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#### Immigration reform will pass now – momentum is building and the GOP is on board

Best 12/30/13 (Tony, "Immigration Reform Logjam on Capitol Hill Can End Early in New Year" AERO)

There may be some light at the end of the long stalled comprehensive immigration reform tunnel in Washington, a development that can bring relief to hundreds of thousands of Caribbean immigrants in the U.S.  And the Black Institute, the New York Immigration Coalition, members of the Congressional Black Caucus in New York City — Hakeem Jeffries and Yvette Clarke in Brooklyn, Gregory Meeks in Queens and Charlie Rangel in Manhattan – along with millions of foreign-born residents across the U.S. are keeping their proverbial fingers crossed that at last the immigration measure that has been bottled up by Republicans in the House of Representatives may spring to life in 2014.  The civil war that has broken out between America’s conservative lawmakers and their financial backers outside of the House of Representatives and the Senate is likely to have the salutary effect of breaking the logjam that has prevented the House leadership from bringing the immigration bill to the floor of the chamber for debate and ultimately a vote, say analysts and lawmakers.  There is now talk of a bipartisan deal to legalize the more than 11 million people living in the country as undocumented immigrants, residents who are out of status.  Although House Speaker John Boehner (D-Ohio), the person mainly responsible for the immigration bottleneck has not spoken about his intention but has chastised extremist conservative forces in and out of Congress for their opposition to the recent budget deal agreed to by the Republicans and the Democrats, outside Republican groups have complained that his sharp attacks on the right was simply clearing the way for immigration reform to be placed high on the Congressional agenda in the New Year when Congress reconvenes after the Christmas recess.  Indeed, Heritage Action, a fund-raising and lobbying group that has supported many tea party representatives complained openly that Boehner’s verbal assault on certain right-wing backers of his party, accusing them of losing “all credibility” with the American people said in a statement that the House leader was clearing the political deck to place immigration reform on the docket for consideration.  Just as important, Boehner added a prominent immigration expert, Becky Tallent, to his staff, presumably to pave the way for a debate on the reform proposals. She had worked with Sen. John McCain (R-Ariz.) on his immigration reform plan that eventually failed to gain traction several years ago.  “It seems very unlikely that Becky would have gone to work for the Speaker on this unless there was a serious plan to move on this in the New Year,” said Ted Alden, a specialist on immigration at the Council on Foreign Relations. Rep. Luis Gutierrez (D-Ill.), a major Hispanic immigration voice on Capitol Hill, has hinted that that his party would consider a deal in order to get the immigration bill moving.

#### Capital’s key but limited – the plan disrupts Obama’s careful strategy

Eilperin and Tumulty 12/10 (Juliet, House of Representatives reporter for Washington Post, and Karen, national political correspondent for The Washington Post, “Podesta, Schiliro to return to White House,”<http://www.washingtonpost.com/politics/podesta-schiliro-to-return-to-white-house/2013/12/10/194b22f4-61a7-11e3-94ad-004fefa61ee6_story.html>)

President Obama is embarking on his biggest organizational overhaul of the White House since 2010, bringing in Washington veterans and rethinking the way he approaches some of the most pressing policy decisions he will make during the remainder of his second term. The decision to enlist influential Democratic strategist John D. Podesta, just days after bringing back his former legislative affairs chief Phil Schiliro, signals a larger shift in how the White House will operate in coming months. Eager to salvage his landmark health-care law and advance climate-change policy before he leaves office, Obama and his aides are open to empowering a handful of advisers with broader policy portfolios to ensure the administration achieves its goals. The president and his aides have been discussing a possible reorganization with some trusted outside advisers for at least a month, according to a senior White House official, who spoke on the condition of anonymity because of the topic’s sensitive nature. The staff ­changes will continue in the coming weeks, the official said. The moves mark a recognition by the White House that it needed to change its operations in light of the botched Oct. 1 rollout of the health-care law, particularly given that Pete Rouse, the president’s longest-serving aide, will be leaving by the end of the year. Obama has been hesitant to replace many within his small inner circle operating in the West Wing, in part because his limited time in Washington before the presidency left him with relatively few trusted advisers. While he replaced several key members of his Cabinet after his 2012 re­election — including his secretaries of state, Treasury and defense — it is a measure of how static White House staff has been that the recruitment of two former advisers, on a temporary basis, amounts to a staff shake-up. “Obama still has an opportunity to get one or two major initiatives through Congress, possibly immigration reform, but he doesn’t have much gas left in the tank,” New York University public affairs professor Paul C. Light wrote in an e-mail. “Podesta and Schiliro may be able to ration Obama’s declining political capital, and hold the line on House Republican attacks. The door is closing on Obama’s presidency — these two advisers know how to do it as well as it can be done.” The White House’s handling of the health-care law’s implementation, Obama’s lack of knowledge about the scope of the National Security Agency’s eavesdropping program and other missteps have damaged the president’s credibility and raised questions about the West Wing’s competence. Republican critics and Democratic allies have called on Obama to fire at least one senior staff member, a step Obama has so far resisted. Podesta has done multiple stints on Capitol Hill and served twice in the Clinton White House, taking over as chief of staff in 1998 and steering the ship through Clinton’s House impeachment. After Clinton left office, Podesta founded the Center for American Progress (CAP), a liberal think tank, and managed Obama’s transition team in 2008. Obama officials emphasized that the two recent hires were distinct: Schiliro will serve only for a few months and is focused exclusively on steering the administration’s health-care policy. But the moves, along with Rouse’s imminent departure, mark one of the most significant shifts in White House staffing since the ­changes Obama made in the wake of Democratic losses in the 2010 midterms. After that election, senior aides David Axelrod, Jim Messina and Mona Sutphen left and the political director’s job occupied by Patrick Gaspard was eliminated. Obama political strategist David Plouffe came on as a senior adviser, and William Daley took over as chief of staff. Former White House deputy senior adviser Stephanie Cutter, now a partner at the consulting firm Precision Strategies, wrote in an e-mail that adding the two advisers “brings some fresh thinking and brain power, because they haven’t been in the foxhole these last several months or even years.” “They also bring institutional knowledge of the workings of the West Wing” and other parts of Washington, she added. Several former administration officials and Obama supporters said the realignment amounts to an acknowledgment that the current policy and legislative affairs operations have key vulnerabilities. The president felt the need to quiet “the chattering classes” who have suggested his team needs “more inside Washington experience,” the senior White House aide said. One former White House official, who asked for anonymity in order to speak frankly, said the ­changes reflect a recognition that the White House’s insular leadership was no longer capable of managing the administration’s myriad problems. Much of the key decision making rests with White House Chief of Staff Denis McDonough, Rouse and senior adviser Valerie Jarrett. Several White House officials said recruiting Podesta was McDonough’s idea. Schiliro will be focused on bolstering the administration’s relationship with lawmakers who are nervous about the health-care law’s impact and head off any further problems with the law’s implementation. The decision to bring in Podesta reflects the president’s intent to exercise his executive authority on several key fronts. White House communications director Jennifer Palmieri said Podesta will help the administration strategize about “how do you leverage all the resources you have in the federal government to advance your agenda in a political year.” In an interview with The Washington Post this fall, Podesta said Obama’s “path to success is going to come through every single place that you can squeeze some authority which he has. That is where you’ve got to focus your attention and where you could spend your political capital.”

#### The GOP Will spin the plan as soft on terror – that’ll cause congressional backlash

Voorhees 5/23/13 (Josh, Editor of Slatest Magazine, Former Greenwire and Politico Reporter, "Slatest PM: GOP Senator Says Obama's Speech Will "Be Viewed by the Terrorists As a Victory")

No Love From the Right: [Washington Post](http://www.washingtonpost.com/politics/obama-outlines-new-rules-for-drones/2013/05/23/1b5918e6-c3cb-11e2-914f-a7aba60512a7_story.html?hpid=z1): "Obama’s speech drew a quick response from Republicans, who have accused the president of downplaying the threat of terrorism. 'The president’s speech today will be viewed by terrorists as a victory,' said Sen. Saxby Chambliss (Ga.), the ranking Republican on the Senate Intelligence Committee. 'Rather than continuing successful counterterrorism activities, we are changing course with no clear operational benefit.' Chambliss was also critical of Obama’s plans to try to close Guantanamo, signaling the obstacles that the president will face in Congress."

#### Immigration key to clean tech – solves warming.

**Herman and Smith ‘10** (Richard T. Herman is the founder of Richard T. Herman & Associates, law firm in Cleveland, Ohio, also the co-founder of a chapter of TiE, a global network of entrepreneurs started in 1992 in Silicon Valley. He has appeared on National Public Radio, FOX News, and various affiliates of NBC, CBS, and ABC. He has also been quoted in such publications as USA Today,InformationWeek, PCWorld, ComputerWorld, CIO, Site Selection and National Lawyers Weekly, Robert L. Smith is a veteran journalist who covers international cultures and immigration issues for the Cleveland Plain Dealer, Ohio’s largest newspaper. Bob He has written extensively about immigration issues and has interviewed people at all points of the immigrant experience, from undocumented field workers to hugely successful entrepreneurs, Parts of this paper were excerpted from the book “Immigrant Inc.: Why Immigrant Entrepreneurs are Driving the New Economy (and how they will save the American worker)” (John Wiley & Sons, 2009) by Richard T. Herman & Robert L. Smith.  Available wherever books are sold, “Why Immigrants Can Drive the Green Economy,” Immigation Policy Center)

Raymond Spencer, an Australian-born entrepreneur based in Chicago, has a window on the future—and a gusto for investing after founding a high-technology consulting company that sold for more than $1 billion in 2006. “I have investments in maybe 10 start-ups, all of which fall within a broad umbrella of a ‘green’ theme,” he said. “And it’s interesting, the vast majority are either led by immigrants or have key technical people who are immigrants.” It should come as no surprise that immigrants will help **drive the green revolution**. America’s young scientists and engineers, especially the ones drawn to emerging industries like alternative energy, tend to speak with an accent. The 2000 Census found that immigrants, while accounting for 12 percent of the population, made up nearly **half of the all scientists and engineers** with doctorate degrees. Their importance will only grow. Nearly 70 percent of the men and women who entered the fields of science and engineering from 1995 to 2006 were immigrants. Yet, the connection between immigration and the development and commercialization of alternative energy technology is rarely discussed. Policymakers envision millions of new jobs as the nation pursues renewable energy sources, like wind and solar power, and builds a smart grid to tap it. But Dan Arvizu, **the leading expert** on solar power and the director of the National Renewable Energy Laboratory of the U.S. Department of Energy in Golden, Colorado, warns that **much of the clean-technology talent lies overseas**, in nations that began **pursuing alternative energy** sources **decades ago.** Expanding our **own clean-tech industry will require working closely with foreign nations and** foreign-born **scientists**, he said. Immigration restrictions are making collaboration difficult. His **lab’s** **efforts to work with a Chinese energy lab**, for example, **were** **stalled due to U.S. immigration barriers**. “We can’t get researchers over here,” Arvizu, the son of a once-undocumented immigrant from Mexico, said in an interview in March 2009, his voice tinged with dismay. “It makes no sense to me. We need a much more enlightened approach.” Dr. Zhao Gang, the Vice Director of the Renewable Energy and New Energy International Cooperation Planning Office of the Ministry of Science and Technology in China, says that America needs that enlightenment fast. “The Chinese government continues to impress upon the Obama administration that **immigration restrictions are creating major impediments to U.S.-China collaboration on clean energy** development,” he said during a recent speech in Cleveland. So what’s the problem? Some of it can be attributed to national security restrictions that impede international collaboration on clean energy. But Arvizu places greater weight on immigration barriers, suggesting that national secrecy is less important in the fast-paced world of green-tech development. “We are innovating so fast here, what we do today is often outdated tomorrow. Finding solutions to alternative energy is a complex, global problem that requires global teamwork,” he said. **We need** an **immigration** system **that prioritizes** the attraction and retention of **scarce, high-end talent** needed **to invent and commercialize alternative energy technology** and other emerging technologies. One idea we floated by Arvizu was a new immigrant “Energy Scientist Visa,” providing fast-track green cards for Ph.D.s with the most promising energy research, as reviewed by a panel of top U.S. scientists. Arvizu enthusiastically responded, “Wow, that’s a brilliant idea.” As the recent submission of the Startup Visa Act bill suggests, there’s really no shortage of good ideas of leveraging immigration to jumpstart the economy. The challenge is getting the American people to understand that high-skill immigration creates jobs, that the current system is broken, and that action is required now.

#### Warming causes extinction.

Dyer 12. (Gwynne, London-based independent journalist, PhD from King's College London, citing UC Berkeley scientists, "Tick, tock to mass extinction date," The Press, 6-19-12, l/n, accessed 8-15-12, mss)

 Meanwhile, a team of respected scientists warn that life on Earth may be on the way to an irreversible "tipping point". Sure. Heard that one before, too. Last month one of the world's two leading scientific journals, Nature, published a paper, "Approaching a state shift in Earth's biosphere," pointing out that more than 40 per cent of the Earth's land is already used for human needs. With the human population set to grow by a further two billion by 2050, that figure could soon exceed 50 per cent. "It really will be a new world, biologically, at that point," said the paper's lead author, Professor Anthony Barnofsky of the University of California, Berkeley. But Barnofsky doesn't go into the details of what kind of new world it might be. Scientists hardly ever do in public, for fear of being seen as panic-mongers. Besides, it's a relatively new hypothesis, but it's a pretty convincing one, and it should be more widely understood. Here's how bad it could get. The scientific consensus is that we are still on track for 3 degrees C of warming by 2100, but that's just warming caused by human greenhouse- gas emissions. The problem is that +3 degrees is well past the point where the major feedbacks kick in: natural phenomena triggered by our warming, like melting permafrost and the loss of Arctic sea-ice cover, that will add to the heating and that we cannot turn off. The trigger is actually around 2C (3.5 degrees F) higher average global temperature. After that we lose control of the process: ending our own carbon- dioxide emissions would no longer be enough to stop the warming. We may end up trapped on an escalator heading up to +6C (+10.5F), with no way of getting off. And +6C gives you the mass extinction. There have been five mass extinctions in the past 500 million years, when 50 per cent or more of the species then existing on the Earth vanished, but until recently the only people taking any interest in this were paleontologists, not climate scientists. They did wonder what had caused the extinctions, but the best answer they could come up was "climate change". It wasn't a very good answer. Why would a warmer or colder planet kill off all those species? The warming was caused by massive volcanic eruptions dumping huge quantities of carbon dioxide in the atmosphere for tens of thousands of years. But it was very gradual and the animals and plants had plenty of time to migrate to climatic zones that still suited them. (That's exactly what happened more recently in the Ice Age, as the glaciers repeatedly covered whole continents and then retreated again.) There had to be a more convincing kill mechanism than that. The paleontologists found one when they discovered that a giant asteroid struck the planet 65 million years ago, just at the time when the dinosaurs died out in the most recent of the great extinctions. So they went looking for evidence of huge asteroid strikes at the time of the other extinction events. They found none. What they discovered was that there was indeed major warming at the time of all the other extinctions - and that the warming had radically changed the oceans. The currents that carry oxygen- rich cold water down to the depths shifted so that they were bringing down oxygen- poor warm water instead, and gradually the depths of the oceans became anoxic: the deep waters no longer had any oxygen. When that happens, the sulfur bacteria that normally live in the silt (because oxygen is poison to them) come out of hiding and begin to multiply. Eventually they rise all the way to the surface over the whole ocean, killing all the oxygen-breathing life. The ocean also starts emitting enormous amounts of lethal hydrogen sulfide gas that destroy the ozone layer and directly poison land- dwelling species. This has happened many times in the Earth's history.

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#### Aff is extra-topical- signature strikes aren’t “targeted killing”- you end all drone strikes

**Anderson ’11** [Kenneth, Professor at Washington College of Law, American University; and Hoover Institution visiting fellow, member of Hoover Task Force on National Security and Law; nonresident senior fellow, Brookings Institution, “Distinguishing High Value Targeted Killing and “Signature” Attacks on Taliban Fighters,” August 29, <http://www.volokh.com/2011/08/29/distinguishing-high-value-targeted-killing-and-signature-attacks-on-taliban-fighters/>]

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

#### It’s a voter-

#### Explodes limits- allows the aff to claim unfair, unpredictable advantages from extra-topical actions and bypass our best solvency arguments

#### Precision- dilutes our understanding of the topic and ruins nuanced warfighting education that we can only get this year

#### Proves the resolution alone is insufficient- it’s a reason to vote negative

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#### US-Saudi relations are high now – counter terrorism cooperation is critical to the alliance

Riedel 8/21/13 (Bruce, Senior Fellow, Foreign Policy, Saban Center for Middle East Policy, Brookings Institution, "US and Saudis Share Needs If Not Values")

America's alliance with Saudi Arabia began with F.D.R. in 1945, and for almost 70 years the kingdom has been our most reliable ally in the Muslim world. It has fought the Soviets, Saddam, Khomeini and Bin Laden with us while providing critical backing to the Arab-Israeli peace process.¶ With its vast oil resources and command of Mecca, the House of Saud is a formidable ally. But the alliance has always been based on shared threat assessments, not shared values. The King is the world's last absolute monarchy. There is no pretense of democracy or pluralism in the Kingdom.¶ The Saudis have led the counter revolution to the Arab Awakening, occupying Bahrain, controlling change in Yemen and backing the army coup d'etat in Egypt with money and royal approval. The king personally has embraced General Sisi and the crackdown on the Brotherhood. Even in Syria, where Riyadh backs the rebels, they want a Sunni strong man to replace Assad not a democracy.¶ Washington and Riyadh still need each other. Many of our interests still over lap. Saudi assistance helps our allies like Jordan and Morocco.Saudi intelligence was key to foiling the last two al Qaeda plots to attack the American homeland and is critical to the battle in Yemen against the terrorists. Saudi Arabia is also central to keeping pressure on Iran through sanctions by replacing Iranian oil on the market.¶ America has much to lose and little to gain if the Arab revolutions spread to the kingdom itself. So we face the challenge of being the Saudis' ally while we disagree on core values.

#### The plan would crush US-Saudi relations – a hardline stance against AQAP is critical to Saudi legitimacy

Eakin 12 (Hugh, IRP Gatekeeper Editor, May 21 2012 The New York Review, "Saudi Arabia and the New US War in Yemen"

What seems clear is that Saudi Arabia has become a key backer—and at times coordinator—of the accelerating US drone war and special operations offensive in Yemen, partly for its own security interests. Interior Ministry officials in Riyadh speak enthusiastically about the US drone program, and on May 12, drone strikes allegedly killed some eleven AQAP suspects, [two of them Saudi nationals](http://www.voanews.com/content/drones_in_yemen_kill_11_militants/566327.html). (It is worth noting, following the controversial killing of US citizen Anwar al-Awlaki, that Saudi Arabia does not appear to have many qualms about killing its own citizens in Yemen.)¶ Perhaps most important for the Saudi government, a successful counterterrorism policy carries enormous political value amid the upheavals of the Arab Spring. Even more than democratization or regime change in the region, the Saudi rulers seem to fear instability and unpredictability: though they have reluctantly supported the transition of power in Yemen, they are particularly nervous about the kind of extremism that has emerged in neighboring countries like Iraq, Yemen, and now Syria, when uprisings turn into violent conflict or authority breaks down entirely—places where Saudi jihadists have often found new causes. “Syria will be tempting to al-Qaeda,” Abdulrahman Alhadaq, a Saudi counter terrorism official, said in a briefing in Riyadh. “We need to avoid another Iraq.”¶ But Saudi counterterrorism efforts are also an important element in achieving consensus and legitimacy for the Saudi regime itself. Many young Saudis are growing increasingly impatient with their government’s oppressive status quo, and not a little of their ire is directed against the Interior Ministry, which has been blamed for arbitrary arrests of activists and human rights lawyers. Yet many I spoke to also seem to fear the chaos and violence that has engulfed so many of the country’s neighbors. In the early 2000s, when the Saudi government sponsored national dialogues to bring together activists, reformers, conservatives, and Islamists from across the ideological spectrum to suggest avenues of change, the country’s counterterrorism approach was one issue on which there was near universal agreement. (Participants in one of these dialogues explicitly endorsed a strategy of repentence and reconciliation for extremists.)¶ Turning Saudi Arabia into the US’s indispensable ally in Yemen—while making Yemen the central conflict in the US-led war against terrorism—has considerable strategic value for Crown Prince Nayef, who was named the heir apparent to King Abdullah last fall. As US-Saudi collaboration on security and counterterrorism has increased, the regime has largely avoided US pressure on human rights and domestic reforms. And while it keeps the terror threat at bay, at least within its own borders, the Interior Ministry can hold up Yemen as the example of what might happen at home if its broad powers were curbed. Whether that argument will continue to assuage the country’s youth remains an open question.

#### That causes Saudi nuclearization

Rozen ‘11 [Laura, the chief foreign policy reporter for Politico, quoting Patrick Clawson, a Persian Gulf expert at the Washington Institute for Near East Policy and Marc Lynch, a Middle East expert at George Washington University, Arab spring setbacks in the shadow of complicated U.S.-Saudi alliance, 4/18/11, <http://news.yahoo.com/s/yblog_theenvoy/20110418/ts_yblog_theenvoy/optimism-for-arab-spring-fades-in-face-of-complicated-u-s-saudi-alliance>]

**Riyadh, alarmed by** the **Obama** administration's failure to prop up its ally of three decades Egyptian President Hosni Mubarak, **is sending signs of its displeasure and interest in exploring alternative security arrangements**. Last month, former Saudi envoy to Washington now Saudi national security chief Prince **Bandar** **went to Pakistan, ostensibly to discuss the possibility of recruiting Pakistani troops** to help Sunni Gulf allies suppress Bahraini unrest. But some Washington **Middle East analysts interpreted the visit as a signal of possible Saudi interest in exploring being protected by a Pakistani nuclear security umbrella, or acquiring Pakistani nuclear weapons, if Washington doesn't sufficiently assure Riyadh that it will protect it from a nuclear Iran**. "The big problem we face is that at the very least the **Saudis** and [United Arab Emirates] **wonder to what extent we are committed to their most vital interests**," said Patrick Clawson, a Persian Gulf expert at the Washington Institute for Near East Policy. "Prince Bandar's visit to Pakistan is a shot across our bow of what the Saudis may feel is necessary if the U.S. is not providing an effective security guarantee.... The rumors in the region have long been that the Saudis paid a fair chunk of the bill" for Pakistan's nuclear program. "The momentum of the Arab revolutions has stalled, and the old Middle East is reasserting itself," said Marc Lynch, a Middle East expert at George Washington University who frequently consults with the Obama administration. In the current strategic malaise, Lynch said, "the Israelis and Palestinians are saying, 'what about us?' **The 'contain Iran' crowd is saying, 'don't forget about Iran.'" And the Saudis are playing up rising Sunni-Shiite tensions in the region, which "gives them an excuse," he added, to push their contain-Iran agenda, as well as to "equate Iranian subversion for use against their own Shia population**. Any time Saudi Shia make demands for political rights, they are accused of being Iranian agents."

#### Unique scenario for non-great-power nuclear escalation

Edelman ‘11 [Fellow at the Center for Strategic and Budgetary Assessments. Former Undersecretary for Defense—AND—Andrew Krepinevich—President of the Center for Strategic and Budgetary Assessments—AND—Evan Montgomery—Research Fellow at the Center for Strategic and Budgetary Assessments (Eric, The dangers of a nuclear Iran, FA 90;1, <http://www.csbaonline.org/wp-content/uploads/2010/12/2010.12.27-The-Dangers-of-a-Nuclear-Iran.pdf>]

There is, however, at least one state that could receive significant outside support: Saudi Arabia. And if it did, proliferation could accelerate throughout the region. Iran and Saudi Arabia have long been geopolitical and ideological rivals. Riyadh would face tremendous pressure to respond in some form to a nuclear-armed Iran, not only to deter Iranian coercion and subversion but also to preserve its sense that Saudi Arabia is the leading nation in the Muslim world. The Saudi government is already pursuing a nuclear power capability, which could be the first step along a slow road to nuclear weapons development. And concerns persist that it might be able to accelerate its progress by exploiting its close ties to Pakistan. During the 1980s, in response to the use of missiles during the Iran-Iraq War and their growing proliferation throughout the region, Saudi Arabia acquired several dozen CSS-2 intermediate-range ballistic missiles from China. The Pakistani government reportedly brokered the deal, and it may have also offered to sell Saudi Arabia nuclear warheads for the CSS-2S, which are not accurate enough to deliver conventional warheads effectively. There are still rumors that Riyadh and Islamabad have had discussions involving nuclear weapons, nuclear technology, or security guarantees. This "Islamabad option" could develop in one of several different ways. Pakistan could sell operational nuclear weapons and delivery systems to Saudi Arabia, or it could provide the Saudis with the infrastructure, material, and technical support they need to produce nuclear weapons themselves within a matter of years, as opposed to a decade or longer. Not only has Pakistan provided such support in the past, but it is currently building two more heavy-water reactors for plutonium production and a second chemical reprocessing facility to extract plutonium from spent nuclear fuel. In other words, it might accumulate more fissile material than it needs to maintain even a substantially expanded arsenal of its own. Alternatively, Pakistan might offer an extended deterrent guarantee to Saudi Arabia and deploy nuclear weapons, delivery systems, and troops on Saudi territory, a practice that the United States has employed for decades with its allies. This arrangement could be particularly appealing to both Saudi Arabia and Pakistan. It would allow the Saudis to argue that they are not violating the NPT since they would not be acquiring their own nuclear weapons. And an extended deterrent from Pakistan might be preferable to one from the United States because stationing foreign Muslim forces on Saudi territory would not trigger the kind of popular opposition that would accompany the deployment of U.S. troops. Pakistan, for its part, would gain financial benefits and international clout by deploying nuclear weapons in Saudi Arabia, as well as strategic depth against its chief rival, India. The Islamabad option raises a host of difficult issues, perhaps the most worrisome being how India would respond. Would it target Pakistan's weapons in Saudi Arabia with its own conventional or nuclear weapons? How would this expanded nuclear competition influence stability during a crisis in either the Middle East or South Asia? Regardless of India's reaction, any decision by the Saudi government to seek out nuclear weapons, by whatever means, would be highly destabilizing. It would increase the incentives of other nations in the Middle East to pursue nuclear weapons of their own. And it could increase their ability to do so by eroding the remaining barriers to nuclear proliferation: each additional state that acquires nuclear weapons weakens the nonproliferation regime, even if its particular method of acquisition only circumvents, rather than violates, the NPT. N-PLAYER COMPETITION Were Saudi Arabia to acquire nuclear weapons, the Middle East would count three nuclear-armed states, and perhaps more before long. It is unclear how such an n-player competition would unfold because most analyses of nuclear deterrence are based on the U.S.-Soviet rivalry during the Cold War. It seems likely, however, that the interaction among three or more nuclear-armed powers would be more prone to miscalculation and escalation than a bipolar competition. During the Cold War, the United States and the Soviet Union only needed to concern themselves with an attack from the other. Multi-polar systems are generally considered to be less stable than bipolar systems because coalitions can shift quickly, upsetting the balance of power and creating incentives for an attack. More important, emerging nuclear powers in the Middle East might not take the costly steps necessary to preserve regional stability and avoid a nuclear exchange. For nuclear-armed states, the bedrock of deterrence is the knowledge that each side has a secure second-strike capability, so that no state can launch an attack with the expectation that it can wipe out its opponents' forces and avoid a devastating retaliation. However, emerging nuclear powers might not invest in expensive but survivable capabilities such as hardened missile silos or submarine-based nuclear forces. Given this likely vulnerability, the close proximity of states in the Middle East, and the very short flight times of ballistic missiles in the region, any new nuclear powers might be compelled to "launch on warning" of an attack or even, during a crisis, to use their nuclear forces preemptively. Their governments might also delegate launch authority to lower-level commanders, heightening the possibility of miscalculation and escalation. Moreover, if early warning systems were not integrated into robust command-and-control systems, the risk of an unauthorized or accidental launch would increase further still. And without sophisticated early warning systems, a nuclear attack might be unattributable or attributed incorrectly. That is, assuming that the leadership of a targeted state survived a first strike, it might not be able to accurately determine which nation was responsible. And this uncertainty, when combined with the pressure to respond quickly, would create a significant risk that it would retaliate against the wrong party, potentially triggering a regional nuclear war. Most existing nuclear powers have taken steps to protect their nuclear weapons from unauthorized use: from closely screening key personnel to developing technical safety measures, such as permissive action links, which require special codes before the weapons can be armed. Yet there is no guarantee that emerging nuclear powers would be willing or able to implement these measures, creating a significant risk that their governments might lose control over the weapons or nuclear material and that nonstate actors could gain access to these items. Some states might seek to mitigate threats to their nuclear arsenals; for instance, they might hide their weapons. In that case, however, a single intelligence compromise could leave their weapons vulnerable to attack or theft.

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#### Text: The United States federal government should prohibit the use of signature drone strikes.

#### Limited strikes are key to overall counter-terror- signature strikes cause blowback and ineffective cooperation

**Dunn and Wolf ’13** [Dr David Hastings Dunn is Reader in International Politics and Head of ¶ Department in the Department of Political Science and International Studies ¶ at the University of Birmingham, UK, Chairman of the ¶ West Midlands Military Education Committee, winner of the the UK’s Political Studies Association’s ¶ Best Article in the British Journal of Politics and International Relations in ¶ 2009 Prize, and Stefan Wolff, PhD, is Professor of International Security at the University of ¶ Birmingham in the UK, “Drone Use in Counter-Insurgency and CounterTerrorism: Policy or Policy Component?” <http://www.rusi.org/downloads/assets/WHR_2-13_Hitting_the_Target.pdf#page=89>]

The use of drones as weapons has evolved naturally from their use as ¶ reconnaissance vehicles. Tasked to gather information on enemy movements, ¶ their on-board optics and ability to loiter made them ideal platforms for such ¶ a role, providing an unparalleled degree of surveillance over large areas and ¶ for long periods of time, generating data that could subsequently inform ¶ ground- and air-combat operations. The time gap between gathering and ¶ analysing information, and acting on it, however, diminished significantly ¶ once drones became armed, enabling a much more immediate response to ¶ this operational intelligence.¶ Yet an important distinction needs to be drawn here between acting on ¶ operational intelligence that corroborates existing intelligence and confirms ¶ the presence of a specific pre-determined target and its elimination – so-called ¶ ‘targeted strikes’ (or less euphemistically, ‘targeted killings’) – and acting on ¶ an algorithmic analysis of operational intelligence alone, determining on ¶ the spot whether a development on the ground suggests terrorist activity ¶ or association and thus fulfils certain (albeit, to date, publicly not disclosed) ¶ criteria for triggering an armed response by the remote pilot of a drone – socalled ‘signature strikes’.6¶ Targeted strikes rely on corroborating pre-existing intelligence: they serve the ¶ particular purpose of eliminating specific individuals that are deemed crucial ¶ to enemy capabilities and are meant to diminish opponents’ operational, ¶ tactical and strategic capabilities, primarily by killing mid- and top-level ¶ leadership cadres. To the extent that evidence is available, it suggests that ¶ targeted strikes are highly effective in achieving these objectives, while ¶ simultaneously generating relatively little blowback, precisely because they ¶ target individual (terrorist) leaders and cause few, if any, civilian casualties. ¶ This explains, to a significant degree, why the blowback effect in Yemen – ¶ where the overwhelming majority of drone strikes have been targeted strikes ¶ – has been less pronounced than in Pakistan and Afghanistan.7¶ Signature strikes, in contrast, can still be effective in diminishing operational, ¶ tactical and strategic enemy capabilities, but they do so to a certain degree by ¶ chance and also have a much higher probability of causing civilian casualties. ¶ Using drones for signature strikes decreases the dependence on pre-existing ¶ intelligence about particular leaders and their movements and more fully ¶ utilises their potential to carry out effective surveillance and respond to ¶ the conclusions drawn from it immediately. Signature strikes have been the ¶ predominant approach to drone usage in Pakistan and Afghanistan.8¶ Such strikes have had the effect of decimating the rank and file of the Taliban and their associates – but they have also caused large numbers of civilian casualties and, at a minimum, weakened the respective host governments’ ¶ legitimacy and forced them to condemn publicly, and in no uncertain terms, ¶ the infringement of their states’ sovereignty by the US. In turn, this has strained already difficult relations between countries which have more ¶ common than divergent interests when it comes to regional stability and ¶ the fight against international terrorist networks. That signature strikes have ¶ a high probability of going wrong and that such failures prove extremely ¶ counterproductive is also illustrated by a widely reported case from Yemen, ¶ in which twelve civilians were killed in the proximity of a car identified as ¶ belonging to an Al-Qa’ida member.9¶ The kind of persistent and intimidating presence of a drone policy geared ¶ towards signature strikes, and the obvious risks and consequences involved ¶ in repeatedly making wrong decisions, are both counterproductive in ¶ themselves and corrosive of efforts that seek to undercut the local support enjoyed by insurgent and terrorist networks, as well as the mutual assistance ¶ that they can offer each other. Put differently, signature strikes, in contrast ¶ to targeted killings, do anything but help to disentangle the links between ¶ insurgents and terrorists.¶ Counter-insurgency as a strategy works best by providing security on the ¶ ground (deploying soldiers amongst the community that they are intended to ¶ protect) and establishing and sustaining a sufficiently effective local footprint ¶ of the state and its institutions providing public goods and services beyond ¶ just security (water, food, sanitation, healthcare, education and so forth). ¶ This strategy is often encapsulated in the formula ‘clear, hold, build’,10 and ¶ it needs to go hand-in-hand with pursuing a viable political settlement that ¶ addresses what are the, in many cases, legitimate concerns of those fighting, ¶ and supporting, an insurgency. By living among the communities they seek ¶ to secure, soldiers can win their trust, stem support for the insurgents, and ¶ understand who their enemies are, what their demands and objectives are, ¶ and how best to single out those who represent an irreconcilable threat ¶ to the community. In other words, in a context in which the objective is ¶ to protect innocent civilians, win over reconcilable insurgents and their ¶ supporters, and eliminate those who are irreconcilable, drones can deliver ¶ specific contributions to an overall counter-insurgency policy. Yet this can ¶ only happen if drones target individuals for a reason, rather than being used, ¶ and perceived, as a blanket approach against an entire community. It is important to bear in mind, in this context, that the success of ¶ counter-insurgency, in part, lies in the above-mentioned transition from a ¶ predominantly military footprint, with some civilian tasks being performed ¶ by soldiers, to a predominantly civilian footprint that includes a military ¶ component to secure gains made in restoring public services and law and order. This is essential because it counters a similar tactic used by insurgents ¶ and terrorists. In Yemen, for example, territorial gains made by Al-Qa’ida ¶ in the Arabian Peninsula (AQAP) initially garnered a lot of local public ¶ support precisely because they not only drove government forces out of ¶ areas in southern Yemen, but because they also provided basic services to ¶ communities.¶ Yet, as the imposition of Sharia Law became locally less and less popular, tribal ¶ resistance, targeted drone strikes and a government offensive succeeded in ¶ retaking most of the territory gained by AQAP and holding it in the course ¶ of 2012. At the same time, AQAP operations became much more localised, ¶ not only in the sense that the organisation has not been able to mount any ¶ transnational operations, but also in the sense that it has ceased attacks ¶ on Western interests and targets in Yemen, concentrating its remaining ¶ capabilities on attacks against Yemeni military and security officials.11¶ Data from the Bureau of Investigative Journalism and the Long War Journal¶ for 2012 puts the number of US drone strikes in Yemen at around forty, with ¶ almost 200 militants and around thirty-five civilians killed. In terms of the ¶ number of strikes and enemy combatants killed, this represents a significant ¶ increase compared to previous years: for the three years prior, less than ¶ half the number of strikes were confirmed, and just over half the number of ¶ militants were reportedly killed, while the number of civilian casualties was ¶ approximately a third higher, albeit with none reported in 2011.12¶ Drones, thus, were part of a broader, and, to date, successful, campaign ¶ against AQAP in Yemen. The challenge for the Yemeni government now is to ¶ make the transition from a military presence that secures and holds these ¶ territories to a more civilian one that builds up services and legitimacy, while ¶ at the same time seeking a political settlement with the southern secessionists ¶ through the nascent process of the UN-mediated National Dialogue. Unless, ¶ and until, that happens, the gains of 2012 are easily reversible. By definition, ¶ preventing a reversal of these gains cannot be accomplished by drones. ¶ Indeed, using unmanned aerial platforms to constantly look for signifiers of ¶ terrorist and insurgent activity is almost the antithesis of counter-insurgency. ¶ Civilian casualties, which have a much higher probability as a result of ¶ signature strikes, alienate and radicalise the local population and only serve ¶ to increase the active and passive support that such communities are likely ¶ to offer both terrorists and insurgents.¶ Once civilian casualties mount, they create an important negative legacy ¶ effect. According to data compiled by the New America Foundation, the ¶ average civilian casualty rate from US drone strikes in Yemen since the ¶ inception of the policy there is around 6 per cent, comparable to the 2011 ¶ average for Pakistan, which was 5.5 per cent.13 In the case of Pakistan, this represented a significant decline from the 2008 peak of almost 60 per cent.14¶ Yet even more than four years after a significant decline in civilian casualties, ¶ US drone strikes remain deeply unpopular in the country,15 far more so than ¶ in Yemen.16 As noted earlier, the majority of these strikes in Pakistan were ¶ signature strikes; those in Yemen targeted strikes. While both were effective ¶ in reducing insurgent and terrorist capabilities, their broader consequences ¶ in Pakistan have been more negative both domestically and in terms of USPakistani relations than they were in Yemen.¶ To put it differently, using drones for long periods over isolated communities ¶ is almost an invitation for trouble in a variety of ways, including, crucially, ¶ the fact that the psychological, physical and cultural distance between ¶ the operators and their observed community is likely to contribute to ¶ misinterpretation and misperception, and thus to the killing of innocent ¶ civilians.¶ Remote observation offers none of the experience, associated with traditional ¶ counter-insurgency campaigns, that can generate cultural sensitivity and the ¶ building of trust and empathy. Instead it offers a sanitised form of surveillance ¶ where the act of killing is dehumanised for both the killers and the killed. ¶ Drone strikes of this nature act on suspicions rather than verified intelligence ¶ and their operation offers no sense of feedback to their operators. Their ¶ remoteness is not just physical: the secrecy with which these programmes ¶ operate and the lack of accountability to the communities over which they ¶ operate means that there is neither a legal nor an emotional cost involved in ¶ getting things wrong.¶ Given that drones, if deployed with sensitivity and clear purpose, can make ¶ a significant and useful contribution to counter-insurgency and counterterrorist campaigns as illustrated by the discussion of the case of Yemen, the ¶ key challenge for policy-makers is to avoid getting things wrong, and having ¶ to live with the consequences of doing so, as is the case with Pakistan. Micah ¶ Zenko draws the conclusion that US drone policy needs to be reformed with ¶ a focus away from signature strikes and towards targeted killings of a limited ¶ number of terrorists with transnational capabilities and intent.17 Similarly, ¶ Joshua Foust argues that for drones to be effective, they must be part of a broader strategic framework.18 This is a sensible proposal with which the ¶ authors generally agree as far as such drone strikes are considered in the ¶ context of counter-terrorist efforts aimed at preventing attacks against the ¶ US and its (and more generally Western) interests abroad.¶ Yet, as has been argued, it is difficult to separate (transnational) terrorist ¶ networks from more localised insurgencies in which the former often ¶ successfully embed themselves. To the extent that drone strikes can ¶ disrupt these links, they can strengthen governments’ counter-insurgency efforts and contribute to establishing environments in which insurgents ¶ are accommodated into political and social processes that reduce the ¶ opportunities for terrorist networks to find bases from which they can ¶ operate. Using drones, from that perspective, is less about limiting their ¶ deployment in principle, but about making sure that they are an element ¶ of a broader policy of counter-terrorism and counter-insurgency – not a ¶ substitute for it.

# 1nc

#### Text: The Supreme Court should prohibit the use of drones for targeted killing.

#### Judicial review to limit targeted killing authority solves

Jaffer 2013 (Jameel Jaffer, Director of the ACLU's Center for Democracy, April 2013, “Judicial Review of Targeted Killings,” Harvard Law Review, <http://www.harvardlawreview.org/issues/126/april13/forum_1002.php>)

Since 9/11, the CIA and Joint Special Operations Command (JSOC) have used armed drones to kill thousands of people in places far removed from conventional battlefields. Legislators, legal scholars, and human rights advocates have raised concerns about civilian casualties, the legal basis for the strikes, the process by which the executive selects its targets, and the actual or contemplated deployment of armed drones into additional countries. Some have proposed that Congress establish a court to approve (or disapprove) strikes before the government carries them out.¶ While judicial engagement with the targeted killing program is long overdue, those aiming to bring the program in line with our legal traditions and moral intuitions should think carefully before embracing this proposal. Creating a new court to issue death warrants is more likely to normalize the targeted killing program than to restrain it.¶ The argument for some form of judicial review is compelling, not least because such review would clarify the scope of the government’s authority to use lethal force. The targeted killing program is predicated on sweeping constructions of the 2001 Authorization for Use of Military Force (AUMF) and the President’s authority to use military force in national self-defense. The government contends, for example, that the AUMF authorizes it to use lethal force against groups that had nothing to do with the 9/11 attacks and that did not even exist when those attacks were carried out. It contends that the AUMF gives it authority to use lethal force against individuals located far from conventional battlefields. As the Justice Department’s recently leaked white paper makes clear, the government also contends that the President has authority to use lethal force against those deemed to present “continuing” rather than truly imminent threats.¶ These claims are controversial. They have been rejected or questioned by human rights groups, legal scholars, federal judges, and U.N. special rapporteurs. Even enthusiasts of the drone program have become anxious about its legal soundness. (“People in Washington need to wake up and realize the legal foundations are crumbling by the day,” Professor Bobby Chesney, a supporter of the program, recently said.) Judicial review could clarify the limits on the government’s legal authority and supply a degree of legitimacy to actions taken within those limits. It could also encourage executive officials to observe these limits. Executive officials would be less likely to exceed or abuse their authority if they were required to defend their conduct to federal judges. Even Jeh Johnson, the Defense Department’s former general counsel and a vocal defender of the targeted killing program, acknowledged in a recent speech that judicial review could add “rigor” to the executive’s decisionmaking process. In explaining the function of the Foreign Intelligence Surveillance Court, which oversees government surveillance in certain national security investigations, executive officials have often said that even the mere prospect of judicial review deters error and abuse.

#### Courts don’t link to politics- avoids political fallout for Congress and Obama

Whittington, 2005 (Keith E. Whittington, Professor of Politics - Princeton University, "Interpose Your Friendly Hand: Political Supports for the Exercise of Judicial Review by the United States Supreme Court”, [The American Political Science Review](http://proquest.umi.com.proxy.lib.umich.edu/pqdweb?RQT=318&pmid=28600&TS=1245862067&clientId=17822&VInst=PROD&VName=PQD&VType=PQD), Nov., (99)4, p. 583)

There are some issues that politicians cannot easily handle. For individual legislators, their constituents may be sharply divided on a given issue or overwhelmingly hostile to a policy that the legislator would nonetheless like to see adopted. Party leaders, including presidents and legislative leaders, must similarly sometimes manage deeply divided or cross-pressured coalitions. When faced with such issues, elected officials may actively seek to turn over controversial political questions to the courts so as to circumvent a paralyzed legislature and avoid the political fallout that would come with taking direct action themselves. As Mark Graber (1993) has detailed in cases such as slavery and abortion, elected officials may prefer judicial resolution of disruptive political issues to direct legislative action, especially when the courts are believed to be sympathetic to the politician's own substantive preferences but even when the attitude of the courts is uncertain or unfavorable (see also, Lovell 2003). Even when politicians do not invite judicial intervention, strategically minded courts will take into account not only the policy preferences of well-positioned policymakers but also the willingness of those potential policymakers to act if doing so means that they must assume responsibility for policy outcomes. For cross-pressured politicians and coalition leaders, shifting blame for controversial decisions to the Court and obscuring their own relationship to those decisions may preserve electoral support and coalition unity without threatening active judicial review (Arnold 1990; Fiorina 1986; Weaver 1986). The conditions for the exercise of judicial review may be relatively favorable when judicial invalidations of legislative policy can be managed to the electoral benefit of most legislators. In the cases considered previously, fractious coalitions produced legislation that presidents and party leaders deplored but were unwilling to block. Divisions within the governing coalition can also prevent legislative action that political leaders want taken, as illustrated in the following case.

# framing

#### Obama circumvents the aff

**Lohmann 1-28**-13 [Julia, director of the Harvard Law National Security Research Committee, BA in political science from the University of California, Berkeley, “Distinguishing CIA-Led from Military-Led Targeted Killings,” <http://www.lawfareblog.com/wiki/the-lawfare-wiki-document-library/targeted-killing/effects-of-particular-tactic-on-issues-related-to-targeted-killings/>]

The U.S. military—in particular, the Special Operations Command (SOCOM), and its subsidiary entity, the Joint Special Operations Command (JSOC)—is responsible for carrying out military-led targeted killings.¶ Military-led targeted killings are subject to various legal restrictions, including a complex web of statutes and executive orders. For example, because the Covert Action Statute does not distinguish among institutions undertaking covert actions, targeted killings conducted by the military that fall within the definition of “covert action” set forth in 50 U.S.C. § 413(b) are subject to the same statutory constraints as are CIA covert actions. 50 U.S.C. § 413b(e). However, as Robert Chesney explains, many military-led targeted killings may fall into one of the CAS exceptions—for instance, that for traditional military activities—so that the statute’s requirements will not always apply to military-led targetings. Such activities are exempted from the CAS’s presidential finding and authorization requirements, as well as its congressional reporting rules.¶ Because such unacknowledged military operations are, in many respects, indistinguishable from traditional covert actions conducted by the CIA, this exception may provide a “loophole” allowing the President to circumvent existing oversight mechanisms without substantively changing his operational decisions. However, at least some military-led targetings do not fall within the CAS exceptions, and are thus subject to that statute’s oversight requirements. For instance, Chesney and Kenneth Anderson explain, some believe that the traditional military activities exception to the CAS only applies in the context of overt hostilities, yet it is not clear that the world’s tacit awareness that targeted killing operations are conducted (albeit not officially acknowledged) by the U.S. military, such as the drone program in Pakistan, makes those operations sufficiently overt to place them within the traditional military activities exception, and thus outside the constraints of the CAS.¶ Chesney asserts, however, that despite the gaps in the CAS’s applicability to military-led targeted killings, those targetings are nevertheless subject to a web of oversight created by executive orders that, taken together, largely mirrors the presidential authorization requirements of the CAS. But, this process is not enshrined in statute or regulation and arguably could be changed or revoked by the President at any time. Moreover, this internal Executive Branch process does not involve Congress or the Judiciary in either ex ante or ex post oversight of military-led targeted killings, and thus, Philip Alston asserts, it may be insufficient to provide a meaningful check against arbitrary and overzealous Executive actions.

#### Even if you have PROHIBITED drone strikes there’s no enforcement mechanism to punish the president when he circumvents

**Druck ‘12** [Judah A. Druck, law associate at Sullivan & Cromwell LLP, Cornell Law School graduate, magna cum laude graduate from Brandeis University, “Droning On: The War Powers Resolution and the Numbing Effect of Technology-Driven Warfare,” <http://www.lawschool.cornell.edu/research/cornell-law-review/upload/Druck-final.pdf>]

But perhaps we can examine the apathetic treatment of President¶ Obama’s actions in Libya in a different light, one that focuses on the¶ changing nature and conception of warfare itself. Contrary to largerscale conflicts like the Vietnam War, where public (and political) outrage set the stage for Congress’s assertion of war-making power¶ through the WPR,17 the recent U.S. intervention did not involve a¶ draft, nor a change in domestic industry (requiring, for example, civilians to ration food), and, perhaps most importantly, did not result in¶ any American casualties.18 Consequently, most analyses of the Libyan¶ campaign focused on its monetary costs and other economic harms to¶ American taxpayers.19 This type of input seems too nebulous to cause¶ any major controversy, especially when contrasted with the concurrent¶ costs associated with the wars in Iraq and Afghanistan.20 In a sense,¶ less is at stake when drones, not human lives, are on the front lines,¶ limiting the potential motivation of a legislator, judge, or antiwar activist to check presidential action.21 As a result, the level of nonexecutive involvement in foreign military affairs has decreased.¶ The implications are unsettling: by ameliorating many of the concerns often associated with large-scale wars, technology-driven warfare¶ has effectively removed the public’s social and political limitations¶ that previously discouraged a President from using potentially illegal¶ military force. As President Obama’s conduct illustrates, removing these barriers has opened the door to an unfettered use of unilateral¶ executive action in the face of domestic law.22 Consequently, as war¶ becomes more and more attenuated from the American psyche, a¶ President’s power to use unilateral force without repercussions will¶ likely continue to grow.

#### Extinction first – always VTL

Bernstein ‘2

(Richard J., Vera List Prof. Phil. – New School for Social Research, “Radical Evil: A Philosophical Interrogation”, p. 188-192)

There is a basic value inherent in **organic** being, a basic affirmation, "The Yes' of Life" (IR 81). 15 "The self-affirmation of being becomes emphatic in the opposition of life to death. Life is the explicit confrontation of being with not-being. . . . The 'yes' of all striving is here sharpened by the active `no' to not-being" (IR 81-2). Furthermore — and this is the crucial point for Jonas — this affirmation of life that is in all organic being has a binding obligatory force upon human beings. This blindly self-enacting "yes" gains obligating force in the seeing freedom of man, who as the supreme outcome of nature's purposive labor is no longer its automatic executor but, with the power obtained from knowledge, can become its destroyer as well. He must adopt the "yes" into his will and impose the "no" to not-being on his power. But precisely this transition from willing to obligation is the critical point of moral theory at which attempts at laying a foundation for it come so easily to grief. Why does now, in man, that become a duty which hitherto "being" itself took care of through all individual willings? (IR 82). We discover here the transition from is to "ought" — from the self-affirmation of life to the binding obligation of human beings to preserve life not only for the present but also for the future. But why do we need a new ethics? The subtitle of The Imperative of Responsibility — In Search of an Ethics for the Technological Age — indicates why we need a new ethics. Modern technology has transformed the nature and consequences of human action so radically that the underlying premises of traditional ethics are no longer valid. For the first time in history human beings possess the knowledge and the power to destroy life on this planet, including human life. Not only is there the new possibility of total nuclear disaster; there are the even more invidious and threatening possibilities that result from the unconstrained use of technologies that can destroy the environment required for life. The major transformation brought about by modern technology is that the consequences of our actions frequently exceed by far anything we can envision. Jonas was one of the first philosophers to warn us about the unprecedented ethical and political problems that arise with the rapid development of biotechnology. He claimed that this was happening at a time when there was an "ethical vacuum," when there did not seem to be any effective ethical principles to limit ot guide our ethical decisions. In the name of scientific and technological "progress," there is a relentless pressure to adopt a stance where virtually anything is permissible, includ-ing transforming the genetic structure of human beings, as long as it is "freely chosen." We need, Jonas argued, a new categorical imperative that might be formulated as follows: "Act so that the effects of your action are compatible with the permanence of genuine human life"; or expressed negatively: "Act so that the effects of your action are not destructive of the future possibility of such a life"; or simply: "Do not compromise **the conditions for** an indefinite continuation of humanity on earth**"; or again turned positive:** "In your present choices, include the future wholeness of Man among the objects of your will."

#### Even a limited war re-entrenches your impacts- people would revert to using drone strikes

#### You powertagged your no nuclear war card- it’s ONLY in the context of US-China war- i.e an impact we haven’t read

#### Robb 12 (Doug, U.S. Navy Lieutenant, "Why the Age of Great-Power War is Over", May 2012, [http://www.usni.org/magazines/proceedings/2012-05/now-hear-why-age-great-power-war-over-http://www.usni.org/magazines/proceedings/2012-05/now-hear-why-age-great-power-war-over](http://www.usni.org/magazines/proceedings/2012-05/now-hear-why-age-great-power-war-over-http%3A/www.usni.org/magazines/proceedings/2012-05/now-hear-why-age-great-power-war-over), May 16, 13, EH)

START OF ARTICLE

In *Proceedings*’ April “Now Hear This,” Navy Lieutenant Commander Rachel Gosnell and Marine Second Lieutenant Michael Orzetti argue that “the possibility of great-power war [between the United States and China] cannot be ruled out.” However, despite China’s rise, which potentially threatens to alter international polarity, a preponderance of evidence suggests that the era of conventional large-scale war may be behind us.For the purposes of my argument, the United States and China are defined as “great powers” because they have stable governments and large populations; influential economies and access to raw materials; professional militaries and a nuclear arsenal. Prussian war theorist Carl von Clausewitz’s “trinity,” which characterizes the interrelationship between the government (politics), people (society and the economy), and the military (in modern terms, deterrence and security), is useful to frame this debate. The 20th century brought seismic shifts as the global political system transitioned from being multipolar during the first 40 years to bipolar during the Cold War before emerging as the American-led, unipolar international order we know today. These changes notwithstanding, major world powers have been at peace for nearly seven decades—the longest such period since the 1648 Treaty of Westphalia codified the sovereign nation-state.

JMU’S CARD STARTS

Whereas in years past, when nations allied with their neighbors in ephemeral bonds of convenience, today’s global politics are tempered by permanent international organizations, regional military alliances, and formal economic partnerships. Thanks in large part to the prevalence of liberal democracies, these groups are able to moderate international disputes and provide forums for nations to air grievances, assuage security concerns, and negotiate settlements—thereby making war a distant (and distasteful) option. As a result, China (and any other global power) has much to lose by flouting international opinion, as evidenced by its advocacy of the recent Syrian uprising, which has drawn widespread condemnation. In addition to geopolitical and diplomacy issues, globalization continues to transform the world. This interdependence has blurred the lines between economic security and physical security. Increasingly, great-power interests demand cooperation rather than conflict. To that end, maritime nations such as the United States and China desire open sea lines of communication and protected trade routes, a common security challenge that could bring these powers together, rather than drive them apart (witness China’s response to the issue of piracy in its backyard). Facing these security tasks cooperatively is both mutually advantageous and common sense. Democratic Peace Theory—championed by Thomas Paine and international relations theorists such as New York Timescolumnist Thomas Friedman—presumes that great-power war will likely occur between a democratic and non-democratic state. However, as information flows freely and people find outlets for and access to new ideas, authoritarian leaders will find it harder to cultivate popular support for total war—an argument advanced by philosopher Immanuel Kant in his 1795 essay “Perpetual Peace.” Consider, for example, China’s unceasing attempts to control Internet access. The 2011 Arab Spring demonstrated that organized opposition to unpopular despotic rule has begun to reshape the political order, a change galvanized largely by social media. Moreover, few would argue that China today is not socially more liberal, economically more capitalistic, and governmentally more inclusive than during Mao Tse-tung’s regime. As these trends continue, nations will find large-scale conflict increasingly disagreeable. In terms of the military, ongoing fiscal constraints and socio-economic problems likely will marginalize defense issues. All the more reason why great powers will find it mutually beneficial to work together to find solutions to common security problems, such as countering drug smuggling, piracy, climate change, human trafficking, and terrorism—missions that Admiral Robert F. Willard, former Commander, U.S. Pacific Command, called “deterrence and reassurance.” As the Cold War demonstrated, nuclear weapons are a formidable deterrent against unlimited war. They make conflict irrational; in other words, the concept of mutually assured destruction—however unpalatable—actually had a stabilizing effect on both national behaviors and nuclear policies for decades. These tools thus render great-power war infinitely less likely by guaranteeing catastrophic results for both sides. As Bob Dylan warned, “When you ain’t got nothing, you ain’t got nothing to lose.” Great-power war is not an end in itself, but rather a way for nations to achieve their strategic aims. In the current security environment, such a war is equal parts costly, counterproductive, archaic, and improbable.

JMU’S CARD ENDS

#### Nuclear winter causes extinction

The Columbia Missourian 9 [June 11, http://www.columbiamissourian.com/stories/2009/06/11/steven-starr-nuclear-expert/]

Nuclear winter is a term used to describe the dramatic global climate change that could follow a nuclear war. According to Starr’s Web site, a hypothetical nuclear war between India and Pakistan fought with 100 Hiroshima-sized nuclear weapons would throw 5 million tons of smoke into the stratosphere, enough to block 10 percent of the sun's rays from reaching the northern hemisphere — shortening growing seasons and causing the lowest temperatures in 1,000 years. After 10 years, 40 percent of that smoke would still be in the stratosphere. The average nuclear warhead today is between eight and 50 times more powerful than the 15 kiloton bomb dropped on Hiroshima.

“Nuclear war is essentially suicide for humanity,” Starr said.

#### Util is preferrable

#### Framing – existential risk means you can still prefer “OK” outcomes

Bostrom ’12 – faculty of philosophy at Oxford

(Nick, “Existential Risk Prevention as the Most Important Task for Humanity”, Forthcoming in *Global Policy* (2012), http://www.existential-risk.org/concept.html)

These considerations suggest that the loss in expected value resulting from an existential catastrophe is so enormous that the objective of reducing existential risks should be a dominant consideration whenever we act out of an impersonal concern for humankind as a whole. It may be useful to adopt the following rule of thumb for such impersonal moral action: Maxipok Maximize the probability of an “OK outcome,” where an OK outcome is any outcome that avoids existential catastrophe. At best, maxipok is a rule of thumb or a prima facie suggestion. It is not a principle of absolute validity, since there clearly are moral ends other than the prevention of existential catastrophe. The principle’s usefulness is as an aid to prioritization. Unrestricted altruism is not so common that we can afford to fritter it away on a plethora of feel-good projects of suboptimal efficacy. If benefiting humanity by increasing existential safety achieves expected good on a scale many orders of magnitude greater than that of alternative contributions, we would do well to focus on this most efficient philanthropy. Note that maxipok differs from the popular maximin principle (“Choose the action that has the best worst-case outcome”).[11] Since we cannot completely eliminate existential risk—at any moment, we might be tossed into the dustbin of cosmic history by the advancing front of a vacuum phase transition triggered in some remote galaxy a billion years ago—the use of maximin in the present context would entail choosing the action that has the greatest benefit under the assumption of impending extinction. Maximin thus implies that we ought all to start partying as if there were no tomorrow. That implication, while perhaps tempting, is implausible.

#### Potentiality DA – preventing extinction preserves the potentiality of humanity – that independently outweighs

Bostrom ’12 – faculty of philosophy at Oxford

(Nick, “Existential Risk Prevention as the Most Important Task for Humanity”, Forthcoming in *Global Policy* (2012), http://www.existential-risk.org/concept.html)

To calculate the loss associated with an existential catastrophe, we must consider how much value would come to exist in its absence. It turns out that the ultimate potential for Earth-originating intelligent life is literally astronomical. One gets a large number even if one confines one’s consideration to the potential for biological human beings living on Earth. If we suppose with Parfit that our planet will remain habitable for at least another billion years, and we assume that at least one billion people could live on it sustainably, then the potential exist for at least 10^16 human lives. These lives could also be considerably better than the average contemporary human life, which is so often marred by disease, poverty, injustice, and various biological limitations that could be partly overcome through continuing technological and moral progress. However, the relevant figure is not how many people could live on Earth but how many descendants we could have in total. One lower bound of the number of biological human life-years in the future accessible universe (based on current cosmological estimates) is 1034 years.[7] Another estimate, which assumes that future minds will be mainly implemented in computational hardware instead of biological neuronal wetware, produces a lower bound of 1054 human-brain-emulation subjective life-years (or 1071 basic computational operations).(4)[8] If we make the less conservative assumption that future civilizations could eventually press close to the absolute bounds of known physics (using some as yet unimagined technology), we get radically higher estimates of the amount of computation and memory storage that is achievable and thus of the number of years of subjective experience that could be realized.[9] Even if we use the most conservative of these estimates, which entirely ignores the possibility of space colonization and software minds, we find that the expected loss of an existential catastrophe is greater than the value of 10^16 human lives. This implies that the expected value of reducing existential risk by a mere one millionth of one percentage point is at least a hundred times the value of a million human lives. The more technologically comprehensive estimate of 1054 human-brain-emulation subjective life-years (or 1052 lives of ordinary length) makes the same point even more starkly. Even if we give this allegedly lower bound on the cumulative output potential of a technologically mature civilization a mere 1% chance of being correct, we find that the expected value of reducing existential risk by a mere one billionth of one billionth of one percentage point is worth a hundred billion times as much as a billion human lives. One might consequently argue that even the tiniest reduction of existential risk has an expected value greater than that of the definite provision of any “ordinary” good, such as the direct benefit of saving 1 billion lives. And, further, that the absolute value of the indirect effect of saving 1 billion lives on the total cumulative amount of existential risk—positive or negative—is almost certainly larger than the positive value of the direct benefit of such an action. [10]

#### System is self-correcting, we can’t stop genocidal violence if humanity goes extinct

Bostrom ’12 – faculty of philosophy at Oxford

(Nick, “Existential Risk Prevention as the Most Important Task for Humanity”, Forthcoming in *Global Policy* (2012), http://www.existential-risk.org/concept.html)

These reflections on moral uncertainty suggest an alternative, complementary way of looking at existential risk; they also suggest a new way of thinking about the ideal of sustainability. Let me elaborate. Our present understanding of axiology might well be confused. We may not now know—at least not in concrete detail—what outcomes would count as a big win for humanity; we might not even yet be able to imagine the best ends of our journey. If we are indeed profoundly uncertain about our ultimate aims, then we should recognize that there is a great option value in preserving—and ideally improving—our ability to recognize value and to steer the future accordingly. Ensuring that there will be a future version of humanity with great powers and a propensity to use them wisely is plausibly the best way available to us to increase the probability that the future will contain a lot of value. To do this, we must prevent any existential catastrophe. We thus want to reach a state in which we have (a) far greater intelligence, knowledge, and sounder judgment than we currently do; (b) far greater ability to solve global-coordination problems; (c) far greater technological capabilities and physical resources; and such that (d) our values and preferences are not corrupted in the process of getting there (but rather, if possible, improved). Factors b and c expand the option set available to humanity. Factor a increases humanity’s ability to predict the outcomes of the available options and understand what each outcome would entail in terms of the realization of human values. Factor d, finally, makes humanity more likely to want to realize human values. How we, from our current situation, might best achieve these ends is not obvious (figure 5). While we ultimately need more technology, insight, and coordination, it is not clear that the shortest path to the goal is the best one. It could turn out, for example, that attaining certain technological capabilities before attaining sufficient insight and coordination invariably spells doom for a civilization. One can readily imagine a class of existential-catastrophe scenarios in which some technology is discovered that puts immense destructive power into the hands of a large number of individuals. If there is no effective defense against this destructive power, and no way to prevent individuals from having access to it, then civilization cannot last, since in a sufficiently large population there are bound to be some individuals who will use any destructive power available to them. The discovery of the atomic bomb could have turned out to be like this, except for the fortunate fact that the construction of nuclear weapons requires a special ingredient—weapons-grade fissile material—that is rare and expensive to manufacture. Even so, if we continually sample from the urn of possible technological discoveries before implementing effective means of global coordination, surveillance, and/or restriction of potentially hazardous information, then we risk eventually drawing a black ball: an easy-to-make intervention that causes extremely widespread harm and against which effective defense is infeasible.[28] We should perhaps therefore not seek directly to approximate some state that is “sustainable” in the sense that we could remain in it for some time. Rather, we should focus on getting onto a developmental trajectory that offers a high probability of avoiding existential catastrophe. In other words, our focus should be on maximizing the chances that we will someday attain technological maturity in a way that is not dismally and irremediably flawed. Conditional on that attainment, we have a good chance of realizing our astronomical axiological potential.

# cyborg

#### Drones are key to solve terrorism- intel is effective

**Anderson ’13** [Kenneth, professor of international law at American University and a member of the Task Force on National Security and Law at the Hoover Institution, “The Case for Drones,” Commentary135.6 (Jun 2013): 14-23, Proquest, online]

ARE DRONE TECHNOLOGY AND TARGETED KILLING really so strategically valuable? The answer depends in great part not on drone technology, but on the quality of the intelligence that leads to a particular target in the first place. The drone strike is the final kinetic act in a process of intelligence-gathering and analysis. The success- and it is remarkable success- of the CIA in disrupting al-Qaeda in Pakistan has come about not because of drones alone, but because the CIA managed to establish, over years of effort, its own ground-level, human-intelligence networks that have allowed it to identify targets independent of information fed to it by Pakistan's intelligence services. The quality of drone-targeted killing depends fundamentally on that intelligence, for a drone is not much use unless pointed toward surveillance of a particular village, area, or person.¶ It can be used for a different kind of targeting altogether: against groups of fighters with their weapons on trucks headed toward the Afghan border. But these so-called signature strikes are not, as sometimes represented, a relaxed form of targeted killing in which groups are crudely blown up because nothing is known about individual members. Intelligence assessments are made, including behavioral signatures such as organized groups of men carrying weapons, suggesting strongly that they are "hostile forces" (in the legal meaning of that term in the U.S. military's Standing Rules of Engagement). That is the norm in conventional war.¶ Targeted killing of high-value terrorist targets, by contrast, is the end result of a long, independent intelligence process. What the drone adds to that intelligence might be considerable, through its surveillance capabilities- but much of the drone's contribution will be tactical, providing intelligence that assists in the planning and execution of the strike itself, in order to pick the moment when there might be the fewest civilian casualties.¶ Nonetheless, in conjunction with high-quality intelligence, drone warfare offers an unparalleled means to strike directly at terrorist organizations without needing a conventional or counterinsurgency approach to reach terrorist groups in their safe havens. It offers an offensive capability, rather than simply defensive measures, such as homeland security alone. Drone warfare offers a raiding strategy directly against the terrorists and their leadership.¶ If one believes, as many of the critics of drone warfare do, that the proper strategies of counterterrorism are essentially defensive- including those that eschew the paradigm of armed conflict in favor of law enforcement and criminal law- then the strategic virtue of an offensive capability against the terrorists themselves will seem small. But that has not been American policy since 9/11, not under the Bush administration, not under the Obama administration- and not by the Congress of the United States, which has authorized hundreds of billions of dollars to fight the war on terror aggressively. The United States has used many offensive methods in the past dozen years: Regime change of states offering safe havens, counterinsurgency war, special operations, military and intelligence assistance to regimes battling our common enemies are examples of the methods that are just of military nature.¶ Drone warfare today is integrated with a much larger strategic counterterrorism target- one in which, as in Afghanistan in the late 1990s, radical Islamist groups seize governance of whole populations and territories and provide not only safe haven, but also an honored central role to transnational terrorist groups. This is what current conflicts in Yemen and Mali threaten, in counterterrorism terms, and why the United States, along with France and even the UN, has moved to intervene militarily. Drone warfare is just one element of overall strategy, but it has a clear utility in disrupting terrorist leadership. It makes the planning and execution of complex plots difficult if only because it is hard to plan for years down the road if you have some reason to think you will be struck down by a drone but have no idea when. The unpredictability and terrifying anticipation of sudden attack, which terrorists have acknowledged in communications, have a significant impact on planning and organizational effectiveness.

#### Extinction

Hellman, 08 [Martin E. Hellman, emeritus prof of engineering @ Stanford, “Risk Analysis of Nuclear Deterrence” SPRING 2008 THE BENT OF TAU BETA PI, http://www.nuclearrisk.org/paper.pdf]

The threat of nuclear terrorism looms much larger in the public’s mind than the threat of a full-scale nuclear war, yet this article focuses primarily on the latter. An explanation is therefore in order before proceeding. A terrorist attack involving a nuclear weapon would be a catastrophe of immense proportions: “A 10-kiloton bomb detonated at Grand Central Station on a typical work day would likely kill some half a million people, and inflict over a trillion dollars in direct economic damage. America and its way of life would be changed forever.” [Bunn 2003, pages viii-ix]. The likelihood of such an attack is also significant. Former Secretary of Defense William Perry has estimated the chance of a nuclear terrorist incident within the next decade to be roughly 50 percent [Bunn 2007, page 15]. David Albright, a former weapons inspector in Iraq, estimates those odds at less than one percent, but notes, “We would never accept a situation where the chance of a major nuclear accident like Chernobyl would be anywhere near 1% .... A nuclear terrorism attack is a low-probability event, but we can’t live in a world where it’s anything but extremely low-probability.” [Hegland 2005]. In a survey of 85 national security experts, Senator Richard Lugar found a median estimate of 20 percent for the “probability of an attack involving a nuclear explosion occurring somewhere in the world in the next 10 years,” with 79 percent of the respondents believing “it more likely to be carried out by terrorists” than by a government [Lugar 2005, pp. 14-15]. I support increased efforts to reduce the threat of nuclear terrorism, but that is not inconsistent with the approach of this article. Because terrorism is one of the potential trigger mechanisms for a full-scale nuclear war, the risk analyses proposed herein will include estimating the risk of nuclear terrorism as one component of the overall risk. If that risk, the overall risk, or both are found to be unacceptable, then the proposed remedies would be directed to reduce which- ever risk(s) warrant attention. Similar remarks apply to a number of other threats (e.g., nuclear war between the U.S. and China over Taiwan). his article would be incomplete if it only dealt with the threat of nuclear terrorism and neglected the threat of full- scale nuclear war. If both risks are unacceptable, an effort to reduce only the terrorist component would leave humanity in great peril. In fact, society’s almost total neglect of the threat of full-scale nuclear war makes studying that risk all the more important. The cosT of World War iii The danger associated with nuclear deterrence depends on both the cost of a failure and the failure rate.3 This section explores the cost of a failure of nuclear deterrence, and the next section is concerned with the failure rate. While other definitions are possible, this article defines a failure of deterrence to mean a full-scale exchange of all nuclear weapons available to the U.S. and Russia, an event that will be termed World War III. Approximately 20 million people died as a result of the first World War. World War II’s fatalities were double or triple that number—chaos prevented a more precise deter- mination. In both cases humanity recovered, and the world today bears few scars that attest to the horror of those two wars. Many people therefore implicitly believe that a third World War would be horrible but survivable, an extrapola- tion of the effects of the first two global wars. In that view, World War III, while horrible, is something that humanity may just have to face and from which it will then have to recover. In contrast, some of those most qualified to assess the situation hold a very different view. In a 1961 speech to a joint session of the Philippine Con- gress, General Douglas MacArthur, stated, “Global war has become a Frankenstein to destroy both sides. … If you lose, you are annihilated. If you win, you stand only to lose. No longer does it possess even the chance of the winner of a duel. It contains now only the germs of double suicide.” Former Secretary of Defense Robert McNamara ex- pressed a similar view: “If deterrence fails and conflict develops, the present U.S. and NATO strategy carries with it a high risk that Western civilization will be destroyed” [McNamara 1986, page 6]. More recently, George Shultz, William Perry, Henry Kissinger, and Sam Nunn4 echoed those concerns when they quoted President Reagan’s belief that nuclear weapons were “totally irrational, totally inhu- mane, good for nothing but killing, possibly destructive of life on earth and civilization.” [Shultz 2007] Official studies, while couched in less emotional terms, still convey the horrendous toll that World War III would exact: “The resulting deaths would be far beyond any precedent. Executive branch calculations show a range of U.S. deaths from 35 to 77 percent (i.e., 79-160 million dead) … a change in targeting could kill somewhere between 20 million and 30 million additional people on each side .... These calculations reflect only deaths during the first 30 days. Additional millions would be injured, and many would eventually die from lack of adequate medical care … millions of people might starve or freeze during the follow- ing winter, but it is not possible to estimate how many. … further millions … might eventually die of latent radiation effects.” [OTA 1979, page 8] This OTA report also noted the possibility of serious ecological damage [OTA 1979, page 9], a concern that as- sumed a new potentiality when the TTAPS report [TTAPS 1983] proposed that the ash and dust from so many nearly simultaneous nuclear explosions and their resultant fire- storms could usher in a nuclear winter that might erase homo sapiens from the face of the earth, much as many scientists now believe the K-T Extinction that wiped out the dinosaurs resulted from an impact winter caused by ash and dust from a large asteroid or comet striking Earth. The TTAPS report produced a heated debate, and there is still no scientific consensus on whether a nuclear winter would follow a full-scale nuclear war. Recent work [Robock 2007, Toon 2007] suggests that even a limited nuclear exchange or one between newer nuclear-weapon states, such as India and Pakistan, could have devastating long-lasting climatic consequences due to the large volumes of smoke that would be generated by fires in modern megacities. While it is uncertain how destructive World War III would be, prudence dictates that we apply the same engi- neering conservatism that saved the Golden Gate Bridge from collapsing on its 50th anniversary and assume that preventing World War III is a necessity—not an option

#### Your arguments about the nature of the US military just prove we’d shift to bombing the shit out of people conventionally- drones are at least more precise

**Byman ’13** [Daniel L. Byman, Research Director, Saban Center for Middle East Policy, Senior Fellow, Foreign Policy, Saban Center for Middle East Policy, “Why Drones Work: The Case for Washington's Weapon of Choice,” <http://www.brookings.edu/research/articles/2013/06/17-drones-obama-weapon-choice-us-counterterrorism-byman>]

Drones have also undercut terrorists’ ability to communicate and to train new recruits. In order to avoid attracting drones, al Qaeda and Taliban operatives try to avoid using electronic devices or gathering in large numbers. A tip sheet found among jihadists in Mali advised militants to “maintain complete silence of all wireless contacts” and “avoid gathering in open areas.” Leaders, however, cannot give orders when they are incommunicado, and training on a large scale is nearly impossible when a drone strike could wipe out an entire group of new recruits. Drones have turned al Qaeda’s command and training structures into a liability, forcing the group to choose between having no leaders and risking dead leaders.¶ Critics of drone strikes often fail to take into account the fact that the alternatives are either too risky or unrealistic. To be sure, in an ideal world, militants would be captured alive, allowing authorities to question them and search their compounds for useful information. Raids, arrests, and interrogations can produce vital intelligence and can be less controversial than lethal operations. That is why they should be, and indeed already are, used in stable countries where the United States enjoys the support of the host government. But in war zones or unstable countries, such as Pakistan, Yemen, and Somalia, arresting militants is highly dangerous and, even if successful, often inefficient. In those three countries, the government exerts little or no control over remote areas, which means that it is highly dangerous to go after militants hiding out there. Worse yet, in Pakistan and Yemen, the governments have at times cooperated with militants. If the United States regularly sent in special operations forces to hunt down terrorists there, sympathetic officials could easily tip off the jihadists, likely leading to firefights, U.S. casualties, and possibly the deaths of the suspects and innocent civilians.¶ Of course, it was a Navy SEAL team and not a drone strike that finally got bin Laden, but in many cases in which the United States needs to capture or eliminate an enemy, raids are too risky and costly. And even if a raid results in a successful capture, it begets another problem: what to do with the detainee. Prosecuting detainees in a federal or military court is difficult because often the intelligence against terrorists is inadmissible or using it risks jeopardizing sources and methods. And given the fact that the United States is trying to close, rather than expand, the detention facility at Guantánamo Bay, Cuba, it has become much harder to justify holding suspects indefinitely. It has become more politically palatable for the United States to kill rather than detain suspected terrorists.¶ Furthermore, although a drone strike may violate the local state’s sovereignty, it does so to a lesser degree than would putting U.S. boots on the ground or conducting a large-scale air campaign. And compared with a 500-pound bomb dropped from an F-16, the grenadelike warheads carried by most drones create smaller, more precise blast zones that decrease the risk of unexpected structural damage and casualties. Even more important, drones, unlike traditional airplanes, can loiter above a target for hours, waiting for the ideal moment to strike and thus reducing the odds that civilians will be caught in the kill zone.¶ Finally, using drones is also far less bloody than asking allies to hunt down terrorists on the United States’ behalf. The Pakistani and Yemeni militaries, for example, are known to regularly torture and execute detainees, and they often indiscriminately bomb civilian areas or use scorched-earth tactics against militant groups.¶ Some critics of the drone program, such as Ben Emmerson, the UN’s special rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, have questioned the lethal approach, arguing for more focus on the factors that might contribute to extremism and terrorism, such as poverty, unemployment, and authoritarianism. Such a strategy is appealing in principle, but it is far from clear how Washington could execute it. Individuals join anti-American terrorist groups for many reasons, ranging from outrage over U.S. support for Israel to anger at their own government’s cooperation with the United States. Some people simply join up because their neighbors are doing so. Slashing unemployment in Yemen, bringing democracy to Saudi Arabia, and building a functioning government in Somalia are laudable goals, but they are not politically or financially possible for the United States, and even if achieved, they still might not reduce the allure of jihad.¶ In some cases, the most sensible alternative to carrying out drone strikes is to do nothing at all. At times, that is the right option: if militants abroad pose little threat or if the risk of killing civilians, delegitimizing allies, or establishing the wrong precedent is too high. But sometimes imminent and intolerable threats do arise and drone strikes are the best way to eliminate them.

#### No escalatory wars- human decision-makers are still intimately involved- they ignore supplemental platforms and relevant cost calculations- Libya proves their arguments about lowering the cost of war are bunk

Trombly, 12 – Caerus Analytics, LLC National Security/International Affairs analyst

[Daniel, "Drones are a symptom, not a cause," 5-23-12, slouchingcolumbia.wordpress.com/2012/05/23/drones-are-a-symptom-not-a-cause/, accessed 9-2-13, mss]

Wheeler notes that on the U.S. border, **drones** often **must be supplemented** by “Big Miguel” Cessnas with FLIR (that cost multiple times less than Predator or Reaper airframes to operate, and magnitudes less per alien intercepted). Even in the so-called drone wars, manned ISR platforms are frequent features. There is a reason Sean Naylor talks about the use of P-3 ISR platforms off the coast of Somalia, or that U-28 aircraft are flying out of Djibouti. Additionally, Task Force ODIN in Afghanistan has MC-12W Liberty prop-driven aircraft as the cornerstone of ISR missions supporting drone operations there (in addition to the myriad of Air Force and Navy EW and ISR platforms which support AfPak operations). If the drones, even with their long endurance time, must be supplemented with manned ISR, this means that drone endurance capability is likely not a factor that significantly removes constraints on strikes. Additionally, for drones to provide as much firepower as manned combat aircraft, they must significantly sacrifice their endurance to bring a full-combat load to bear. Manned planes have a very obvious method for improving endurance – in-flight refueling. While this still does not bring them up to match drones, when one considers that in combination with native or additional ISR platforms, more precise and effective strikes are possible. In-flight refueling is a readily available option for a wide variety of manned strike platforms. Indeed, some manned strike platforms are actually based off of refueling variants such as the KC-130 Harvest Hawk and MC-130 Dragon Spear families. The MC-130Ws can be armed with a Bushmaster 30mm gun along with up to dozens of Viper Strike or Griffin munitions. The KC-130 maintains a similar capability. They can carry just as much weaponry as drones, including the gun (often a more useful weapons systems for certain strikes), along with equivalent or superior sensor packages and the ability to in-flight refuel or draw on their internal fuel bladders to provide potent overwatch capabilities. **That drone strikes have to be supplemented** by these platforms not simply for ISR but for strike capabilities **suggests** that **drones are not what tips the balance between the choice to use force and** the choice **not** to use force**.** **One must differentiate between the proximate and ultimate determinants** of the decision to use force**,** and while drones might be a proximate decision, as the first strike in Yemen utilized one in 2002, that they were hardly the only platform utilized suggests that that a lack of drones would have prevented the U.S. from conducting standoff strikes against hostile non-state actors in Yemen and Somalia. Drones are expendable: If they are, at least in a way that alters the decision to use force in a way manned aircraft does not, it’s not reflected in the way we currently employ them. The so-called drone wars in Pakistan, Yemen, and Somalia are all areas where we have tacit agreements which allowed for the violation of foreign air sovereignty – which is precisely why we have used manned platforms in Yemen and Somalia. Even in Pakistan, though published reports only emphasize drone usage, serious Pakistani air defense attempts to intercept drones have never been a serious concern. Diplomatic prohibition of the strikes has been far more problematic than any attempt to shoot down the aircraft, which suggests that **the U.S. is** sensibly **more concerned about losing a multimillion dollar investment -pilot or no – than it is willing to take advantage of the supposed** political **risk mitigation** an unmanned platform offers. There is one case that we know of where drones have conducted armed strikes in areas where their expendable status might have been put to good use – Libya. So did drones go in first and take the heat for Americans? **No, they absolutely didn’t!** The first armed drone strikes in Libya did not occur until about a month after the U.S. had deployed manned and cruise missile attacks had neutralized Libyan air defenses and conducted a variety of other strikes. Drones, in fact, were not deployed to attack ground targets until any threat to aircraft of any kind was removed, which is **the opposite of what we would expect if drones were really pushing policymakers into** the more **vigorous use of force.**

#### History disproves their arguments- new tech is not different than old tech- there’s no new more dangerous world. These claims are always made of every new military tech, but the catastrophic impacts never happen

Etzioni, 13 -- George Washington University international affairs professor

[Amitai, "Drones: Say it with figures," UPI, 4-30-13, www.upi.com/Top\_News/Analysis/Outside-View/2013/04/30/Outside-View-Drones-Say-it-with-figures/UPI-25571367294880/?spt=hs&or=an, accessed 6-11-13, mss]

Another frequent claim of drone opponents is that the use of drones greatly lowers the costs of war (at least for the United States) and, thus, promotes military adventurism. For example, Mazzetti (as quoted by Bergen) claims that the use of drones has "lowered the bar for waging war, and it is now easier for the United States to carry out killing operations at the ends of the earth than at any other time in its history." However, there is no evidence that the introduction of drones (and before that, high-level bombing and cruise missiles that were criticized on the same grounds) made going to war more likely or its extension more acceptable. On the contrary, anybody who followed the American disengagement in Vietnam after the introduction of high-level bombing (which was subject to criticism similar to that of drones) or the U.S. withdrawal from Afghanistan -- despite the considerable increase in the use of drone strikes elsewhere -- knows better. In effect, the opposite argument may well hold: If the United States couldn't draw on drones in Yemen and the other new theaters of the counterterrorism campaign, the nation might well have been forced to rely more on conventional troops, a choice that would greatly increase our casualties as well as the resentment by the locals, who particularly object to the presence of foreign troops.

#### Drones increase accountability- more monitoring of US activities

**Goure ’12** [ Daniel Goure, PhD in international relations and Russian studies from the Johns Hopkins University, is a vice president of the Lexington Institute, was a member of the Defense Department’s Transition Team, served as director of the Office of Strategic Competitiveness for the Secretary of Defense and was a senior analyst with the Center for Naval Analyses, Science Applications International Corporation, SRS Technologies, R&D Associates and System Planning Corporation, has been a consultant for the Departments of State, Defense, and Energy, has been an adjunct professor in graduate programs at the Center for Peace and Security Studies at Georgetown University, and an adjunct professor at National Defense University, “Drones and the Changing Nature of Warfare: Hold the Presses!” <http://www.cato-unbound.org/2012/01/13/daniel-goure/drones-changing-nature-warfare-hold-presses>]

I might go even farther than Goldstein and argue that Cortright should advocate the greater use of drones, armed and otherwise, precisely due to his interest in reducing the frequency, intensity, and costs of conflicts. Just as dash cameras in police cars and cell phone cameras have led to a decrease in police brutality and the ability to bring those who violate procedures to account, the electro-optical sensors on drones can be used to increase oversight over military forces in the field. In fact, cameras can reduce what Cortright calls “the psychological distance that separates the launching of a strike from its bloody impact.” It can also help reduce the alleged isolation of the American people from the use of force in their name.

# civilian

#### Supplemental deployment of platforms intimately involving human decision-makers disproves their distancing arguments. New platforms make war-fighting more successful BUT does not increase the likelihood of using force or bellicosity

Trombly, 12 – Caerus Analytics, LLC National Security/International Affairs analyst

[Daniel, "Drones are a symptom, not a cause," 5-23-12, slouchingcolumbia.wordpress.com/2012/05/23/drones-are-a-symptom-not-a-cause/, accessed 9-2-13, mss]

But does the lack of accident threat increase bellicosity? Not really, since again, in virtually all theaters of drone use, drone strikes occur where manned strikes or manned ISR support is also occurring. **These aircraft are also at accident risk, yet they are often used alongside drones** or to fulfill missions that drones also carry out. While again, on paper, drones remove these risk, in practice the kind of missions policymakers employ drones with does not suggest drones have significantly changed their calculus towards waging standoff strike campaigns. Policymakers are relying on drones The United States is only “relying” on drones in Pakistan, and even then, in Pakistan it’s also operating Counterterrorism Pursuit Teams on the ground and other proxy militia forces, and very likely receiving the kind of manned ISR support that drones very frequently do in Afghanistan (along with strike support in that theater, of course). The “unique capabilities” of drones **do not change the calculus to actually initiate military action, they just change the** relative **logistical load of the operation.** That’s not a revolution and that’s hardly enough evidence to suggest it significantly effects U.S. bellicosity or the accountability of warmaking by giving policymakers a cost free option for prosecuting strikes.

#### Distancing is a joke- your authors are hacks with no military expertise- drones create more of an emphatic bond than regular warfare

Brooks, 12 -- Georgetown University Law Center professor

[Rosa, New America Foundation Bernard L. Schwartz senior fellow, recently served as Counselor to the Under Secretary of Defense for Policy and as Special Coordinator for Rule of Law and Humanitarian Policy in the Pentagon, J.D. from Yale Law School, "What's Not Wrong With Drones? The wildly overblown case against remote-controlled war," 9-6-12, newamerica.net/node/71003, accessed 6-11-13, mss]

For many on the political left, and more than a few in the middle, drone strikes are the paradigmatic example of U.S. militarism run amok. I'm not crazy about the way the United States has been using drone strikes myself, but many of the most common objections to drones don't hold up well under scrutiny. Let's review the case against the drones. 1. Drone strikes kill innocent civilians. This is undoubtedly true, but it's not an argument against drone strikes as such. War kills innocent civilians, period. But some means and methods of warfare tend to cause more unintended civilian deaths than others. "Drones scout over [Afghanistan and Pakistan] launching Hellfire missiles into the region missing their intended targets, resulting in the deaths of many innocent people," trumpets the website for Code Pink, a women's peace group. Similarly, the Anti-War Committee asserts that "the physical distance between the drone and its shooter makes lack of precision unavoidable." But to paraphrase the NRA, "Drones don't kill people, people kill people." At any rate, drone strikes kill civilians at no higher a rate, and almost certainly at a lower rate, than most other common means of warfare. Drones actually permit far greater precision in targeting. Today's unmanned aerial vehicles (UAVs) can carry small bombs that do less widespread damage, and there's no human pilot whose fatigue might limit flight time. Their low profile and relative fuel efficiency combines with this to permit them to spend more "time on target" than any manned aircraft. Drones can engage in "persistent surveillance.­" That means they don't just swoop in, fire missiles and swoop out: they may spend hours, days, or even months monitoring a potential target. Equipped with imaging technologies that enable operators even thousands of miles away to see details as fine as individual faces, modern drone technologies allow their operators to distinguish between civilians and combatants far more effectively than most other weapons systems. That doesn't mean civilians don't get killed in drone strikes. They do. How many civilians? It depends how you count. The British Bureau of Investigative Journalism analyzed reports by "government, military and intelligence officials, and by credible media, academic and other sources" and came up with a range: the 344 known drone strikes in Pakistan between 2004 and 2012 killed between 2,562 and 3,325 people, of whom between 474 and 881 were civilians. (The numbers for Yemen and Somalia are much squishier.) The New America Foundation, at which I'm a fellow, came up with slightly lower numbers: somewhere between 1,873 and 3,171 people killed overall in Pakistan, of whom between 282 and 459 were civilians. That means somewhere between 8 percent and 47 percent of Pakistan drone strike victims were probably civilians. Work out the civilian deaths per drone strike ratio for the last eight years, and on average, each drone strike seems to have killed between 0.8 and 2.5 civilians. These are gruesome calculations: behind the numbers, regardless of which data set is right, lie the mangled bodies of human beings. But whether drones strikes cause "a lot" or "only a few" civilian casualties depends what we regard as the right point of comparison. A study by the International Committee for the Red Cross found that on average, 10 civilians died for every combatant killed during the armed conflicts of the 20th century. For the Iraq War, estimates vary widely; different studies place the ratio of civilian deaths to combatant deaths anywhere between 10 to 1 and 2 to 1. Compared to the atom bombs dropped on Hiroshima and Nagasaki, drone strikes look pretty good. Compared to world peace, not so much. The most meaningful point of comparison is probably manned aircraft. It's difficult to get solid numbers here, but one analysis published in the Small Wars Journal suggested that in 2007 the ratio of civilian deaths due to coalition air attacks in Afghanistan may have been as high as 15 to 1. More recent UN figures suggest a far lower rate, with as few as one civilian killed for every ten airstrikes in Afghanistan. But drone strikes have also gotten far less lethal for civilians in the last few years: the New America Foundation concludes that only three to nine civilians were killed during 72 U.S. drone strikes in Pakistan in 2011, and the 2012 number -- so far -- is zero civilians killed in 36 strikes. In part, this is due to technological advances over the last decade, but it's also due to far more stringent rules for when drones can release weapons. 2. Drones strikes are bad because killing at a distance is unsavory. Really? If killing from a safe distance (say, Creech Air Force Base in Nevada) is somehow "wrong," what should be our preferred alternative -- stripping troops of body armor, or taking away their guns and requiring them to engage in hand-to-hand combat? If drone strikes enable us to kill enemies without exposing our own personnel, this is presumably a good thing, not a bad thing. Maybe we shouldn't kill anyone, or maybe we're killing the wrong people -- but these are assertions about ethics, intelligence and strategy, not about drones. Drones don't present any "new" issues not already presented by aerial bombing -- or by any previous historical method of killing from a distance. In the early 1600s, Cervantes called artillery a "devilish invention" allowing "a base cowardly hand to take the life of the bravest gentleman," with bullets "coming nobody knows how or from whence." (Much like drones.) The longbow and cross bow were also once considered immoral, for that matter: in 1139, the Second Lateran Council of Pope Innocent II is said to have "prohibit[ed] under anathema that murderous art of crossbowmen and archers, which is hateful to God" -- at least when used against Christians. 3. Drones Turn Killing into a Video Game. Writing in the Guardian, Phillip Allston (the United Nations special rapporteur on extrajudicial, summary or arbitrary executions) and Hina Shamsi of the ACLU decry "the PlayStation mentality" created by drone technologies. "Young military personnel raised on a diet of video games now kill real people remotely using joysticks. Far removed from the human consequences of their actions, how will this generation of fighters value the right to life?" But are drones more "video game-like" than, say, having cameras in the noses of cruise missiles? Those old enough to remember the first Gulf War will recall the shocking novelty of images taken by cameras inside U.S. Tomahawk missiles, the jolting, grainy images in the crosshairs before everything went ominously black. Regardless, there's little evidence that drone technologies "reduce" their operators' awareness of human suffering. **If anything**, drone **operators** **may be far more keenly aware of the suffering** they help inflict **than any** distant **sniper or bomber** pilot **could be.** Journalist Daniel Klaidman reports the words of one CIA drone operator, a former Air Force pilot: "I used to fly my own air missions.... I dropped bombs, hit my target load, but had no idea who I hit. [With drones], I can look at their faces... see these guys playing with their kids and wives.... After the strike, I see the bodies being carried out of the house. I see the women weeping and in positions of mourning. **That's not PlayStation; that's real."**

#### Weapons aren’t agents; humans are still in control

Beier, 11 -- McMaster University political science professor

[J. Marshall, PhD in Political Science from York University, former Associate Director of the York Centre for International and Security Studies, "Dangerous Terrain: Re-Reading the Landmines Ban through the Social Worlds of the RMA," Contemporary Security Policy, Vol 32, No. 1, April 2011, pp159-175, accessed 9-15-13, mss]

My other caveat concerns what precisely I mean to say when I refer to "weapon- agents." The central problematic explored in this article is concerned with ascriptions of agency to weapons and nothing in what follows should be taken to suggest that any weapon yet seen, no matter how advanced, can rightly be apprehended as a bona fide agent. This is a point in need of thoughtful engagement in literatures on arms control and the RMA alike lest the political be lost behind a preoccupation with the techno- logical. No matter their capabilities, weapons are made to do things, they do not act of their own volition. This is true even of the next generation of so-called "autonomous weapons." Though ever less dependent upon human operators, all must nevertheless be despatched in a political purpose of which they cannot be the authors. Ascription of agency to weapons, however, mystifies sites of subjecthood in ways that complicate possibilities for an oppositional political stance. Looming larger than ethico-political questions about resort to war, we instead see legitimacy reduced to a technical problem of distinguishing between combatants and noncombatants, with "˜better` weapons technologies promising an ultimate resolution.

#### Evidence is biased- civilian deaths are dropping rapidly

**Cohen 13** [Michael, fellow of the Century Foundation, MA from Columbia, former senior fellow at the New America Foundation and the American Security Project. He also served in the U.S. Department of State as chief speechwriter for U.S. Representative to the United Nations Bill Richardson and Undersecretary of State Stuart Eizenstat. He has worked at the Carnegie Endowment for International Peace, “Give President Obama a chance: there is a role for drones,” <http://www.guardian.co.uk/commentisfree/2013/may/23/obama-drone-speech-use-justified>]

Instead government officials speak mainly of the drone program's successes. According to President Obama, the drone campaign has taken dozens of al Qaida members off the battlefield and has done so with minimal civilian deaths. Indeed, current CIA director John Brennan publicly claimed in 2011 that there had not been a "single collateral death" from US drone strikes in the previous year.¶ Drone critics have a much different take. They are passionate in their conviction that US drones are indiscriminately killing and terrorizing civilians. The Guardian's own Glenn Greenwald argued recently that no "minimally rational person" can defend "Obama's drone kills on the ground that they are killing The Terrorists or that civilian deaths are rare". Conor Friedersdorf, an editor at the Atlantic and a vocal drone critic, wrote last year that liberals should not vote for President Obama's re-election because of the drone campaign, which he claimed "kills hundreds of innocents, including children," "terrorizes innocent Pakistanis on an almost daily basis" and "makes their lives into a nightmare worthy of dystopian novels".¶ ¶ I disagree. Increasingly it appears that arguments like Friedersdorf makes are no longer sustainable (and there's real question if they ever were). Not only have drone strikes decreased, but so too have the number of civilians killed – and dramatically so.¶ This conclusion comes not from Obama administration apologists but rather, Chris Woods, whose research has served as the empirical basis for the harshest attacks on the Obama Administration's drone policy.¶ Woods heads the covert war program for the Bureau of Investigative Journalism (TBIJ), which maintains one of three major databases tabulating civilian casualties from US drone strikes. The others are the Long War Journal and the New America Foundation (full disclosure: I used to be a fellow there). While LWJ and NAJ estimate that drone strikes in Pakistan have killed somewhere between 140 and 300 civilians, TBIJ utilizes a far broader classification for civilians killed, resulting in estimates of somewhere between 411-884 civilians killed by drones in Pakistan. The wide range of numbers here speaks to the extraordinary challenge in tabulating civilian death rates.¶ There is little local reporting done on the ground in northwest Pakistan, which is the epicenter of the US drone program. As a result data collection is reliant on Pakistani news reporting, which is also dependent on Pakistani intelligence, which has a vested interest in playing up the negative consequences of US drones.¶ When I spoke with Woods last month, he said that a fairly clear pattern has emerged over the past year – far fewer civilians are dying from drones. "For those who are opposed to drone strikes," says Woods there is historical merit to the charge of significant civilian deaths, "but from a contemporary standpoint the numbers just aren't there."¶ While Woods makes clear that one has to be "cautious" on any estimates of casualties, it's not just a numeric decline that is being seen, but rather it's a "proportionate decline". In other words, the percentage of civilians dying in drone strikes is also falling, which suggests to Woods that US drone operators are showing far greater care in trying to limit collateral damage.¶ Woods estimates are supported by the aforementioned databases. In Pakistan, New America Foundation claims there have been no civilian deaths this year and only five last year; Long War Journal reported four deaths in 2012 and 11 so far in 2013; and TBIJ reports a range of 7-42 in 2012 and 0-4 in 2013. In addition, the drop in casualty figures is occurring not just in Pakistan but also in Yemen.¶ These numbers are broadly consistent with what has been an under-reported decline in drone use overall. According to TBIJ, the number of drone strikes went from 128 in 2010 to 48 in 2012 and only 12 have occurred this year. These statistics are broadly consistent with LWJ and NAF's reporting. In Yemen, while drone attacks picked up in 2012, they have slowed dramatically this year. And in Somalia there has been no strike reported for more than a year.¶ Ironically, these numbers are in line with the public statements of CIA director Brennan, and even more so with Senator Dianne Feinstein of California, chairman of the Select Intelligence Committee, who claimed in February that the numbers she has received from the Obama administration suggest that the typical number of victims per year from drone attacks is in "the single digits".

### 2NC OV

#### DA o/w and turns the case—there is an invisible tipping point and an 100% risk of extinction coming

#### The aff can’t completely solve for the logic of disposability, it’s inevitable and intervening actors may be able to stop their conflicts but you CANNOT negotiate with the environment

#### Climate change is coming now and bears a hugely disproportionate impact on those already at the greatest socioeconomic disadvantage, causing widespread physical displacement and death

Byravan and Rajan ’10 Sujatha Byravan and Sudhir Chella Rajan, “The Ethical Implications of Sea-Level Rise Due to Climate Change,” Ethics & International Affairs 24, No. 3, 9/20/2010, only accessible on some exclusive database

As scientific evidence for the adverse effects of human-induced climate change grows stronger, it is becoming increasingly clear that these questions are of urgent practical interest and require concerted international political action. In the course of this century and the next, the earth’s climate will almost surely get warmer as a direct result of the emissions accumulated in the atmosphere from the burning of fossil fuels since the Industrial Revolution. This warming will very likely result in heat waves, heavy precipitation in some areas, extreme droughts in others, increased hurricane intensity, and sea-level rise of about one meter—although recent findings suggest this rise could quite plausibly be greater than that by century’s end.1 Forecasts of how many people will be displaced by 2050 by climate change vary widely, from about 25 million to 1 billion. The difficulty in accurate forecasting lies not only in the uncertainty regarding future climate change impacts and adaptation measures but also in estimating the outcome of the several complex factors driving migration.2 No other form of environmentally induced human migration will likely be as permanent as that caused by climate-induced SLR; and there are special reasons why its victims deserve unique moral consideration. SLR will affect coastal populations in a variety of ways, including inundation, flood and storm damage, erosion, saltwater intrusion, and wetland loss. Together, these will greatly reduce available land for cultivation, water resources, and fodder, causing severe hardship in terms of livelihood and habitat loss. Worst of all, SLR and the associated changes in the coastal zone will add burdens to many who are already poor and vulnerable. The physical changes associated with SLR may themselves take place in abrupt, nonlinear ways as thresholds are crossed. In turn, the least resilient communities— that is, those dependent on subsistence fishing—will be the first to experience ‘‘tipping points’’ in their life systems, so that the only option available to them would be to abandon their homes and search for better prospects elsewhere. As the average sea level continues to rise, coastal inundation, saltwater intrusion, and storm surges will become more intense and people will find it increasingly difficult to stay in their homes and will look for ways to migrate inland. As ever larger numbers pass thresholds in their ability to cope, more societal tipping points will be crossed, resulting in the sudden mass movements of entire villages, towns, and cities in coastal regions.3 On small islands and in countries with heavily populated delta regions, the very existence of the nation-state may become jeopardized, so that the extremely vulnerable will no longer have state protection they can rely on. The extent of vulnerability to sea-level rise in any given country will depend on more than just its terrain and climatic conditions: the fraction of the population living in low-lying regions, the area and proportion of the country inundated, its wealth and economic conditions, and its prevailing political institutions and infrastructure will all be of relevance. Thus, in a large country, such as the United States or China, coastal communities would be able to move inland, given adequate preparation and government response. In the case of small islands in the South Pacific, however, such an option does not exist, since it is expected that most or even the entire land area will sink or become uninhabitable. In such cases as Bangladesh, Egypt, Guyana, and Vietnam, where nearly half or more of the populations live in low-lying deltaic regions that support a major fraction of their economies, SLR will threaten the very functioning of the state. Moreover, it is increasingly clear that for tens to hundreds of millions of people living in low-lying areas and on small islands, no physical defense is realistically possible or can be fully protective. A recent report by the Dutch Delta Committee proposes annual investments of about 1.5 billion Euros for the rest of the century just to protect the Netherlands’ 200-mile coastline, and indicates that 20–50 percent of coastal land worldwide cannot be protected, especially under conditions where SLR takes place rapidly—as a result, say, of a collapse of major ice sheets in Greenland or Antarctica.4 Even if greenhouse gases are removed from the atmosphere through some future technology, we are already committed to a certain degree of warming and sea-level rise because of the thermal inertia of the oceans. In addition, most residents of small island nations and other low-lying coastal regions around the world will not be able to avail themselves of the sorts of conventional adaptation remedies that are conceivable for the victims of drought, reduced crop yields, desertification, and so on. Apart from exceptional cases where adequate engineering solutions can be developed to prevent inundation, coastal erosion, saltwater intrusion, and other challenges associated with rising seas, people living in these vulnerable regions will be forced to flee, generally with no possibility of return to their original homes. Indeed, migration and permanent resettlement will be the only possible ‘‘adaptation’’ strategy available to millions. Existing international law provides no solution for these individuals, for whom, we will argue, the only just remedy is in the form of special rights of free global movement and resettlement in regions and countries on higher ground in advance of disaster. What Needs to Be Done The issue of climate change and migration has received considerable scholarly attention, primarily in terms of its political and legal implications, but there has been little focus on the ethical aspects.5 In an earlier paper we suggested that the responsibility of absorbing ‘‘climate exiles’’ should be shared among host countries in a manner that is proportional to a host’s cumulative emissions of greenhouse gases.6 Here, we try to develop the ethical basis for the international community, first, to recognize that displaced persons, and in particular those whose nation states will have become physically nonexistent or will face an unendurable burden, should have a special right to free movement to other countries; and, second, to formulate institutional means for providing them political, social, and economic rights. We define the victims’ unbearable burden in the following terms: they will face a breakdown or total forfeiture of prevailing physical, economic, and social support systems; and they will have no effective state to endow them with rights and alleviate their pain. It is not our intention to provide a particular formula for how individual countries should be made responsible for the victims’ habitation and citizenship, but to suggest instead that once the basic principle of shared responsibility based on each country’s contribution to climate change is accepted, there could be several ways to determine precisely how the costs of policy implementation should be distributed, how rights could be exercised by the climate exiles and migrants, and what other institutional and political mechanisms should be established to avert a massive refugee crisis. The fairest solution, we therefore propose, is for the international community to grant, in the first instance, the individual right to migrate to safe countries for those who will be displaced forcibly by SLR. We then recommend that an international treaty begin to address this issue so that climate migrants and future exiles will be able to find homes well in advance of the actual emergency.7 Indeed, unlike in the case of natural disasters, such as the Asian tsunami of December 2004, the world is already sufficiently forewarned about the need to prepare for the effects of SLR and has ample time and opportunity to make reasoned judgments about how best to respond.8 We contend that the alternative—to ignore potential victims until after they become ‘‘environmental refugees’’—is morally indefensible as well as impractical. For one thing, the victims in the case of SLR cannot even be classified as ‘‘refugees’’ since there are no legal instruments that give them this option. Notably, the Refugee Convention, designed to protect those forced to flee their homes as a result of war or persecution, in force since 1954, recognizes as a refugee someone who is ‘‘unable [or] unwilling to avail himself of the protection’’ of his country of nationality and is outside that country ‘‘owing to well-grounded fear of being persecuted for reasons of race, religion, nationality, membership in a particular social group or political opinion’’—a definition that does not extend to those adversely affected by environmental disasters, including climatic change. In this paper and elsewhere we therefore reserve the terms ‘‘climate migrants’’ and ‘‘climate exiles’’ to refer to the victims of SLR attributed to climate change. The former includes all those who are displaced because of the effects of climate change, while the latter refers to a special category of climate migrants who will have lost their ability to remain well-functioning members of political societies in their countries, often through no fault of their own. Further, while most climate migrants will be internally displaced people, or have the opportunity of returning to their countries or regions of origin if adequate adaptation measures were taken, climate exiles will be forced to become permanently stateless in the absence of other remedies. Duties to Climate Exiles Our fundamental argument is that humanity carries a special obligation to present and future generations of people whose homes, means of livelihood, and membership in states will be lost specifically as a result of sea-level rise caused by climate change. We draw upon the principle of intergenerational equity, wherein each generation is collectively responsible for protecting and using natural resources in a sustainable manner so that future generations are not unduly harmed by their present misuse. The recognition of this duty implies, as Joerg Tremmel suggests, that ‘‘in spite of the difficulties such as opportunity costs, restricted human ability and foresight, modern collective agents (present governments and leading industrial companies) have to take their responsibility for future generations seriously.’’9 This responsibility is carried over to representative agents in the future who share the legacy of causing harm with their forebears but who now have the ability to recognize the suffering that ensues as a result of historical (if not continuing) actions and can therefore make amends to the sufferers who live in their midst. As we discuss later, this is not always equivalent to an argument for making reparations for past injury.

#### Oil dependence makes aggressive warfare inevitable – turns the case

**COLLINA 2005** (Tom Z. Collina, Executive Director, 20/20 Vision, “Oil Dependence and U.S. Foreign Policy: Real Dangers, Realistic Solutions,” Testimony before the Committee on Foreign Relations Subcommittee on Near Eastern and South Asian Affairs United States Senate, October 19, 2005, http://www.globalsecurity.org/military/library/congress/2005\_hr/051020-collina.pdf, )

Bottom line: our economy and security are increasingly dependent on one of the most unstable regions on earth. Unless we change our ways, we will find ourselves even more at the mercy of Middle East oil and thus more likely to get involved in future conflicts. The greater our dependence on oil, the greater the pressure to protect and control that oil. The growing American **dependence** on imported oil **is the primary driver of U.S. foreign and military policy today,** particularly in the Middle East, **and motivates an aggressive military policy** now on display in Iraq. To help avoid similar wars in the future and to encourage a more cooperative, responsible, and multilateral foreign policy the United States must significantly reduce its oil use. Before the Iraq war started, Anthony H. Cordesman of the Center for Strategic and International Studies said: “Regardless of whether we say so publicly, we will go to war, because Saddam sits at the center of a region with more than 60 percent of all the world's oil reserves.” Unfortunately, he was right. In fact, the use of military power to protect the flow of oil has been a central tenet of U.S. foreign policy since 1945. That was the year that President Franklin D. Roosevelt promised King Abdul Aziz of Saudi Arabia that the United States would protect the kingdom in return for special access to Saudi oil—a promise that governs U.S. foreign policy today. This policy was formalized by President Jimmy Carter in 1980 when he announced that the secure flow of oil from the Persian Gulf was in “the vital interests of the United States of America” and that America would use “any means necessary, including military force” to protect those interests from outside forces. This doctrine was expanded by President Ronald Reagan in 1981 to cover internal threats, and was used by the first President Bush to justify the Gulf War of 1990-91, and provided a key, if unspoken rationale for the second President Bush’s invasion of Iraq in 2003. ii The Carter/Reagan Doctrine also led to the build up of U.S. forces in the Persian Gulf on a permanent basis and to the establishment of the Rapid Deployment Force and the U.S. Central Command (CENTCOM). The United States now spends over $50 Billion per year (in peacetime) to maintain our readiness to intervene in the Gulf. iii America has tried to address its oil vulnerability by using our military to protect supply routes and to prop up or install friendly regimes. But as Iraq shows the price is astronomical—$200 Billion and counting. Moreover, it doesn’t work—Iraq is now producing less oil than it did before the invasion. While the reasons behind the Bush administration’s decision to invade Iraq may be complex, can anyone doubt that we would not be there today if Iraq exported coffee instead of oil? It is time for a new approach. Americans are no longer willing to support U.S. misadventures in the Persian Gulf. Recent polls show that almost two-thirds of Americans think the Iraq war was not worth the price in terms of blood and treasure. Lt. Gen William Odom, director of the National Security Agency during President Reagan's second term, recently said: "The invasion of Iraq will turn out to be the greatest strategic disaster in U.S. history." The nation is understandably split about what to do now in Iraq, but there appears to be widespread agreement that America should not make the same mistake again—and we can take a giant step toward that goal by reducing our dependence on oil.

#### CIR is a moral imperative- turns their securitization args and causes structural violence

**Morales ‘13** [Rev. Dr. Jorge L. Morales, Conference Minister, United Church of Christ Illinois Conference, Member of The Chicago New Sanctuary Coalition, “A Call to Non-Violent Resistance: Immigration Reform Is a Moral Imperative,” 10-29-13, <http://www.huffingtonpost.com/rev-dr-jorge-l-morales/a-call-to-nonviolent-resi_b_4170414.html>]

The time has come to resist our nation's immigration system: we cannot justify a system which deports 400,000 people per year, even while there is widespread agreement that the system is broken. I call on people of faith and conscience to join us.¶ Such acts of resistance should never be taken lightly, and should only follow all other courses for correcting wrongs. In our struggle, we have met many times with our elected representatives, we have marched, we have prayed -- and we will continue doing so.¶ But our actions up to this point have not been sufficient to stop an immigration system which is tearing at the very fabric of our community. We still see the tears of the children left behind from deportations. We still pray with those who live in fear every day. We still read the breathtaking statistics: 18 billion taxpayer dollars were spent on immigration enforcement in FY2012, more than all other federal criminal law enforcement agencies combined. Over 5,000 children are in foster care following a parent's deportation. Only 10.8 percent of immigration detainers issued by local law enforcement agencies in the first half of 2103 were for serious public safety or national security threats. The New York Times highlighted the Obama administration's disastrous immigration enforcement policies with a timely editorial entitled, "Not One More."¶ I call on elected leaders to be courageous: Representative Boehner, our country is counting on you to let comprehensive reform legislation move forward in the House. Representatives Roskam and Lipinski, you have special roles to play as the only Chicagoland representatives who have yet to support reform efforts. President Obama, your administration is responsible for more deportations per year than any other in history.¶ I call on clergy and laity to join us. Over 100 faith groups and leaders have already signed on to our Declaration of Repentance and Resistance, drafted by the Chicago New Sanctuary Coalition. We repent as a nation yet to correct its own broken system. We pledge resistance to that system as long as record deportations continue and our leaders in Washington are gridlocked.¶ The civil rights movement, the fight for women's rights, the struggle to end slavery, and other achievements were made with the help of those who were willing to resist the unjust laws of their times. We find ourselves again at a time of moral crisis. Let us all act prophetically, that this time may be remembered as a time of courage and commitment to our values and our communities.

#### Visa caps entrench racism

**Gower ’10** [Jeffrey, J.D., University of Buffalo, “As Dumb As We Wanna Be: U.S. H1-B Visa Policy and the “Brain Blocking” of Asian High-Tech Professionals“]

The extended U.S. experience with globalization, however, does not appear to have reduced the level of racism against Chinese and other Asian technology professionals. The observable, physical traits of being Chinese or of Asian descent, in itself, allows Americans to ascribe a “foreignness” to temporary workers or immigrants that solidifies racial stereotypes other minorities do not have to contend. U.S. immigration policy, primarily through the reduction of available H1-B visas since 2002, has sought to restrict the importation of educated foreign technology and knowledge workers. Similar to previous protectionist legislation that eliminated the competition of foreign workers in the domestic economy, the lowering of H1-B visas for U.S. high-tech employers effectively removed Chinese and other Asian knowledge workers from interaction inside in the U.S. marketplace. Although not as racially blatant as prior laws that named specific ethnicities to be barred de jure, the H1-B visa restrictions have the same effect de facto.

#### We should reject it

Albert **Memmi, 2000** (Racism, accessed online via google books)

Of course, this is debatable. There are those who think that if one is strong enough, the assault on and oppression of others is permissible. But no one is ever sure of remaining the strongest. One day, perhaps, the roles will be reversed. All unjust society contains within itself the seeds of its own death. It is probably smarter to treat others with respect so that they treat you with respect. “Recall,” says the Bible, “that you were once a stranger in Egypt,” which means both that you ought to respect the stranger because you were a stranger yourself and that you risk becoming one again someday. It is an ethical and a practical appeal—indeed, it is a contract, however implicit it might be. In short, the refusal of racism is the condition for all theoretical and practical morality. Because, in the end, the ethical choice commands the political choice, a just society must be a society accepted by all. If this contractual principle is not accepted, then only conflict, violence, and destruction will be our lot. If it is accepted, we can hope someday to live in peace. True, it is a wager, but the stakes are irresistible.

### Uniqueness

#### Passing now, but the window of time is small- Obama has just enough capital to ensure immigration reform passage- your evidence doesn’t take into account long term trends- absent a major shift in the climate, Obama will get Boehner and other GOP members on board

Prefer our evidence- cites momentum and more future predictive while theirs is just a snapshot

#### Obama is pushing comprehensive reform now –

Fox News 12/22/13 ("Obama, Top Dems Now Appear to Be Pushing for Comprehensive Immigration Reform")

President Obama and his top Democrats on Capitol Hill appear to have reset their sights on the Republican-controlled House passing comprehensive immigration reform, instead of a step-by-step process, as lawmakers leave Washington for the Christmas holiday break.¶ The president on Friday appeared to urge the House to back the comprehensive, bipartisan immigration bill the Senate passed this summer -- a departure from recent comments that suggested Obama was OK with the lower chamber’s apparent piecemeal plan.¶ “The Senate bill has the main components of comprehensive immigration reform that would boost our economy, give us an opportunity to attract more investment and high-skilled workers who are doing great things in places like Silicon Valley and around the country,” Obama said in the year-end press conference. “So let’s go ahead and get that done.”¶ Though Obama has pressed House Republicans hard in the final months of 2013 on immigration reform, his remarks this week appear in contrast to him saying in November that he had no problem with House leaders carving the immigration bill into, say, five pieces.¶ “As long as all five pieces get done, I don't care what it looks like," he told The Wall Street Journal’s CEO Council. "What we don't want to do is simply carve out one piece of it . . . but leave behind some of the tougher stuff that still needs to get done."

#### They’ll get enough to pass legislation

Public News Service 12/30/13 ("Immigration Reform Supporters: "Positive Signs")

Supporters of comprehensive immigration reform fell short of their goal in 2013, but several things happened in December to swing momentum in their direction, they say. The first positive sign, according to Jim Wallis, Sojourners president and founder, was the House and Senate working together to pass a budget bill. And, while Speaker Boehner has said immigration reform would have to wait until next year, Wallis said there are signs Republicans are ready to act. "I hear Republican leaders - Goodlatte from Judiciary - saying this will be a top priority in 2014," Wallis said. "John Boehner has hired a really talented aide to help with immigration - she knows the topic well, and she's for reform." At his final 2013 news conference, President Obama called on House members to pass the immigration reform measure approved by the Senate, but Speaker Boehner has said he won't bring that version up for a vote. Patty Kupfer, managing director, America's Voice, said key Republicans like Long Island Congressman Peter King either need to step up and co-sponsor the Senate-passed bill or reach across the aisle to a Democrat and craft a bill themselves. -

#### Momentum is building -

Jacoby 12/26/13 (Tamar, CNN Opinion, "Big Surprise Ahead in 2014")

Even this will be difficult in an election year. The windows to act will be narrow. Members will be even more cautious and calculating than usual. And getting reform over the finish line will be a test for Democrats as well as Republicans. The challenge for the GOP will be to pass a package of bills out of the House. The challenge for Democrats, in Congress and the White House, will be coming together for a deal on legal status rather than citizenship for most unauthorized immigrants.¶ It's going to be a long year. Nothing is guaranteed. But what makes me optimistic is a growing sense of momentum. It's still slow and low-key, more apparent behind the scenes than in public or in the media. But there's no question: Momentum is building in the House -- 2014 could be the year.

#### Immigration reform will pass – momentum

Sergent 12/20 (Greg, writes The Plum Line blog at the Washington Post, “The Morning Plum: Immigration reform coming in 2014?” 12-20, http://www.washingtonpost.com/blogs/plum-line/wp/2013/12/20/the-morning-plum-immigration-reform-coming-in-2014/)

If there’s one thing that will test whether the GOP leadership’s stiff-arming of conservatives on the budget deal bodes well for future cooperation on other major issues, it’s immigration. Reform has been pronounced dead and undead so many times that it’s hard to take predictions about it seriously anymore, but this is the first genuine reason for cautious optimism I’ve seen in some time, though there are important caveats. The Hill reports that a top ally of John Boehner, Rep. Tom Cole, now predicts House Republicans may vote on multiple reform measures in 2014: With the caveat that the House will not vote on the Senate-passed bill, Cole envisions a situation where Boehner allows a vote on a couple or all of the four-House-Judiciary Committee-passed measures on immigration reform/border security. Noting that Boehner has made it “abundantly clear” that he’d like to move immigration bills, Cole said that “we just saw a budget deal that made progress that brought people together from both sides from very different perspectives and I suspect that can be done on immigration as well.” Earlier this fall, before Boehner declared himself liberated from the right, he adamantly declared that Republicans would never go to conference on the Senate bill, essentially reassuring conservatives that he would not allow Republicans to get lured into dreaded compromise talks on immigration. Now Cole is opening the door by explicitly saying that on immigration, Boehner wants votes on GOP measures, and that some sort of compromise between “both sides” is possible in the wake of the budget deal. This suggests GOP leaders may perceive a shift in the politics of immigration inside their own caucus. Indeed, Major Garrett, who is well connected among Republicans, is reporting that such a shift is underway. Garrett points out that Paul Ryan is also expressing a renewed interest in the immigration debate, which is telling, because Ryan’s championing of the budget deal ended up winning over a surprisingly large bloc of House Republicans, despite intense criticism from the right. As Garrett put it, GOP leaders may no longer be “fearful of the internal or external politics of immigration reform. Quite the contrary. Ryan held fast on the budget and he and Boehner are both still standing, arguably stronger than at any time since 2010.”

**New appointments solves backlash**

**Bykowicz 12/18**, Julie, reporter for Bloomberg News, “Obama soothes Congress health care jitters with Hill veteran,” 12/18, http://politicsinminnesota.com/2013/12/obama-soothes-congress-health-care-jitters-with-hill-veteran/#ixzz2nxIQ5JC

Seasoned hands The Obama White House, attempting to reset its agenda following the fumbled rollout of the health care program, has re-enlisted seasoned hands such as Schiliro to improve the party’s chances of holding control of the Senate. If they fail and Republicans, as expected, hold the House, the president could spend the last two years of his presidency vetoing Republican-sponsored bills aimed at repealing Obamacare. This week, the White House named former Microsoft Corp. executive Kurt DelBene as manager of the health-insurance enrollment system, which includes the error-prone website. DelBene replaces Jeffrey Zients, Obama’s soon-to-be top economic adviser, whom the president had tasked with the job temporarily. After Schiliro’s return last week, the White House chose as legislative director Katie Beirne Fallon, a former aide to New York Sen. Charles Schumer whose role is partly to reassure Senate Democrats about coordinated messages on health care. Reid yells The new team, which also includes as a special adviser John Podesta, onetime chief of staff to President Bill Clinton, is “going to help so much in getting good political judgment in the White House,” Senate Majority Leader Harry Reid said in an interview last week on Political Capital with Al Hunt. Reid said he yelled with excitement upon hearing of Podesta’s hiring. Schiliro declined to be interviewed for this article. “A law that guarantees coverage to millions of Americans, improves quality, and saves hundreds of billions of dollars is worth fighting for,” he said in a statement. “I hope to help with that effort.” A Baldwin, New York, native, Schiliro, 57, began his career on Capitol Hill in 1982, after graduating from Long Island’s Hofstra University and Lewis & Clark Law School in Portland, Oregon. In 1992 and 1994, he ran unsuccessfully for Congress in his New York hometown. Waxman’s man Much of his time on Capitol Hill was spent as California Rep. Henry Waxman’s chief of staff. In 1994, when Waxman was chairman of Energy and Commerce’s health subcommittee, Schiliro helped coordinate hearings during which seven tobacco company executives testified under oath that nicotine wasn’t addictive. While Waxman was chairman of the Oversight and Government Reform Committee, Schiliro pushed for a congressional investigation of steroid use in Major League Baseball. He also helped organize an examination of the “friendly fire” death of Army Ranger Pat Tillman, a former National Football League star. In 2004, Schiliro switched chambers, spending a year as policy director for former Senate Majority Leader Tom Daschle of South Dakota. When Obama, a junior senator from Illinois, ran for president in 2008, Schiliro joined his campaign as congressional envoy. Within days of Obama’s election, the president announced Schiliro as his legislative director, a position he held until early 2011. Taking lead With a push to change financial regulations at the top of the agenda, Schiliro was willing to let then-Connecticut Sen. Chris Dodd take the lead on the legislation, said Dodd’s former top aide, Edward Silverman. “In that job you have to know when it’s time to listen and when it’s time to jump in. He gets that,” Silverman said. “You can’t always run around with your chest puffed out telling people ‘the president wants this!’ and expect good results.” Schiliro’s first tenure with the White House was “one of the most productive legislative periods in our history,” Obama said in a 2011 statement. The president calls him “Third Way Phil” for his ability to find solutions to politically fraught situations, senior Obama adviser Valerie Jarrett told an audience at Rhodes State College in Lima, Ohio, last year, according to the local newspaper. Schiliro stepped back from the top legislative job in February 2011, serving as a senior adviser until the end of the year. He moved with his family to New Mexico, where he began a consulting business for nonprofits, a project interrupted when Obama’s chief of staff, Denis McDonough, asked him to come back. Taking offensive “Phil’s got a real talent to manage and oversee a process, especially on Capitol Hill,” said Bill Daley, who was Obama’s chief of staff in 2011. “He’s well-liked in the White House and on the Hill. The comfort level is already there, so there’s no learning curve.” Some Democratic strategists have urged their partisan allies to go on offense about Obamacare’s positive effects instead of just defending it against Republican attacks. A Dec. 3-8 poll of 86 competitive House districts shows a majority of Americans want to fix or retain the law rather than repeal it, as Republicans have demanded. Stanley Greenberg, the Democratic pollster who conducted the survey for Women’s Voices Women Vote Action Fund and Democracy Corps, said Democrats shouldn’t run from Obamacare next year. “One of the bigger problems in the rollout is that the president has not made a big enough argument for what he’s doing,” Greenberg said. “I think there’s going to be a positive story to tell by the elections.” Testing theory House Democrats are beginning to test that theory. Online ads released this week by their campaign arm in 44 competitive districts say that repealing Obamacare would be too costly. Called “Faces of Repeal,” the minute-long web ad includes testimonials from people benefiting from the law. “I take insulin and 12 other medications, and my daughter’s medicine costs $700. We couldn’t afford it without health-care reform,” Diane of Denver says in the ad. Schiliro is just the person to help expand those messages, Waxman said in an interview. “He can reassure people why this law still makes sense,” Waxman said. “It’s unfortunate the rollout wasn’t handled well, but more and more, we’re going to hear the positive stories.” Schiliro, he said, can help with that because “he has a real sense of communications.” Former Rep. Tom Davis, a Virginia Republican, got to know Schiliro through the Oversight committee. “He knows the Hill very well,” Davis said. “The administration is going to need that to hold their members in line. And with Republicans, he knows what’s doable and what’s not. He knows their pressure points.”

**No impact—securitization of climate change implies human security, not military security. That relegates the military role to mere crisis prevention, not preemptive or violent action**

**Rodrigues de Brito 11**

[Rafaela Rodrigues de Brito, PhD Student at the Department of Politics and International Relations at University of South Hampton, United Kingdom, “A Climate for Conflict or Cooperation? Addressing the Securitisation of Climate Change”, Paper prepared for the Third Global International Studies Conference, 17-20 August 2011, University of Porto, Portugal.]

The securitisation framework is an essential tool in the comprehension of how issues are moved to the sphere of security. This theoretical framework, developed by Ole Wæver, Barry Buzan and others – commonly referred to as the Copenhagen School – provides a structured analysis of the process of construction of security, evidencing the mechanisms through which issues reach the security agenda as well as the actors involved in the process. According to this framework, securitisation occurs when an issue is successfully moved from the politicised level, where it is part of the public policy sphere, to the securitised level, where it is presented as an existential threat, thus calling for emergency measures and justifying actions outside the normal boundaries of political practice. The elevation of issues to the security level occurs, according to the securitisation framework, in a two-stage process, where in the first stage a securitising actor performs a securitising move by using rhetoric of existential threat and urgency to address an issue, and then the relevant audience accepts it, allowing for extraordinary measures to be adopted (Buzan et al., 1998: 25). The securitisation framework has been used to examine the transformation of climate change in a security issue.3 The securitisation of climate change has entered the international agenda generating expectations of positive change, due to the fact that security constitutes a high politics matter par excellence, but also concerns regarding the implications of addressing the issue through a security framework. The securitisation framework proponents themselves argue that issues should preferably be dealt through routine procedures without extraordinary elevation of threats (Buzan et al., 1998: 29). They see security as negative for the reason that it 3 For some examples see: Brauch (2008); Brito (2010); Brzoska (2008); and Trombetta (2008). 6 ￼ represents a failure to deal with issues at the political level. Hence, they see “desecuritisation” as the optimal long-range option, since it takes issues out of a threat-defence sequence and places them at the political level (Buzan et al., 1998: 29). Regarding climate change, there is abundant literature warning on the risks of securitising climate change. The main concern is that linking climate change and security could represent a militarisation of the issue. This, it is argued, would generate an inadequate response to the challenges posed by climate change. Brown et al. argue that predictions about future environmental wars imply that climate change requires military solutions, namely to secure resources by force or erect barriers to contain large-scale migration (2007: 1153). Ben Buckland also argues against the securitisation of climate change as he considers it to be an inappropriate response to an issue that requires a political and not a military solution (2007: 1). Moreover, Buckland believes securitisation diverts attention and resources away from what truly needs to be done and towards the military responses (2007: 13). Also focusing on the likeliness of a link between climate change and conflict, Idean Salehyan considers that enhanced military preparedness to deal with climate change would be a waste of assets and effort, while missing more productive opportunities to meet the challenge of climate change (2008: 323). Maria Julia Trombetta shows how these interpretations of securitisation are backed by the proponents of securitization themselves, who focus on the fixity of security practices. For the Copenhagen authors, security is associated with a set of fixed and unchangeable practices. This, she argues, hinders the ability of the Copenhagen School to account for the transformation of existing security practices through the securitisation of non-traditional issues like environmental problems (Trombetta, 2011: 140). Trombetta, however, argues that the logic of security itself can change as new principles, actors, capabilities and threats gain relevance and different security 7 discourses emerge (2011: 142). In line with this reasoning, Detraz and Betsill identify two different discourses of climate change and security and argue that each produces distinct understandings and yields unique policy recommendations (2009: 305). According to the authors, while the environmental conflict discourse is directly linked to traditional understandings of military and state security, the environmental security discourse is more closely linked to notions of human security in which the protection of human welfare is central (Detraz and Betsill, 2009: 306). According to this line of thought, linking climate change and security does not inevitably imply linking it to military security. In the EU, although climate change is increasingly being framed as a security issue by key actors, both causes and effects are being dealt within the realm of normal environmental politics: adaptation and mitigation measures, with a commitment to climate research and international cooperation. What securitisation created was an increase sense of urgency attributed to climate change that is speeding the response to the issue (Brito, 2010: 48). Furthermore, there are no predictable signs that military responses to climate change will be formulated in a near future. This is not to say, however, that there is no role envisaged for the military in climate-security. In fact they are seen as key players in climate related crisis management and disaster response (High Representative for CFSP and the European Commission, 2008: 10). However, crisis response is but one component of EU action on climate change which attempts to combine prevention, mitigation, adaptation, and response to crisis (Council of the European Union, 2009: 3). The analysis of climate change politics in the EU suggests that Maria Julia Trombetta is correct when she argues that the securitisation of the environment is transforming existing security practices and provisions (Trombetta, 2008: 585). As Javier Solana argues, in the case of climate change, mitigation and adaptation should be seen as preventive security policies (Solana, 2008).

Representations of ecological crisis are good – rejecting apocalyptic rhetoric would destroy the environmental movement. True, Earth won’t cease to exist, but all of humanity actually could die.

FOSTER 1998 (John Bellamy Foster, a member of the Board of the Monthly Review Foundation, teaches sociology at the University of Oregon and is coeditor of Organization & Environment, Monthly Review, April. findarticles.com/p/articles/mi\_m1132/is\_/ai\_20931195)

[T]he postulation of a planetary ecological crisis, the very idea that the planet is somehow 'vulnerable' to human action or that we can actually destroy the earth, repeats in negative form the hubristic claims of those who aspire to planetary domination. The subtext is that the earth is somehow fragile and that we need to become caring managers or caring physicians to nurse it back from sickness into health.... Against this it is crucial to understand that it is materially impossible for us to destroy the planet earth, that the worst we can do is to engage in maternal transformations of our environment so as to make life less rather than more comfortable for our own species being, while recognizing that what we do also does have ramifications (both positive and negative) for other living species....Politically, the millenarian and apocalyptic proclamation that ecocide is imminent has had a dubious history. It is not a good basis for left politics and it is very vulnerable to the arguments long advanced by [Julian] Simon and now by [Greg] Easterbrook, that conditions of life (as measured, for example, by life expectancy) are better now than they have ever been and that the doomsday scenario of the environmentalists is far-fetched and improbable.(1) Aside from the purely rhetorical flourishes - the use of such terms as "millenarian" and "apocalyptic" which because of the sense of religious fatalism associated with them imply something irrational in character (the wrath of God, the second coming) which has little to do with the arguments of most environmentalists - this can be taken as a serious criticism not only of The Vulnerable Planet but of ideas that have common currency in environmental circles. It is noteworthy that this same criticism, of being "apocalyptic," has frequently been leveled at such figures as Henry David Thoreau, George Perkins Marsh, Rachel Carson, Paul Ehrlich and Barry Commoner - indeed at almost all figures who have contributed anything of importance to understanding the modern ecological crisis.(2) Naturally, some phrases utilized in the environmental discussion - such as Silent Spring, The Closing Circle, Earth in the Balance, The End of Nature, and The Vulnerable Planet - are metaphorical, and while pointing to real concerns are not to be taken too literally. When it comes to actual argument, though, most analysts attempt to present an accurate portrayal of the real dimensions of the problem. Thus the opening sentences of Chapter One of The Vulnerable Planet convey the exact sense in which the title of that work is to be understood: "Human society has reached a critical threshold in its relation to the environment. The destruction of the planet, in the sense of making it unusable for human purposes, has grown to such an extent that it now threatens the continuation of much of nature, as well as the survival and development of society itself." It might have been added that the survival of the human species was also in doubt as a result of these very same processes.

Scientific consensus proves our impacts are true

FOSTER 1998 (John Bellamy Foster, a member of the Board of the Monthly Review Foundation, teaches sociology at the University of Oregon and is coeditor of Organization & Environment, Monthly Review, April. findarticles.com/p/articles/mi\_m1132/is\_/ai\_20931195)

To be sure, one should beware of any gross exaggeration of environmental problems. But those sympathetic to the environment should not be lulled by the likes of Simon and Easterbrook - whom Paul and Anne Ehrlich in their Betrayal of Science and Reason have dismissed as representatives of the current "brownlash" against environmentalism - into playing down the severity of the ecological crisis.(4) It has been the world's natural and physical scientists and not doomsday prophets or the scientifically uninformed who have been at the forefront in sounding the alarm with regard to global ecological crisis. This can be seen by looking at the "World Scientists' Warning to Humanity" initiated by the Union of Concerned Scientists and signed in 1992 by 1,575 of the world's most distinguished scientists, including more than half of all living scientists awarded the Nobel prize. According to this carefully worded statement, representing the consensus of concerned scientists: Human beings and the natural world are on a collision course. Human activities inflict harsh and often irreversible damage on the environment and on critical resources. If not checked, many of our current practices put at risk the future we wish for human society and the plant and animal kingdom, and may so alter the living world that it will be unable to sustain life in the manner that we know. Fundamental changes are urgent if we are to avoid the collision our present course will bring.(5)

**Turn—masking—focusing solely on the language used to describe something masks the problem and makes it harder to confront**

**Meisner**, professor of environmental studies at York University, **1995** (Mark, “Resourcist Language: The Symbolic Enslavement of Nature”, Proceedings of the Conference on Communication and Our Environment, ed: David Sachsman, p. 242)

Changing the language we use to talk about non­human nature is not a solution. As I suggested, language is not the problem. Rather, it seems more like a contagious symptom of a deeper and multi-faceted problem that has yet to be fully defined. Resourcist language is both an indicator and a carrier of the pathology of rampant ecological degradation. Further­more, language change alone can end up simply being a band-aid solution that gives the appearance of change and makes the problem all the less visible. In a recent article on feminist language reform, Susan Ehrlich and Ruth King (1994) argue that because meanings are socially constructed, attempts at introducing nonsexist language are being undermined by a culture that is still largely sexist. The words may have shifted, but the meanings and ideologies have not. The real world cure for the sick patient matters more than the treatment of a single symptom. Consequently, language change and cultural change must go together with social-moral change. It is naive to believe either that language is trivial, or that it is deterministic.

#### The midterms make passage more likely – Latino voters

Kaplan 12/26/13 (Rebecca, Political Reporter for CBS News, Can Immigration Reform Pass in 2014")

Though the conventional wisdom holds that passing any major legislation in an election year is a heavy lift, there are signs that may not hold true in 2014 because the growing population of Latino voters will exert greater influence in the coming elections.¶ “The chances of congressional passage of immigration reform are good because each party has political reasons for wanting to deliver for Latinos and the business community,” said Darrel West, an immigration policy expert at the Brookings Institution. “The biggest challenge is the pathway to citizenship, where the parties remain far apart. A possible compromise could involve creating a pathway that is longer and has more conditions that were in the Senate bill. That will displease reformers but provide cover for Boehner to move the legislation.”

### 2NC AT Intrinsicness

**Intrinsicness is illegitimate and a voting issue –**

1. **The DA is intrinsic because time, scheduling and the political process are finite**
2. **The judge should be a citizen who determines what we request from the government**
3. **It’s naïve to believe tradeoffs don’t occur- arguments about political deals are worth learning about**
4. **Even if opportunity cost is the best model for decisionmaking, it’s not what the government actually uses- our link evidence proves**
5. **Moving target- the aff gets infinite prep to write the most strategic plan, allowing revisions after they’ve heard our strategy is unfair**
6. **Politics disads are good- they’re an equalizer for negs against new affs, key to education and encourage research**

**If the judge votes aff then the plan is debated in Congress**

**Warming kills the biosphere – causes extinction**

**Costello 11** (Anthony, Institute for Global Health, University College London, Mark Maslin, Department of Geography, University College London, Hugh Montgomery, Institute for Human Health and Performance, University College London, Anne M. Johnson, Institute for Global Health, University College London, Paul Ekins, Energy Institute, University College London [“Global health and climate change: moving from denial and catastrophic fatalism to positive action” May 2011 vol. 369 no. 1942 1866-1882 Philosophical Transactions of the Royal Society)

Advocacy about the health consequences will ensure that climate change is a high priority. The United Nations Convention on Climate Change was set up in 1992 to ensure that nations worked together to minimize the adverse effects, but McMichael and Neira noted that, in preparation for the Copenhagen conference in December 2009, only four of 47 nations mentioned human health as a consideration [1]. With business as usual, global warming caused by rising greenhouse gas (GHG) emissions will threaten mass populations through increased transmission of some infections, heat stress, food and water insecurity, increased deaths from more frequent and extreme climate events, threats to shelter and security, and through population migration [2]. On the one hand it is necessary in the media to counter climate change sceptics and denialists, but on the other it is also important not to allow climate catastrophists, who tell us it is all too late, to deflect us from pragmatic and positive action. Catastrophic scenarios are possible in the longer term, and effective action will be formidably difficult, but evidence suggests that we do have the tools, the time and the resources to bring about the changes needed for climate stability. 2. Climate change evidence and denial Given the current body of evidence, it is surprising that global warming and its causal relationship with atmospheric GHG pollution is disputed any more than the relationship between acquired immune deficiency syndrome (AIDS) and human immunodeficiency virus (HIV) infection, or lung cancer and cigarette smoking. The basic principles that determine the Earth’s temperature are, of course, relatively simple. Some of the short-wave solar radiation that strikes the Earth is reflected back into space and some is absorbed by the land and emitted as long-wave radiation (heat). Some of the long-wave radiation is trapped in the atmosphere by ‘greenhouse gases’, which include water vapour, carbon dioxide and methane. Without GHGs the Earth would be on average 33◦C colder. Over the last 150 years, since the Industrial Revolution, humans have been adding more carbon dioxide and methane into the atmosphere. The result is that the Earth’s atmosphere, ocean and land are indeed warming—due to increased atmospheric ‘greenhouse gas’ concentrations [3]. Gleick et al. [4], from the US National Academy of Sciences, wrote a letter to Science stating ‘There is compelling, comprehensive, and consistent objective evidence that humans are changing the climate in ways that threaten our societies and the ecosystems on which we depend’. The most recent report by the Intergovernmental Panel on Climate Change (IPCC) [5], amounting to nearly 3000 pages of detailed review and analysis of published research, also declares that the scientific uncertainties of global warming are essentially resolved. This report states that there is clear evidence for a 0.75◦C rise in global temperatures and 22 cm rise in sea level during the twentieth century. The IPCC synthesis also predicts that global temperatures could rise further by between 1.1◦C and 6.4◦C by 2100, and sea level could rise by between 28 and 79 cm, or more if the melting of Greenland and Antarctica accelerates. In addition, weather patterns will become less predictable and the occurrence of extreme climate events, such as storms, floods, heat waves and droughts, will increase. There is also strong evidence for ocean acidification driven by more carbon dioxide dissolving in the oceans [6]. Given the current failure of international negotiations to address carbon emission reductions, and that atmospheric warming lags behind rises in CO2 concentration, there is concern that global surface temperature will rise above the supposedly ‘safe limit’ of 2◦C within this century. Each doubling of atmospheric carbon dioxide concentration alone is expected to produce 1.9–4.5◦C of warming at equilibrium [7]. Of course, climate modelling is an extremely complex process, and uncertainty with projections relating to future emissions trajectories means that the time scale and magnitude of future climate change cannot be predicted with certainty [8]. These uncertainties are magnified when future climate predictions are used to estimate potential impacts. For example, the environmental impacts of climate change are also uncertain, but could underestimate such impacts because they detrimentally interact with habitat loss, pollution and loss of biodiversity due to other causes. There is also the additional problem that switching from biome to biome may not be directly reversible. For example, rainforest recycles a huge amount of water so it can survive a significant amount of aridification before it burns and is replaced by savannah. But the region then has to get much wetter before rainforest can return, as there is greatly reduced water cycling in savannah [9]. In the policy arena, further uncertainty surrounds the desire for international agreements on emission cuts, and the possible routes to such agreement and implementation. The feasible speed of technological innovation in carbon capture and provision of renewable/low-carbon energy resources is also uncertain. Denying the causes or the current weight of evidence for anthropogenic climate change is irrational, just as the existence of ‘uncertainties’ should not be used to deny the need for proportionate action, when such uncertainties could underestimate the risks and impact of climate change. There is no reason for inaction and there are many ways we can use our current knowledge of climate change to improve health provision for current and future generations. 3. Catastrophism At the other end of the scale are doom-mongers who predict catastrophic population collapse and the end of civilization. In the early nineteenth century, the French palaeontologist Georges Cuvier first addressed catastrophism and explained patterns of extinction observed in the fossil record through catastrophic natural events [10]. We know now of five major extinctions: the Ordovician–Silurian extinction (439 million years ago), the Late Devonian extinction (about 364 million years ago), the Permian–Triassic extinction (about 251 million years ago), the End Triassic extinction (roughly 199 million to 214 million years ago) and the Cretaceous– Tertiary extinction (about 65 million years ago). These mass extinctions were caused by a combination of plate tectonics, supervolcanism and asteroid impacts. The understanding of the mass extinctions led Gould & Eldredge [11] to update Darwin’s theory of evolution with their own theory of punctuated equilibrium. Many scientists have suggested that the current human-induced extinction rates could be **as fast** as those during these mass extinctions [12,13]. For example, one study predicted that 58 per cent of species may be committed to extinction by 2050 due to climate change alone [14], though this paper has been criticized [15,16]. Some people have even suggested that **human extinction may not be a remote risk** [17–19]. Sherwood & Huber [7] point to continued heating effects that could make the world largely uninhabitable by humans and mammals within 300 years. Peak heat stress, quantified by the wet-bulb temperature (used because it reflects both the ambient temperature and relative humidity of the site), is surprisingly similar across diverse climates and never exceeds 31◦C. They suggest that if it rose to 35◦C, which never happens now but would at a warming of 7◦C, hyperthermia in humans and other mammals would occur as dissipation of metabolic heat becomes **impossible**, therefore making many environments **uninhabitable**.

### UQ – Will Pass – AT: Boehner

#### Boehner is on board –

Matthews 12/20/13 (Laura, US Politics Reporter or the International Business Times, "Obama Hopes 2014 is Comprehensive Immigration Reform's Breakthrough Year")

His job approval rating is [comparatively low this year](http://www.cbsnews.com/news/obamas-approval-rating-lower-most-recent-presidents/), but President Barack Obama’s optimism that he will score a win on comprehensive immigration reform still remains high. Calling the issue the “biggest thing that I wanted to get done this year,” the president is hopeful 2014 will be a breakthrough year for immigration and other bipartisan issues. Obama said there is a commitment on the part of House Speaker John Boehner, R-Ohio, to advance the immigration overhaul next year.

“The fact that it didn’t hit the timeline that I’d prefer is obviously frustrating, but it’s not something that I end up brooding a lot about,” the president said.

#### He’s bucking the tea party

Isquith 1/2/14 (Elias, Salon Online, "Boehner May Back Limited Immigration Reform")

The second development that has supporters of immigration reform feeling optimistic is Boehner’s sudden willingness to [publicly rebuke](http://www.salon.com/2013/12/12/john_boehner_flips_out_on_conservative_activists/) Tea Party-affiliated outside organizations like the Club for Growth, Heritage Action and the Senate Conservatives Fund. These activist organizations are closely aligned with the GOP’s Tea Party base and are expected to mobilize in opposition to nearly any kind of immigration reform, which they generally consider to be a form of “amnesty” for those who entered the country illegally. Boehner’s rant against these groups during a late-2013 press conference, during which he said they had “lost all credibility,” is seen as a sign that the speaker is not afraid to go against these powerful activist groups.

### 2NC OV

#### CP solves 100% of the aff- Jaffer 2013 says there’s strong support legal basis for the plan and the court could enforce the decision

#### Even if they win a risk of a solvency deficit, the CP is sufficient to solve- any deficit is outweighed by the net benefit

#### Judicial review solves

Jaffer 2013 (Jameel Jaffer, Director of the ACLU's Center for Democracy, April 2013, “Judicial Review of Targeted Killings,” Harvard Law Review, <http://www.harvardlawreview.org/issues/126/april13/forum_1002.php>)

Second, judicial engagement with the targeted killing program does not actually require the establishment of a new court. In a case pending before Judge Rosemary Collyer of the District Court for the District of Columbia, the ACLU and the Center for Constitutional Rights represent the estates of the three U.S. citizens whom the CIA and JSOC killed in Yemen in 2011. The complaint, brought under Bivens v. Six Unknown Named Agents, seeks to hold senior executive officials liable for conduct that allegedly violated the Fourth and Fifth Amendments. It asks the court to articulate the limits of the government’s legal authority and to assess whether those limits were honored. In other words, the complaint asks the court to conduct the kind of review that many now seem to agree that courts should conduct.¶ This kind of review—ex post review in the context of a Bivens action—could clarify the relevant legal framework in the same way that review by a specialized court could. But it also has many advantages over the kind of review that would likely take place in a specialized court. In a Bivens action, the proceedings are adversarial rather than ex parte, increasing their procedural legitimacy and improving their substantive accuracy. Hearings are open to the public, at least presumptively. The court can focus on events that have already transpired rather than events that might or might not transpire in the future. And a kind of accountability that could not be supplied by a specialized court reviewing contemplated strikes ex ante a Bivens action can also provide: redress for family members of people killed unlawfully, and civil liability for officials whose conduct in approving or carrying out the strike violated the Constitution. (Of course, in one profound sense a Bivens action will always come too late, because the strike alleged to be unlawful will already have been carried out. Again, though, if “imminence” is a requirement, ex ante judicial review is infeasible by definition.)¶ Another advantage of the Bivens model is that the courts are already familiar with it. The courts quite commonly adjudicate wrongful death claims and “survival” claims brought by family members of individuals killed by law enforcement agents. In the national security context, federal courts are now accustomed to considering habeas petitions filed by individuals detained at Guantánamo. They opine on the scope of the government’s legal authority and they assess the sufficiency of the government’s evidence — the same tasks they would perform in the context of suits challenging the lawfulness of targeted killings. While Congress could of course affirm or strengthen the courts’ authority to review the lawfulness of targeted killings if it chose to do so, or legislatively narrow some of the judicially created doctrines that have precluded courts from reaching the merits in some Bivens suits, more than 40 years of Supreme Court precedent since Bivens makes clear that federal courts have not only the authority to hear after-the-fact claims brought by individuals whose constitutional rights have been infringed but also the obligation to do so.

#### Court action is necessary for social change – it links movement politics to political power.

Burstein 1991 Paul Burstein, pub. date: 1991, Professor of sociology and political science at the University of Washington, “Legal Mobilization as a Social Movement Tactic: The Struggle for Equal Employment Opportunity”, JSTOR

What types of actions should we examine? For most sociologists, and for many political scientists studying social movements, the distinction between political action "inside the system" and that taking place "outside” is critical. They see groups resorting to a "politics of protest" when they are not allowed to use institutionalized channels to express their political demands or when such channels prove ineffective. Those interested in social movements see themselves as examining political behavior not directed into "proper channels"-that is, demonstrations, strikes and boycotts, as opposed to election campaigns, lobbying, or legal proceedings. This distinction is often useful, but at times it impedes progress in understanding political change. Those using outsider tactics are often trying, first, to gain access to power holders and, then, to influence their decisions. By defining their interests in terms of particular tactics, those studying social movements virtually force themselves to abandon the field of inquiry when the groups they are interested in begin to have influence-when they gain access to proper channels. I suggest that successful movements generally utilize proper channels as well as outsider tactics and that an adequate understanding of move- ments must therefore consider both. In fact, social movement analysts seem to recognize this, even if only implicitly. This implicit recognition takes two forms: in definitions of social movement and in analyses of particular movements. As for definitions, consider one of Tilly's recent attempts to define social movement (1984, p. 305; italics in original): "The term social movement applies most usefully to a sustained interac-tion between a specific set of authorities and various spokespersons for a given challenge to these authorities. The interaction is a coherent, bounded unit in roughly the same sense that a war or political campaign is a unit." Tilly struggles to limit the definition to outsider groups, but nothing in it excludes the legal tactics often employed by the civil rights movement, even though such tactics involved going through proper channels In fact, analysts of American social movements frequently ascribe im- portance to court cases. McAdam, for example, shows that a Supreme Court decision on segregation had a critical effect on the bus boycotts (1983, p. 741), while Harding (1984, pp. 3 93-95) argues that the decisions of a federal judge undermined the hegemony of white-supremacist ideol- ogy in Mississippi (also see Jenkins and Eckert 1986, p. 827). The role of the courts is seldom the subject of theorizing because so much emphasis is placed on demonstrating the importance of outsider tactics. Yet deep historical knowledge of particular movements consistently forces social movement analysts to report how critical court decisions are.

### AT: Net benefit bad

#### First, their evidence assumes a distinction between the AFF and total inaction- they have zero evidence that assumes the net-benefit in the context of a CP that solves the AFF

#### You should evaluate net benefits- it’s essential to determine the optimal way to implement the AFF- if we can improve upon the 1AC with a superior policy option then we should win the debate

#### If we win that the CP solves the case then you vote NEG- it’s ethical to choose the safer of two choices

Finnis ‘80 (John, Prof of Law and Legal Philosophy, Natural Law and Natural Rights, p 111-112, AD: 11/16/09)

The sixth requirement has obvious connections with the fifth, but introduces a new range of problems for practical reason, problems which go to the heart of ‘morality’. For this is the requirement that one bring about good in the world (in one’s own life and the lives of others) by actions that are efficient for their (reasonable) purpose(s). One must not waste one’s opportunities by using inefficient methods. One’s actions should be judged by their effectiveness, by their fitness for their purpose, by their utility, their consequences… There is a wide range of contexts in which it is possible and only reasonable to calculate, measure, compare, weigh, and assess the consequences of alternative decisions. Where a choice must be made it is reasonable to prefer human good to the good of animals. Where a choice must be made it is reasonable to prefer basic human goods (such as life) to merely instru­mental goods (such as property). Where damage is inevitable, it is reasonable to prefer stunning to wounding, wounding to maiming, maiming to death: i.e. lesser rather than greater damage to one-and-the-same basic good in one-and-the-same instantiation. Where one way of participating in a human good includes both all the good aspects and effects of its alternative, and more, it is reasonable to prefer that way: a remedy that both relieves pain and heals is to be preferred to the one that merely relieves pain. Where a person or a society has created a personal or social hierarchy of practical norms and orienta­tions, through reasonable choice of commitments, one can in many cases reasonably measure the benefits and disadvantages of alternatives. (Consider a man who ha decided to become a scholar, or a society that has decided to go to war.) Where one is considering objects or activities in which there is reasonably a market, the market provides a common de­nominator (currency) and enables a comparison to be made of prices, costs, and profits. Where there are alternative techniques or facilities for achieving definite objectives, cost-benefit analysis will make possible a certain range of reasonable comparisons between techniques or facilities. Over a wide range of preferences and wants, it is reasonable for an individual or society to seek to maximize the satisfaction of those preferences or wants.

#### Best policy option analysis is key to prevent serial policy failure- we should obviously evaluate the consequences of an action

#### CP evaluation is key to better policymaking- it’s the most ethical standard

Kennedy ‘04 [David, Manley O. Hudson Professor of Law at Harvard Law School, The Dark Sides of Virtue: Reassessing International Humanitarianism, p. xxii-xxiii]

These limitations are often addressed by shifting attention from goals and purposes toward assessment of outcomes. A pragmatism of consequences seems more hard-boiled, focusing our attention on good outcomes rather than good intentions. Innoculate this child, and don’t worry so much about the precise entailments of the “right to health,” or about your original desires for and fantasies about what doing good might mean. When activists think in instrumental or functional terms about their advocacy — when they make strategic choices about which rule or standard to invoke, which institution to engage — they focus on the consequences. The best humanitarian pol­icy makers think this way all the time — in many ways policy making is precisely the effort to ask as carefully and rationally as possible who would win and who would lose from proposed governmental action. The decision to set up a rule system or institutional structure to address an international humanitarian problem is similar.

#### Cost-benefit analysis is key to understanding power relations- small differences have different effects on identity and participation

Shaffer ‘04 **[**Gregory, University of Wisconsin Law School, “Power, Global Governance, and the WTO: What Role for the WTO Judicial Process?”, for a conference on Comparative Institutional Analysis, Madison, WI., September 10-11, 2004, <http://www.law.wisc.edu/webshare/hC/Shaffer%205-17-04.rtf>]

Peter Digeser nicely summarizes these four conceptions of power as follows: “Under the first face of power the central question is, ‘Who, if anyone, is exercising power?’ Under the second face, ‘What issues have been mobilized off the agenda and by whom?’ Under the radical conception, ‘Whose objective interests are being harmed?’ Under the fourth face of power the critical issue is, ‘What kind of subject is being produced?’” (980). In other words, power can be manifested directly and indirectly through actors’ behavior, institutional constraint, social structure, and discourse. Structures and institutions can shape not only direct participation, but also, over time, intersubjective understandings of interests and identities (Wendt 1992, 1999; Ruggie 1998). Influence, however, is a necessary component of any decision-making process. In fact, a world of social decision-making without influence would be tyranny. In consequence, what people often mean by power is skewed influence, or bias, however manifested, within a decision-making process. This chapter focuses on participation as a central attribute and measure of power. Whether a party is coerced, misled, unrepresented, uninformed, or unaware of its interests or how its understandings are shaped, that party’s interests will likely not be taken into account. By focusing on participation within different institutional contexts, the chapter analyzes how different institutional processes permit perspectives to be heard to varying, and always imperfect, degrees.5 The adoption of the term “comparative institutional analysis” does not limit the analytic method’s application to assessments of “institutional” power as opposed to other conceptions. For example, when critical analysts of structural and productive forms of power recognize that there are variations in “false consciousness” and “constructed identity” along a continuum, then comparative institutional analysis can (and should) be applied to these conceptions of power, since some governance arrangements facilitate a comparatively “truer,” less constrained representation of interests and identities than others. The dynamic of participation in different institutional contexts plays a central role in shaping “consciousness” and identity. Those with high stakes in a policy outcome and access to quality information are, as a general rule, more likely to participate and less susceptible to exhibit “false consciousness” than those with low stakes who lack cost-effective access to information. As the critical scholar Clarissa Hayward (2000, 7) contends in her assessment of power’s productive attributes, “social critics need to elaborate criteria for distinguishing better from worse forms of power relation, or, more specifically, relations that promote participants’ political freedom—that is, their capacity to act in ways that affect norms and other political mechanisms defining the field of the possible—from those that approximate states of domination.” Hayward implicitly calls for a comparative analytic approach to the examination of productive power, recognizing that an assessment of power’s role in any single governance mechanism is insufficient for policymaking. As this chapter will demonstrate, institutional **alternatives are available** and these alternatives should be examined from **a comparative institutional vantage**.

#### Cost-benefit analysis is good- you should consider our impacts

Sunstein '07 [Cass R. Felix Frankfurter Professor of Law at Harvard Law School. Clerked for Justice Thurgood Marshall of the U.S. Supreme Court; "Worst-Case Scenarios" Harvard University Press 2007 pg.122]

The question becomes far more difficult when we cannot assign probabilities to the various outcomes. Suppose, for example, that we have no idea how likely it is that climate change will produce catastrophic harm. My discussion of this problem is detailed and somewhat technical, but I shall suggest that **even when we cannot assign probabilities, we can still identify a domain for a Catastrophic Harm Precautionary Principle, by attending to what is gained and what is lost by eliminating the most catastrophic outcome**. If the worst-case scenario associated with one course of action is much worse than the worst-case scenario associated with a second course of action, and if we do not lose a great deal by following the second course of action, then the second course of action is the one to choose. The simplest lesson is this: Instead of ignoring worst-case scenarios, or automatically devoting extensive resources to their prevention, we should begin by asking exactly how bad they are, and how much is required to prevent them.

#### Discussion of alternatives and net benefits in policies is the only way to make those policies effective

Freiwald ’01 **[**Susan, professor of law at the University of San Francisco, 14 Harv. J. Law & Tec 569, Spring, lexis]

The central tenet of the participation-centered approach is that legal change will not happen without interested parties who push for it. Interested parties can urge the legislature to make changes by voting for politicians who share their views or, more aggressively, by lobbying and attempting to educate legislators and other voters with propaganda. [22](http://www.lexis.com/research/retrieve?_m=aa91df1416a18d87537d72b0e3763e33&docnum=29&_fmtstr=FULL&_startdoc=1&wchp=dGLbVtz-zSkAz&_md5=01ed68c7086eb1b7d8508b691f80e0b7&focBudTerms=imperfect%20alternatives%20and%20komesar%20and%20legislative%20or%20legislature%20or%20executive%20w/20%20judicial%20or%20judiciary%20and%20comparative%20institutional%20analysis&focBudSel=all#n22) They can advocate for change in the court system by bringing cases, and they can create change in the marketplace by transacting in ways that achieve it. [23](http://www.lexis.com/research/retrieve?_m=aa91df1416a18d87537d72b0e3763e33&docnum=29&_fmtstr=FULL&_startdoc=1&wchp=dGLbVtz-zSkAz&_md5=01ed68c7086eb1b7d8508b691f80e0b7&focBudTerms=imperfect%20alternatives%20and%20komesar%20and%20legislative%20or%20legislature%20or%20executive%20w/20%20judicial%20or%20judiciary%20and%20comparative%20institutional%20analysis&focBudSel=all#n23) Participation, however, will not occur in any forum unless the benefits of participation outweigh its costs. The benefits from participating directly relate to a party's stake in the outcome. [24](http://www.lexis.com/research/retrieve?_m=aa91df1416a18d87537d72b0e3763e33&docnum=29&_fmtstr=FULL&_startdoc=1&wchp=dGLbVtz-zSkAz&_md5=01ed68c7086eb1b7d8508b691f80e0b7&focBudTerms=imperfect%20alternatives%20and%20komesar%20and%20legislative%20or%20legislature%20or%20executive%20w/20%20judicial%20or%20judiciary%20and%20comparative%20institutional%20analysis&focBudSel=all#n24) The more the party has at stake, the more change in the favored direction will benefit that party. On the other hand, the costs of participation stem from the costs of acquiring information about the current legal rule and the path towards change, as well as the costs of organization. [25](http://www.lexis.com/research/retrieve?_m=aa91df1416a18d87537d72b0e3763e33&docnum=29&_fmtstr=FULL&_startdoc=1&wchp=dGLbVtz-zSkAz&_md5=01ed68c7086eb1b7d8508b691f80e0b7&focBudTerms=imperfect%20alternatives%20and%20komesar%20and%20legislative%20or%20legislature%20or%20executive%20w/20%20judicial%20or%20judiciary%20and%20comparative%20institutional%20analysis&focBudSel=all#n25) Some characteristics of participation costs and benefits are true across all institutions. In general, the more diffusely an interest is spread over a group of people, the lower each person's stake in the outcome and the more likely that small increases in the costs of participation will inhibit any call for change to promote that interest. At the same time, costs of organization are greater for interests that are diffusely spread because it is harder to identify those with shared interests and to prevent free-riding on the activities of others. Costs of  [\*577]  participation also increase when the interest is complex or highly technical as it takes time and energy to understand the information. [26](http://www.lexis.com/research/retrieve?_m=aa91df1416a18d87537d72b0e3763e33&docnum=29&_fmtstr=FULL&_startdoc=1&wchp=dGLbVtz-zSkAz&_md5=01ed68c7086eb1b7d8508b691f80e0b7&focBudTerms=imperfect%20alternatives%20and%20komesar%20and%20legislative%20or%20legislature%20or%20executive%20w/20%20judicial%20or%20judiciary%20and%20comparative%20institutional%20analysis&focBudSel=all#n26) In addition, institutions themselves create their own costs that affect whether a given institution will adequately take account of all interests. For example, the adjudicative process, with its formal rules and its limited scale, likely poses the highest costs to participation for a diffusely spread interest. The costs of access to the political process can also be high, particularly if expensive lobbying campaigns are required to achieve results. However, other methods of participation in the political process are not as expensive, such as informing the general public, including legislators, and voting for legislators with sympathetic views. The ability of market transactions to resolve conflicts involving diffuse interests depends on whether the transaction costs involved exceed the benefits. Those benefits correspond to the participants' stakes in the outcome. [27](http://www.lexis.com/research/retrieve?_m=aa91df1416a18d87537d72b0e3763e33&docnum=29&_fmtstr=FULL&_startdoc=1&wchp=dGLbVtz-zSkAz&_md5=01ed68c7086eb1b7d8508b691f80e0b7&focBudTerms=imperfect%20alternatives%20and%20komesar%20and%20legislative%20or%20legislature%20or%20executive%20w/20%20judicial%20or%20judiciary%20and%20comparative%20institutional%20analysis&focBudSel=all#n27) To apply the model in **real world settings**, the comparative institutional analyst first chooses the social policy goal to be promoted. [28](http://www.lexis.com/research/retrieve?_m=aa91df1416a18d87537d72b0e3763e33&docnum=29&_fmtstr=FULL&_startdoc=1&wchp=dGLbVtz-zSkAz&_md5=01ed68c7086eb1b7d8508b691f80e0b7&focBudTerms=imperfect%20alternatives%20and%20komesar%20and%20legislative%20or%20legislature%20or%20executive%20w/20%20judicial%20or%20judiciary%20and%20comparative%20institutional%20analysis&focBudSel=all#n28) Then, the analyst determines which groups would be most affected by a legal change and considers how the costs of participation inherent in each institution compare with the expected benefits of using the institution. Under the participation-centered approach, actors' collective willingness to participate in a given institution determines that institution's competence. While the important question is how each institution compares to the others for a given legal question, [29](http://www.lexis.com/research/retrieve?_m=aa91df1416a18d87537d72b0e3763e33&docnum=29&_fmtstr=FULL&_startdoc=1&wchp=dGLbVtz-zSkAz&_md5=01ed68c7086eb1b7d8508b691f80e0b7&focBudTerms=imperfect%20alternatives%20and%20komesar%20and%20legislative%20or%20legislature%20or%20executive%20w/20%20judicial%20or%20judiciary%20and%20comparative%20institutional%20analysis&focBudSel=all#n29) some general observations about relative institutional competence can be made. For each of the three institutions, the approach assumes a particular normative vision of good performance. That is most easily seen with reference to Congress, which represents a poor institutional choice when it is  [\*578]  subject to the over-representation of one group and the under-representation of another. When one group has concentrated and high-stakes interests as compared to its opponents, Congress will be subject to a distorting minoritarian bias. [30](http://www.lexis.com/research/retrieve?_m=aa91df1416a18d87537d72b0e3763e33&docnum=29&_fmtstr=FULL&_startdoc=1&wchp=dGLbVtz-zSkAz&_md5=01ed68c7086eb1b7d8508b691f80e0b7&focBudTerms=imperfect%20alternatives%20and%20komesar%20and%20legislative%20or%20legislature%20or%20executive%20w/20%20judicial%20or%20judiciary%20and%20comparative%20institutional%20analysis&focBudSel=all#n30) Legislators will hear much more from the first group and will likely give short shrift to the needs of the group with the diffuse interests. According to the participation-centered approach, one evaluates whether one group has disproportionate influence with reference to the social policy goal, such as resource allocation efficiency. In other words, if a group's influence leads to a law that accords it more benefits than are efficient for society, it has exercised disproportionate influence. [31](http://www.lexis.com/research/retrieve?_m=aa91df1416a18d87537d72b0e3763e33&docnum=29&_fmtstr=FULL&_startdoc=1&wchp=dGLbVtz-zSkAz&_md5=01ed68c7086eb1b7d8508b691f80e0b7&focBudTerms=imperfect%20alternatives%20and%20komesar%20and%20legislative%20or%20legislature%20or%20executive%20w/20%20judicial%20or%20judiciary%20and%20comparative%20institutional%20analysis&focBudSel=all#n31) Other social policy goals would lead to similar analyses. Transaction costs are the primary inhibitor of market performance. When transaction costs swamp the gains from contracting, the market will not be well-suited to make a legal change. [32](http://www.lexis.com/research/retrieve?_m=aa91df1416a18d87537d72b0e3763e33&docnum=29&_fmtstr=FULL&_startdoc=1&wchp=dGLbVtz-zSkAz&_md5=01ed68c7086eb1b7d8508b691f80e0b7&focBudTerms=imperfect%20alternatives%20and%20komesar%20and%20legislative%20or%20legislature%20or%20executive%20w/20%20judicial%20or%20judiciary%20and%20comparative%20institutional%20analysis&focBudSel=all#n32) Instead, transactions that are favorable in terms of their ability to further the social policy goal will be avoided. Under the participation-centered approach, market competence requires transactions to take place, and it seems to require also that contracts reflect real bargaining by informed parties. [33](http://www.lexis.com/research/retrieve?_m=aa91df1416a18d87537d72b0e3763e33&docnum=29&_fmtstr=FULL&_startdoc=1&wchp=dGLbVtz-zSkAz&_md5=01ed68c7086eb1b7d8508b691f80e0b7&focBudTerms=imperfect%20alternatives%20and%20komesar%20and%20legislative%20or%20legislature%20or%20executive%20w/20%20judicial%20or%20judiciary%20and%20comparative%20institutional%20analysis&focBudSel=all#n33) The participation-centered approach handles court performance in a manner parallel to its treatment of the other branches. The courts will operate well only if parties actually use them to sue. If parties choose not to sue, probably because the costs of suit exceed the expected benefits, then courts are not the appropriate institution to give content to a legal rule and effectuate appropriate legal change. In such an event, if courts are selected as the institution to decide the  [\*579]  question, the legal rule may fail to change as needed, or it may be decided on the basis of the one case that by happenstance does go to court. Another factor relating to courts' competence is whether the legal rules they generate will impact behavior outside the courtroom. In other words, if the parties whose behavior the courts are trying to affect have diffuse interests with each member having correspondingly small stakes, these parties may be unwilling to invest in following courts' actions and they may ignore any resulting rules. [34](http://www.lexis.com/research/retrieve?_m=aa91df1416a18d87537d72b0e3763e33&docnum=29&_fmtstr=FULL&_startdoc=1&wchp=dGLbVtz-zSkAz&_md5=01ed68c7086eb1b7d8508b691f80e0b7&focBudTerms=imperfect%20alternatives%20and%20komesar%20and%20legislative%20or%20legislature%20or%20executive%20w/20%20judicial%20or%20judiciary%20and%20comparative%20institutional%20analysis&focBudSel=all#n34) Thus it is important to consider not just courts' ability to generate signals about appropriate behavior, but also whether those signals will be heard by the relevant parties. In sum, the participation-centered approach involves positive analysis: identification of the different groups interested in a particular legal rule and of the costs and benefits to each group of participation in any of the three institutions. In order to focus on comparative institutional analysis, the approach assumes a social policy goal and then evaluates the comparative abilities of each institution to achieve that social policy goal given the likely participation level of each group. The approach also embodies normative visions of what it means for each institution to function properly.

#### Policymakers are responsible for outcomes- evaluate the net benefit

Suzanne Uniacke, Prof. Philosophy @ U of Wollongong, June, ’99 (International Journal of Philosophical Studies Vol. 7, Iss. 2)

We bear responsibility for the outcome of another’s actions, for instance, when we provoke these actions (Iago); or when we supply the means (Kevorkian), identification (Judas), or incentive (Eve); or where we encourage another to act as he [or she] does (Lady Macbeth). Despite his disclaimer, Pilate cannot acquit himself entirely of the outcome of what others decide simply by ceding the judgment to them. In these examples agents are indirectly, partly responsible for the outcomes of what others do in virtue of something they themselves have done. But indirect, partial responsibility for what another person does can also arise through an agent’s non-intervention and be grounded in intention or fault; for example, when Arthur does not prevent Brian killing Catherine, because Arthur wants Catherine dead, or because Arthur simply cannot be bothered to warn her or call the police. Of course attributions of indirect, partial responsibility can be dif cult. And as far as absolutism is concerned, the relevant sense of ‘brings about’, outlined earlier, will sometimes be quite stretched where an agent is attributed with responsibility for what someone else does. All the same, by our non-intervention we can help bring about some things that are directly and voluntarily caused by others.29

### 2NC Agent CPs Good

No link--- CP PICs out of legislative restrictions, particularly for this topic it’s a distinct mechanism grounded in the literature

1. Agent education outweighs fairness—

Debate is resilient; good counterplans increase research on the technical aspects of the plan—link turns topic education.

Fairness creates a race to the corners, distracts from narrow debates. Depth enhances real world argumentation and transferable knowledge.

2. They still have ground: agent/leadership add-ons, court disadvantages, and delay. Also they have built in solvency ground—non-compliance.

3. Key to neg ground. Testing the agent checks one-sided lit bases and represents one-half of the resolution. International fiat is suspect and there’s no States counterplan on this topic.

4. Political education key to informed citizenry and legal education is timeless.

5. Key to test the aff. Process DAs don’t outweigh energy cases; leveraging the case forces the aff to justify every part of the plan.

### 2NC Perm Do Both

#### Doesn’t solve politics; the Supreme Court must act first to provide political cover.

Garrett and Stutz 2005 (Robert T. Garrett and Terrence Stutz, Dallas Morning News, “School finance now up to court Justices to decide if overhaul needed after bills fail in Legislature” lexis)

That could foreshadow the court's response to a chief argument by state attorneys – that the court should butt out and leave school finance to the Legislature. A court finding against the state would put the ball back in the hands of lawmakers, who have tended to put off dealing with problems in schools, prisons and mental health facilities until state or federal judges forced them to act. "It's the classic political response to problems they don't want to deal with," said Maurice Dyson, a school finance expert and assistant law professor at Southern Methodist University. "There is no better political cover than to have a court rule that something must be done, which allows politicians to say their hands are tied."

#### It’s mutually exclusive—the case would be moot.

Lee 1992 (Evan Tsen Lee, Associate Professor, University of California, Hastings College of the Law, Harvard Law Review, January, lexis)

ONE of the major impediments to the judicial protection of collective rights 1 is the group of doctrines falling under the rubric [\*606] of "justiciability" -- standing, ripeness, and mootness. 2 These are the gatekeeper doctrines; each regulates a different dimension of entrance to the federal courts. The law of standing considers whether the plaintiff is the proper person to assert the claim, the law of ripeness ensures that the plaintiff has not asserted the claim too early, 3 and the law of mootness seeks to prevent the plaintiff from asserting the claim too late. 4 By keeping certain public-minded plaintiffs and public-law claims out of federal court, these doctrines have shifted much of the battle for collective rights to the more steeply pitched fields of state courts or the political process. 5 In particular, defendants in public law litigation have had considerable success keeping such cases out of the federal courts by invoking the "case or controversy" requirement [\*607] of Article III. 6 Under current Supreme Court precedent, if a plaintiff cannot demonstrate that she possesses an ongoing "personal stake" in the outcome of the litigation, a federal court has no jurisdiction to adjudicate the claim on the merits. 7 No amount of judicial discretion can overcome this jurisdictional defect, because Article III demarcates the outer limit of federal court power. 8 As a result, many attempts to establish entitlements to important collective rights fail before courts can give them full consideration.

#### Even if the ruling happens, it would not make a constitutional claim.

Lee 1992 (Evan Tsen Lee, Associate Professor, University of California, Hastings College of the Law, Harvard Law Review, January, lexis)

Doubtless some will point to Supreme Court opinions characterizing decisions in moot cases as advisory opinions and stating that the [\*651] court has no jurisdiction to proceed in moot cases. A few such opinions exist, 270 although many more imply that the mootness and advisory opinions doctrines are distinct (but related) ideas. 271 The most satisfying way to view the present doctrinal relationship of mootness, advisory opinions, and Article III is as follows: decisions in moot cases are currently prohibited because they are said to exceed the jurisdictional grants of Article III; additionally, decisions in moot cases implicate the prudential component of the advisory opinions doctrine, but they do not implicate the doctrine's constitutional core. Thus, the constitutional dimension to the prohibition against deciding moot cases stems directly from Article III and not from an analogy to advisory opinions. If the Court were to repudiate its position that the mootness doctrine is constitutionally compelled, the analogy to advisory opinions would pose no independent constitutional obstacle to deciding moot cases on the merits.

# Solvency

## Circumvention

#### Circumvention is a prior question to assessing their method because it questions whether they have taken a meaningful step in the right directions

#### If drone strikes still exist after you vote affirmative you shouldn’t vote affirmative- proves they’re the exact same kind of band-aid solution that they criticize

#### INSERT SANITIZATION CARD

#### Obama ignores restrictions- tons of loopholes

**Kumar 3-19**-13 [Anita, White House correspondent for McClatchy Newspapers, former writer for The Washington Post, covering Virginia politics and government, and spent a decade at the St. Petersburg Times, writing about local, state and federal government both in Florida and Washington, “Obama turning to executive power to get what he wants,” <http://www.mcclatchydc.com/2013/03/19/186309/obama-turning-to-executive-power.html#.Ue18CdK1FSE>]

President Barack Obama came into office four years ago skeptical of pushing the power of the White House to the limit, especially if it appeared to be circumventing Congress.¶ Now, as he launches his second term, Obama has grown more comfortable wielding power to try to move his own agenda forward, particularly when a deeply fractured, often-hostile Congress gets in his way.¶ He’s done it with a package of tools, some of which date to George Washington and some invented in the modern era of an increasingly powerful presidency. And he’s done it with a frequency that belies his original campaign criticisms of predecessor George W. Bush, invites criticisms that he’s bypassing the checks and balances of Congress and the courts, and whets the appetite of liberal activists who want him to do even more to advance their goals.¶ While his decision to send drones to kill U.S. citizens suspected of terrorism has garnered a torrent of criticism, his use of executive orders and other powers at home is deeper and wider.¶ He delayed the deportation of young illegal immigrants when Congress wouldn’t agree. He ordered the Centers for Disease Control and Prevention to research gun violence, which Congress halted nearly 15 years ago. He told the Justice Department to stop defending the Defense of Marriage Act, deciding that the 1996 law defining marriage as between a man and a woman was unconstitutional. He’s vowed to act on his own if Congress didn’t pass policies to prepare for climate change.¶ Arguably more than any other president in modern history, he’s using executive actions, primarily orders, to bypass or pressure a Congress where the opposition Republicans can block any proposal.¶ “It’s gridlocked and dysfunctional. The place is a mess,” said Rena Steinzor, a law professor at the University of Maryland. “I think (executive action) is an inevitable tool given what’s happened.”¶ Now that Obama has showed a willingness to use those tactics, advocacy groups, supporters and even members of Congress are lobbying him to do so more and more.¶ The Center for Progressive Reform, a liberal advocacy group composed of law professors, including Steinzor, has pressed Obama to sign seven executive orders on health, safety and the environment during his second term.¶ Seventy environmental groups wrote a letter urging the president to restrict emissions at existing power plants.¶ Sen. Barbara Mikulski, D-Md., the chairwoman of the Appropriations Committee, sent a letter to the White House asking Obama to ban federal contractors from retaliating against employees who share salary information.¶ Gay rights organizations recently demonstrated in front of the White House to encourage the president to sign an executive order to bar discrimination based on sexual orientation or gender identity by companies that have federal contracts, eager for Obama to act after nearly two decades of failed attempts to get Congress to pass a similar bill.¶ “It’s ridiculous that we’re having to push this hard for the president to simply pick up a pen,” said Heather Cronk, the managing director of the gay rights group GetEQUAL. “It’s reprehensible that, after signing orders on gun control, cybersecurity and all manner of other topics, the president is still laboring over this decision.”¶ The White House didn’t respond to repeated requests for comment.¶ In January, Obama said he continued to believe that legislation was “sturdier and more stable” than executive actions, but that sometimes they were necessary, such as his January directive for the federal government to research gun violence.¶ “There are certain issues where a judicious use of executive power can move the argument forward or solve problems that are of immediate-enough import that we can’t afford not to do it,” the former constitutional professor told The New Republic magazine.¶ Presidents since George Washington have signed executive orders, an oft-overlooked power not explicitly defined in the Constitution. More than half of all executive orders in the nation’s history – nearly 14,000 – have been issued since 1933.

#### Obama will circumvent Congress and the courts

**Kumar 3-19**-13 [Anita, White House correspondent for McClatchy Newspapers, former writer for The Washington Post, covering Virginia politics and government, and spent a decade at the St. Petersburg Times, writing about local, state and federal government both in Florida and Washington, “Obama turning to executive power to get what he wants,” <http://www.mcclatchydc.com/2013/03/19/186309/obama-turning-to-executive-power.html#.Ue18CdK1FSE>]

“The expectation is that they all do this,” said Ken Mayer, a political science professor at the University of Wisconsin-Madison who wrote “With the Stroke of a Pen: Executive Orders and Presidential Power.” “That is the typical way of doing things.”¶ But, experts say, Obama’s actions are more noticeable because as a candidate he was critical of Bush’s use of power. In particular, he singled out his predecessor’s use of signing statements, documents issued when a president signs a bill that clarifies his understanding of the law.¶ “These last few years we’ve seen an unacceptable abuse of power at home,” Obama said in an October 2007 speech.. “We’ve paid a heavy price for having a president whose priority is expanding his own power.”¶ Yet Obama’s use of power echoes that of his predecessors. For example, he signed 145 executive orders in his first term, putting him on track to issue as many as the 291 that Bush did in two terms.¶ John Yoo, who wrote the legal opinions that supported an expansion of presidential power after the 2001 terrorist attacks, including harsh interrogation methods that some called torture, said he thought that executive orders were sometimes appropriate – when conducting internal management and implementing power given to the president by Congress or the Constitution – but he thinks that Obama has gone too far.¶ “I think President Obama has been as equally aggressive as President Bush, and in fact he has sometimes used the very same language to suggest that he would not obey congressional laws that intrude on his commander-in-chief power,” said Yoo, who’s now a law professor at the University of California at Berkeley. “This is utterly hypocritical, both when compared to his campaign stances and the position of his supporters in Congress, who have suddenly discovered the virtues of silence.”¶ Most of Obama’s actions are written statements aimed at federal agencies that are published everywhere from the White House website to the Federal Register. Some are classified and hidden from public view.¶ “It seems to be more calculated to prod Congress,” said Phillip J. Cooper, the author of “By Order of the President: The Use and Abuse of Executive Direct Action.” “I can’t remember a president being that consistent, direct and public.”¶ Bush was criticized for many of his actions on surveillance and interrogation techniques, but attention has focused on Obama’s use of actions mostly about domestic issues.¶ In his first two years in the White House, when fellow Democrats controlled Capitol Hill, Obama largely worked through the regular legislative process to try to achieve his domestic agenda. His biggest achievements – including a federal health care overhaul and a stimulus package designed to boost the economy –came about with little or no Republican support.¶ But Republicans took control of the House of Representatives in 2010, making the task of passing legislation all the more difficult for a man with a detached personality who doesn’t relish schmoozing with lawmakers. By the next year, Obama wasn’t shy about his reasons for flexing his presidential power.¶ In fall 2011, he launched the “We Can’t Wait” campaign, unveiling dozens of policies through executive orders – creating jobs for veterans, adopting fuel efficiency standards and stopping drug shortages – that came straight from his jobs bills that faltered in Congress.¶ “We’re not waiting for Congress,” Obama said in Denver that year when he announced a plan to reduce college costs. “I intend to do everything in my power right now to act on behalf of the American people, with or without Congress. We can’t wait for Congress to do its job. So where they won’t act, I will.”¶ When Congress killed legislation aimed at curbing the emissions that cause global warming, Obama directed the Environmental Protection Agency to write regulations on its own incorporating some parts of the bill.¶ When Congress defeated pro-union legislation, he had the National Labor Relations Board and the Labor Department issue rules incorporating some parts of the bill.¶ “The president looks more and more like a king that the Constitution was designed to replace,” Sen. Charles Grassley, R-Iowa, said on the Senate floor last year.¶ While Republicans complain that Obama’s actions cross a line, experts say some of them are less aggressive than they appear.¶ After the mass shooting in Newtown, Conn., in December, the White House boasted of implementing 23 executive actions to curb gun control. In reality, Obama issued a trio of modest directives that instructed federal agencies to trace guns and send information for background checks to a database.¶ In his State of the Union address last month, Obama instructed businesses to improve the security of computers to help prevent hacking. But he doesn’t have the legal authority to force private companies to act.¶ “The executive order can be a useful tool but there are only certain things he can do,” said Melanie Teplinsky, an American University law professor who’s spoken extensively on cyber-law.¶ Executive actions often are fleeting. They generally don’t settle a political debate, and the next president, Congress or a court may overturn them.¶ Consider the so-called Mexico City policy. With it, Reagan banned federal money from going to international family-planning groups that provide abortions. Clinton rescinded the policy. George W. Bush reinstated it, and Obama reversed course again.¶ But congressional and legal action are rare. In 1952, the Supreme Court threw out Harry Truman’s order authorizing the seizure of steel mills during a series of strikes. In 1996, the District of Columbia Court of Appeals dismissed an order by Clinton that banned the government from contracting with companies that hire workers despite an ongoing strike.¶ Obama has seen some pushback.¶ Congress prohibited him from spending money to move inmates from the Guantanamo Bay U.S. naval base in Cuba after he signed an order that said it would close. A Chinese company sued Obama for killing its wind farm projects by executive order after he said they were too close to a military training site. A federal appeals court recently ruled that he’d exceeded his constitutional powers when he named several people to the National Labor Relations Board while the Senate was in recess.¶ But Obama appears to be undaunted.¶ “If Congress won’t act soon to protect future generations,” he told Congress last month, “I will.”

## Yes NW

## Util 1st

Default to the Maxipok principle- its fine to preserve OK situations if and only if humanity is threatened- even if utilitarianism is biased not being responsible for the consequences of your advocacy is a moral prerequisite to preserving justice because the people effected by nuclear conflict and warming are also likely to be in already disadvantaged system- you bargain with their lives

#### Potentiality DA – preventing extinction preserves the potentiality of humanity – that independently outweighs

Bostrom ’12 – faculty of philosophy at Oxford

(Nick, “Existential Risk Prevention as the Most Important Task for Humanity”, Forthcoming in *Global Policy* (2012), http://www.existential-risk.org/concept.html)

To calculate the loss associated with an existential catastrophe, we must consider how much value would come to exist in its absence. It turns out that the ultimate potential for Earth-originating intelligent life is literally astronomical. One gets a large number even if one confines one’s consideration to the potential for biological human beings living on Earth. If we suppose with Parfit that our planet will remain habitable for at least another billion years, and we assume that at least one billion people could live on it sustainably, then the potential exist for at least 10^16 human lives. These lives could also be considerably better than the average contemporary human life, which is so often marred by disease, poverty, injustice, and various biological limitations that could be partly overcome through continuing technological and moral progress. However, the relevant figure is not how many people could live on Earth but how many descendants we could have in total. One lower bound of the number of biological human life-years in the future accessible universe (based on current cosmological estimates) is 1034 years.[7] Another estimate, which assumes that future minds will be mainly implemented in computational hardware instead of biological neuronal wetware, produces a lower bound of 1054 human-brain-emulation subjective life-years (or 1071 basic computational operations).(4)[8] If we make the less conservative assumption that future civilizations could eventually press close to the absolute bounds of known physics (using some as yet unimagined technology), we get radically higher estimates of the amount of computation and memory storage that is achievable and thus of the number of years of subjective experience that could be realized.[9] Even if we use the most conservative of these estimates, which entirely ignores the possibility of space colonization and software minds, we find that the expected loss of an existential catastrophe is greater than the value of 10^16 human lives. This implies that the expected value of reducing existential risk by a mere one millionth of one percentage point is at least a hundred times the value of a million human lives. The more technologically comprehensive estimate of 1054 human-brain-emulation subjective life-years (or 1052 lives of ordinary length) makes the same point even more starkly. Even if we give this allegedly lower bound on the cumulative output potential of a technologically mature civilization a mere 1% chance of being correct, we find that the expected value of reducing existential risk by a mere one billionth of one billionth of one percentage point is worth a hundred billion times as much as a billion human lives. One might consequently argue that even the tiniest reduction of existential risk has an expected value greater than that of the definite provision of any “ordinary” good, such as the direct benefit of saving 1 billion lives. And, further, that the absolute value of the indirect effect of saving 1 billion lives on the total cumulative amount of existential risk—positive or negative—is almost certainly larger than the positive value of the direct benefit of such an action. [10]

#### System is self-correcting, we can’t stop genocidal violence if humanity goes extinct

Bostrom ’12 – faculty of philosophy at Oxford

(Nick, “Existential Risk Prevention as the Most Important Task for Humanity”, Forthcoming in *Global Policy* (2012), http://www.existential-risk.org/concept.html)

These reflections on moral uncertainty suggest an alternative, complementary way of looking at existential risk; they also suggest a new way of thinking about the ideal of sustainability. Let me elaborate. Our present understanding of axiology might well be confused. We may not now know—at least not in concrete detail—what outcomes would count as a big win for humanity; we might not even yet be able to imagine the best ends of our journey. If we are indeed profoundly uncertain about our ultimate aims, then we should recognize that there is a great option value in preserving—and ideally improving—our ability to recognize value and to steer the future accordingly. Ensuring that there will be a future version of humanity with great powers and a propensity to use them wisely is plausibly the best way available to us to increase the probability that the future will contain a lot of value. To do this, we must prevent any existential catastrophe. We thus want to reach a state in which we have (a) far greater intelligence, knowledge, and sounder judgment than we currently do; (b) far greater ability to solve global-coordination problems; (c) far greater technological capabilities and physical resources; and such that (d) our values and preferences are not corrupted in the process of getting there (but rather, if possible, improved). Factors b and c expand the option set available to humanity. Factor a increases humanity’s ability to predict the outcomes of the available options and understand what each outcome would entail in terms of the realization of human values. Factor d, finally, makes humanity more likely to want to realize human values. How we, from our current situation, might best achieve these ends is not obvious (figure 5). While we ultimately need more technology, insight, and coordination, it is not clear that the shortest path to the goal is the best one. It could turn out, for example, that attaining certain technological capabilities before attaining sufficient insight and coordination invariably spells doom for a civilization. One can readily imagine a class of existential-catastrophe scenarios in which some technology is discovered that puts immense destructive power into the hands of a large number of individuals. If there is no effective defense against this destructive power, and no way to prevent individuals from having access to it, then civilization cannot last, since in a sufficiently large population there are bound to be some individuals who will use any destructive power available to them. The discovery of the atomic bomb could have turned out to be like this, except for the fortunate fact that the construction of nuclear weapons requires a special ingredient—weapons-grade fissile material—that is rare and expensive to manufacture. Even so, if we continually sample from the urn of possible technological discoveries before implementing effective means of global coordination, surveillance, and/or restriction of potentially hazardous information, then we risk eventually drawing a black ball: an easy-to-make intervention that causes extremely widespread harm and against which effective defense is infeasible.[28] We should perhaps therefore not seek directly to approximate some state that is “sustainable” in the sense that we could remain in it for some time. Rather, we should focus on getting onto a developmental trajectory that offers a high probability of avoiding existential catastrophe. In other words, our focus should be on maximizing the chances that we will someday attain technological maturity in a way that is not dismally and irremediably flawed. Conditional on that attainment, we have a good chance of realizing our astronomical axiological potential.

## AT: Structural Violence O/W

#### First- the 2ac concedes nuclear war leads to extinction- no new impact defense or explanation in the 1ar- even if there is a small probability it is an 100% magnitude extinction event- don’t play Russian roullete especially if their attempted prohibition does nothing

#### Even if some forms of structural violence are the proximate cause of macro level conflict- drones aren’t one of them

**Aaronson and Johnson** **‘13** [Sir Michael Aaronson is a Professorial Research Fellow and Executive Director ¶ of cii – the Centre for International Intervention – at the University of Surrey. ¶ His previous career was in the UK Diplomatic Service and subsequently ¶ at Save the Children, where he was chief executive from 1995–2005. He ¶ is also Chairman of Frimley Park Hospital and a Director of Oxford Policy ¶ Management, and Adrian Johnson is Director of Publications at RUSI, the book reviews editor ¶ for the RUSI Journal, and chair of the RUSI Editorial Board. His research ¶ focuses on intervention, post-conflict security and British defence policy, “Hitting the Target? How New Capabilities are Shaping International Intervention,” <http://www.rusi.org/downloads/assets/WHR_2-13_Hitting_the_Target.pdf#page=89>]

Another, more general, criticism of drones is that, by offering the absence of ¶ personal and political risk, they ‘lower the bar to war’.8¶ By inducing a ‘false ¶ faith in the efficacy and morality of armed attack’, unmanned systems could ¶ ‘weaken the moral presumption against the use of force’.9¶ These, too, are critiques that must be taken seriously. The decision to take military action must always be made heavily. If the object of war is to make a ¶ better peace, then it must be waged with due regard not just for one’s own ¶ cost in blood and treasure, but also for that of the adversary.¶ Yet it is a mistake to ascribe too much to technology as a dynamo of intervention ¶ itself. It is true that major Western militaries now prepare for an era of ‘lightfootprint’ intervention born of budget austerity and war exhaustion from ¶ the protracted counter-insurgencies of the post-9/11 era. But the Western ¶ record of intervention has not been linear. For the Libya intervention, there ¶ is the Syria non-intervention; the West intervened firmly in Bosnia in 1995, ¶ but only after the earlier failures resulted in the worst massacre in Europe ¶ since the Second World War at Srebrenica; the withdrawal from Somalia and ¶ the shameful inaction over Rwanda sits in the historical record alongside the ¶ determined, forceful, sustained military action in Kosovo of 1999 and the ¶ preventative diplomacy in Macedonia of 2001. Technological capabilities can shape the form of intervention, but ultimately its drivers and determinants ¶ are political and moral. President Sarkozy and Prime Minister Cameron, for ¶ instance, pushed for intervention in Libya on moral grounds despite serious ¶ equipment deficiencies that meant reliance on American assets – and, in the ¶ case of Cameron, much against the counsel of his own military.10¶ The US drone campaign does suggest one possible way in which drones ¶ can facilitate persistent, global, low-footprint campaigns – in this case, of ¶ counter-terrorism. There is something to be said for the fact that a persistent ¶ manned campaign of strikes on sovereign Pakistani territory in pursuit of ¶ Al-Qa’ida would be politically more costly than relying on drones. Covert ¶ campaigns aside, other elements of the administration’s policy might ¶ be troubling. The Department of Justice White Paper on drone targeting, ¶ based on Congressional authorisation in 2001 for the use of all necessary ¶ measures against Al-Qa’ida and associated forces, offers a broad, seemingly ¶ unconstrained global mandate, based on either direct threat or the inability ¶ of a host government to deal with groups that threaten the US.11 Some states, ¶ perhaps, may find such a stance less worrisome; the Chinese government ¶ reportedly ‘considered’ using drones to kill a drug lord in Burma who wanted ¶ for the brutal murder of thirteen Chinese sailors.12¶ On the other hand, we should not disregard the unique political context ¶ that underlies the US drone programme in Yemen, Somalia and Pakistan: three states with varying degrees of lawless territory; a historically novel, ¶ globalised terrorist threat; and, of course, the unprecedented destruction ¶ and impact on the American psyche of the 9/11 attacks. There is also the ¶ matter, in Pakistan, of a significant deployment of American and allied troops ¶ across the border in Afghanistan, fighting an insurgency that finds succour in ¶ the mountainous frontier between the two states.¶ And, again, care should be taken not to overemphasise the novelty of drone strikes. If long-range armed drones can be conceptualised as a form ¶ of unmanned ‘deep strike’, then such capability has long been provided by ¶ weapons like the Tomahawk and Storm Shadow cruise missiles.13 Moreover, ¶ not all interventions will be of the type that can rely on drones. The Frenchled action in Mali early in 2013, for instance, primarily relied on rapidly ¶ deployed light armour and infantry to take ground from Islamist rebels, with ¶ air support as but one component of a combined-arms operation.¶ There is certainly the risk that widespread adoption of armed drones could ¶ provide more states with a politically easier means to intervene forcefully in ¶ the affairs of others – particularly as the next generation of unmanned combat ¶ air vehicles is developed to survive in defended airspace. Nevertheless, it ¶ is a risk that should be held in the full political and strategic context. It is ¶ far from inconceivable that those future interventions in the name of the ¶ Responsibility to Protect will be conducted on a basis similar to that of the ¶ Libyan operation of 2011, which demanded ‘zero risk’ to civilians.14 (Though, ¶ as Beswick and Minor point out in their chapter, this did not translate ¶ into ‘zero casualties’.) As military technology becomes more capable, the ¶ normative and legal shackles upon its acceptable use may also grow. In the end, the changes on each side of the equation may balance out.

# Cyborg

## Terror DA

#### Conceded external impact- terrorism leads to extinction- no new impact defense

Try or die for the negative- Anderson says terrorism is delayed

you might turn low-level terror blowback but drones decapitate key leaders- that prevents nuclear terrorism

terrorism inevitable- sociological, etc

#### Best empirical studies prove drones solve terror and outweighs blowback

**Johnston and Sarbahi ’13** [Patrick B. Johnston, PhD in political science from Northwestern, associate political scientist at the RAND Corporation who specializes in counterinsurgency and counterterrorism, with a particular focus on Afghanistan and the Philippines, former fellow at the Harvard Kennedy School, Stanford University, and the United States Institute of Peace, Anoop K. Sarbahi, PhD in political science from University of California, Los Angeles, M.A. in political science from the University of Iowa, and an M.Phil. in planning and development from the Indian Institute of Technology, was a Research Fellow at the Belfer Center for Science and International Affairs, Harvard University, has also been a visiting scholar at the Indian Council of Social Science Research-North Eastern Regional Center in Shillong (India) and the Center for Manipur Studies, University of Manipur, Imphal, “The Impact of U.S. Drone Strikes on¶ Terrorism in Pakistan and Afghanistan,” July, <http://patrickjohnston.info/materials/drones.pdf>]

Table 2 presents the 2FESL estimates of drone strikes on four measures of¶ militant violence. The spatial lag included in the 2FESL models measures the value of¶ our dependent variables in the districts falling within 75 km of the centroid of the agency¶ in which strikes occurred.¶ 43¶ To test Hypotheses 1 and 2, we examine five different measures of militant violence: ¶ the frequency of attacks, the lethality of attacks, the number of IED attacks, the¶ number of suicide attacks, and the number of attacks on tribal elders. The results do not¶ support Hypothesis 1—that drone strikes are associated with increased terrorism. On the¶ contrary, they support our hypothesis, (Hypothesis 2), that that drone strikes are¶ associated with decreases in militant violence. We find no evidence in support of the¶ competing hypothesis (Hypothesis 1)—that drone strikes increase violence. We discuss these results in more detail below.¶ The 2FESL estimates in column 2 of table 2 show that drone strikes are associated¶ with a decrease in militant attacks of approximately 24 percentage points—a result that¶ is statistically significant at the one percent level. From 2007 through 2011, the average¶ agency suffered roughly 0.88 militant attacks per week. During weeks in which a drone¶ strike occurred, agencies suffered an average of about 0.68 attacks.¶ Given that drone strikes are associated with reductions in insurgent attacks in the¶ areas where they occur, it makes sense that drone strikes might also be negatively¶ associated with the lethality, or “quality,” of attacks in those same areas. Consistent with¶ Hypothesis 2, the estimates presented in column 2 of table 2 suggest that the lethality of¶ militant attacks declines by more than 36.5 percent as a result of a drone strike in a given¶ week. On average, 2.77 people were killed or injured in militant attacks in FATA between¶ 2007 and the end of the third quarter of 2011. This figure would decline substantially to¶ 1.76 per week as a result of a single drone strike if the number of drone strikes would¶ increase by one per agency-week.44¶ The disruption hypothesis also implies that drone strikes should reduce militants’¶ ability to conduct complex and coordinated attacks like IED and suicide attacks. We¶ find support for these propositions in our econometric tests. Drone strikes are negatively associated with the number of IED attacks in FATA during the period studied. Based¶ on the estimates in column 3 in table 2, a drone strike is associated with a 21- percentage point reduction in IED attacks. The marginal effect translates into an¶ estimated decrease in IED attacks from an average of 0.32 per agency-week to 0.25 per¶ agency-week when there is one drone strike.¶ Regarding suicide attacks, the coefficient in column 4 of table 2 suggests that drone¶ strikes are also associated with reductions in these tactics. This result is significant at the¶ one percent level. Suicide attacks are relatively rare but extremely high-profile events:¶ the mean number of suicide attacks per agency per week is 0.02, or about one per¶ agency every year. The point estimate appears small, but the marginal effect translates into an almost 67 percent decline in the number of suicide attacks in a week with one drone¶ strike. Thus, the average number of weekly suicide attacks in FATA, which is 0.14 per¶ week during the period under consideration, would decline to 0.05 per week as a result of¶ one drone strike per agency-week. On balance, the evidence is clearly consistent with¶ Hypothesis 2—the “disruption” hypothesis—and not with the argument that drone strikes¶ trigger increased violence (Hypothesis 1).¶ DEGRADATION¶ Given that killing terrorist leaders or HVIs in terrorist organizations is the purpose¶ of drone strikes, we evaluate whether patterns of militant attacks differ following strikes in¶ which a militant leader was killed. Table 3 provides tests of Hypotheses 3 and 4 against¶ the four metrics of militant violence examined here using the same 2FESL ¶ specifications as in table 2. The results are largely consistent with Hypothesis 3—that¶ killing militant leaders is associated with decreased violence. There is little support for¶ Hypothesis 4, that killing HVIs has counterproductive effects on violence. Controlling for¶ the number of drone strikes per agency-week, the first column of table 3 shows that¶ drone strikes that kill a HVI are associated with reductions in the number of militant¶ incidents that occur. This result is statistically significant at the one-percent level. There¶ is, however, weaker evidence that HVI removals reduce militant lethality and IED¶ attacks.45¶ Overall, the evidence is somewhat consistent with the argument that individuals¶ matter for a terrorist organization’s ability to produce violence at sustained rates. Along with other evidence from macro-level studies of leadership decapitation, the¶ present results suggest that critics who argue against the efficacy of removing key¶ figures may be overemphasizing the extent to which such individuals can be readily replaced.

#### Strikes force defensive strategies- prevents attacks

**Byman and Wittes 7-17**-13 [Daniel Byman is a professor in the Security Studies Program at Georgetown University and the Research Director of the Saban Center for Middle East Policy at Brookings, Benjamin Wittes is a Senior Fellow in Governance Studies at the Brookings Institution, the Editor in Chief of the Lawfare blog and a member of the Hoover Institution’s Task Force on National Security and Law, “Tools and Tradeoffs: Confronting U.S. Citizen Terrorist Suspects Abroad,” <http://www.brookings.edu/~/media/research/files/reports/2013/07/23%20us%20citizen%20terrorist%20suspects%20awlaki%20jihad%20byman%20wittes/toolsandtradeoffs.pdf>]

The major advantage to killing suspected terrorists—to put the matter bloodlessly—is that ¶ it removes important, skilled operators from the ranks of the enemy when their capture ¶ may not be an option, and it does so without significant litigation risk. Just as important, ¶ the threat of force compels those on the run to play defense. Drone strikes rely on spies, ¶ on intercepted phone calls, and on other forms of intelligence to pinpoint their targets. ¶ To reduce exposure to drones, terrorists must trust fewer people, talk on the phone or use the internet less, and otherwise minimize their contact and communications. In so doing, ¶ however, they become less effective as terrorists. An Awlaki who cannot use a computer ¶ or phone cannot inspire others to join the jihad or instruct recruits on the best targets to ¶ strike.¶ Such strikes also free the United States from complete dependence on allies. Awlaki did ¶ not have the support of the Yemeni government when he hid there, but Sana’a certainly ¶ had little power to force his tribe to surrender him. If the United States had sought to ¶ have him arrested, the Yemeni government would probably not have even bothered to try; ¶ and if it did try, it probably would have failed. In any event, Yemen lacks an extradition ¶ treaty with the United States, and its record of holding high-value detainees in its own ¶ prisons is poor.

#### Strikes solve terror- multiple reasons

**Johnston and Sarbahi ’13** [Patrick B. Johnston, PhD in political science from Northwestern, associate political scientist at the RAND Corporation who specializes in counterinsurgency and counterterrorism, with a particular focus on Afghanistan and the Philippines, former fellow at the Harvard Kennedy School, Stanford University, and the United States Institute of Peace, Anoop K. Sarbahi, PhD in political science from University of California, Los Angeles, M.A. in political science from the University of Iowa, and an M.Phil. in planning and development from the Indian Institute of Technology, was a Research Fellow at the Belfer Center for Science and International Affairs, Harvard University, has also been a visiting scholar at the Indian Council of Social Science Research-North Eastern Regional Center in Shillong (India) and the Center for Manipur Studies, University of Manipur, Imphal, “The Impact of U.S. Drone Strikes on¶ Terrorism in Pakistan and Afghanistan,” July, <http://patrickjohnston.info/materials/drones.pdf>]

Drone strikes are not the only instrument the U.S. can use to fight al Qa’ida ¶ terrorists; states have used other methods to fight terrorism for centuries. The effectiveness of drone strikes at countering terrorism lies at the core ¶ of U.S. policymakers’ arguments for their continued use. Yet because of the drone ¶ program’s secretive nature and wide disagreement about the effects of drone strikes on ¶ terrorist organizations and civilian populations, U.S. government officials and human rights ¶ advocates have both failed to present compelling, systematic evidence in support of their ¶ positions. What is needed is a rigorous, evidence-based assessment of drone strikes’ impact¶ on terrorism. Such an assessment should sharpen the debate on drone strikes and help ¶ counterterrorism officials and critics alike to evaluate the tradeoffs associated with drone¶ warfare.¶ The present study provides such an assessment by using a data-driven approach to¶ analyze the consequences of drone strikes. Based on detailed data on both drone strikes ¶ and terrorism in Pakistan throughout the course of the U.S. drone campaign there, the ¶ study examines how drone strikes have affected terrorist violence in northwest Pakistan ¶ and bordering areas of Afghanistan. In order to provide the most comprehensive analysis ¶ possible, this study investigates the relationship between drone strikes and a wide range of ¶ militant activities and tactics, including terrorist attack patterns, terrorist attack lethality,¶ and especially deadly and intimidating tactics such as suicide and improvised explosive ¶ device (IED) attacks.¶ A systematic analysis of the data reveals that drone strikes have succeeded in curbing ¶ deadly terrorist attacks in Pakistan. Specifically, the key findings of our study show that ¶ drone strikes are associated with substantial reductions in terrorist violence along four key ¶ dimensions. First, drone strikes are generally associated with a reduction in the¶ rate of terrorist attacks. Second, drone strikes are also associated with a reduction in the ¶ number of people killed as a result of terrorist attacks. Third, drone strikes tend to be ¶ linked to decreases in the use of particularly lethal and intimidating tactics, including ¶ suicide and IED attacks. Fourth, the study finds that this reduction in terrorism is not the¶ result of militants leaving unsafe areas and conducting attacks elsewhere in the region; on¶ the contrary, there is some evidence to suggest that drone strikes have a small violence reducing effect in areas near those struck by drones. Taken together, these findings ¶ strongly suggest that despite drone strikes’ unpopularity, official claims that drones have ¶ aided U.S. counterterrorism efforts in Pakistan appear to be credible and should not be ¶ dismissed out of hand.¶ The remainder of the article proceeds as follows. In Section 2, we outline the ¶ range of relevant hypotheses on the effects of drone strikes, and briefly discuss the¶ theoretical logics that undergird them. In Section 3, we describe our dataset and the¶ methodology used to assess the effects of drone strikes on terrorism. In Section 4, we discuss the ¶ results of our empirical analysis and our interpretation of key findings. Finally, Section 5 ¶ concludes with a discussion of our findings’ implications for policy and the future of ¶ counterterrorism.

#### Whack-a-mole theory is wrong- leader decapitation works

**Anderson ’13** [Kenneth, professor of international law at American University and a member of the Task Force on National Security and Law at the Hoover Institution, “The Case for Drones,” Commentary135.6 (Jun 2013): 14-23, Proquest, online]

Other critics argue that drone warfare is ineffective because killing one operational commander merely means that another rises to take his place. This is the source of the oft-heard remark that drone warfare is a “whack-a-mole” strategy: Kill one here and another pops up there. Drone warfare is nothing more than a tactic masquerading as a strategy, it is said. Worse, it indulges one of the oldest and most seductive quests of modern military technology, the one that says you can win a war from the air alone. The whack-a-mole criticism is wildly overstated and, as a matter of terrorist leadership, simply not true. Captured terrorist communications show that qualified and experienced operational commanders are not so easy to come by. One can argue that the failure to carry off large-scale attacks in the West is the result of the defensive hardening of targets and better homeland security, which is certainly true; but culling the ranks of terrorist leaders and the resulting inability to plan another 9/11 is also critical.

#### Blowback is small- benefits outweigh

**ICG 5-21**-13 [International Crisis Group, an independent, non-profit, non-governmental organisation, with some 150 staff members on five continents, working through field-based analysis, “Drones: ¶ Myths and ¶ Reality in ¶ Pakistan,” <http://www.crisisgroup.org/~/media/Files/asia/south-asia/pakistan/247-drones-myths-and-reality-in-pakistan.pdf>]

In debates on the drone issue, the argument is commonly put forward that drones produce more terrorists than they kill: militant groups exploit real and fabricated ¶ accounts of civilian deaths to enlist fresh recruits, including the relatives of drone ¶ strike victims, for jihad against the U.S. and its allies.133 The actual benefit to extremist groups, including in terms of recruitment, appears, however, minimal. A local analyst who has extensively researched security and governance in FATA notes that ¶ while anti-drone rhetoric does draw some converts, “the loss of a Baitullah Mehsud or a Qari Hussain is much more damaging than the recruitment of a few dozen foot soldiers”.134¶ Moreover, militant recruitment is a complex process, achieved more often on economic than ideological grounds. FATA residents often rely on various militant ¶ jihadi and criminal networks for patronage in the absence of a functioning state, civil ¶ society, and traditional tribal structures that have been decimated by militants. Forced recruitment is also common, with households in militant-controlled areas made to ¶ contribute men to the jihad.135 Any voluntary enlistment in response to drone strikes may well be comparatively minimal.

## Alts worse

Put cart before the horse- you’re a step in the wrong direction- two steps forward and four steps back

four alts

1. bombing people
2. invasion
3. Yemeni/afghan interventions

all create MORE civilian casualties

#### Drones drastically reduce civilian deaths- it’s the most ethical system

**Anderson ’13** [Kenneth, professor of international law at American University and a member of the Task Force on National Security and Law at the Hoover Institution, “The Case for Drones,” Commentary135.6 (Jun 2013): 14-23, Proquest, online]

Even as Obama publicly disdained the institutions and methodologies of Bush's war on terror, he was issuing a new call to arms in that war. Taking the fight directly to the enemy required a means of combat other than counterinsurgency warfare on the ground, and the United States turned to a technology the Israelis had used effectively in their war against Palestinian terrorists: unmanned surveillance drones, now weaponized.¶ This tool had been used during the Bush administration, but sparingly- largely due to geopolitical fears, but also because it was only by the second Bush term that the CIA had established ground-level human-intelligence networks in Afghanistan and Pakistan sufficient for making independent targeting decisions without having to rely on the questionable and self-interested information coming from Pakistan's intelligence services.¶ The strategy has worked far better than anyone expected. It is effective, and has rightfully assumed an indispensable place on the list of strategic elements of U.S. counterterrorism-on-offense.¶ But it is not only a strategy of effectiveness, convenience, and necessity. Drone warfare offers ethical advantages as well, allowing for increased discrimination in time, manner, and targeting not available via any other comparable weapon platform. As such, it lends civilians in the path of hostilities vastly greater protection than does any other fighting tool. Drone warfare is an honorable attempt to seek out terrorists and insurgents who hide among civilians.¶ The expansion into automated and robotic military equipment owes much to the ethical impulse to create new technologies of discrimination when fighting enemies for whom unwitting civilian shields were their main materiel of war. Moreover, these are weapons that gain much of their discrimination in use from the fact that U.S. forces are not directly at personal risk and are thus able to take time to choose a moment to attack when civilians might be least at risk. Remoteness- the fact that the drone user is nowhere near the target, as the pilot is probably sitting in an air-conditioned room in Nevada- actually enables precision.¶ Ethical and effective- and yet today drone warfare is coming under increasingly strong public attack as being neither. Opponents of drones are seeking to raise the political costs of drone warfare to the United States, portraying it as a symbol of an arrogant, reprobate superpower dating back to the days of the "ugly American." Steve Coll, writing in the New Yorker, says drone use is "unnervingly reminiscent of Eisenhower's enthusiasm for poisoning schemes and coup plots." And though, in a recent Gallup poll, two-thirds of those surveyed said they supported drone strikes, there is no question that the political, legal, and moral legitimacy of drone warfare is increasingly at risk. The delegitimators are the international community, both its UN officials and NGO advocates; a sizable portion of academic international lawyers; much of the elite international media; and Obama's American left.

# Civilians

## No distancing

Drones better for distancing- ev cites drone pilots- when you fly a plane and bomb someone you can just fly by

drone strikes see the faces of the people they kill

#### Drones increase accountability- more monitoring of US activities

**Goure ’12** [ Daniel Goure, PhD in international relations and Russian studies from the Johns Hopkins University, is a vice president of the Lexington Institute, was a member of the Defense Department’s Transition Team, served as director of the Office of Strategic Competitiveness for the Secretary of Defense and was a senior analyst with the Center for Naval Analyses, Science Applications International Corporation, SRS Technologies, R&D Associates and System Planning Corporation, has been a consultant for the Departments of State, Defense, and Energy, has been an adjunct professor in graduate programs at the Center for Peace and Security Studies at Georgetown University, and an adjunct professor at National Defense University, “Drones and the Changing Nature of Warfare: Hold the Presses!” <http://www.cato-unbound.org/2012/01/13/daniel-goure/drones-changing-nature-warfare-hold-presses>]

I might go even farther than Goldstein and argue that Cortright should advocate the greater use of drones, armed and otherwise, precisely due to his interest in reducing the frequency, intensity, and costs of conflicts. Just as dash cameras in police cars and cell phone cameras have led to a decrease in police brutality and the ability to bring those who violate procedures to account, the electro-optical sensors on drones can be used to increase oversight over military forces in the field. In fact, cameras can reduce what Cortright calls “the psychological distance that separates the launching of a strike from its bloody impact.” It can also help reduce the alleged isolation of the American people from the use of force in their name.

#### “Distanced” strikes doesn’t cause more violence- pilots aren’t desensitized

**Anderson ’13** [Kenneth, professor of international law at American University and a member of the Task Force on National Security and Law at the Hoover Institution, “The Case for Drones,” Commentary135.6 (Jun 2013): 14-23, Proquest, online]

The most offensively foolish (though endlessly repeated) objection raised against drones was the one made by Jane Mayer in her influential 2009 New Yorker article, "The Predator War": that drone pilots are so distant from their targets that they encourage a "push-button," video-game mentality toward killing. The professional military find the claim bizarre, and it fails to take into account the other kinds of weapons and platforms in use. Note, the pilot of a manned craft is often thousands of feet away and a mile above a target looking at a tiny coordinates screen. And what of the sailor, deep in the below-decks of a ship, or a submarine, firing a cruise missile with no awareness of any kind about the target hundreds of miles away?¶ For that matter, the common perception of drones as a sci-fi combination of total surveillance and complete discretion in where and when to strike is simply wrong. The drone pilot might sit in Nevada, but the drone itself has a limited range, requires an airstrip, fuel, repairs, and 200 or so personnel to keep it in the air. All this physical infrastructure must be close to the theater of operations. Stress rates among drone pilots are at least as high as those of manned aircraft pilots; they are far from having a desensitized attitude toward killing. This appears to be partially because these are not mere combat operations but fundamentally and primarily intelligence operations. Drone pilots engaged in targeted killing operations watch their targets from a very personal distance via sensor technology, through which they track intimate, daily patterns of life to gather information and, perhaps, to determine precisely the best moment to strike, when collateral damage might be least.¶ As one drone operator told me, it is not as if one sees the terrible things the target is engaged in doing that made him a target in the first place; instead, it feels, after a few weeks of observation, as though you are killing your neighbor.¶ In any case, the mentality of drone pilots in targeted-killing ops is irrelevant to firing decisions; they do not make decisions to fire weapons. The very existence of a remote platform, one with long loiter times and maximum tactical surveillance, enables decisions to fire by committee. And deliberately so, notes Gregory McNeal, a professor of law at Pepperdine University, who has put together the most complete study of the still largely secret decision-making process- the so-called disposition lists and kill matrix the New York Times has described in front page stories. It starts from the assessment of intelligence through meetings in which determinations, including layers of legal review, are made about whether a potential target has sufficient value and, finally, whether and when to fire the weapon in real time. The drone pilot is just a pilot.¶ Targeting is therefore a bureaucratized process that necessarily relies on judgment and estimations of many uncertainties. Its discretionary and bloodless nature alarms critics, as does its bureaucratic regularization. Yet it is essential to understand, as McNeal observes, that this is not fundamentally different from any other process of targeting that takes place in conventional war, save that it seeks to pinpoint the targets. Conventional war targeting, by contrast, seeks not individuals, but merely formations of hostile forces as groups. In either case, targeting is inherently intelligence-driven and a highly organized activity, whether in the military or across the broader nationalsecurity agencies.

#### Distanced strikes allow more ethical deliberation- net more ethical

**Strawser ’10** [Bradley Jay, PhD in Philosophy, Assistant Professor of Philosophy in the Defense Analysis Department at the US Naval Postgraduate School in Monterey, CA, Research Associate at Oxford’s Institute for Ethics, Law, and Armed Conflict (ELAC) in Oxford, UK, former Resident Research Fellow at the Stockdale Center for Ethical Leadership in Annapolis, MD, previously taught philosophy at the US Air Force Academy and the University of Connecticut, “Moral Predators: The Duty to Employ Uninhabited Aerial Vehicles,” Dec. 16, <http://www.bradleystrawser.com/pub/Strawser%20Moral%20Predators%20JME.pdf>]

The argument that the ethical justification for UAVs is threatened if UAV¶ operators are more likely to behave unjustly in their combat actions due to¶ this cognitive dissonance is unsound. First, it can be argued that the¶ temptation for the warfighter to commit jus in bello violations would actually¶ lessen, perhaps significantly so, once the warfighter is not at risk. The remote¶ pilot can take more time in evaluating a target before firing to ensure that¶ target is an enemy combatant than they would be able to otherwise; for in¶ the worst case scenario a machine is lost, not a human pilot. Returning to the¶ bomb squad analogy, in using a robot the EOD technicians do not experience¶ the same level of stress because there is no danger to themselves; thus, they¶ are not as nervous and, presumably, more successful. The same could hold¶ true for UAV pilots making judicious decisions in combat. Once fear for their¶ own safety is not a pressing concern, one would assume the operator would¶ be more capable, not less, of behaving justly. But perhaps this is not the case. Maybe the distance and disjunct of this¶ level of remote weaponry does create a significant and genuinely new kind of¶ stress on warfighters that might compromise their abilities to behave justly.¶ There is significant empirical work here yet to be done. But even if we grant¶ that displaced combat harms UAV pilots’ abilities, first note that there are¶ means of overcoming this problem and, second, that this issue is not a knock¶ against the ethical justification of UAVs themselves. If necessary we could,¶ for example, move all UAV operators much closer to the theater of combat;¶ forcing them to live in a deployed environment, along the same time-zone as¶ the combat, and under more standard battlefield conditions and stresses.25¶ Further, note that all UAV action has the ability to be recorded and¶ monitored. By default since it is remotely controlled, whatever data feed a UAV pilot received can easily be overseen by many others simultaneously and¶ later for review and critique. This added level of accountability could be used¶ to get, if necessary, further added layers of scrutiny over lethal decisionmaking even demanding more than one officer agree to a kill, for example.¶ Indeed, an entire team of officers and human rights lawyers could oversee¶ every single lethal decision made by a UAV, if desired or deemed necessary.¶ The point is that there are a variety of ways to overcome any concerns that the¶ pilots of UAVs would be somehow less judicious on average than inhabited¶ weapon systems would be. All of this argues against this cognitive dissonance¶ problem as being somehow insurmountable, much less negating the ethical¶ obligation for UAV use in principle. Moreover, even if there is some¶ psychological harm done to UAV pilots that we cannot overcome, it certainly¶ seems that such harm would be less damaging than the expected harm that¶ could come about via inhabited flights.