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#### Pariah weapons regulation backfires- normalizes militarism and leads to worse forms of violence

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[Neil, PhD from University of Kent at Canterbury, University of Bradford Associate Dean for Research for the School of Social and International Studies, "Humanitarian Arms Control and Processes of Securitization: Moving Weapons along the Security Continuum," Contemporary Security Policy, Vol 32, Issue 1, 2011, tandfonline, accessed 9-5-13, mss]

In this account of contemporary HAC, powerful actors who aim to uphold the status quo principally have a role as agents of resistance to control agendas, not as actors in the production of control regimes. This certainly reﬂects important aspects of contemporary campaigns to regulate pariah weapons but, as I suggest below, it offers a rather incomplete account. Moreover, if such accounts did indeed provide a complete understanding of the dynamics underpinning these control agendas it would certainly represent a novel development, not least because the long history of pariah weapons regulation illustrates the way that weapons taboos frequently reﬂect the interests of the powerful. For example, one factor in the virtual eradication of the gun in 17th and 18th century Japan was that it represented a threat to the warrior class when in the hands of the lower classes.48 The same was true of the rather less successful attempt of the Second Lateran Council to ban the crossbow – a ban partly motivated by the fact that crossbows could pierce the armour of the knight – and a ban that was notably not extended to use against non-Christians.49Similarly, whilst the restrictions on the slave, arms, and liquor trade to Africa embodied in the 1890 Brussels Act were certainly grounded in an ethical discourse, the restrictions imposed on the trade in ﬁrearms were primarily rooted in concerns about the impact of the trade on colonial order. As one British colonial ofﬁcial noted at the time, the restrictions on the small arms trade to Africa reﬂected imperial concern to ‘avoid the development and paciﬁcation of this great continent ... [being] carried out in the face of an enormous population, the majority of whom will probably be armed with ﬁrst-class breechloading riﬂes’.50 The history of pariah weapons regulation would therefore appear to demonstrate a persistent link between the material and political interests of states and / or powerful elites and the emergence of pariah weapons regulation. To be sure, the material and political interests of the same, or other, powerful actors also provide countervailing pressures – the immediate interests of nobles in winnings wars with crossbows mostly won out over their broader class interests,51 whilst colonial competition to secure arms proﬁts and local allies mitigated the impact of the various restrictions on the ﬁrearms trade in the late 19th century.52 But the point is that whilst the genesis of earlier attempts at pariah regulation may, in part, be explained by reference to particular securitizing moments of intervention, the impact of such interventions can only be understood by locating them in particular political economies of power. What is surprising therefore about accounts of post-Cold War humanitarian arms control is that this long history has largely failed to prompt consideration of the way in which contemporary regulation might also reﬂect the interests of powerful states and other actors, albeit in ways that are subject to similar countervailing pressures – an issue that will be taken up below. Pariah Weapons, Heroic Weapons, and Legitimized Military Technology A further recurring theme in the history of pariah regulation is the way in which restrictions on pariah weapons are often related in some way to the construction of a broad arena of legitimized military technology. A particularly extreme example of this is the way in which pariah weapons are sometimes constructed as the antithesis of the ‘heroic weapon’ – a weapon deemed to embody positive values such as honour and / or which is deemed central to national defence. Thus, the series of relatively successful Acts implemented in England between 1508 and 1542 banning crossbows were largely rooted in a concern to preserve the use of the heroic longbow, deemed central to a long line of English military successes.53 The Japanese ban on the gun was similarly connected to the romanticization of the heroic samurai sword as the visible form of one’s honour, as associated with grace of movement in battle and even its status as a work of art.54 In effect both the crossbow in 16th century England and the gun in 17th and 18th century Japan became the ‘other’ which deﬁned legitimized military technologies and militarism. Redford makes much the same point about English attitudes to the submarine, which was constructed as an ‘other’ partly because of the British romanticization of the battleship (‘the upper class or aristocracy of warships’)55 as central to British security and linked to British notions of valour and honour in the conduct of war. This highlights the ways in which the security meaning associated with particular sets of weapons technology are not just a function of the framings speciﬁc to that technology but are also relational, with the representation of one weapon playing an important role in constituting the meaning of another (albeit in sometimes unexpected ways), and vice versa. Not surprisingly perhaps, similar themes also help explain the contemporary taboos constructed around particular sets of military technology such as cluster munitions. Cluster Munitions What is particularly striking about the campaign against cluster munitions is not its success in banning an inhumane weapon but the fact that this success was achieved at a moment in history when, in absolute terms at least, cluster munitions use had fallen from the peak years of use during the Vietnam era (see Table 2). In the latter period cluster bombs such as the CBU-24 represented a ‘major increase in battleﬁeld lethality’ yet its development and deployment was ‘accomplished with no public debate and relatively little subsequent protest’.56 Indeed, for the American military, ‘CBUs were categorised as a standard weapon, to be taken off the shelf – “conventional ironmongery”.57 This is not to suggest that American use of cluster munitions in this period went unremarked. There were certainly some critics at the time who argued that such weapons were inhumane.58 There were also attempts, sponsored by the International Committee of the Red Cross (ICRC) and Sweden in particular, to promote restrictions on cluster munitions in negotiations in the 1970s on the Additional Protocols to the 1949 Geneva Conventions.59 The point is however, that these efforts never achieved traction either with diplomats or with a wider public in the way that the issue would 30 years later. The labels attached to cluster munitions and also landmines only changed dramatically as the move into the post-Cold War era occurred when they moved from being treated as unproblematic elements in global military arsenals to a form of ‘technology non grata’ – weaponry deemed immoral, inhumane, and indiscriminate. Crucially, such a successful process of stigmatization was only made feasible in the context of a post-Cold War widening of the security label to incorporate the notion of human security as a referent object; by the turn to casting security interventions in humanitarian terms; and the representation of modern weaponry as humane because of its perceived capacity to better discriminate between civilians and combatants. The widening and deepening of the security label created the permissive environment necessary for activists to reframe cluster munitions (and APMs) as threats to the human. At the same time, the discussion of intervention in humanitarian terms60 and of precision weapons as instruments of humane warfare61 created a legitimized discursive space into which campaigners could insert a re-representation of landmines and cluster munitions technology as inhumane. Indeed, such a re-representation only exerted a powerful appeal because it was consonant with both the predominant framing of security threats in a postCold War world and a new divide between good and odious military technology. This is not to suggest that such developments reﬂected some teleology in which security and arms control practice progressively evolved to be more humane. As Krause and Latham have noted, for example, whilst the post-Cold War era concern with the impact of ‘inhumane weapons’ represents a notable shift compared with the Cold War arms control agenda, it does have similarities with the late 19th century when a Western discourse of civilized warfare was also prominent. One corollary of this – then as now – was a concern to specify what constituted an ‘inhumane weapon’62 manifest, for example, in the negotiations in the Hague conferences over problem technologies such as the dum dum bullet. As Michael Howard has suggested though, whilst initiatives such as the Hague conferences achieved notable successes, they also reﬂected the fact that liberal internationalists had ‘abandoned their original objects of preventing war and building peace in favour of making war more humane for those actually ﬁghting it’.63 The prohibitions on cluster munitions and also APMs can be understood as similarly ambiguous developments. On the one hand, the legitimizing discourse of Western militaries and arms ﬁrms was turned against them in order to generate powerful taboos against particular categories of weapons – even in the face of opposition from these militaries. The language of state security was coopted to promote human security, to preserve life, and prevent threats to its existence. On the other hand, the same prohibitions can ultimately be understood less as progressive initiatives imposed on foot-dragging states by the bottom-up power of global civil society and more as performative acts that simultaneously function to codify aspects of a new set of criteria for judging international respectability in a post-Cold War era, to reinforce the security framings of the era and to legitimize those categories of weapons successfully constructed as precise, discriminate, and thus humane. Indeed, to the extent that states such as the United States have been able to circumscribe their commitments on landmines etc. they have been able to beneﬁt from the broader legitimizing effects of speciﬁc weapons taboos without being unduly constrained by the speciﬁc regulatory requirements they have given rise to. Moreover, as already noted, the presence of pariah weapons regulation is not necessarily a sign of a more general shift to the tighter regulation of the arms trade – quite the reverse in some cases. Thus, any evaluation of the overall impact of such regulation on global and local security also has to take into account the broader system of arms regulation in which it is located, and the relationship that exists between pariah regulation and this broader system.

#### Sanitization of US policy leads to endless violence and imperialism – turns case

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[A. J., retired career officer in the United States Army, former director of Boston University's Center for International Relations (from 1998 to 2005), The New American Militarism: How Americans Are Seduced by War, 2005 accessed 9-4-13, mss]

Today as never before in their history Americans are enthralled with military power. The global military supremacy that the United States presently enjoys--and is bent on perpetuating-has become central to our national identity. More than America's matchless material abundance or even the effusions of its pop culture, the nation's arsenal of high-tech weaponry and the soldiers who employ that arsenal have come to signify who we are and what we stand for. When it comes to war, Americans have persuaded themselves that the United States possesses a peculiar genius. Writing in the spring of 2003, the journalist Gregg Easterbrook observed that "the extent of American military superiority has become almost impossible to overstate." During Operation Iraqi Freedom, U.S. forces had shown beyond the shadow of a doubt that they were "the strongest the world has ever known, . . . stronger than the Wehrmacht in r94o, stronger than the legions at the height of Roman power." Other nations trailed "so far behind they have no chance of catching up. ""˜ The commentator Max Boot scoffed at comparisons with the German army of World War II, hitherto "the gold standard of operational excellence." In Iraq, American military performance had been such as to make "fabled generals such as Erwin Rommel and Heinz Guderian seem positively incompetent by comparison." Easterbrook and Booz concurred on the central point: on the modern battlefield Americans had located an arena of human endeavor in which their flair for organizing and deploying technology offered an apparently decisive edge. As a consequence, the United States had (as many Americans have come to believe) become masters of all things military. Further, American political leaders have demonstrated their intention of tapping that mastery to reshape the world in accordance with American interests and American values. That the two are so closely intertwined as to be indistinguishable is, of course, a proposition to which the vast majority of Americans subscribe. Uniquely among the great powers in all of world history, ours (we insist) is an inherently values-based approach to policy. Furthermore, we have it on good authority that the ideals we espouse represent universal truths, valid for all times. American statesmen past and present have regularly affirmed that judgment. In doing so, they validate it and render it all but impervious to doubt. Whatever momentary setbacks the United States might encounter, whether a generation ago in Vietnam or more recently in Iraq, this certainty that American values are destined to prevail imbues U.S. policy with a distinctive grandeur. The preferred language of American statecraft is bold, ambitious, and confident. Reflecting such convictions, policymakers in Washington nurse (and the majority of citizens tacitly endorse) ever more grandiose expectations for how armed might can facilitate the inevitable triumph of those values. In that regard, George W. Bush's vow that the United States will "rid the world of evil" both echoes and amplifies the large claims of his predecessors going at least as far back as Woodrow Wilson. Coming from Bush the war- rior-president, the promise to make an end to evil is a promise to destroy, to demolish, and to obliterate it. One result of this belief that the fulfillment of America's historic mission begins with America's destruction of the old order has been to revive a phenomenon that C. Wright Mills in the early days of the Cold War described as a "military metaphysics"-a tendency to see international problems as military problems and to discount the likelihood of finding a solution except through military means. To state the matter bluntly, Americans in our own time have fallen prey to militarism, manifesting itself in a romanticized view of soldiers, a tendency to see military power as the truest measure of national greatness, and outsized expectations regarding the efficacy of force. To a degree without precedent in U.S. history, Americans have come to define the nation's strength and well-being in terms of military preparedness, military action, and the fostering of (or nostalgia for) military ideals? Already in the 19905 America's marriage of a militaristic cast of mind with utopian ends had established itself as the distinguishing element of contemporary U.S. policy. The Bush administrations response to the hor- rors of 9/11 served to reaffirm that marriage, as it committed the United States to waging an open-ended war on a global scale. Events since, notably the alarms, excursions, and full-fledged campaigns comprising the Global War on Terror, have fortified and perhaps even sanctified this marriage. Regrettably, those events, in particular the successive invasions of Afghanistan and Iraq, advertised as important milestones along the road to ultimate victory have further dulled the average Americans ability to grasp the significance of this union, which does not serve our interests and may yet prove our undoing. The New American Militarism examines the origins and implications of this union and proposes its annulment. Although by no means the first book to undertake such an examination, The New American Militarism does so from a distinctive perspective. The bellicose character of U.S. policy after 9/11, culminating with the American-led invasion of Iraq in March 2003, has, in fact, evoked charges of militarism from across the political spectrum. Prominent among the accounts advancing that charge are books such as The Sorrows of Empire: Militarism, Secrecy, and the End of the Republic, by Chalmers Johnson; Hegemony or Survival: Americas Quest for Global Dominance, by Noam Chomsky; Masters of War; Militarism and Blowback in the Era of American Empire, edited by Carl Boggs; Rogue Nation: American Unilateralism and the Failure of Good Intentions, by Clyde Prestowitz; and Incoherent Empire, by Michael Mann, with its concluding chapter called "The New Militarism." Each of these books appeared in 2003 or 2004. Each was not only writ- ten in the aftermath of 9/11 but responded specifically to the policies of the Bush administration, above all to its determined efforts to promote and justify a war to overthrow Saddam Hussein. As the titles alone suggest and the contents amply demonstrate, they are for the most part angry books. They indict more than explain, and what- ever explanations they offer tend to be ad hominem. The authors of these books unite in heaping abuse on the head of George W Bush, said to combine in a single individual intractable provincialism, religious zealotry, and the reckless temperament of a gunslinger. Or if not Bush himself, they fin- ger his lieutenants, the cabal of warmongers, led by Vice President Dick Cheney and senior Defense Department officials, who whispered persua- sively in the president's ear and used him to do their bidding. Thus, accord- ing to Chalmers Johnson, ever since the Persian Gulf War of 1990-1991, Cheney and other key figures from that war had "Wanted to go back and finish what they started." Having lobbied unsuccessfully throughout the Clinton era "for aggression against Iraq and the remaking of the Middle East," they had returned to power on Bush's coattails. After they had "bided their time for nine months," they had seized upon the crisis of 9/1 1 "to put their theories and plans into action," pressing Bush to make Saddam Hussein number one on his hit list." By implication, militarism becomes something of a conspiracy foisted on a malleable president and an unsuspecting people by a handful of wild-eyed ideologues. By further implication, the remedy for American militarism is self-evi- dent: "Throw the new militarists out of office," as Michael Mann urges, and a more balanced attitude toward military power will presumably reassert itself? As a contribution to the ongoing debate about U.S. policy, The New American Militarism rejects such notions as simplistic. It refuses to lay the responsibility for American militarism at the feet of a particular president or a particular set of advisers and argues that no particular presidential election holds the promise of radically changing it. Charging George W. Bush with responsibility for the militaristic tendencies of present-day U.S. for- eign policy makes as much sense as holding Herbert Hoover culpable for the Great Depression: Whatever its psychic satisfactions, it is an exercise in scapegoating that lets too many others off the hook and allows society at large to abdicate responsibility for what has come to pass. The point is not to deprive George W. Bush or his advisers of whatever credit or blame they may deserve for conjuring up the several large-scale campaigns and myriad lesser military actions comprising their war on ter- ror. They have certainly taken up the mantle of this militarism with a verve not seen in years. Rather it is to suggest that well before September 11, 2001 , and before the younger Bush's ascent to the presidency a militaristic predisposition was already in place both in official circles and among Americans more generally. In this regard, 9/11 deserves to be seen as an event that gave added impetus to already existing tendencies rather than as a turning point. For his part, President Bush himself ought to be seen as a player reciting his lines rather than as a playwright drafting an entirely new script. In short, the argument offered here asserts that present-day American militarism has deep roots in the American past. It represents a bipartisan project. As a result, it is unlikely to disappear anytime soon, a point obscured by the myopia and personal animus tainting most accounts of how we have arrived at this point. The New American Militarism was conceived not only as a corrective to what has become the conventional critique of U.S. policies since 9/11 but as a challenge to the orthodox historical context employed to justify those policies. In this regard, although by no means comparable in scope and in richness of detail, it continues the story begun in Michael Sherry's masterful 1995 hook, In the Shadow of War an interpretive history of the United States in our times. In a narrative that begins with the Great Depression and spans six decades, Sherry reveals a pervasive American sense of anxiety and vulnerability. In an age during which War, actual as well as metaphorical, was a constant, either as ongoing reality or frightening prospect, national security became the axis around which the American enterprise turned. As a consequence, a relentless process of militarization "reshaped every realm of American life-politics and foreign policy, economics and technology, culture and social relations-making America a profoundly different nation." Yet Sherry concludes his account on a hopeful note. Surveying conditions midway through the post-Cold War era's first decade, he suggests in a chapter entitled "A Farewell to Militarization?" that America's preoccupation with War and military matters might at long last be waning. In the mid- 1995, a return to something resembling pre-1930s military normalcy, involving at least a partial liquidation of the national security state, appeared to be at hand. Events since In the Shadow of War appear to have swept away these expectations. The New American Militarism tries to explain why and by extension offers a different interpretation of America's immediate past. The upshot of that interpretation is that far from bidding farewell to militariza- tion, the United States has nestled more deeply into its embrace. f ~ Briefly told, the story that follows goes like this. The new American militarism made its appearance in reaction to the I96os and especially to Vietnam. It evolved over a period of decades, rather than being sponta- neously induced by a particular event such as the terrorist attack of Septem- ber 11, 2001. Nor, as mentioned above, is present-day American militarism the product of a conspiracy hatched by a small group of fanatics when the American people were distracted or otherwise engaged. Rather, it devel- oped in full view and with considerable popular approval. The new American militarism is the handiwork of several disparate groups that shared little in common apart from being intent on undoing the purportedly nefarious effects of the I96OS. Military officers intent on reha- bilitating their profession; intellectuals fearing that the loss of confidence at home was paving the way for the triumph of totalitarianism abroad; reli- gious leaders dismayed by the collapse of traditional moral standards; strategists wrestling with the implications of a humiliating defeat that had undermined their credibility; politicians on the make; purveyors of pop cul- turc looking to make a buck: as early as 1980, each saw military power as the apparent answer to any number of problems. The process giving rise to the new American militarism was not a neat one. Where collaboration made sense, the forces of reaction found the means to cooperate. But on many occasions-for example, on questions relating to women or to grand strategy-nominally "pro-military" groups worked at cross purposes. Confronting the thicket of unexpected developments that marked the decades after Vietnam, each tended to chart its own course. In many respects, the forces of reaction failed to achieve the specific objectives that first roused them to act. To the extent that the 19603 upended long-standing conventions relating to race, gender, and sexuality, efforts to mount a cultural counterrevolution failed miserably. Where the forces of reaction did achieve a modicum of success, moreover, their achievements often proved empty or gave rise to unintended and unwelcome conse- quences. Thus, as we shall see, military professionals did regain something approximating the standing that they had enjoyed in American society prior to Vietnam. But their efforts to reassert the autonomy of that profession backfired and left the military in the present century bereft of meaningful influence on basic questions relating to the uses of U.S. military power. Yet the reaction against the 1960s did give rise to one important by-prod: uct, namely, the militaristic tendencies that have of late come into full flower. In short, the story that follows consists of several narrative threads. No single thread can account for our current outsized ambitions and infatua- tion with military power. Together, however, they created conditions per- mitting a peculiarly American variant of militarism to emerge. As an antidote, the story concludes by offering specific remedies aimed at restor- ing a sense of realism and a sense of proportion to U.S. policy. It proposes thereby to bring American purposes and American methods-especially with regard to the role of military power-into closer harmony with the nation's founding ideals. The marriage of military metaphysics with eschatological ambition is a misbegotten one, contrary to the long-term interests of either the American people or the world beyond our borders. It invites endless war and the ever-deepening militarization of U.S. policy. As it subordinates concern for the common good to the paramount value of military effectiveness, it promises not to perfect but to distort American ideals. As it concentrates ever more authority in the hands of a few more concerned with order abroad rather than with justice at home, it will accelerate the hollowing out of American democracy. As it alienates peoples and nations around the world, it will leave the United States increasingly isolated. If history is any guide, it will end in bankruptcy, moral as well as economic, and in abject failure. "Of all the enemies of public liberty," wrote James Madison in 1795, "war is perhaps the most to be dreaded, because it comprises and develops the germ of every other. War is the parent of armies. From these proceed debts and taxes. And armies, debts and taxes are the known instruments for bringing the many under the domination of the few .... No nation could preserve its freedom in the midst of continual Warfare." The purpose of this book is to invite Americans to consider the continued relevance of Madison's warning to our own time and circumstances.

#### The Alternative is to reject the 1AC and imagine Whatever Being--Any point of rejection of the sovereign state creates a non-state world made up of whatever life – that involves imagining a political body that is outside the sphere of sovereignty in that it defies traditional attempts to maintain a social identity

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(Anne, “Bio-Sovereignty and the Emergence of Humanity,” Theory & Event, Volume 7, Issue 2, Project Muse)

Can we imagine another form of humanity, and another form of power? The bio-sovereignty described by Agamben is so fluid as to appear irresistible. Yet Agamben never suggests this order is necessary. Bio-sovereignty results from a particular and contingent history, and it requires certain conditions. Sovereign power, as Agamben describes it, finds its grounds in specific coordinates of life, which it then places in a relation of indeterminacy. What defies sovereign power is a life that cannot be reduced to those determinations: a life "that can never be separated from its form, a life in which it is never possible to isolate something such as naked life. " (2.3). In his earlier Coming Community, Agamben describes this alternative life as "whatever being." More recently he has used the term "forms-of-life." These concepts come from the figure Benjamin proposed as a counter to homo sacer: the "total condition that is 'man'." For Benjamin and Agamben, mere life is the life which unites law and life. That tie permits law, in its endless cycle of violence, to reduce life an instrument of its own power. The total condition that is man refers to an alternative life incapable of serving as the ground of law. Such a life would exist outside sovereignty. Agamben's own concept of whatever being is extraordinarily dense. It is made up of varied concepts, including language and potentiality; it is also shaped by several particular dense thinkers, including Benjamin and Heidegger. What follows is only a brief consideration of whatever being, in its relation to sovereign power. / "Whatever being," as described by Agamben, lacks the features permitting the sovereign capture and regulation of life in our tradition. Sovereignty's capture of life has been conditional upon the separation of natural and political life. That separation has permitted the emergence of a sovereign power grounded in this distinction, and empowered to decide on the value, and non-value of life (1998: 142). Since then, every further politicization of life, in turn, calls for "a new decision concerning the threshold beyond which life ceases to be politically relevant, becomes only 'sacred life,' and can as such be eliminated without punishment" (p. 139). / This expansion of the range of life meriting protection does not limit sovereignty, but provides sites for its expansion. In recent decades, factors that once might have been indifferent to sovereignty become a field for its exercise. Attributes such as national status, economic status, color, race, sex, religion, geo-political position have become the subjects of rights declarations. From a liberal or cosmopolitan perspective, such enumerations expand the range of life protected from and serving as a limit upon sovereignty. Agamben's analysis suggests the contrary. If indeed sovereignty is bio-political before it is juridical, then juridical rights come into being only where life is incorporated within the field of bio-sovereignty. The language of rights, in other words, calls up and depends upon the life caught within sovereignty: homo sacer. / Agamben's alternative is therefore radical. He does not contest particular aspects of the tradition. He does not suggest we expand the range of rights available to life. He does not call us to deconstruct a tradition whose power lies in its indeterminate status.21 Instead, he suggests we take leave of the tradition and all its terms. Whatever being is a life that defies the classifications of the tradition, and its reduction of all forms of life to homo sacer. Whatever being therefore has no common ground, no presuppositions, and no particular attributes. It cannot be broken into discrete parts; it has no essence to be separated from its attributes; and it has no common substrate of existence defining its relation to others. Whatever being cannot then be broken down into some common element of life to which additive series of rights would then be attached. Whatever being retains all its properties, without any of them constituting a different valuation of life (1993: 18.9). As a result, whatever being is "reclaimed from its having this or that property, which identifies it as belonging to this or that set, to this or that class (the reds, the French, the Muslims) -- and it is reclaimed not for another class nor for the simple generic absence of any belonging, but for its being-such, for belonging itself." (0.1-1.2). / Indifferent to any distinction between a ground and added determinations of its essence, whatever being cannot be grasped by a power built upon the separation of a common natural life, and its political specification. Whatever being dissolves the material ground of the sovereign exception and cancels its terms. This form of life is less post-metaphysical or anti-sovereign, than a-metaphysical and a-sovereign. Whatever is indifferent not because its status does not matter, but because it has no particular attribute which gives it more value than another whatever being. As Agamben suggests, whatever being is akin to Heidegger's Dasein. Dasein, as Heidegger describes it, is that life which always has its own being as its concern -- regardless of the way any other power might determine its status. Whatever being, in the manner of Dasein, takes the form of an "indissoluble cohesion in which it is impossible to isolate something like a bare life. In the state of exception become the rule, the life of homo sacer, which was the correlate of sovereign power, turns into existence over which power no longer seems to have any hold" (Agamben 1998: 153). / We should pay attention to this comparison. For what Agamben suggests is that whatever being is not any abstract, inaccessible life, perhaps promised to us in the future. Whatever being, should we care to see it, is all around us, wherever we reject the criteria sovereign power would use to classify and value life. "In the final instance the State can recognize any claim for identity -- even that of a State identity within the State . . . What the State cannot tolerate in any way, however, is that the singularities form a community without affirming an identity, that humans co-belong without a representable condition of belonging" (Agamben 1993:85.6). At every point where we refuse the distinctions sovereignty and the state would demand of us, the possibility of a non-state world, made up of whatever life, appears.

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#### War Power authority is the ability to MAKE MILITARY DECISIONS

Bajesky 13 (2013¶ Mississippi College Law Review¶ 32 Miss. C. L. Rev. 9¶ LENGTH: 33871 words ARTICLE: Dubitable Security Threats and Low Intensity Interventions as the Achilles' Heel of War Powers NAME: Robert Bejesky\* BIO: \* M.A. Political Science (Michigan), M.A. Applied Economics (Michigan), LL.M. International Law (Georgetown). The author has taught international law courses for Cooley Law School and the Department of Political Science at the University of Michigan, American Government and Constitutional Law courses for Alma College, and business law courses at Central Michigan University and the University of Miami.)

A numerical comparison indicates that the Framer's intended for Congress to be the dominant branch in war powers. Congressional war powers include the prerogative to "declare war;" "grant Letters of Marque and Reprisal," which were operations that fall short of "war"; "make Rules for Government and Regulation of the land and naval Forces;" "organize, fund, and maintain the nation's armed forces;" "make Rules concerning Captures on Land and Water," "raise and support Armies," and "provide and maintain a Navy." [n25](http://www.lexisnexis.com/lnacui2api/frame.do?tokenKey=rsh-20.771738.1261791409&target=results_DocumentContent&returnToKey=20_T17974748742&parent=docview&rand=1376677997032&reloadEntirePage=true#n25) In contrast, the President is endowed with one war power, named as the Commander-in-Chief of the Army and Navy. [n26](http://www.lexisnexis.com/lnacui2api/frame.do?tokenKey=rsh-20.771738.1261791409&target=results_DocumentContent&returnToKey=20_T17974748742&parent=docview&rand=1376677997032&reloadEntirePage=true#n26)¶ The Commander-in-Chief authority is a core preclusive power, predominantly designating that the President is the head of the military chain of command when Congress activates the power. [n27](http://www.lexisnexis.com/lnacui2api/frame.do?tokenKey=rsh-20.771738.1261791409&target=results_DocumentContent&returnToKey=20_T17974748742&parent=docview&rand=1376677997032&reloadEntirePage=true#n27) Moreover, peripheral Commander-in-Chief powers are bridled by statutory and treaty restrictions [n28](http://www.lexisnexis.com/lnacui2api/frame.do?tokenKey=rsh-20.771738.1261791409&target=results_DocumentContent&returnToKey=20_T17974748742&parent=docview&rand=1376677997032&reloadEntirePage=true#n28) because the President "must respect any constitutionally legitimate restraints on the use of force that Congress has enacted." [n29](http://www.lexisnexis.com/lnacui2api/frame.do?tokenKey=rsh-20.771738.1261791409&target=results_DocumentContent&returnToKey=20_T17974748742&parent=docview&rand=1376677997032&reloadEntirePage=true#n29) However, even if Congress has not activated war powers, the President does possess inherent authority to expeditiously and unilaterally react to defend the nation when confronted with imminent peril. [n30](http://www.lexisnexis.com/lnacui2api/frame.do?tokenKey=rsh-20.771738.1261791409&target=results_DocumentContent&returnToKey=20_T17974748742&parent=docview&rand=1376677997032&reloadEntirePage=true#n30) Explicating the intention behind granting the President this latitude, Alexander Hamilton explained that "it is impossible to foresee or to define the extent and variety of national exigencies, or the correspondent extent and variety of the means which may be necessary to satisfy them." [n31](http://www.lexisnexis.com/lnacui2api/frame.do?tokenKey=rsh-20.771738.1261791409&target=results_DocumentContent&returnToKey=20_T17974748742&parent=docview&rand=1376677997032&reloadEntirePage=true#n31) The Framers drew a precise distinction by specifying that the President was empowered "to repel and not to commence war." [n32](http://www.lexisnexis.com/lnacui2api/frame.do?tokenKey=rsh-20.771738.1261791409&target=results_DocumentContent&returnToKey=20_T17974748742&parent=docview&rand=1376677997032&reloadEntirePage=true#n32)

#### Restrictions are limitations imposed to prohibit action – They’re distinct from oversight or conditions

Jean Schiedler-Brown 12, Attorney, Jean Schiedler-Brown & Associates, Appellant Brief of Randall Kinchloe v. States Dept of Health, Washington, The Court of Appeals of the State of Washington, Division 1, http://www.courts.wa.gov/content/Briefs/A01/686429%20Appellant%20Randall%20Kincheloe%27s.pdf

3. The ordinary definition of the term "restrictions" also does not include the reporting and monitoring or supervising terms and conditions that are included in the 2001 Stipulation.

Black's Law Dictionary, 'fifth edition,(1979) defines "restriction" as;

A limitation often imposed in a deed or lease respecting the use to which the property may be put. The term "restrict' is also cross referenced with the term "restrain." Restrain is defined as; To limit, confine, abridge, narrow down, restrict, obstruct, impede, hinder, stay, destroy. To prohibit from action; to put compulsion on; to restrict; to hold or press back. To keep in check; to hold back from acting, proceeding, or advancing, either by physical or moral force, or by interposing obstacle, to repress or suppress, to curb.

In contrast, the terms "supervise" and "supervisor" are defined as; To have general oversight over, to superintend or to inspect. See Supervisor. A surveyor or overseer. . . In a broad sense, one having authority over others, to superintend and direct. The term "supervisor" means an individual having authority, in the interest of the employer, to hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward, or discipline other employees, or responsibility to direct them, or to adjust their grievances, or effectively to recommend such action, if in connection with the foregoing the exercise of such authority is not of a merely routine or clerical nature, but required the use of independent judgment.

Comparing the above definitions, it is clear that the definition of "restriction" is very different from the definition of "supervision"-very few of the same words are used to explain or define the different terms. In his 2001 stipulation, Mr. Kincheloe essentially agreed to some supervision conditions, but he did not agree to restrict his license.

## 1NC CP

#### The Counsel to the President of the United States should request to the Office of Legal Counsel for legal counsel and coordination on the President’s war powers authority. The Office of Legal Counsel should advise the President that he should determine that the offensive use of combat drones constitutes an introduction of United States Armed Forces into hostilities.

#### CP is competitive and solves the case ---- Coordination with OLC can ensure executive action

BORRELLI et al 2000 - Professor of Government Chair of the Government and International Relations Department, Connecticut College (Maryanne Borrelli, Karen Hult, Nancy Kassop, “The White House Counsel’s Office”, http://whitehousetransitionproject.org/files/counsel/Counsel-OD.PDF)

The White House Counsel’s Office is at the hub of all presidential activity. Its mandate is to be watchful for and attentive to legal issues that may arise in policy and political contexts in which the president plays a role. To fulfill this responsibility, it monitors and coordinates the presidency’s interactions with other players in and out of government. Often called “the president’s lawyer,” the Counsel’s Office serves, more accurately, as the “presidency’s lawyer,” with tasks that extend well beyond exclusively legal ones. These have developed over time, depending on the needs of different presidents, on the relationship between a president and a Counsel, and on contemporary political conditions. The Office carries out many routine tasks, such as vetting all presidential appointments and advising on the application of ethics regulations to White House staff and executive branch officials, but it also operates as a “command center” when crises or scandals erupt. Thus, the more sharply polarized political atmosphere in recent years has led to greater responsibility and demands, as well as heightened political pressure and visibility, on the traditionally low-profile Counsel’s Office. The high-stakes quality of its work has led to a common sentiment among Counsels and their staff that there is “zero tolerance” for error in this office.

In sum, the Counsel’s Office might be characterized as a monitor, a coordinator, a negotiator, a recommender, and a translator: it monitors ethics matters, it coordinates the president’s message and agenda with other executive branch units, it negotiates with a whole host of actors on the president’s behalf (not the least of which is Congress), it recommends myriad actions to the president, and it translates or interprets the law (whether it is the Constitution, federal rules and regulations, treaties or legislation) for all executive branch officials. Past Counsels have lamented that there is no job description for this office, while the opening quote from Peter Wallison makes clear that even if there was, it would be all-consuming and all-inclusive of everything that goes in and out of the president’s office.

In simple terms, the Counsel’s Office performs five basic categories of functions: (1) advising on the exercise of presidential powers and defending the president’s constitutional prerogatives; (2) overseeing presidential nominations and appointments to the executive and judicial branches; (3) advising on presidential actions relating to the legislative process; (4) educating White House staffers about ethics rules and records management and monitoring adherence; and (5) handling department, agency and White House staff contacts with the Department of Justice (see Functions section). In undertaking these responsibilities, the Counsel’s Office interacts regularly with, among others, the president, the Chief of Staff, the White House Office of Personnel, the Press Secretary, the White House Office of Legislative Affairs, the Attorney General, the Office of Management and Budget (on the legislative process), the General Counsels of the departments and agencies, and most especially, the Office of Legal Counsel in the Department of Justice (see Relationships section). In addition to the Counsel, the Office usually consists of one or two Deputy Counsels, a varying number of Associate and Assistant Counsels, a Special Counsel when scandals arise, a Senior Counsel in some administrations, and support staff. Tasks are apportioned to these positions in various ways, depending on the Counsel’s choices, though most Counsels expect all Office members to share the ongoing vetting for presidential appointments (see Organization and Operations section).

Certain responsibilities within the Office are central at the very start of an administration (e.g., vetting for initial nominations and shepherding the appointment process through the Senate), while others have a cyclical nature to them (e.g., the annual budget, the State of the Union message), and still others follow an electoral cycle (e.g., determining whether presidential travel and other activities are partisan/electoral/campaign or governmental ones) (see Organization and Operations). There is, of course, the always unpredictable (but almost inevitable) flurry of scandals and crises, in which all eyes turn to the Counsel’s Office for guidance and answers. Watergate, Iran-contra, Whitewater, the Clinton impeachment, and the FBI files and White House Travel Office matters were all managed from the Counsel’s Office, in settings that usually separated scandal management from the routine work of the Office, so as to permit ongoing operations to continue with minimal distraction. Among the more regular tasks that occur throughout an administration are such jobs as directing the judicial nomination process, reviewing legislative proposals (the president’s, those from departments and agencies, and bills Congress has passed that need the Counsel’s recommendation for presidential signature or veto), editing and clearing presidential statements and speeches, writing executive orders, and determining the application of executive privilege (see both Relationships and Organization and Operations sections).

Perhaps, the most challenging task for the Counsel is being the one who has the duty to tell the president “no,” especially when it comes to defending the constitutional powers and prerogatives of the presidency. Lloyd Cutler, Counsel for both Presidents Carter and Clinton, noted that, in return for being “on the cutting edge of problems,” the Counsel needs to be someone who has his own established reputation…someone who is willing to stand up t o the President, to say, “No, Mr. President, you shouldn’t do that for these reasons.” There is a great tendency among all presidential staffs to be very sycophantic, very sycophantic. It’s almost impossible to avoid, “This man is the President of the United States and you want to stay in his good graces,” even when he is about to do something dumb; you don’t tell him that. You find some way to put it in a very diplomatic manner. (Cutler interview, pp. 3-4)

LAW, POLITICS AND POLICY

A helpful way to understand the Counsel’s Office is to see it as sitting at the intersection of law, politics and policy. Consequently, it confronts the difficult and delicate task of trying to reconcile all three of these without sacrificing too much of any one. It is the distinctive challenge of the Counsel’s Office to advise the president to take actions that are both legally sound and politically astute. A 1994 article in Legal Times warned of the pitfalls: Because a sound legal decision can be a political disaster, the presidential counsel constantly sacrifices legal ground for political advantage. (Bendavid, 1994, p. 13) For example, A.B. Culvahouse recalled his experience upon arriving at the White House as counsel and having to implement President Reagan’s earlier decision to turn over his personal diaries to investigators during the Iran-contra scandal.

Ronald Reagan’s decision to turn over his diary - that sits at the core of the presidency. …You’re setting up precedents and ceding a little power. But politically, President Reagan wanted to get it behind him. (Bendavid, 1994, p. 13)

Nonetheless, Culvahouse added, the Counsel is “the last and in some cases the only protector of the President’s constitutional privileges. Almost everyone else is willing to give those away in part inch by inch and bit by bit in order to win the issue of the day, to achieve compromise on today’s thorny issue. So a lot of what I did was stand in the way of that process...” (Culvahouse interview, p. 28)

Because of this blend of legal, political and policy elements, the most essential function a Counsel can perform for a president is to act as an “early warning system” for potential legal trouble spots before **(**and, ultimately, after) they erupt. For this role, a Counsel must keep his or her “antennae” constantly attuned. Being at the right meetings at the right time and knowing which people have information and/or the necessary technical knowledge and expertise in specific policy or legal areas are the keys to insuring the best service in this part of the position. C. Boyden Gray, Counsel for President Bush, commented: “As Culvahouse said -- I used to say that the meetings I was invited to, I shouldn’t go to. …It’s the meetings I wasn’t invited to that I’d go to.” (Gray interview, p. 26) Lloyd Cutler noted that

….the White House Counsel will learn by going to the staff meetings, et cetera, that something is about to be done that has buried within it a legal issue which the people who are advocating it either haven’t recognized or push under the rug. He says, “Wait a minute. We’ve got to check this out,” and goes to the Office of Legal Counsel and alerts them and gets their opinion. But for the existence of the White House Counsel, the Office of Legal Counsel would never have learned about the problem until it was too late. (Cutler interview, p. 4)

One other crucial part of the job where the legal overlaps with the policy and the political -- and which can spell disaster for Counsels who disregard this -- is knowing when to go to the Office of Legal Counsel for guidance on prevailing legal interpretations and opinions on the scope of presidential authority. It is then up to the White House Counsel to sift through these legal opinions, and to bring into play the operative policy and political considerations in order to offer the president his or her best recommendation on a course of presidential action. Lloyd Cutler described how this process works:

They [OLC staffers] are where the President has to go or the President’s counsel has to go to get an opinion on whether something may properly be done or not. For example, if you wish to invoke an executive privilege not to produce documents or something, the routine now is you go to the Office of Legal Counsel and you get their opinion that there is a valid basis for asserting executive privilege in this case. ...You’re able to say [to the judge who is going to examine these documents] the Office of Legal Counsel says we have a valid basis historically for asserting executive privilege here. (Cutler interview, p. 4)

C. Boyden Gray underscored the critical importance of OLC’s relationship to the Counsel’s Office: They [OLC] were the memory…We paid attention to what they did. [Vincent] Foster never conferred with them. When they [the Clinton Counsel’s Office] filed briefs on executive privilege, they had the criminal division, the civil division and some other division signing on the brief; OLC wasn’t on the brief… In some ways they [OLC] told us not to do things but that was helpful. They said no to us… I can give you a million examples. They would have said to Vince Foster, “Don’t go in and argue without thinking about it.” They would have prevented the whole healthcare debacle [referring to the Clinton Counsel’s Office’s position that Hillary Rodham Clinton was a government official for FACA purposes] …[T]he ripple effect of that one decision is hard to exaggerate: it’s hard to calculate. (Gray interview, pp. 18-19)

## 1NC DA

#### CIR will pass now but it will be tough

Nowicki, 10-30 -- Arizona Republic's national political reporter

[Dan, and Erin Kelly, "Fleeting Hopes for Immigration Reform," AZ Central, 10-30-13, www.azcentral.com/news/politics/articles/20131029fleeting-hopes-immigration-reform.html?nclick\_check=1, accessed 10-31-13, mss]

However, reform backers point to encouraging signs in addition to the intense push by the business lobby. Key House Republicans, including Reps. Paul Ryan of Wisconsin, Mario Diaz-Balart of Florida and Darrell Issa of California, reportedly are working on proposals to address the status of the estimated 11 million undocumented immigrants who already have settled in the United States, which is the central issue for Democrats and immigration activists. The Democrat-controlled Senate on June 27 passed a sweeping reform bill that included a 13-year pathway to citizenship for immigrants who pass background checks, pay assessed taxes and fines and take other steps to get right with the law, as well as a massive investment in border security. There are indications that some Republicans are becoming impatient with the House inaction on piecemeal bills that have been talked about since the Senate bill passed. Two House Republicans — Reps. Jeff Denham of California and Ileana Ros-Lehtinen of Florida — have become the first two GOP lawmakers to sign onto a comprehensive immigration bill offered by House Democrats. Rep. Joe Heck, R-Nev., last week said in a written statement that the growing possibility that the House might punt on immigration reform in 2013 reflects “the leadership vacuum in Washington that rightly has so many people frustrated with this dysfunctional Congress.” Sen. Jeff Flake, R-Ariz., a former 12-year House member who helped negotiate the Senate bill, said Monday on Twitter that momentum appears to be building in the House. “That’s good news for Arizona, and the country,” he said in the message. For their part, Boehner and his fellow House Republican leaders have not yet publicly declared immigration reform dead, which even the most pessimistic reform supporters say means there is still a chance the House could act in November or early December. House committees so far have approved five bills, including legislation to strengthen border security and require employers to use a federal database to ensure they are hiring people who are legally eligible to work in the United States. “The speaker said last week, ‘I still think immigration reform is an important subject that needs to be addressed. And I’m hopeful,’ ” Boehner spokesman Michael Steel told The Arizona Republic on Tuesday via e-mail. “He added that he supports a step-by-step immigration process.” Businesses speak out Hoping to make sure immigration reform gets on the House’s 2013 agenda, more than 600 business, law-enforcement, religious and political leaders from Arizona and nearly 40 other states flooded Capitol Hill on Tuesday. The fly-in was organized by the U.S. Chamber of Commerce and other groups, including FWD.us, which was founded by leaders of high-tech companies. The activists, mostly self-described conservatives, met with more than 100 members of Congress to urge them to take action on broad legislation that includes a way for most undocumented immigrants in the U.S. to earn citizenship. “In every corner of the Capitol, the energy these farmers, tech leaders, police chiefs and pastors brought to the Hill was palpable,” said Ali Noorani, executive director of the National Immigration Forum. “They brought a new perspective to the debate, one informed by what they see every day in their local businesses, churches and police stations — a broken system that has a negative impact on local communities nationwide.” Peoria Vice Mayor Tony Rivero is a conservative Republican who urged Arizona’s GOP congressmen to support reform this year. His city needs more farmworkers who are legally authorized to work, and it needs its undocumented residents to come out of the shadows, he said. “My message to our congressional delegation is that, as a constituent and a conservative Republican, I support a solution to this problem,” Rivero said. “We need to secure the border, identify the people who are here illegally and put them on a path to legality and put enforcement measures in place to make sure we aren’t here again in 10 years.” Former Phoenix Police Chief Jack Harris said he told members of Arizona’s congressional delegation that the current immigration system makes police officers’ jobs more complicated. “Every community is trying to solve the problem in a different way,” he said. “In some places, you (an undocumented immigrant) can get a driver’s license. In some places, you can’t. Some places are very liberal and report almost no crimes (committed by undocumented immigrants). Others deport you for just minor infractions. There’s great confusion among the law-enforcement community about what the rules are and what their authority is.” ‘I do care about them’ The conservative lobbying efforts are in conjunction with efforts from more liberal immigration-advocacy groups. Last week, a contingent of 44 undocumented immigrants and their supporters traveled from Phoenix by bus to Washington, D.C., and Ohio in hope of meeting with Boehner to persuade him to schedule a vote on a bill that includes a pathway to citizenship. The group, which included many “dreamers,” or undocumented immigrants brought to the United States as children, never got the opportunity to talk with Boehner. However, the immigration activists from the advocacy group Promise Arizona who camped outside Franks’ house did get the chance to talk with the representative for more than 25 minutes. They initially were buoyed by his response, which they interpreted as support for a pathway to citizenship. However, Franks later clarified to The Republic that he would not support a special pathway to citizenship. Franks said he would support legalizing undocumented immigrants under certain conditions but would not allow them to subsequently seek citizenship. Or the undocumented immigrants could return to their home countries and apply for green cards and citizenship that way, he said. Franks said he didn’t fully articulate his position to the activists because he felt compassion for their pleas. “Sometimes, in any situation, you don’t hit people in the face with the worst of it,” Franks said. “I wanted them to know, while maybe we didn’t agree on everything, there were some things we do agree on. I do care about them.” Proponents are positive Glenn Hamer, president and CEO of the Arizona Chamber of Commerce and Industry, said the group of Arizonans that flew in as part of the U.S. Chamber-led D.C. visit were going to meet with all nine House members from Arizona. After morning meetings with Republican Reps. Paul Gosar, Matt Salmon and David Schweikert, Hamer said the sessions were positive. “There is complete agreement that we have a busted immigration system,” he said. “It’s fair to say that there is an understanding that we need immigration reform. It’s very clear that the House is going to pass its vision for immigration reform. If it’s simply the Senate bill or bust, then nothing will happen.” Flake said he believes the methodical and strategic lobbying by the business community, faith groups and activist organizations will **help** motivate the House. He said he is OK with House Republicans taking a step-by-step strategy rather than passing a comprehensive bill like the one he helped craft in the Senate. “My position is, if you can move it piecemeal or sequentially, that’s fine,” Flake said. “If you have to go comprehensive, that’s fine. Let’s get something to the president’s desk.” Frank Sharry, executive director of the pro-reform organization America’s Voice, said the two House Republicans who signed on to the alternative Democratic bill also are examples of **momentum**. “When that bill was first introduced, it was widely panned as a Democratic ‘message bill’ that was going nowhere and was setting up the blame game in a run toward 2014,” Sharry said. “But because Democrats made the smart move of making sure every policy in the bill was passed with bipartisan support either in the Senate or the House, it has become a serious offering and a **place where Republicans can go.** I think you will see more Republicans getting on board.” Because of Boehner’s leadership style and uneasy relationship with many of his rank-and-file members, Sharry said, it may take “a convergence and emergence of a critical mass of Republicans to convince leadership to go forward.” Hamer said he believes there is still a possibility for compromise between the House and Senate. “I don’t want to be too Pollyannaish,” he said. “Passing immigration reform is not like renaming a post office. It’s going to be tough.”

#### Political capital is necessary to get a deal done

Stokols 10/17/13 (Eli, FOX News Denver, "Analysis: Obama's Quick Pivot To immigration Reform")

To all my friends in Congress, understand that how business is done in this town has to change,” Obama said, implicitly chiding the Republicans who seemingly oppose his administration at every turn.¶ “You don’t like a particular policy, or a particular president, then argue for your position,” Mr. Obama said in the 15-minute statement. “Go out there and win an election. Push to change it. But don’t break it.”¶ While another stern lecture from the president isn’t likely to improve relations between the White House and Capitol Hill, Obama does have a stronger hand in the upcoming political fights; and by pivoting quickly to immigration reform, he’s taking advantage of a sudden window of opportunity.¶ During his remarks Thursday, Obama re-framed the debate over comprehensive immigration reform, reminding the country of the Senate proposal, [passed with broad bipartisan support earlier this year](http://kdvr.com/2013/06/27/senate-passes-sweeping-immigration-bill/), that’s lingering in the House.¶ “There’s already a broad coalition across America that’s behind this effort of comprehensive immigration reform — from business leaders to faith leaders to law enforcement,” the president said.¶ “In fact, the Senate has already passed a bill with strong bipartisan support that would make the biggest commitment to border security in our history; would modernize our legal immigration system; make sure everyone plays by the same rules, makes sure that folks who came here illegally have to pay a fine, pay back taxes, meet their responsibilities.”¶ The legislation, crafted by a bipartisan group of eight senators including Colorado Sen. Michael Bennet, a Democrat, would spend $46 billion to enhance security on the U.S. Mexico border and create a 13-year path to citizenship for undocumented immigrants.¶ “It will establish a sensible and rational system for the future flow of immigrants to this country, put in place a process to reunite families and provide a path to citizenship for millions of people who came to this country for a better but are living in the shadows of our society,” Bennet said. “I suggest the House take a hard look at the Senate bill. There is no reason we can’t work out a final bill to pass into law in the coming months.”¶ Obama noted that the legislation is likely to grow the nation’s economy over the next several decades.¶ “Our economy would be 5 percent larger two decades from now,” the president said. “That’s $1.4 trillion in new economic growth.¶ “The majority of Americans think this is the right thing to do. And it’s sitting there waiting for the House to pass it. Now, if the House has ideas on how to improve the Senate bill, let’s hear them. Let’s start the negotiations. But let’s not leave this problem to keep festering for another year, or two years, or three years. This can and should get done by the end of this year.”¶ The president is speaking to a House GOP caucus that is fractured into factions, the body’s growing dysfunction writ large by the debacle of the last two weeks.¶ While many of the conservative hard-liners who aimed to dismantle Obamacare by shutting down the government will never support comprehensive immigration reform, more moderate Republicans — those concerned with the GOP’s ability to win national elections, not just their own grip on their safe, gerrymandered, primary-ripe seats — have likely been chastened by recent polls showing their approval ratings in the 20s.¶ On immigration reform, Republican leaders have another impossible choice.¶ Speaker John Boehner can again listen to the rank and file members and refuse to take up the Senate bill or he can listen to [business groups interested in growing the country’s educated workforce](http://kdvr.com/2013/09/23/colorado-business-leaders-ask-congress-to-revive-immigration-reform/) — and risk revolt from within his caucus — by moving ahead on a policy issue that could help the party repair its image with the public and broaden its appeal to Hispanics, the country’s fastest growing demographic group.¶ The White House knows this.¶ Pressing for comprehensive immigration reform is a win-win: either win passage of another landmark law that will add to Obama’s legacy, or solidify the public’s current perception of the GOP as a party that’s controlled by it’s far-right flank and appears closed to Hispanics and other minorities heading into next year’s midterms.¶

#### Republicans hate the plan – they’ll spin it as soft on terror

Banerjee 5/26/13 (Neela, LA Times DC Energy and Environment Correspondent, McClatchy Newspapers, The State Newspaper, "Republicans Criticize Obama's shift on Drone Use")

WASHINGTON, DC — Republicans criticized President Barack Obama on Sunday for what they described as a retreat in the war against terrorism when they said the world’s crises demand a more aggressive, vigilant United States.¶ In a speech Thursday at the National Defense University in Washington, Obama said he would narrow the use of drone attacks against suspected terrorists and seek to close the prison at Guantanamo Bay, Cuba.¶ Sen. Lindsey Graham, R-SC, who serves on the Senate Armed Services Committee, said on “Fox News Sunday” that he had “never been more worried about national security” and called the president “tone deaf” on the issue.¶ “I see a big difference between the president saying the war’s at an end and whether or not you’ve won the war,” said Sen. Tom Coburn, R-Okla. “We have still tremendous threats out there, that are building – not declining, building – and to not recognize that, I think, is dangerous in the long run and dangerous for the world.”¶ Democrats such as Sen. Charles Schumer of New York defended the President’s anti-terrorism policy, contending that the revised approach would address concerns about the lack of transparency in the deployment of drones without sacrificing security.

#### Reform key to the economy – decline in immigration spurs new recession.

Smith 12. [Gerry, technology reporter, "Brain Drain: Why We're Driving Immigration Talent Overseas" Huffington Post -- November 5 -- www.huffingtonpost.com/2012/11/09/immigrant-entrepreneur\_n\_2077183.html]

Stories like his are not unique. They’re also troubling for the U.S. economy, advocates say. For the first time, the number of immigrant-founded startups is in decline, as foreign-born entrepreneurs struggle to obtain a limited number of visas and green cards and decide to launch companies in other countries that offer perks to start businesses there. Losing founders like Darash, who launch startups that create jobs, means that America risks losing a source of employment and a competitive edge in the global economy as the country claws its way out of a recession, they say.¶ For years, immigrant entrepreneurs have propelled the growth of Silicon Valley, building some of the most successful tech companies in the world: Sergey Brin, co-founder of Google, was born in Russia; Elon Musk, co-founder of PayPal and Tesla, was born in South Africa; Vinod Khosla, co-founder of Sun Microsystems, was born in India. When they immigrated, it was likely easier for them because there was not a backlog that there is today, according to Vivek Wadhwa, a professor at the Pratt School of Engineering at Duke University who researches high-tech immigration. Immigrants are more than twice as likely to start a business as native-born Americans, according to a report earlier this year by the Partnership for a New American Economy. And their companies have produced sizable economic benefits. This year, engineering and technology companies founded in the United States employed about 560,000 workers and generated $63 billion in sales, according to Wadhwa. About a quarter of those companies had at least one foreign-born founder.¶ An estimated three out of every four startups fail, if not more. But by the conventional wisdom of Silicon Valley, Darash’s chances were even slimmer. For one, he does not have a co-founder. He insists he doesn’t need one. (Paul Graham, creator of the startup incubator Y Combinator, has said having a co-founder is critical because “a startup is too much for one person to bear.”) Darash also never worked for a major tech company before, so he did not have the network of contacts that help other entrepreneurs find engineers and meet investors.¶ But what he has lacked in support and connections he has made up for through a work ethic that borders on obsession.¶ “Asaf is a stubborn guy,” said Adam Gries, a childhood friend and founder of Smart Bites, a smartphone app that teaches people English. “He gets into his head that something is going to happen and he’s tenacious.”¶ Darash awakes every morning at 4:30 a.m., takes the BART train from his home in Berkeley to San Francisco, and arrives at the office by 6 a.m. He works for an hour, then walks across the street to the gym to swim and lift weights (A back injury he suffered while serving in the Israeli army requires him to stay physically strong). He typically does not go home until 9 p.m., after his children have gone to bed. Employees say he is a “total workaholic” who sends emails past midnight and sleeps just a few hours a night.¶ “I have a one-and-a-half year old who sees his Daddy maybe three hours a week,” Darash said. “It’s hard to explain how much sacrifice you make to bring a company from an idea to something real, especially if it’s a company with high-level technology.”¶ He is hands-on about all aspects of the company, from courting new clients to writing code. But lately, Darash has been distracted, spending valuable hours gathering documents and talking to lawyers, instead of running his company. His wife recently flew back to Israel to find housing and a school for their kids in case they have to leave the United States. He describes feeling a range of emotions: anger, fear, frustration. Mostly, though, he is confused. In his homeland of Israel, politicians fight over who can attract more foreign entrepreneurs. The United States, he says, should be rolling out the welcome mat for him, not ushering him out the door.¶ “I could not even comprehend this would become a problem,” he said. “I’m creating a company. I’m creating jobs. There’s nothing bad in what I’m doing and there’s nothing I’m taking away from someone else. The only thing I’m doing is creating more!”¶ “SERIOUS ALARM”¶ Since 2005, the number of immigrant-founded startups in Silicon Valley has declined from 52 percent to 44 percent, according to Wadhwa, who argues this drop is cause for “serious alarm” because America needs to attract immigrant entrepreneurs for its economy to recover.¶ “The United States risks losing a key growth engine right at the moment when it’s economy is stuck in a deep ditch, growing slowly and struggling to create jobs,” Wadhwa wrote in his new book, The Immigrant Exodus.¶ Their recent decline could be linked to entrepreneurs finding better business prospects abroad, especially in countries with growing economies like India and China. But advocates say a major reason why immigrants are launching fewer startups in the United States is because they are struggling to secure visas to remain in the country.

#### Economic decline causes nuclear war.

ROYAL ‘10 – Director of Cooperative Threat Reduction at the U.S. Department of Defense (Jedediah, “Economic Integration, Economic Signaling and the Problem of Economic Crises,” in Economics of War and Peace: Economic, Legal and Political Perspectives, ed. Goldsmith and Brauer, p. 213-215)

Less intuitive is how periods of economic decline may increase the likelihood of external conflict. Political science literature has contributed a moderate degree of attention to the impact of economic decline and the security and defence behaviour of interdependent states. Research in this vein has been considered at systemic, dyadic and national levels. Several notable contributions follow. First, on the systemic level, Pollins (2008) advances Modelski and Thompson's (1996) work on leadership cycle theory, finding that rhythms in the global economy are associated with the rise and fall of a pre-eminent power and the often bloody transition from one pre-eminent leader to the next. As such, exogenous shocks such as economic crises could usher in a redistribution of relative power (see also Gilpin. 1981) that leads to uncertainty about power balances, increasing the risk of miscalculation (Feaver, 1995). Alternatively, even a relatively certain redistribution of power could lead to a permissive environment for conflict as a rising power may seek to challenge a declining power (Werner. 1999). Separately, Pollins (1996) also shows that global economic cycles combined with parallel leadership cycles impact the likelihood of conflict among major, medium and small powers, although he suggests that the causes and connections between global economic conditions and security conditions remain unknown. Second, on a dyadic level, Copeland's (1996, 2000) theory of trade expectations suggests that 'future expectation of trade' is a significant variable in understanding economic conditions and security behaviour of states. He argues that interdependent states are likely to gain pacific benefits from trade so long as they have an optimistic view of future trade relations. However, if the expectations of future trade decline, particularly for difficult to replace items such as energy resources, the likelihood for conflict increases, as states will be inclined to use force to gain access to those resources. Crises could potentially be the trigger for decreased trade expectations either on its own or because it triggers protectionist moves by interdependent states.4 Third, others have considered the link between economic decline and external armed conflict at a national level. Blomberg and Hess (2002) find a strong correlation between internal conflict and external conflict, particularly during periods of economic downturn. They write: The linkages between internal and external conflict and prosperity are strong and mutually reinforcing. Economic conflict tends to spawn internal conflict, which in turn returns the favour. Moreover, the presence of a recession tends to amplify the extent to which international and external conflicts self-reinforce each other. (Blomberg & Hess, 2002. p. 89) Economic decline has also been linked with an increase in the likelihood of terrorism (Blomberg, Hess, & Weerapana, 2004), which has the capacity to spill across borders and lead to external tensions. Furthermore, crises generally reduce the popularity of a sitting government. “Diversionary theory" suggests that, when facing unpopularity arising from economic decline, sitting governments have increased incentives to fabricate external military conflicts to create a 'rally around the flag' effect. Wang (1996), DeRouen (1995). and Blomberg, Hess, and Thacker (2006) find supporting evidence showing that economic decline and use of force are at least indirectly correlated. Gelpi (1997), Miller (1999), and Kisangani and Pickering (2009) suggest that the tendency towards diversionary tactics are greater for democratic states than autocratic states, due to the fact that democratic leaders are generally more susceptible to being removed from office due to lack of domestic support. DeRouen (2000) has provided evidence showing that periods of weak economic performance in the United States, and thus weak Presidential popularity, are statistically linked to an increase in the use of force. In summary, recent economic scholarship positively correlates economic integration with an increase in the frequency of economic crises, whereas political science scholarship links economic decline with external conflict at systemic, dyadic and national levels.5 This implied connection between integration, crises and armed conflict has not featured prominently in the economic-security debate and deserves more attention. This observation is not contradictory to other perspectives that link economic interdependence with a decrease in the likelihood of external conflict, such as those mentioned in the first paragraph of this chapter. Those studies tend to focus on dyadic interdependence instead of global interdependence and do not specifically consider the occurrence of and conditions created by economic crises. As such, the view presented here should be considered ancillary to those views.

## 1NC Case

### Adventurism

#### You don’t solve adventurism – transparency isn’t credible

Groves 4-10-13 [Steven, the Bernard andhas to Barbara Lomas Senior Research Fellow in Heritage’s Margaret Thatcher Center for Freedom, former senior counsel to the U.S. Senate Permanent Subcommittee on Investigations, former associate at Boies, Schiller & Flexner LLP, where he specialized in commercial litigation, holds a law degree from Ohio Northern University's College of Law and a bachelor of arts degree in history from Florida State University, “Drone Strikes: The Legality of U.S. Targeting Terrorists Abroad,” <http://www.heritage.org/research/reports/2013/04/drone-strikes-the-legality-of-us-targeting-terrorists-abroad>]

Continue to affirm existing use-of-force authorities. During the past three years, senior officials of the Obama Administration have publicly set out in significant detail U.S. policies and practices regarding drone strikes. The Administration should continue to do so, emphasizing that U.S. policies adhere to widely recognized international law. Critics of the United States will continue to claim that a lack of transparency surrounds U.S. policy and actions. Such critics will likely never be satisfied, not even with full disclosure of the relevant classified legal memoranda, and their criticism will not cease until the United States abandons its practice of targeting terrorist threats in Pakistan, Yemen, and elsewhere. However, consistent repetition of the U.S. legal position on targeted drone strikes may blunt such criticism.

#### Transparency only legitimizes adventurism – turns the aff and ensures strikes continue

**Waxman 3-20**-13 [Matthew Waxman is a professor at Columbia Law School, a fellow at the Council on Foreign Relations, and a member of the Hoover Institution Task Force on National Security and Law, “Going Clear,” <http://www.foreignpolicy.com/articles/2013/03/20/going_clear>]

So, moving operations to the Pentagon may modestly improve transparency and compliance with the law but -- ironically for drone critics -- it may also entrench targeted-killing policy for the long term.¶ For one thing, the U.S. government will now be better able to defend publicly its practices at home and abroad. The CIA is institutionally oriented toward extreme secrecy rather than public relations, and the covert status of CIA strikes makes it difficult for officials to explain and justify them. The more secretive the U.S. government is about its targeting policies, the less effectively it can participate in the broader debates about the law, ethics, and strategy of counterterrorism.¶ Many of the criticisms of drones and targeting are fundamentally about whether it's appropriate to treat the fight against al Qaeda and its allies as a war -- with all the legal authorities that flow from that, like the powers to detain and kill. The U.S. government can better defend its position without having to maintain plausible deniability of its most controversial program and without the negative image (whether justified or not) that many audiences associate with the CIA. Under a military-only policy, the United States would also be better positioned to correct lingering misperceptions about targeted killings and to take remedial action when it makes a mistake.¶ Moreover, clearer legal limits and the perception of stricter oversight will make drone policy more legitimate in the public's eyes. Polling shows that Americans support military drone strikes more strongly than CIA ones, so this move will likely strengthen political backing for continued strikes. Consider the case of Guantanamo: The shuttering of black sites, as well as the Supreme Court's decisions that detainees there can challenge their detention in federal court and that all detainees are protected by the Geneva Convention, have muted criticism of the underlying practice of detention without trial. Here, too, the proposed reforms would put the remaining policy on stronger footing.

### Terrorism

#### Blowback doesn’t translate into large-scale, anti-US terrorism

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]

Direct and immediate concerns about villagers’ perceptions during the counterinsurgencies in Iraq and Afghanistan led, at some points, to extraordinary (from the standpoint of lawful targeting and acceptable collateral damage) measures against using air power and even infantry to fire back at insurgents. But local counterinsurgency is not the long-term concern today; global counterterrorism is. Village-level resentments fueling recruitment might be a concern, but this type of blowback matters far less in terms of war fighting when the United States no longer has infantry in those places (and is no longer making its counterterrorism policy rest upon the chimera of a stable, democratic Afghanistan).

#### Gains from drones empirically overwhelm blowback- best data

Johnston, 13 -- RAND political scientist

[Patrick, Ph.D. in political science from Northwestern University, and Anoop K. Sarbahi, Stanford International Studies postdoctoral scholar, PhD in political science from the University of California, Los Angeles, "The Impact of U.S. Drone Strikes on Terrorism in Pakistan and Afghanistan," July, patrickjohnston.info/materials/drones.pdf, accessed 8-17-13, mss]

Do drone strikes against terrorists reduce the threat posed by terrorist organizations, or do they unintentionally increase support for anti-U.S. militants and thus fuel terrorism?1 Empirical studies of targeted killings and civilian casualties in counterinsurgency and counterterrorism show that both outcomes are possible.2 Strikes conducted by remotely piloted aircraft may undermine counterterrorism efforts or enhance them depending on the nature of the violence, the intentionality attributed to it, or the precision with which it is applied.3 Existing research has studied the effects of coercive airpower,4 targeted killings,5 and civilian victimization,6 but social scientists have conducted little empirical analysis of the effects of drone strikes.7 This lack of attention is unfortunate: unmanned aerial vehicles, and their lethal targeting capabilities, are likely to represent a critical aspect of current and future counterterrorism efforts. The consequences of drone strikes are a critical policy concern. The United States has frequently been called upon to cease drone strikes in Pakistan in order to protect noncombatants, but instead it has expanded its use of drones to other countries in which al Qa’ida-affiliated militants are believed to operate, such as Somalia and Yemen.8 The laws governing international armed conflict codify and strengthen norms against targeted killings, yet other interpretations of the laws of war leave civilian officials and military commanders with substantial latitude to target enemy combatants believed to be affiliated with terrorist organizations against which the U.S. has declared war. 9 Liberal democratic states face substantial pressures to protect civilians in war, but at the same time are often confronted with substantial uncertainty as to what abiding by legal principles such as “discrimination”—the obligation of military forces to select means of attack that minimize the prospect of civilian casualties—actually entails.10 Drone strikes are not the only instrument the U.S. can use to fight al Qa’ida terrorists; states have used other methrds 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.

#### AQAP isn’t a large risk to the US

Derrick ’11(A False Foundation? AQAP, Tribes and Ungoverned Spaces in Yemen Edited by: Gabriel Koehler-Derrick THE COMBATING TERRORISM CENTER AT WEST POINT www.ctc.usma.edu September 2011 © Combating Terrorism Center at West Point (September 2011)

Al-Qa`ida in the Arabian Peninsula’s use of terrorist violence has frequently been marred by tactical failure. AQAP boasts a low success rate against hardened targets. While operationally innovative, the group has consistently failed to match the tactical skill of other al-Qa`ida affiliates. 445 The group too often reuses failed tactics and has not capitalized on real or perceived successes as often as would be expected of an organization that demonstrates such strategic discipline. Although the increasing influence of foreign members does extend AQAP’s reach deeper into the West than at any other point in the group’s history, attacks on the U.S. homeland remain an issue of low salience to a vast majority of Yemenis, preoccupied as they are with far more pressing local concerns.

#### Resource and political crisis makes Yemen instability inevitable- outweighs strikes and terror

DiPierro et al 5-9-13 [Amy DiPierro, reporter for War News Radio, won the Mark of Excellence award from the Society of Professional Journalists, Hillary Clinton, U.S. Secretary of State, Frank Van Steenbergen, Water Resources Director at MetaMeta, a private research and development firm based in the Netherlands, Jessica Barry is the Communications Coordinator and spokesperson for the International Committee of the Red Cross in San’aa, Yemen, Nasser Al-Awlaki, Yemen’s former Minister of Agriculture, “YEMEN: SCARCE WATER, SECURITY THREAT?” <http://warnewsradio.org/2013/05/09/yemen-scarce-water/>]

The ten most water-stressed countries in the world – gosh, it sounds like a bad Buzzfeed article – are all in the Middle East or North Africa. Yemen, perhaps best known in the U.S. as the target of covert drone strikes, is in an especially dire position. War News Radio’s Amy DiPierro asks whether water – as much as terror – is a security threat to the world.¶ TRANSCRIPT:¶ AMY DIPIERRO: Yemen is in a crisis. It’s not a crisis caused by extremist training grounds, nor by radical Islamic clerics, nor by U.S. drone strikes.¶ HILLARY CLINTON: (press conference) Many wells in Yemen will run dry in as little as 10 years.¶ DIPIERRO: Secretary of State Hillary Rodham Clinton, speaking just over a year ago on World Water Day.¶ CLINTON: Water resources could be targeted by terrorists or manipulated as a political tool. These difficulties will all increase the risk of instability within and between states. So these threats are real and they do raise serious security concerns.¶ DIPIERRO: As of 2011, Yemen is the seventh-most water-stressed country in the world. It is home to a growing population and a shrinking water supply. Internal problems – most of all widespread poverty, political uncertainty following the resignation of President Ali Abdullah Saleh in 2012, and economic dependence on water-intensive crops – frustrate efforts to manage water resources. The most immediate consequence for nearly half of the population is the inability to produce or purchase the food they need.¶ Secretary Clinton and others consider Yemen’s water crisis to be a security threat to the region and to the United States. But beneath this strategic danger, lack of water in Yemen is a local humanitarian challenge.¶ Then again, it’s easy to overlook a problem that lies under the surface – in the groundwater.¶ FRANK VAN STEENBERGEN: If you only had rivers, and you would use all of your water from your rivers, the river runs dry.¶ DIPIERRO: Frank van Steenbergen is Water Resources Director at MetaMeta, a private research and development firm based in the Netherlands. He’s worked on political and technical water issues in Yemen for the past 15 years.¶ VAN STEENBERGEN: But if you have groundwater it’s like you have a huge bank account, which is built up over many years, but you can…use much more annually than you put back into your account.¶ DIPIERRO: Hydrologists call this process – “putting money back into the bank account” – recharge. Since the 1970s, when the government subsidized diesel and offered other incentives for farmers to grow food for exports, new irrigation techniques have depleted groundwater without giving it a chance to “recharge” fully. Experts estimate that up to 90% of Yemen’s water goes to farming – not food staples, but water intensive crops like grapes and qat, a popular, mild, and highly profitable narcotic that Van Steenbergen compares to coffee.¶ Because building an irrigation system or a well is so expensive, in the 70s, groundwater was often controlled by the wealthy and powerful. There are now about 100,000 wells in Yemen, but Yemen’s former Minister of Agriculture, Nasser Al-Awlaki, says inequality persists.¶ NASSER AL-AWLAKI: We have an equity problem. The poor is paying a lot of money for water, and if they want to get water, they have to buy it from the rich people who own the wells.¶ DIPIERRO: Even in the North, where qat is usually grown and strong tribal affiliations translate into better access to water, the resource can be so scarce that disputes over water rights lead to violence.¶ JESSICA BARRY: When water resources are scarce, this can also create local competition for water.¶ DIPIERRO: Jessica Barry is the Communications Coordinator and spokesperson for the International Committee of the Red Cross in San’aa, Yemen.¶ BARRY: There have been over the last few years a number of really rather serious clashes between not only local tribes, but between different political parties or different military parties. …it has resulted in very large displacement of communities.¶ DIPIERRO: Down along the coasts, van Steenbergen says, already impoverished communities are forced to migrate because of water shortages. Leaving behind their farms and villages to live in cities, poverty, unemployment, and overcrowding follow them.¶ VAN STEENBERGEN: Basically, the people who were affected were poor people, with very little political standing, yeah, and often a very limited understanding of what was happening. So – sad, but true – they’ve just left their villages.¶ DIPIERRO: Where can you find a solution to water scarcity if the starting point is so complex? Mark Jansson manages the Federation of American Scientists’ International Science Partnership, a project in which scientists from the United States and Yemen collaborate to solve water and energy issues. He says he knows where not to start.¶ MARK JANSSON: Ultimately, I’d say it’s a little condescending to sort of conflate U.S. National Security priorities such as combatting terrorism with the human need for water.¶ DIPIERRO: The instinct in Washington, DC, he says, is to put water on the national security agenda. That category would start a domino effect, mobilizing a bureaucracy of counterterror experts armed with security solutions. But making water a national security issue is a double-edged sword.¶ JANSSON: Securitizing the issue is one way to sort of focus the government’s attention on a policy priority. But I would say we should be very careful about breezily associating water security with the war on terror. Our ability to meet challenges with Yemenis in a shared fashion is really predicated in large part on separation of that work from counterterrorism and other national security efforts the United States is involved in.¶ AL-AWLAKI: Unfortunately, the American government after the 1990s, they somehow disappeared from the scene regarding the water issues in Yemen.¶ DIPIERRO: Al-Awlaki, Yemen’s former Minister of Agriculture.¶ AL-AWLAKI: After the Gulf War in 1991, they stopped completely their aid to Yemen, and this time they came, but they were only much concerned about security issues, giving government ammunition and logistical support to fight so-called terrorism.¶ DIPIERRO: This is exactly the concept of American aid in Yemen Jansson wants to change by having American and Yemeni scientists collaborate on issues other than counterterror. Barry at the Red Cross agrees that it’s crucial to work together, but Yemenis must take the lead in solving the humanitarian problem of water crisis with humanitarian solutions.¶ BARRY: What is really important to keep in mind is that the communities are able to help themselves. Communities should be given the means to help themselves, and more importantly, they should be involved in the solutions to their own problems.¶ DIPIERRO: Van Steenbergen already sees evidence of Yemenis taking charge of their water. He says young farmer-leaders are interested in combining new technology for irrigation with ancient patterns of conservation. He says tribes have developed a way to mediate local disputes, preventing feuds within communities by having members of neighboring tribes raise complaints in local courts. If these community plans are sustainable, he says, they could point to solutions for water shortages elsewhere.¶ VAN STEENBERGEN: We should fight those groundwater crises where they occur. They will be a big global problem, so if we know how to deal with it in the hot spots, we’re doing the right thing.¶ DIPIERRO: Once, says Van Steenbergen, he asked a retired government official why scarce water went unaddressed by then-President Saleh. The official said one reason is that there are easier issues to face – like terrorism.¶ VAN STEENBERGEN: Because, he says, a) you get a lot of money to work on it and b) it’s not a big problem.¶ DIPIERRO: Yemen, today, is in crisis. Or rather, it is trying to balance water and food crises with a terror threat that can seem easier to handle by comparison. For War News Radio, I’m Amy DiPierro.

### Prolif

#### No one will model us anyways

Etzioni ‘13 [Amitai, professor of international relations at George Washington University, “The Great Drone Debate,” March-April, <http://usacac.army.mil/CAC2/MilitaryReview/Archives/English/MilitaryReview_20130430_art004.pdf>]

Other critics contend that by the United States using drones, it leads other countries into making and using them. For example, Medea Benjamin, the cofounder of the anti-war activist group CODEPINK and author of a book about drones argues that, “The proliferation of drones should evoke reﬂection on the precedent that the United States is setting by killing anyone it wants, anywhere it wants, on the basis of secret information. Other nations and non-state entities are watching—and are bound to start acting in a similar fashion.”60 Indeed scores of countries are now manufacturing or purchasing drones. There can be little doubt that the fact that drones have served the United States well has helped to popularize them. However, it does not follow that United States should not have employed drones in the hope that such a show of restraint would deter others. First of all, this would have meant that either the United States would have had to allow terrorists in hardto-reach places, say North Waziristan, to either roam and rest freely—or it would have had to use bombs that would have caused much greater collateral damage. Further, the record shows that even when the United States did not develop a particular weapon, others did. Thus, China has taken the lead in the development of anti-ship missiles and seemingly cyber weapons as well. One must keep in mind that the international environment is a hostile one. Countries—and especially non-state actors— most of the time do not play by some set of selfconstraining rules. Rather, they tend to employ whatever weapons they can obtain that will further their interests. The United States correctly does not assume that it can rely on some non-existent implicit gentleman’s agreements that call for the avoidance of new military technology by nation X or terrorist group Y—if the United States refrains from employing that technology.

#### Drones are locked in- plan can’t solve

McDonald 1-11-13 [Jack, lecturer at the Department of War Studies, King’s College London, completed his PhD thesis on targeted killings, has worked with The Centre for Defence Studies, “Losing perspective on proliferation,” <http://kingsofwar.org.uk/2013/01/losing-perspective-on-proliferation/>]

The control of UAV technology is, however, a problem. In short, it isn’t that amenable to control in any meaningful sense of the word. If one wishes to “control” the proliferation of technology automating human behaviour and actions, then there would need to be some form of global bar on research in that area.\* I imagine that MIT and Google might have a problem this idea. Similarly, if someone wants to control the design and building of small unmanned aircraft, well, too late, that horse bolted a long time ago. Of course, you could lock up every amateur geek enthusiast, but that would be a bit pointless. The point is, the technology to build UAVs is embedded into our society to a far greater degree than nuclear weapons, chemical and biological weapons and small arms are. UAVs are effectively an extension of the industrial revolution (mechanisation, automation, replacement of human action by machine). I’m writing this on a laptop that was probably made by a large number of robots. UAVs need to be put into perspective – despite their dangers they can’t make human life as we know it extinct and they likely can’t be controlled by treaty. A little less rhetoric and a little more thought from critics of military UAVs might produce a better critique.

#### No war over Senkaku or the SCS

Carlson ’13 (Allen Carlson is an Associate Professor in Cornell University’s Government Department. He was granted his PhD from Yale University’s Political Science Department. His undergraduate degree is from Colby College. In 2005 his Unifying China, Integrating with the World: Securing Chinese Sovereignty in the Reform Era was published by Stanford University Press. He has also written articles that appeared in the Journal of Contemporary China, Pacific Affairs, Asia Policy, and Nations and Nationalism. In addition, he has published monographs for the National Committee on U.S.-China Relations and the East-West Center Washington. Carlson was a Fulbright-Hays scholar at Peking University during the 2004-2005 academic year. In 2005 he was chosen to participate in the National Committee’s Public Intellectuals Program, and he currently serves as an adviser to Cornell’s China Asia Pacific Studies program and its East Asia Program. Carlson is currently working on a project exploring the issue of nontraditional security in China’s emerging relationship with the rest of the international system. His most recent publications are the co-edited Contemporary Chinese Politics: New Sources, Methods and Field Strategies (Cambridge University Press, 2010) and New Frontiers in China’s Foreign Relations (Lexington, 2011). China Keeps the Peace at Sea China Keeps the Peace at Sea Why the Dragon Doesn't Want War Allen Carlson February 21, 2013

At times in the past few months, China and Japan have appeared almost ready to do battle over the Senkaku (Diaoyu) Islands --which are administered by Tokyo but claimed by both countries -- and to ignite a war that could be bigger than any since World War II. Although Tokyo and Beijing have been shadowboxing over the territory for years, the standoff reached a new low in the fall, when the Japanese government nationalized some of the islands by purchasing them from a private owner. The decision set off a wave of violent anti-Japanese demonstrations across China. In the wake of these events, the conflict quickly reached what political scientists call a state of equivalent retaliation -- a situation in which both countries believe that it is imperative to respond in kind to any and all perceived slights. As a result, it may have seemed that armed engagement was imminent. Yet, months later, nothing has happened. And despite their aggressive posturing in the disputed territory, both sides now show glimmers of willingness to dial down hostilities and to reestablish stability. Some analysts have cited North Korea's recent nuclear test as a factor in the countries' reluctance to engage in military conflict. They argue that the detonation, and Kim Jong Un's belligerence, brought China and Japan together, unsettling them and placing their differences in a scarier context. Rory Medcalf, a senior fellow at the Brookings Institution, explained that "the nuclear test gives the leadership in both Beijing and Tokyo a chance to focus on a foreign and security policy challenge where their interests are not diametrically at odds." The nuclear test, though, is a red herring in terms of the conflict over the disputed islands. In truth, the roots of the conflict -- and the reasons it has not yet exploded -- are much deeper. Put simply, China cannot afford military conflict with any of its Asian neighbors. It is not that China believes it would lose such a spat; the country increasingly enjoys strategic superiority over the entire region, and it is difficult to imagine that its forces would be beaten in a direct engagement over the islands, in the South China Sea or in the disputed regions along the Sino-Indian border. However, Chinese officials see that even the most pronounced victory would be outweighed by the collateral damage that such a use of force would cause to Beijing's two most fundamental national interests -- economic growth and preventing the escalation of radical nationalist sentiment at home. These constraints, rather than any external deterrent, will keep Xi Jinping, China's new leader, from authorizing the use of deadly force in the Diaoyu Islands theater. For over three decades, Beijing has promoted peace and stability in Asia to facilitate conditions amenable to China's economic development. The origins of the policy can be traced back to the late 1970s, when Deng Xiaoping repeatedly contended that to move beyond the economically debilitating Maoist period, China would have to seek a common ground with its neighbors. Promoting cooperation in the region would allow China to spend less on military preparedness, focus on making the country a more welcoming destination for foreign investment, and foster better trade relations. All of this would strengthen the Chinese economy. Deng was right. Today, China's economy is second only to that of the United States. The fundamentals of Deng's grand economic strategy are still revered in Beijing. But any war in the region would erode the hard-won, and precariously held, political capital that China has gained in the last several decades. It would also disrupt trade relations, complicate efforts to promote the yuan as an international currency, and send shock waves through the country's economic system at a time when it can ill afford them. There is thus little reason to think that China is readying for war with Japan. At the same time, the specter of rising Chinese nationalism, although often seen as a promoter of conflict, further limits the prospects for armed engagement. This is because Beijing will try to discourage nationalism if it fears it may lose control or be forced by popular sentiment to take an action it deems unwise. Ever since the Tiananmen Square massacre put questions about the Chinese Communist Party's right to govern before the population, successive generations of Chinese leaders have carefully negotiated a balance between promoting nationalist sentiment and preventing it from boiling over. In the process, they cemented the legitimacy of their rule. A war with Japan could easily upset that balance by inflaming nationalism that could blow back against China's leaders. Consider a hypothetical scenario in which a uniformed Chinese military member is killed during a firefight with Japanese soldiers. Regardless of the specific circumstances, the casualty would create a new martyr in China and, almost as quickly, catalyze popular protests against Japan. Demonstrators would call for blood, and if the government (fearing economic instability) did not extract enough, citizens would agitate against Beijing itself. Those in Zhongnanhai, the Chinese leadership compound in Beijing, would find themselves between a rock and a hard place. It is possible that Xi lost track of these basic facts during the fanfare of his rise to power and in the face of renewed Japanese assertiveness. It is also possible that the Chinese state is more rotten at the core than is understood. That is, party elites believe that a diversionary war is the only way to hold on to power -- damn the economic and social consequences. But Xi does not seem blind to the principles that have served Beijing so well over the last few decades. Indeed, although he recently warned unnamed others about infringing upon China's "national core interests" during a foreign policy speech to members of the Politburo, he also underscored China's commitment to "never pursue development at the cost of sacrificing other country's interests" and to never "benefit ourselves at others' expense or do harm to any neighbor." Of course, wars do happen -- and still could in the East China Sea. Should either side draw first blood through accident or an unexpected move, Sino-Japanese relations would be pushed into terrain that has not been charted since the middle of the last century. However, understanding that war would be a no-win situation, China has avoided rushing over the brink. This relative restraint seems to have surprised everyone. But it shouldn't. Beijing will continue to disagree with Tokyo over the sovereign status of the islands, and will not budge in its negotiating position over disputed territory. However, it cannot take the risk of going to war over a few rocks in the sea. On the contrary, in the coming months it will quietly seek a way to shelve the dispute in return for securing regional stability, facilitating economic development, and keeping a lid on the Pandora's box of rising nationalist sentiment. The ensuing peace, while unlikely to be deep, or especially conducive to improving Sino-Japanese relations, will be enduring.

# 2NC

## 2NC OLC

**No Russia war**

**Weitz 11** - senior fellow at the Hudson Institute and a World Politics Review senior editor(Richard, 9/27/2011, “Global Insights: Putin not a Game-Changer for U.S.-Russia Ties,” http://www.scribd.com/doc/66579517/Global-Insights-Putin-not-a-Game-Changer-for-U-S-Russia-Ties)

Fifth, there will inevitably be areas of conflict between Russia and the United States regardless of who is in the Kremlin. Putin and his entourage can never be happy with having NATO be Europe's most powerful security institution, since Moscow is not a member and cannot become one. Similarly, the Russians will always object to NATO's missile defense efforts since they can neither match them nor join them in any meaningful way. In the case of Iran, Russian officials genuinely perceive less of a threat from Tehran than do most Americans, and Russia has more to lose from a cessation of economic ties with Iran -- as well as from an Iranian-Western reconciliation. On the other hand, these conflicts can be managed, since they will likely **remain limited and compartmentalized**. Russia and the West **do not have fundamentally conflicting vital interests of the kind countries would go to war over**. And as the Cold War demonstrated, nuclear weapons **are a** great **pacifier** under such conditions. Another novel development is that Russia is much more **integrated into the** international **economy** and global society than the Soviet Union was, and Putin's popularity depends heavily on his economic track record. Beyond that, there are objective criteria, such as the smaller size of the Russian population and economy as well as the difficulty of controlling modern means of social communication, that **will constrain** whoever is in charge of **Russia**.

## 2NC DA

### Overview

### A2 Thumper – Obamacare

#### No impact- Sebelius gets the blame

Page, 10-30 – USA TODAY Washington bureau chief

[Susan, "First Take: For Obama, the value of a lightning rod," USA Today, 10-31-13, www.usatoday.com/story/news/politics/2013/10/30/first-take-sebelius-value-as-lightning-rod-for-obama/3312591/, accessed 10-31-13, mss]

First Take: For Obama, the value of a lightning rod

Despite Republican demands for her resignation, Kathleen Sebelius is likely to keep her job as secretary of Health and Human Services and her role as the public face of the Affordable Care Act. After more than three hours of being grilled at a House committee Wednesday, the better question might be why, exactly, does she want it? After apologizing to Americans for this month's troubled rollout of the federal health-exchange website, Sebelius told the Energy and Commerce Committee that she was the one who should be held responsible. "Hold me accountable for the debacle," she said when Rep. Marsha Blackburn, R-Tenn., suggested one of her deputies was to blame. "I'm responsible." Later, Rep. Gregg Harper, R-Miss., argued that President Obama should bear the ultimate responsibility. "No, sir, we are responsible," Sebelius replied. When he persisted, she finally said with exasperation, "Whatever — yes, he is the president." Whether she is responsible or not, there is little chance Obama would demand or even desire Sebelius' exit from the hot seat. For a president under fire, having an aide who has become a lightning rod during a controversy in fact can be a useful division of duties. Soon after Sebelius finally left the hearing room, Obama was boarding Air Force One to make a speech about his signature health care law before an audience in Boston,

**Zero impact on Obama – Sebelius is taking all the heat**

**Condon 10/30,** Stephanie Condon, political correspondent for CBS News, “Sebelius: ‘Hold Me Accountable for the Debacle’ of HealthCare.gov,” October 30, 2013, <http://www.cbsnews.com/8301-250_162-57609977/sebelius-hold-me-accountable-for-the-debacle-of-healthcare.gov/>

**Health and Human Services Secretary** Kathleen **Sebelius** on Wednesday **offered the Obama administration's second formal apology to the American people for HealthCare.gov, the dysfunctional Obamacare website. "You deserve better, I apologize,"** Sebelius said to the public in her opening remarks to the House Energy and Commerce Committee. **"I'm accountable to you... I'm committed to earning your confidence back by fixing the site.**"¶ The secretary acknowledged that since HealthCare.gov launched on Oct. 1, the experience of trying to sign up for a private insurance plan on the site has been "miserably frustrating" for many people. She assured the committee and the public that "we have a plan in place" to fix the site and reiterated the administration's promise to have it working for the vast majority of visitors by the end of November.¶ Sebelius said that even though the site isn't "fully functioning," consumers are using it "every day" and they have "plenty of time" to sign up -- the open enrollment period lasts through the end of March.¶ **Rep**. Marsha **Blackburn**, R-Tenn., **asked Sebelius who is "responsible for this debacle," to which Sebelius replied, "Hold me accountable for the debacle. I'm responsible."**¶

### 2NC U

#### CIR will pass now-

#### 1. Momentum- key House republicans are tackling legalization, multiple defections for a comprehensive approach, comprehensive lobbying is opening possibilities. Prefer predictive evidence- The democratic bill is bipartisan, which means more people will move there over time- that’s 1NC Nowicki.

**Will pass with Obama leadership – firm but not overpowering**

**Sanders 10/28**, Bob Ray Sanders, columnist for the Fort Worth Star-Telegram, “There’s no better time for Obama to push immigration reform,” October 28, 2013, <http://articles.sun-sentinel.com/2013-10-28/news/fl-bscol-immigration-oped1028-20131028_1_immigration-bill-immigration-reform-house-speaker-john-boehner>

Just a few months ago, **immigration reform looked promising, garnering bipartisan support in the Senate**. A measure that was long overdue passed the upper chamber in Congress last June, **but has been stalled in the House** as recalcitrant Republicans simply couldn't stomach the idea of providing a path to citizenship for the millions of illegal immigrants already in the country.¶ **While the Senate bill has its faults** — including adding 700 miles of new fencing along the U.S.-Mexico border **— it is a compromise that**, if passed, **would be a giant step toward** [**improving**](http://articles.sun-sentinel.com/2013-10-28/news/fl-bscol-immigration-oped1028-20131028_1_immigration-bill-immigration-reform-house-speaker-john-boehner) **the entire immigration system** and, at the same time, bringing illegal immigrants out of the shadows.¶ [**Obama**](http://articles.sun-sentinel.com/2013-10-28/news/fl-bscol-immigration-oped1028-20131028_1_immigration-bill-immigration-reform-house-speaker-john-boehner) **got re-elected partly on his promise to pursue the issue aggressively**, receiving 71 percent of the Latino vote. He has not been as aggressive as many would like, even though they're willing to cut him a little slack because of all the uncontrollable international crises and manufactured domestic distractions (like the shutdown of the government) he has had to deal with.¶ **But he shouldn't let anything get in his way this time, even though Republicans in the House are vowing not to negotiate** with him because the president stood his ground and refused to negotiate on his healthcare law in connection with raising the debt ceiling and ending the [government](http://articles.sun-sentinel.com/2013-10-28/news/fl-bscol-immigration-oped1028-20131028_1_immigration-bill-immigration-reform-house-speaker-john-boehner) shutdown.¶ House Speaker John **Boehner,** who has refused to bring the Senate bill to a vote, has **said he won't bring any immigration legislation to the floor until a majority of his Republican caucus agrees**.¶ That, in effect, means never. Or, if there is a bill that the majority of his party would support, you can almost bet it will be terribly inadequate, one that would not pass the Senate and one that the president wouldn't sign if it did.¶ **Boehner**, who has been on the losing end a lot lately, **ought to be pressured into bringing the Senate bill to a vote**. It's clear that on many of the important matters facing this country, the majority of his party in the House will reject just about anything the president supports.¶ Therefore, **it will be left up to the House Democrats and the moderate Republicans who are not afraid of the "tea party" to get an immigration bill passed**.¶ Since the government shutdown fiasco, in which the GOP unmistakably was the loser, **the president has the upper hand, and he should take the opportunity to press forward with his agenda**.¶ **By no means am I suggesting that Obama become a bully or deliberately attempt to undermine Boehner's leadership, but he shouldn't back away from this fight again.**

#### Momentum and bipart now

Lee, 10-30 -- Think Progress immigration reporter

[Esther Yu-Hsi, "Third House Republican Backs Democrats’ Immigration Reform Bill," thinkprogress.org/immigration/2013/10/30/2862871/house-republican-supports-democrats-immigration/, accessed 10-31-13, mss]

On Wednesday, Rep. David Valadao (R-CA) became the third House Republican to support an immigration reform bill introduced by Democrats, helping to build momentum for a vote by the end of the congressional year. Valadao’s support follows two other House Republicans, Reps. Jeff Denham (R-CA) and Ileana Ros-Lehtinen (R-FL) both of whom said earlier this week that they would support the bill as cosponsors. “I have been working with my colleagues on both sides of the aisle to find common ground on the issue of immigration reform. Recently, I have focused my efforts on joining with like-minded Republicans in organizing and demonstrating to Republican Leadership broad support within the Party to address immigration reform in the House by the end of the year,” stated Congressman Valadao in a press release. “By supporting H.R. 15 I am strengthening my message: Addressing immigration reform in the House cannot wait. I am serious about making real progress and will remain committed to doing whatever it takes to repair our broken immigration system.” Based on his history of immigrant-friendly policies, Valadao’s support may not necessarily be surprising. Latinos comprise 65.8 percent of the voter age population in his district. More than 75 percent of all Latino voters believe that immigration reform is incredibly important and a top priority. In early June, Valadao supported the basic framework of the Senate immigration bill. He was also only one of six House Republicans to vote against an amendment by Rep. Steve King (R-IA) that would give immigration authorities wider discretion to deport undocumented immigrants. At the time Valadao said, “That King amendment, I just didn’t think it was good policy.” Supporting immigration reform could provide a massive economic boost to Valadao’s state of California– according to a White House report, reform would increase the total personal income of California families by $29.1 billion by 2020. Immigration reform would help to expand the guest worker program in his agriculture-heavy district, which would likely create 9,426 new jobs for U.S. citizens and immigrants in the agriculture, retail trade, and construction sector. Like Rep. Joe Garcia (D-FL) who introduced the House Democrats’ bill, Valadao may have a personal reason for supporting immigration reform. His parents are Portuguese immigrants and he is fluent in Portuguese and Spanish. Valadao’s public support lends **additional bipartisanship** to what had been a strictly Democratic bill up until a week ago. And it’s something that Denham– the first House Republican to support the immigration bill– hoped to break during a Google Hangout interview with Garcia on Wednesday. During the Google Hangout, Denham said, “I believe it’s critical to get it done this year. If we don’t get it done, we’ll have to deal with Continuing Resolution issues, like the budget. These are issues that have deadlines. The challenge for immigration is that there is no real deadline so we need to create self-imposed deadlines. We really have to increase the pressure and the focus… ultimately, just saying no, that’s amnesty.”

#### Pressure will grow- shutdown helps

Sullivan, 10-28 – The Olympian staff

[Sean, "Why Obama is racing the clock on immigration," The Olympian, www.theolympian.com/2013/10/28/2797321/why-obama-is-racing-the-clock.html, accessed 10-31-13, mss]

And immigration reform is a risky proposition for many House Republicans. Despite national polls showing the public largely in favor of overhauling the nation’s laws, the calculus is often different back home. This is in large part why months after the Senate passed a sweeping bipartisan immigration bill, the House has yet to act. But that doesn’t mean it won’t. Republicans have already moved ahead on some piecemeal measures. And House Speaker John Boehner, R-Ohio, said Wednesday that he was “hopeful” something could get done by the end of the year. Coming off a fiscal battle that badly damaged the Republican brand, there is, arguably, more political incentive for Boehner to act on immigration than there has been in the past. Republicans need to repair their image.

#### Will pass- Boehner hopeful

Chakraborty, 10-24 -- Fox News politics reporter

[Barnini, "A pivot in priorities? Obama touts immigration reform," 10-24-13, www.foxnews.com/politics/2013/10/24/pivot-in-priorities-obama-touts-immigration-reform/, accessed 10-31-13, mss]

President Obama shifted focus Thursday from the pile-up of problems related to the rollout of his health care law to another prickly political topic: immigration. Obama made his case for comprehensive reform at a White House event and insisted that Congress had enough time to pass the immigration bill by the end of the year. “It doesn’t get easier to put it off,” Obama said. Over the summer, the Senate passed a bipartisan bill on immigration, but the measure has stalled since being sent to the House. The lower chamber of Congress has just five legislative weeks left to push the plan through – something Obama as well as House Speaker John Boehner believes can be accomplished. “I still think immigration reform is an important subject that needs to be addressed,” Boehner told reporters at a Capitol Hill news conference earlier this week. “And I’m hopeful.”

### 2NC Link

#### Plan will fracture the GOP – kills negotiations and chances of a vote on CIR

Rothman 3/7/13 (Noah, Editor at Mediaite, "Lindsey Graham Slams Rand Paul, GOP'ers Cheering Him: Paul's Position On Drones Not a 'Republican View')

Joining Sen. John McCain (R-AZ) objection to Sen. Rand Paul’s (R-KY) filibuster of President Barack Obama’s nominee to become the next CIA director, Sen. Lindsey Graham (R-SC) slammed Paul and the members of his party who cheered his filibuster. Graham said that Paul’s position on drones is not a “Republican view,” and he is “disappointed” in his fellow Republicans for supporting Paul’s opposition towards Obama administration’s drone policy. ¶ “To my Republican colleagues, I don’t remember any of you coming down here suggesting that President [George W.] Bush was going to kill anybody with a drone,” Graham said. He added that even Democrats never accused Bush of wanting to assassinate Americans with a drone.¶ “What is it, all of the sudden, that this drone program has gotten every Republican all spun up?” Graham asked. He said that many are “astonished” that Obama has continued President Bush’s war on terror. “I’m not astonished, I congratulate him for having the good judgment to understand we’re at war,” Graham added.¶ “To my party, I’m a bit disappointed that you no longer apparently think we’re at war,” he observed. “Not Senator Paul, he’s a man to himself. He has a view that I don’t think is a Republican view – I think it’s a legitimately held libertarian view.”¶

#### Also fractures the democrats – no bargaining

Hirschfield 3/8/13 (Juie, Bloomberg News Staff Writer, "Obama Faces Bipartisan Pressure on Drone Big Brother Fear")

“The president is facing more political pressure on the war on terror in his second term, and it’s coming from the flanks -- the left flank and human rights community and from the right,” said Peter Feaver, who advised former President [George W. Bush](http://topics.bloomberg.com/george-w.-bush/) on national security and now teaches politics at [Duke University](http://topics.bloomberg.com/duke-university/) in Durham, [North Carolina](http://topics.bloomberg.com/north-carolina/).¶ The questions have sharpened amid public fears about “persistent ubiquitous surveillance,” Feaver added, “something that resonates especially strongly on the libertarian right that would say, ‘I don’t want Big Brother to be watching me,’ but also on the left, with people saying, ‘Do I want the FBI to be reading my e-mail?”¶ Paul, a first-term senator from [Kentucky](http://topics.bloomberg.com/kentucky/), cheered his letter from Holder and claimed credit for having elicited a rare unambiguous answer from Obama’s team on drone policy. To Paul’s question about the president’s authority to kill an American not engaged in combat on American soil, the attorney general wrote: “The answer to that question is no.”¶ ‘Under Duress’¶ “Hooray!” Paul said on Fox News, calling the missive “a result and a victory” from his filibuster delaying the Senate confirmation of [John Brennan](http://topics.bloomberg.com/john-brennan/) for CIA director -- ultimately approved. “Under duress, and under public humiliation, the White House will respond and do the right thing.”¶ Senator [Ron Wyden](http://topics.bloomberg.com/ron-wyden/) of [Oregon](http://topics.bloomberg.com/oregon/), the only Democrat to join Paul and other Republicans in the talk-a-thon, said it’s clear that a turning point occurred in the debate over drone policy in the last week -- not solely because of the filibuster.¶ “You’re going to start to see the emergence of a checks- and-balances caucus, and that there will be a lot of Democrats in it,” Wyden said.¶ Earlier in the week, he and others on the Senate intelligence committee forced the administration to allow panel members to review legal opinions underpinning its drone policy. That was after he and a handful of others withheld support for Brennan’s nomination until they saw the opinions.

#### No risk of a link turn – Not enough vocal opposition – Obama has faced no political cost for drones policy

The St. Augustine Record 2/6/13 ("Congress Considers Putting Limits on Drone Strikes")

The drone debate puts Obama — himself a former civil rights lawyer — in the awkward position of carrying out lethal attacks in secret and bucking his political allies in the Democratic Party. Democratic lawmakers were incensed by the refusal of the Republican administration of President George W. Bush to hand over classified Justice Department opinions justifying the use of waterboarding, the harsh interrogation tactic that critics call a form of torture. Obama repudiated those methods — and released those opinions — when he took office in 2009. The use of drones proved to have no political cost to Obama in his re-election campaign.

### A2 Hirsh

First, their evidence concedes that “But the fact is, [political capital is] a concept that matters, if you have popularity and some momentum on your side.”

#### Second, it says that political capital established from “electoral mandates” is the best and most effective political capital. It’s a good thing Obama has that

The Christian Science Monitor 1/3, “Immigration reform: Is ‘amnesty’ a possibility now?” January 3rd, 2013, Christian Science Monitor, http://www.csmonitor.com/USA/Politics/2012/1228/Immigration-reform-Is-amnesty-a-possibility-now/(page)/4

The president, too, has political pressure to pursue immigration reform. He has already come up short once on immigration-reform promises: In 2009, he said that a comprehensive immigration solution would be a top priority. Yet his first term also saw record numbers of undocumented immigrants deported. Only this summer, after he directed immigration officials to defer deportation of some young illegal immigrants, was he seen as making good on promises to the Latino community. "The president says that his biggest failure in the first term was not moving forward with immigration reform," says Hector Sanchez, executive director of the Labor Council for Latin American Advancement. "The Latino community decided to give him a second chance." Obama has publicly vowed to make immigration reform an immediate priority in his second term, which could begin just on the other side of the "fiscal cliff" negotiations. "He's the one who has the mandate on this subject; he's the guy who got the voters who care most intensely about this," says Bruce Morrison, a former Democratic congressman from [Connecticut](http://www.csmonitor.com/tags/topic/Connecticut) who was involved in immigration reform efforts in the 1980s and early '90s. But even while the parties broadly agree on the need to pursue immigration reform, how to do it remains up in the air.

#### Third, Presidential involvement is key to reform – Bush proves

Chertoff 2/15, Michael Chertoff, secretary of homeland security for G.W. Bush and chairman/cofounder of the Chertoff Group, “Reforming Obama’s immigration reform,” Whittier Daily News, originally posted on the Washington Post, February 15, 2013, http://www.whittierdailynews.com/news/ci\_22597624/chertoff-reform-obama-immigration-plan

Finally, presidential commitment is critical. In 2007, President [George W. Bush was deeply involved](http://www.washingtonpost.com/wp-dyn/content/article/2007/06/11/AR2007061101995.html) but near the end of his eight-year term. Today, President Obama has more time and a greater ability to get things done. But, as he appeared to recognize in the [State of the Union](http://www.washingtonpost.com/politics/state-of-the-union-2013-president-obamas-address-to-congress-transcript/2013/02/12/d429b574-7574-11e2-95e4-6148e45d7adb_story.html), this will require him to promote the core objectives of each major interest group, going beyond campaign-style events aimed at his base. In 2007, Sen. Edward M. Kennedy (D-Mass.) exemplified this much-needed personal engagement. He worked daily with the Bush administration and across the aisle to fight not only for principles he personally endorsed but also to ensure that everyone else who signed on to immigration reform received significant benefits. There is no better model for Obama.

Fourth, Hirsh’s point is that PC’s not key because some GOP Senators want immigration after losing the Latino vote

#### Fifth, That thesis is wrong---GOP members of Congress win elections by bashing immigrants, even if national politicians can’t do it---they have to be dragged kicking and screaming---clearly makes PC key

Robert Mann 1-28, holds the Manship Chair at the Manship School of Mass Communication at Louisiana State University and is director of the school’s Reilly Center for Media & Public Affairs, 1/28/13, “The GOP and Latinos: Will immigration reform change their relationship? Not likely,” <http://bobmannblog.com/2013/01/28/the-gop-and-latinos-will-immigration-reform-change-their-relationship-not-likely/>

Having lost the popular vote in five of the last six presidential elections, some Republican leaders in Congress have finally decided to tack a different course this week by throwing their support behind major immigration reform. ¶ To put it another way, they’ve discovered that attacking large swaths of the American public as lazy moochers is not the best way to win back the White House. ¶ As Louisiana Gov. Bobby Jindal famously told Republican leaders in Charlotte last week, “We must compete for every single vote. The 47 percent and the 53 percent. And any other combination of numbers that adds up to 100 percent.” ¶ In a bit of unintended humor (isn’t that the only way Jindal is ever funny?), the Republican governor also asserted, “President Barack Obama and the Democrats can continue trying to divide America into groups of warring communities with competing interests, but we will have none of it. We are going after every vote as we work to unite all Americans.” ¶ Now, should the GOP adopt this philosophy that would be a major change. But don’t be surprised if many party regulars ignore Jindal and continue to attack the poor, immigrants and minorities. ¶ Truth is, it’s still the way that too many Republican members of Congress win elections. Perhaps attacking the poor no longer works in presidential races, but it’s still a very effective strategy in some local and state politics in many places around the country.

Sixth, 1NC Bowman uniquely identifies transportation infrastructure as a source of political strife that will through a wrench in the political agenda of Obama.

### A2: Impact D

#### Immigration reform spurs 1.5 trillion growth in GDP.

Escalona 1-24. [Alejandro, writer and editor, "Time Is Ripe for Immigration Reform" Huffington Post -- www.huffingtonpost.com/alejandro-escalona/time-for-immigration-reform\_b\_2533806.html]

As the U.S. economy continues to improve, there will be a greater need for labor and the deport-all approach to illegal immigration will start to subside. Our country should not have millions living in the shadows. It is a matter of national security, but also of economic opportunity.¶ In 2010, the Center for American Progress concluded that immigration reform would lead to a $1.5 trillion growth in gross domestic product over the next ten years. Legalized immigrants would buy homes and cars generating new revenues for the private sector and more taxes for governments.¶ Comprehensive immigration reform makes sense. Obama should work with Congress to approve a path to legalize those undocumented immigrants who work hard and have not committed serious crimes.

## 2NC Case

### 2NC/1NR No Blowback

#### Blowback in minimal impact and not unique to drones

**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>]

Unintended detrimental consequences of intervention – ‘blowback’– are by no means a new phenomenon, nor an inherent feature of drone versus ¶ other kinds of strikes. A widespread view holds that drones are fuelling a ¶ political and societal backlash against the US.15 Worse, unintended civilian ¶ deaths may be creating new grievances, driving new recruits to join terrorist ¶ groups, and undermining the legitimacy of the very governments the US is ¶ trying to bolster.16 In other words, the covert drone programme is radical ¶ Islamism’s latest recruiting sergeant.17 This is contested, as is inevitable when relying on anecdotal evidence. ¶ Some data suggest that the effect is overblown – one analyst conducting fieldwork in Yemen found very little causation between drone strikes and ¶ radicalisation.18 The lack of information is a major problem for both policymakers and the public in attempting to definitively determine the strategic ¶ impact of any intervention, not just drone strikes. Here, again, the secrecy ¶ of the CIA programme is an obstacle – what data we do have on it comes ¶ from leaks, rather than systematic analysis.19 Neither is the US alone guilty of ¶ secrecy; in the aftermath of the UN Special Rapporteur’s report on the legality ¶ of drone strikes in Pakistan, one might note that the Pakistani government’s ¶ complaints to the Special Rapporteur seem to be contradictory given what is ¶ known from WikiLeaks documents about private approval.20¶ A lack of data may mean that talk of blowback is misguided, or it might not; ¶ Hastings Dunn and Wolff offer some clarity on the relationship between ¶ targeting policy and public anger in this regard. A bigger issue is that media reports tend to be unreliable from regions like the FATA, particularly when ¶ weapons forensics experts – who would be able to determine, for instance, ¶ what kind of weapon system has caused what kind of damage – cannot reach these areas.21 Ultimately, the information problem may mean that we cannot ¶ conclude whether anti-Americanism or fragile support for local regimes is ¶ caused by or coincident with drone strikes. This highlights the importance of ¶ casualty-recording and damage assessment, outlined in this report, to the ¶ strategic conduct of intervention.

#### All of their evidence is hype – multiple reasons for recruitment

**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>]

It is also telling that drones have earned the backing, albeit secret, of foreign governments. In order to maintain popular support, politicians in Pakistan and Yemen routinely rail against the U.S. drone campaign. In reality, however, the governments of both countries have supported it. During the Bush and Obama administrations, Pakistan has even periodically hosted U.S. drone facilities and has been told about strikes in advance. Pervez Musharraf, president of Pakistan until 2008, was not worried about the drone program’s negative publicity: “In Pakistan, things fall out of the sky all the time,” he reportedly remarked. Yemen’s former president, Ali Abdullah Saleh, also at times allowed drone strikes in his country and even covered for them by telling the public that they were conducted by the Yemeni air force. When the United States’ involvement was leaked in 2002, however, relations between the two countries soured. Still, Saleh later let the drone program resume in Yemen, and his replacement, Abdu Rabbu Mansour Hadi, has publicly praised drones, saying that “they pinpoint the target and have zero margin of error, if you know what target you’re aiming at.”¶ As officials in both Pakistan and Yemen realize, U.S. drone strikes help their governments by targeting common enemies. A memo released by the antisecrecy website WikiLeaks revealed that Pakistan’s army chief, Ashfaq Parvez kayani, privately asked U.S. military leaders in 2008 for “continuous Predator coverage” over antigovernment militants, and the journalist Mark Mazzetti has reported that the United States has conducted “goodwill kills” against Pakistani militants who threatened Pakistan far more than the United States. Thus, in private, Pakistan supports the drone program. As then Prime Minister Yousaf Raza Gilani told Anne Patterson, then the U.S. ambassador to Pakistan, in 2008, “We’ll protest [against the drone program] in the National Assembly and then ignore it.”¶ Still, Pakistan is reluctant to make its approval public. First of all, the country’s inability to fight terrorists on its own soil is a humiliation for Pakistan’s politically powerful armed forces and intelligence service. In addition, although drones kill some of the government’s enemies, they have also targeted pro-government groups that are hostile to the United States, such as the Haqqani network and the Taliban, which Pakistan has supported since its birth in the early 1990s. Even more important, the Pakistani public is vehemently opposed to U.S. drone strikes.¶ A 2012 poll found that 74 percent of Pakistanis viewed the United States as their enemy, likely in part because of the ongoing drone campaign. Similarly, in Yemen, as the scholar Gregory Johnsen has pointed out, drone strikes can win the enmity of entire tribes. This has led critics to argue that the drone program is shortsighted: that it kills today’s enemies but creates tomorrow’s in the process.¶ Such concerns are valid, but the level of local anger over drones is often lower than commonly portrayed. Many surveys of public opinion related to drones are conducted by anti-drone organizations, which results in biased samples. Other surveys exclude those who are unaware of the drone program and thus overstate the importance of those who are angered by it. In addition, many Pakistanis do not realize that the drones often target the very militants who are wreaking havoc on their country. And for most Pakistanis and Yemenis, the most important problems they struggle with are corruption, weak representative institutions, and poor economic growth; the drone program is only a small part of their overall anger, most of which is directed toward their own governments. A poll conducted in 2007, well before the drone campaign had expanded to its current scope, found that only 15 percent of Pakistanis had a favorable opinion of the United States. It is hard to imagine that alternatives to drone strikes, such as seal team raids or cruise missile strikes, would make the United States more popular.

### 2NC/1NR No threat-Strat Shift

#### Prefer our evidence- based on on-the-ground fieldwork

**Derrick ’11** (A False Foundation? AQAP, Tribes and Ungoverned Spaces in Yemen Edited by: Gabriel Koehler-Derrick THE COMBATING TERRORISM CENTER AT WEST POINT www.ctc.usma.edu September 2011 © Combating Terrorism Center at West Point (September 2011)

This project is based on twelve months of fieldwork completed by the author from 2008 to 2009 and subsequent phone interviews with contacts in Marib and al-Jawf through the spring of 2011. The author’s name has been withheld from this report because of his continued research in the region. Nevertheless, the project would not have been possible without the assistance of a number of individuals who deserve very public thanks for helping to bring this report to fruition

#### No terrorism- groups are too weak and attack strategy has shifted to local focus

Sofer ’11 (The Evolution of Terrorism Since 9/11 From Hierarchical Organizations to Small Groups and Individuals SOURCE: AP/TV2 Norway By Ken Sofer | September 9, 2011 Ken Sofer is the Special Assistant for National Security at American Progress.

When Osama bin Laden’s body was buried at sea, many observers believed an era in transnational terrorism was buried with him. In truth, the era of transnational terrorism reached its pinnacle in the atrocities of September 11 a full decade ago. **Over the last 10 years, the structure of terrorist groups has evolved**, in part because of American and allied policies, and in part because new technologies have opened up a new model of terrorism. Gone are the days of a centralized, hierarchical international terrorist movement with Al Qaeda clearly in the lead. That system has been replaced by a much more diffuse network of regional terrorist groups and individual actors connected to terrorist leaders only by the Internet. The breakdown of the hierarchical system of terror When bin Laden organized Al Qaeda in the late 1980s, he envisioned the group as an army of the faithful, which he could train and mobilize to fight kuffar, or nonbelievers, throughout Muslim lands. He financed training camps in tribal Pakistan, developed a system of recruitment for would-be suicide bombers, and planned complex operations, which required adherence to a strict chain of command. The attacks on the Twin Towers in New York represented the pinnacle of organized, hierarchical terrorism and would have been impossible to execute without Al Qaeda’s deep pockets and operational expertise. Since that day **the United States has eliminated Al Qaeda’s operational safe haven** in Afghanistan **and decimated its core leadership**. A combination of **raids, police stings, and the** increased use of **drone strikes under** President Barack Obama have **led to the capture or killing of** many of Al Qaeda’s **mid- to senior-level leaders**, most notably bin Laden, and most recently Atuyah Abd al Rahman, a key figure in the organization’s operations. The death of Al Qaeda’s core leadership and its loss of a safe haven in Afghanistan puts the organization close to strategic defeat, according to White House counterterrorism chief John Brennan. While Brennan’s comments on Al Qaeda’s imminent demise are likely overly optimistic, the organization is clearly weaker than it was a decade ago and has become increasingly reliant on a variety of ideologically sympathetic affiliates in Yemen, Algeria, and Iraq who have adopted the Al Qaeda name brand. While these affiliates, most notably the Yemen-based Al Qaeda in the Arabian Peninsula, or AQAP, maintain close ties to bin Laden’s Pakistan-based core and adhere to its central message, these organizations operate independently of Al Qaeda Central and do not generally coordinate with one another. Further, the new leadership of Ayman al Zawahiri, an extremely divisive figure in the jihadist community, likely means Al Qaeda Central will have a more difficult time controlling operatives and affiliates around the world. The increasingly confederate nature of Al Qaeda has broken down the hierarchical system bin Laden built in the late 1970s and 1980s. Lower barriers of access to terrorism Al Qaeda has adapted to the increasing difficulty of maintaining a physical organization in an identifiable safe haven such as Afghanistan by relying on the Internet and public media to spread its ideology and give individuals the tools to become terrorists. Just as Twitter and blogs made everyone a potential journalist, Al Qaeda and its affiliates launched a variety of media outlets and websites with the hope of making everyone a potential terrorist. Publications such as AQAP’s English-language magazine Inspire feature interviews with prominent leaders and how-to articles such as “Make a Bomb in the Kitchen of Your Mom.” Meanwhile, Al Qaeda’s media production house As Sahab produces “documentary-quality films, iPod files and cellphone video” for distribution across terrorist-sympathetic message boards and blogs. The effect of this propaganda boom and the proliferation of easily attainable bomb-making instructions has been a further decentralization of international terrorism. While members of terrorist cells still actively recruit radicals to carry out attacks, such as the failed Times Square bomb plot last year, terrorism has become increasingly reliant on volunteers who are inspired by Al Qaeda’s ideology. One example is Fort Hood shooter Nidal Malik Hasan, who killed 13 people in 2009 and was inspired by AQAP’s Anwar al Awlaki. Hasan regularly emailed Awlaki for spiritual guidance and justification in the lead-up to the attack. To an extent, the increasing decentralization of terrorism represents a loss in Al Qaeda’s operational capabilities. This means that they are less likely to pull off another expensive and complex attack like 9/11. But the decentralization of terrorism also poses a variety of new threats. For one, it makes it significantly harder for the intelligence community to track would-be terrorists and thwart their efforts, which is why the only successful attacks in the United States since 9/11 have been gunmen acting alone inspired by the Al Qaeda ideology. Al Qaeda’s ability to communicate and spread its ideology to a constituency of radicals is likely its most powerful remaining tool since 9/11, and now that a potential terrorist can Google an inspirational sermon and bomb-making instructions instead of needing to fly to a training camp in Kandahar, this tool has become even more potent. The near enemy vs. the far enemy One of the truly unique and dangerous elements of Al Qaeda’s brand of terrorism is its transnational nature. Bin Laden and many of his followers derided the governments of most Muslim-majority nations, in particular Saudi Arabia and Egypt, as apostates. Yet instead of targeting these governments, often referred to as the “near enemy,” Al Qaeda believed that destroying their U.S. and Western allies, the “far enemy,” would more effectively lead to the downfall of apostate Arab regimes. The group’s transnational aims and focus on the United States made it unique among terrorist organizations and brought jihadist terrorism to American soil. **Over the last decade, the United States has demonstrated the enormous costs associated with making it a target.** **When coupled with the death of bin Laden, the most effective advocate for this strategy,** **the near enemy/far enemy balance has shifted decidedly in favor of the near enemy.** Al Qaeda affiliates, with the possible exception of AQAP, seem much more concerned about **attacking domestic targets** **as opposed to spending their resources on a much more difficult attack on the other side of the planet.** Additionally, Al Qaeda’s membership now frequently loses recruits to organizations such as the Afghan Taliban, Hamas, Hezbollah, or Lashkar-e-Taiba who have purely national and not transnational aspirations. These organizations may be similar to Al Qaeda in that they use violence to kill civilians and seek to establish a conservative Islamist caliphate, but their goals only apply to the country they operate in. Of **the 48 groups designated** by the Department of State **as** Foreign **Terrorist** Organizations, Al Qaeda is the only group left with truly global operations and aspirations. The remaining groups, such as the Kurdish PKK, the Colombian FARC, the Sri Lankan Tamil Tigers, and the Japanese Aum Shinrikyo **have a distinctly national** or semiregional **focus**. Many of these groups frequently target American citizens, soldiers, and interests in their countries, but **they** either **do not possess the capabilities or desire to launch an attack on U.S. or European soil.** What do these changes mean for terrorism in America today? Since 9/11 we have braced for the possibility of another catastrophic attack on U.S. soil and pursued policies that have thankfully prevented such an attack from happening again. **But largely because of our success in decapitating and dismantling terrorist networks and organizations, the landscape of terrorism looks very different** than it did 10 years ago. Today we are less likely to face a large, complex attack from an enemy organization abroad such as Al Qaeda. But we remain vulnerable to a smaller, less traceable attack from an individual or small group of individuals here in the United States. Incidents such as the Oklahoma City bombing in 1995, the Fort Hood shooting in 2009, or the Oslo attacks earlier this year are likely to become the dominant strain of terrorism entering the next decade after 9/11. While many would-be terrorists are inspired by the ideology of Al Qaeda and Anwar al Awlaki, as we have seen, lone-wolf terrorists can draw their inspiration from antigovernment or xenophobic ideologies as well.

### 2NC/1NR Instability Inevitable

#### But wait, there’s more!

#### Famine

Khan 12, Azmat, author for PBS, “You Aren’t Hearing About Yemen’s Biggest Problems,” June 7th, http://www.pbs.org/wgbh/pages/frontline/foreign-affairs-defense/al-qaeda-in-yemen/you-arent-hearing-about-yemens-biggest-problems/

An Impending FamineTen million Yemenis — or 44 percent of the population — are undernourished and 5 million are in need of emergency aid, according to a joint warning issued by seven aid organizations last month. “Unless urgent humanitarian action is taken, Yemen will be plunged into a hunger crisis of catastrophic proportions,” said Jerry Farrell, Save the Children’s Yemen director. Yemen is the poorest Arab nation in the world and close to half of its population lives with income under the poverty line. Last month, a block of 20 countries and intergovernmental organizations dubbed the “Friends of Yemen” met in Riyadh and pledged $4 billion in assistance. Saudi Arabia alone pledged $3.25 billion, but critics doubt where that money — if it ever arrives — will go. “Details about how the pledges will be manifested are still scarce,” Abdulwahab Alkebsi, the regional director for Middle East and Africa programs at the Center for International Private Enterprise, told FRONTLINE. He says that pledging countries know that the Yemeni government doesn’t have the absorptive capacity to spend aid on developmental and infrastructural projects right now. “Many Yemeni analysts are concerned that the international aid to Yemen will end up as supplementary aid to the state to cover for budget deficits,” Alkebsi adds. ”Endemic corruption in the public sector is a huge problem and until it’s addressed, no amount of aid will help.”

#### Refugees cause terror and instability

Khan 12, Azmat, author for PBS, “You Aren’t Hearing About Yemen’s Biggest Problems,” June 7th, http://www.pbs.org/wgbh/pages/frontline/foreign-affairs-defense/al-qaeda-in-yemen/you-arent-hearing-about-yemens-biggest-problems/

Hundreds of Thousands of Refugees The U.N. estimates that 366,000 Yemenis have been displaced due to the Houthi rebellion and other tribal clashes in the north of the country, including 52,000 who fled their homes in the first part of this year. And more than 160,000 Yemenis have been displaced by the fighting between government forces and Al Qaeda and affiliated militants who took over parts of southern Yemen last year. The southern port city of Aden alone has absorbed more than 100,000 people who have fled the fighting, including aerial bombardments from drones and Yemeni army fighter jets. “This puts a severe burden on the government in Aden, which isn’t particularly strong anyway,” notes Yemen expert Gregory D. Johnsen. “Because many of the displaced are being housed in schools, many children aren’t going to school. These problems aren’t grabbing headlines but they are still putting a significant strain on the central government that seems incapable of providing services to its people and of imposing its will on the territories that it seems to hold.” And the country is also grappling with 300,000 refugees from Somalia and the Horn of Africa, some of whom the government claims have become involved in criminal gangs and armed groups. “These refugees not only put a drain on the economy, where unemployment is already at 40 percent, but they also pose security concerns,” Johnsen adds. “The U.S. and others are worried that militants are using these refugees as cover to get back and forth between Somalia and Yemen.”

#### Water wars make terror inevitable

Rogers 9, Will, Bacevich Fellow at the Center for a New American Security, “In Yemen, Water’s Role in the War on Terror,” March 27th, <http://www.newsecuritybeat.org/2009/03/in-yemen-waters-role-in-the-war-on-terror/#.Ufh5G9KcdX8>

“Sana’a might very well become the first capital in the world to run out of water,” write Gregory D. Johnsen and Christopher Boucek in a February 2009 article in Foreign Policy. With massive population growth, rapidly shrinking freshwater availability, and weak governance, Yemen’s unsustainable water management policies are exacerbating the threat of international terrorism as the state devolves into a sanctuary for al Qaeda jihadists and other transnational criminals. Today, Yemen is among the world’s most water-scarce countries. According to the most recent data collected in 2005, Yemen’s freshwater availability has dropped to a mere 186 cubic meters per capita per year – well below the international water poverty line of 1,000 cubic meters per capita per year. Below that, water begins to severely limit “economic development and human health and well-being.” And since the latest data collection, according to Johnsen and Boucek, overexploitation of groundwater aquifers to satisfy a burgeoning population has resulted in “dramatically falling water tables—up to several meters per year in some places.” To make matters worse, an annual population growth rate of 3.2 percent, driven by a total fertility rate of 6.2 children per woman, means the population will grow from 22.2 million today to 35.2 million by 2050, putting further pressure on an already-scarce resource. In Yemen, the “lack of any serious legal oversight, reckless irrigation techniques, and unregulated private exploitation” are clear indicators of poor governance. Nevertheless, the government has begun working with the World Bank to implement an integrated water management program. “Support for the water sector is receiving high priority,” said Nabil Shaiban of Yemen’s Ministry of Planning and International Cooperation, in an interview with IRIN News. But despite these efforts, the government’s weakness and the country’s “gun-slinging tribal culture” present serious challenges to water management. According to IRIN News, “tribesmen seize control of water projects nearing completion, intending to use them for irrigating their farms.” This occurs with about “80 percent of projects in rural areas,” Ahmed al-Sufi, an information officer with Yemen’s National Water and Sanitation Foundation, told IRIN News. And so the problems of poor water management and weak governance are circular. As water scarcity worsens, the government’s attempts to mitigate it are undermined by its weak control over the state. But without successful policies to mitigate water scarcity, the government’s legitimacy is further weakened. With water woes aggravating Yemeni citizens and weakening the government’s authority, al Qaeda and other transnational terror groups are recruiting jihadists and using ungoverned areas as training grounds and safe havens. Forty-five percent of Yemen’s population is under 15 years old—and some claim al Qaeda is now actively recruiting boys as young as 12. With water scarcity worsening economic and human development, Yemen’s youth are particularly susceptible to al Qaeda’s promises of social justice and opportunities for advancement. Al Qaeda recently made its capabilities in Yemen clear with a September 18, 2008, attack against the U.S. embassy in Sana’a. Several car bombs and rocket-propelled grenades killed 16 people—the deadliest attack against a U.S. target in Yemen since the bombing of the U.S.S. Cole in 2000. According to The Economist, last March “al Qaeda websites posted a message advising members to head for Yemen.” To be clear, water scarcity is not the only issue plaguing the Gulf state. Falling oil prices and mismanaged oil reserves are making Yemen’s chronic economic and human development problems much worse. But assistance from the international community in implementing effective water-management policies would lend credibility to the government and could bolster its ability to prevent al Qaeda from training terrorists within its borders.

### 2NC/1NR No Modeling

#### No one will model us anyways

Etzioni ‘13 [Amitai, professor of international relations at George Washington University, “The Great Drone Debate,” March-April, <http://usacac.army.mil/CAC2/MilitaryReview/Archives/English/MilitaryReview_20130430_art004.pdf>]

Other critics contend that by the United States using drones, it leads other countries into making and using them. For example, Medea Benjamin, the cofounder of the anti-war activist group CODEPINK and author of a book about drones argues that, “The proliferation of drones should evoke reﬂection on the precedent that the United States is setting by killing anyone it wants, anywhere it wants, on the basis of secret information. Other nations and non-state entities are watching—and are bound to start acting in a similar fashion.”60 Indeed scores of countries are now manufacturing or purchasing drones. There can be little doubt that the fact that drones have served the United States well has helped to popularize them. However, it does not follow that United States should not have employed drones in the hope that such a show of restraint would deter others. First of all, this would have meant that either the United States would have had to allow terrorists in hardto-reach places, say North Waziristan, to either roam and rest freely—or it would have had to use bombs that would have caused much greater collateral damage. Further, the record shows that even when the United States did not develop a particular weapon, others did. Thus, China has taken the lead in the development of anti-ship missiles and seemingly cyber weapons as well. One must keep in mind that the international environment is a hostile one. Countries—and especially non-state actors— most of the time do not play by some set of selfconstraining rules. Rather, they tend to employ whatever weapons they can obtain that will further their interests. The United States correctly does not assume that it can rely on some non-existent implicit gentleman’s agreements that call for the avoidance of new military technology by nation X or terrorist group Y—if the United States refrains from employing that technology.

#### Social science proves no one will follow “US norms”

Zenko ‘13 [Micah, Council on Foreign Relations Center for Preventive Action Douglas Dillon fellow, "The Signal and the Noise," Foreign Policy, 2-2-13, www.foreignpolicy.com/articles/2013/02/20/the\_signal\_and\_the\_noise, accessed 6-12-13, mss]

Later, Gen. Austin observed of cutting forces from the Middle East: "Once you reduce the presence in the region, you could very well signal the wrong things to our adversaries." Sen. Kelly Ayotte echoed his observation, claiming that President Obama's plan to withdraw 34,000 thousand U.S. troops from Afghanistan within one year "leaves us dangerously low on military personnel...it's going to send a clear signal that America's commitment to Afghanistan is going wobbly." Similarly, during a separate House Armed Services Committee hearing, Deputy Secretary of Defense Ashton Carter ominously warned of the possibility of sequestration: "Perhaps most important, the world is watching. Our friends and allies are watching, potential foes -- all over the world." These routine and unchallenged assertions highlight what is perhaps the most widely agreed-upon conventional wisdom in U.S. foreign and national security policymaking: the inherent power of signaling. This psychological capability rests on two core assumptions: All relevant international audiences can or will accurately interpret the signals conveyed, and upon correctly comprehending this signal, these audiences will act as intended by U.S. policymakers. Many policymakers and pundits fundamentally believe that the Pentagon is an omni-directional radar that uniformly transmits signals via presidential declarations, defense spending levels, visits with defense ministers, or troop deployments to receptive antennas. A bit of digging, however, exposes cracks in the premises underlying signaling theories. There is a half-century of social science research demonstrating the cultural and cognitive biases that make communication difficult between two humans. Why would this be any different between two states, or between a state and non-state actor? Unlike foreign policy signaling in the context of disputes or escalating crises -- of which there is an extensive body of research into types and effectiveness -- policymakers' claims about signaling are merely made in a peacetime vacuum. These signals are never articulated with a precision that could be tested or falsified, and thus policymakers cannot be judged misleading or wrong. Paired with the faith in signaling is the assumption that policymakers can read the minds of potential or actual friends and adversaries. During the cycle of congressional hearings this spring, you can rest assured that elected representatives and expert witnesses will claim to know what the Iranian supreme leader thinks, how "the Taliban" perceives White House pronouncements about Afghanistan, or how allies in East Asia will react to sequestration. This self-assuredness is referred to as the illusion of transparency by psychologists, or how "people overestimate others' ability to know them, and...also overestimate their ability to know others." Policymakers also conceive of signaling as a one-way transmission: something that the United States does and others absorb. You rarely read or hear critical thinking from U.S. policymakers about how to interpret the signals from others states. Moreover, since U.S. officials correctly downplay the attention-seeking actions of adversaries -- such as Iran's near-weekly pronouncement of inventing a new drone or missile -- wouldn't it be safer to assume that the majority of U.S. signals are similarly dismissed? During my encounters with foreign officials, few take U.S. government pronouncements seriously, and instead assume they are made to appease domestic audiences.

# 1NR

#### Simply in the mech alone oversight allows the aff to use 6 distinct appropriation committees and dozens of subcommittees, 3 offices, and 3 distinct casework oversight mechanisms – Kills limits

Triebwasser No Date – Poli Sci Prof (Marc A, “Congressional Oversight,” <http://www.polisci.ccsu.edu/trieb/Cong-8.html>)

Authorization Committees. The first type of committee is the substantive committee which originally establishes or authorizes the program or agency. In the case of a military program, this would be the Armed Services Committees in both chambers. In the case of an urban program, this would be the Banking, Finance and Urban Affairs Committee in the House and the Banking, Housing and Urban Affairs Committee in the Senate. Similarly, each program area within the Federal Bureaucracy is related to at least one specific substantive standing committee in each chamber of Congress.¶ In attempting to pursue oversight activities through these authorization committees, a number of problems are often encountered. One of these results from the fact that a particular governmental agency may fall within the jurisdiction of several different substantive committees or subcommittees. As a result, the agency may play one committee or subcommittee against the other in order to achieve those results in Congress which tend to benefit the agency the most. Another problem is that a committee which establishes a program is often too involved with the outcome of its own efforts to be willing to investigate adequately the operations of the program it has initiated. ¶ Appropriations Committees. One of the most significant places where a measure of oversight activity takes place is in the appropriations process. The budget for an agency must be approved anew each year. One might assume that this yearly appropriations process would lead to a careful annual inspection of the budgets of all the various governmental agencies. This, however, is not the case. The federal budget is so large and complex that it is impossible to consider carefully the budget of each agency and program on a year-to-year basis. What happens instead is that budgets are often routinely approved from year to year with general reviews only occurring periodically. In addition, many agencies develop quite close relationships with the subcommittees of the Appropriations Committees which specifically deal with their agency. These agencies are therefore often able to extract some special favors from these particular appropriations subcommittees. ¶ Government Operations Committees. The Senate Committee on Governmental Affairs and the House Committee on Governmental Reform were originally established to coordinate congressional concern over governmental operations. Thus, many see these committees as an ideal place for maintaining congressional surveillance over the activities of the vast Bureaucracy located within the Executive Branch. However, because of jurisdictional disputes and because of the reluctance of most representatives and senators to provide for adequate independent oversight activities, the efforts of these governmental operations committees have been quite limited. ¶ Oversight Through Congressional Offices¶ The three administrative offices within Congress are used to some extent in the congressional oversight process. ¶ The General Accounting Office. The GAO has the responsibility, not simply for performing accounting audits, but also for judging how various programs are being administered. In other words, the GAO often performs the task of program evaluation. In this respect, the GAO plays a significant role in congressional oversight. ¶ The Congressional Research Service. While preparing reports and studies to assist members of Congress, the CRS sometimes includes some information on the activities and performance of various governmental agencies. This is another important source of oversight information for members of Congress. ¶ The Congressional Budget Office. As we have seen, it is the job of the Congressional Budget Office to gather information on the budgets of the various governmental agencies and to report on new budgetary requests and suggestions made through the Executive Branch's Office of Management and Budget. Obviously, such budgetary information is an extremely important source of data upon which the various congressional committees can judge the effectiveness of specific governmental programs.¶ Although this information gathered by the CBO may seem to allow for significant congressional oversight, the fact is that it is the agencies that often use this informational link for their own purposes in pursuing their requests for additional funding directly to the congressional committee, instead of channeling all their communications through the OMB. This short circuits the use of the OMB as one of the President's management tools.. ¶ Effectiveness. From an overall perspective, we can see that these three congressional offices--The General Accounting Office, the Congressional Research Services, and the Congressional Budget Office--combined with the staffs of individual congresspersons and senators and the staffs of congressional committees--are able to supply our national legislators with vast amounts of information and evaluations of governmental activities. In fact, the United States Congress has available to it one of the most extensive research staffs of any national legislature in the world. However, the availability of information and analysis alone is not sufficient for effective congressional oversight. The desire to follow through on this available information is another necessary ingredient--and it is this ingredient which is often lacking.¶ Many times congressional oversight is limited by the concerns of various congressional committees and subcommittees over their respective jurisdictions. And in a significant number of instances, the pressures of organized special interests also interfere with the ability or desires of members of Congress to significantly oversee governmental operations. Aside from these problems, there are also the limitations of time. Congresspersons are burdened with extremely heavy schedules. They have a large number of often conflicting responsibilities to perform. Representatives and senators must therefor place priorities on the use of their time. Often oversight activities lose in this shuffle of priorities to legislative activities, to the creation of new programs to deal with current problems, and to casework concerns. ¶ Oversight Through Casework¶ Representatives and senators, themselves, do not usually become directly involved in much casework or constituent services. It is their staff that deals with these matters. However representatives and senators are usually informed by their staffs of many of these problems, and it is through these specific interactions that these legislators often get the most vivid impression as to the effectiveness of many governmental programs. Casework thus provides an important source of direct, specific information which proves very useful in congressional oversight activities. ¶ Some Other Approaches to Oversight¶ Congress has also passed some major reforms and explored a number of major legislative techniques, many of which have had the effect of improving congressional oversight. ¶ Sunshine Laws. During the 1970s, Congress attempted to open up many aspect of governmental operations to the general public. This was done through the Freedom of Information Act and the "Government in Sunshine" Act. By making information more widely available to the public, these acts also increase the amount of information available to Congress. ¶ The Congressional Veto. Very often Congress passes rather broad pieces of legislation. It is then up to specific agencies to fill in the details of these laws, both with regard to the structure of governmental agencies and the procedures which they follow. One might note for example that while Congress passes general tax laws, the details of the regulations regarding the payment of federal taxes is to be found not in the tax law itself but rather in the Internal Revenue Code which is developed by the Internal Revenue Service, an executive agency.¶ The problem presented by executive agencies developing a great many regulations or codes is that the only way Congress is able to affect these details is through the passage of new legislative acts. As we have seen, this is often a cumbersome and lengthy process. In order to avoid this, Congress now writes into some authorization bills provisions for a congressional veto. According to this procedure, when an agency promulgates rules filling in the details of congressional legislation, Congress automatically has the power within a specific time period to veto some of these rules and to demand that the agency fill in the details in a different way. The important thing is that Congress can do this without having to go through the process of passing a new law. Although this procedure is rarely used, it does offer the potential for far greater legislative control over the procedures by which the Bureaucracy operates. ¶ Sunset Legislation. In establishing governmental programs or agencies, Congress usually sets no time limit on the functioning of the program or agency. Since the 1970s, however, a practice developed by which Congress authorizes the existence of a program or agency for only a limited amount of time. In other words, Congress specifies a date by which the agency or program will cease to function--that is, by which the sun will set on it. In order for the agency to continue its operations after that time, a new bill must be passed authorizing its continued existence for another specified period of time. This practice is obviously designed to prevent the continued existence of agencies or programs which no longer meet a legitimate need or which fail to meet a legitimate need effectively. A variation on sunset legislation is the procedure of annual authorization. According to this procedure, the continued existence of governmental agency must be approved on a year-to-year basis. While this practice obviously creates tremendous difficulties in the ability of such an agency to engage in long-term planning, it does significantly increase the potential effectiveness of congressional control. ¶ Zero Based Budgeting (ZBB). Zero Based Budgeting is a technique through which administrators must carefully justify their entire agencies' budgets. Zero based budgeting requires a continual top-to-bottom assessment of all agencies' programs designed to insure their cost effectiveness.

#### AND, the judiciary agrees with our interpretation – That supercharges the disad

William Conner 78, former federal judge for the United States District Court for the Southern District of New York United States District Court, S. D. New York, CORPORACION VENEZOLANA de FOMENTO v. VINTERO SALES, http://www.leagle.com/decision/19781560452FSupp1108\_11379

Plaintiff next contends that Merban was charged with notice of the restrictions on the authority of plaintiff's officers to execute the guarantees. Properly interpreted, the "conditions" that had been imposed by plaintiff's Board of Directors and by the Venezuelan Cabinet were not "restrictions" or "limitations" upon the authority of plaintiff's agents but rather conditions precedent to the granting of authority. Essentially, then, plaintiff's argument is that Merban should have known that plaintiff's officers were not authorized to act except upon the fulfillment of the specified conditions.

#### More evidence

Northglenn 11 (City of Northglenn Zoning Ordinance, “Rules of Construction – Definitions”, http://www.northglenn.org/municode/ch11/content\_11-5.html)

Section 11-5-3. Restrictions. As used in this Chapter 11 of the Municipal Code, the **term "restriction**" shall mean a prohibitive regulation. Any use, activity, operation, building, structure or thing which is the subject of a restriction is prohibited, and no such use, activity, operation, building, structure or thing shall be **authorized by any permit or license**.

#### **Restrictions can mean BAN**

Supreme Court of Delaware 83 (THE MAYOR AND COUNCIL OF NEW CASTLE, a municipal corporation of the State of Delaware, Plaintiff Below, Appellant, v. ROLLINS OUTDOOR ADVERTISING, INC., Defendant Below, Appellee, No. 155, 1983, 475 A.2d 355; 1984 Del. LEXIS 324, November 21, 1983, Submitted, April 2, 1984, Decided)

The term "restrict" is defined as: To restrain within bounds; to limit; [\*\*9] to confine. Id. at 1182. The Supreme Court of the United States has recognized that HN5the term "regulate" necessarily entails a possible prohibition of some kind. That Court has stated: "It is an oft-repeated truism that every regulation necessarily speaks as a prohibition." Goldblatt v. Hempstead, 369 U.S. 590, 592, 8 L. Ed. 2d 130, 82 S. Ct. 987 (1962). The Supreme Court of Massachusetts in reviewing a statute containing language similar to that found in 22 Del.C. § 301 (which empowered municipalities to "regulate and restrict" outdoor advertising on public ways, in public places, and on private property within public view) held that the statute in question authorized a town to provide, through amortization, for the elimination of nonconforming off-site signs five years from the time the ordinance was enacted. The court held that the Massachusetts enabling act: Conferred on the Legislature plenary power to regulate and restrict outdoor advertising . . . . Although the word "prohibit" was omitted from [the enabling act], it was recognized that the unlimited and unqualified power to regulate and restrict can be, for practical purposes, the power to prohibit [\*\*10] "because under such power the thing may be so far restricted that there is nothing left of of it." (Citations omitted.) The court continued its discussions of the two terms by stating: The distinction between regulation and outright prohibition is often considered to be a narrow one: "that regulation may take the character of prohibition, in proper cases, is well established by the decisions of this court" . . . quoting from United States v. Hill, 248 U.S. 420, 425, 63 L. Ed. 337, 39 S. Ct. 143 (1919). John Donnelly and Sons, Inc. v. Outdoor Advertising Board, Mass. Supr., 369 Mass. 206, 339 N.E.2d 709 (1975). We hold that, through Article II, Section 25 of the Delaware Constitution and 22 Del.C. § 301, the General Assembly has authorized New Castle to terminate nonconforming off-site signs upon reasonable notice, that is, by what has come to be known as amortization. We hold that the power to "regulate and restrict" as such term applies to zoning matters includes the power, upon reasonable notice, to prohibit some of those uses already in existence.