapsed. Yet that is where we're heading if species extinction continues at its current pace. Extinction also has a huge impact on medicine. Who really cares if, say, a worm in the remote swamps of French Guiana goes extinct? Well, those who suffer from cardiovascular disease. The recent discovery of a rare South American leech has led to the isolation of a powerful enzyme that, unlike other anticoagulants, not only prevents blood from clotting but also dissolves existing clots. And it's not just this one species of worm: Its wriggly relatives have evolved other biomedically valuable proteins, including antistatin (a potential anticancer agent), decorsin and ornatin (platelet aggregation inhibitors), and hirudin (another anticoagulant). Plants, too, are pharmaceutical gold mines. The bark of trees, for example, has given us quinine (the first cure for malaria), taxol (a drug highly effective against ovarian and breast cancer), and aspirin. More than a quarter of the medicines on our pharmacy shelves were originally derived from plants. The sap of the Madagascar periwinkle contains more than 70 useful alkaloids, including vincristine, a powerful anticancer drug that saved the life of one of our friends. Of the roughly 250,000 plant species on Earth, fewer than 5 percent have been screened for pharmaceutical properties. Who knows what life-saving drugs remain to be discovered? Given current extinction rates, it's estimated that we're losing one valuable drug every two years. Our arguments so far have tacitly assumed that species are worth saving only in proportion to their economic value and their effects on our quality of life, an attitude that is strongly ingrained, especially in Americans. That is why conservationists always base their case on an economic calculus. But we biologists know in our hearts that there are deeper and equally compelling reasons to worry about the loss of biodiversity: namely, simple morality and intellectual values that transcend pecuniary interests. What, for example, gives us the right to destroy other creatures? And what could be more thrilling than looking around us, seeing that we are surrounded by our evolutionary cousins, and realizing that we all got here by the same simple process of natural selection? To biologists, and potentially everyone else, apprehending the genetic kinship and common origin of all species is a spiritual experience - not necessarily religious, but spiritual nonetheless, for it stirs the soul. But, whether or not one is moved by such concerns, it is certain that our future is bleak if we do nothing to stem this sixth extinction. We are creating a world in which exotic diseases flourish but natural medicinal cures are lost; a world in which carbon waste accumulates while food sources dwindle; a world of sweltering heat, failing crops, and impure water. In the end, we must accept the possibility that we ourselves are not immune to extinction. Or, if we survive, perhaps only a few of us will remain, scratching out a grubby existence on a devastated planet. Global warming will seem like a secondary problem when humanity finally faces the consequences of what we have done to nature: not just another Great Dying, but perhaps the greatest dying of them all.

#### Environmental collapse independently causes war

Homer-Dixon ‘98

Thomas Homer-Dixon, assistant professor of political science and director of the Peace and Conflict Studies Programme at the University of Toronto, 1998, World Security Challenges for a New Century, p. 342-343

Experts have proposed numerous possible links between environmental change and conflict. Some have suggested that environmental change may shift the balance of power between states either regionally or globally, caus­ing instabilities that could lead to war. Another possibility is that global environmental damage might increase the gap between rich and poor soci­eties, with the poor then violently confronting the rich for a fairer share of the world’s wealth. Severe conflict may also arise from frustration with countries that do not go along with agreements to protect the global envi­ronment, or that “free-ride” by letting other countries absorb the costs of environmental protection. Warmer temperatures could lead to contention over more easily harvested resources in the Antarctic. Bulging populations and land stress may produce waves of environmental refugees, spilling across borders and disrupting relations among ethnic groups. Countries might fight among themselves because of dwindling supplies of water and the effects of upstream pollution.6 A sharp decline in food crop production and grazing land could lead to conflict between nomadic tribes and seden­tary farmers. Environmental change could in time cause a slow deepening of poverty in poor countries, which might open bitter divisions between classes and ethnic groups, corrode democratic institutions, and spawn revolutions and insurgencies. In general, many experts have the sense that environmental problems will “ratchet up” the level of stress within states and the inter­national community, increasing the likelihood of many different kinds of conflict—from war and rebellion to trade disputes—and undermining possibilities for cooperation.

**Independently- overuse of pesticides causes extinction through atmosphere**

**Western Daily Press ’97** [“Diana's gone all sari-eyed,” 10-6-07, Lexis]\*\*we reject any gendered or offensive language used in this evidence

For new research claims that PMT - which is supposed to be due to drops in oestrogen levels - is a myth, it's all in the mind, just an excuse used by women when they have those perfectly normal random bouts of depression or irritability which men get too. Only men don't have a convenient hormonal syndrome they can blame. Oestrogen is clearly tricky stuff, for elsewhere, scientists are blaming it for the potential extinction of mankind(SIC). Oestrogen in the atmosphere - and the industrial chemicals and pesticides which mimic it - are, they say, causing increases in cancer and dramatic drops in fertility in males of many species, including humans. It could, indeed, wipe out the human(SIC) race. We don't dispute the way high levels of testosterone can affect males, so how come people are so eager to deny that similar changes in oestrogen levels can make us women a bit tetchy at times? Surely if it's powerful enough to result in the destruction of planetary life, it's not unreasonable to think oestrogen might also cause a teensy- weensy bit of disturbance in women now and again?