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\*\*\*Terrorism 1NC\*\*\*Nuclear Terrorism Turn (1nc)

targeted killings are a vital tool in the war against terrorism

Simon and Stevenson Oct. 09 (Jonathan Stevenson is Editor of Strategic Survey and Senior Fellow for Counterterrorism at the International Institute for Strategic Studies in London. \*Steven Simon is a Senior Fellow for Middle Eastern Studies at the [Council on Foreign Relations](http://www.sourcewatch.org/index.php?title=Council_on_Foreign_Relations). “Afghanistan: How Much is Enough?” Accessed from “[Survival](http://www.informaworld.com/smpp/title%7Edb=all%7Econtent=t713659919)”, Volume [51](http://www.informaworld.com/smpp/title%7Edb=all%7Econtent=t713659919%7Etab=issueslist%7Ebranches=51), Issue [5](http://www.informaworld.com/smpp/title%7Edb=all%7Econtent=g915362691) October 2009 , pages 47 – 67) MFR

Accordingly, Washington might continue its current policy of eliminating al-Qaeda's leadership through targeted killing. Although it is a controversial policy, the Obama administration's position in the freighted domestic policy debate on the nature of counter-terrorism is entirely consistent with it. Despite its declared post-11 September national security policy, which acknowledged roles for both law enforcement and military force in combating terrorism, in practice the Bush administration gave short shrift to law enforcement and strongly favoured military measures. Obama, both during the presidential campaign and after assuming office, decried what he and others viewed as the excessive militarisation of counter-terrorism in practice, and endorsed a more fluid, open-minded and pragmatic approach. While he would prefer to fight transnational terrorists with law-enforcement tools, he understood that that could not always be done effectively. In particular, he realised that the United States could not, practically speaking, dispatch FBI special agents to Pakistan's anarchical tribal areas and other ungoverned spaces in an unmarked Ford Crown Victoria to arrest al-Qaeda suspects and bring them back to federal district court in Washington for trial, so measures like targeted killing from drones were needed. Thus, Obama continued and in fact ramped up the targetedkilling policy when he became president. The new president confirmed his instrumental view of counter-terrorism in an impassioned but grounded May 2009 speech, in which he stated for the record that the counter-terrorism tool chosen should fit the particular circumstances. Though he nodded clearly to the preferred status of the lawenforcement approach in focusing on closing the Guantanamo Bay detention facility and ending the use of so-called enhanced interrogation techniques, he also argued more generally for 'strategically applying our power' as well as our principles, and doing so 'pragmatically'. The president further noted that 'absolutists' on the 'national security' and the 'law enforcement' side of the counter-terrorism debate were both wrong, and endorsed a middle course of 'common sense'.[12](http://www.informaworld.com/smpp/section?content=a915362559&fulltext=713240928) One key implication of the speech was that re-orientating American counter-terrorism policy away from the use of military force would render Islamist militancy more containable by demonstrating US restraint and emphasising American respect for the rule of law. The other, though, was that military force remained indispensable in certain circumstances. It does appear that targeted killing, while only an operational tool and not a strategic solution in itself, can help manage a terrorist threat.[13](http://www.informaworld.com/smpp/section?content=a915362559&fulltext=713240928) Open-source information indicates that the recent US campaign in Pakistan, in particular, has been effective. Over the past 18 months or so, the United States has used two related types of unmanned aerial vehicles, the *Predator* and the faster, higheraltitude *Reaper*, which is capable of carrying two *Hellfire* anti-tank missiles and precision-guided bombs, to attack individuals and safe houses, eliminating about a dozen key al-Qaeda operatives and dozens more other militants. There were 36 such attacks in 2008 and about 20 in the first eight months of 2009. As of the end of August 2009, they had eliminated Abu Jihad al-Masri, al-Qaeda's intelligence chief; Khalid Habib, head of its Pakistan operations and fourth in the chain of command overall; Abu Khabab al-Masri, the group's ranking explosives expert; and Abu Laith al-Libi, al-Qaeda's commander in Afghanistan. One of the missiles killed Pakistan Taliban leader Baitullah Mehsud in August.[14](http://www.informaworld.com/smpp/section?content=a915362559&fulltext=713240928) Obama continued and in fact ramped up the targetedkilling policy The success of the air-strikes has resulted from improved technical and human intelligence on al-Qaeda operations in the border area. The logic of the strategy is to make it increasingly difficult for al-Qaeda to repopulate its command structure, and US officials believe the programme has produced the broadest and deepest impact on al-Qaeda senior leadership in several years. Continued success could yield the practical neutralisation of al-Qaeda in Pakistan. Bureaucratically, the Obama administration has already set the table for adopting this strategy: for FY 2010, it has requested $79.7m for *Hellfire* missiles and $489.4m for 24 *Reapers*, nearly doubling the 2009 number.

Nuclear Terrorism Turn (1nc)

Drone killings are the most effective method of targeted killing.

Simon August 2009 (Steven, Steven Simon is a Senior Fellow for Middle Eastern Studies at the [Council on Foreign Relations](http://www.sourcewatch.org/index.php?title=Council_on_Foreign_Relations) “Can The Right War Be Won? – Defining American Interests in Afghanistan” <http://www.foreignaffairs.com/articles/65159/steven-simon/can-the-right-war-be-won?page=show>) MFR

Thus, if the core concern is terrorism, Washington should concentrate on its already effective policy of eliminating al Qaeda's leadership with drone strikes. In what amounts to a targeted killing program, the United States uses two types of unmanned aerial vehicles -- the Predator and the faster, higher-altitude Reaper, which can carry two Hellfire missiles and precision-guided bombs -- to attack individuals and safe houses associated with al Qaeda and related militant groups, such as the Haqqani network. Most of these strikes have taken place in North or South Waziristan, as deep as 25 miles into Pakistani territory. There were about 36 against militant sites inside Pakistan in 2008, and there have been approximately 16 so far in 2009. Among the senior al Qaeda leaders killed in the past year were Abu Jihad al-Masri, al Qaeda's intelligence chief; Khalid Habib, number four in al Qaeda and head of its operations in Pakistan; Abu Khabab al-Masri, al Qaeda's most experienced explosives expert, who had experimented with biological and chemical weapons; and Abu Laith al-Libi, the al Qaeda commander in Afghanistan. Some 130 civilians have also been killed, but improved guidance and smaller warheads should lead to fewer unintended casualties from now on. The logic of this strategy is straightforward. "In the past, you could take out the number 3 al Qaeda leader, and number 4 just moved up to take his place," says one official. "Well, if you take out number 3, number 4, and then 5, 6, 7, 8, 9 and 10, it suddenly becomes a lot more difficult to revive the leadership cadre." In consequence, "the enemy is really, really struggling," says one senior U.S. counterterrorism official, who notes "a significant, significant degradation of al Qaeda command and control in recent months." These same officials say that al Qaeda's leadership cadre has been "decimated" and that it is possible to foresee a "complete al Qaeda defeat" in Pakistan. By its third day in office, the Obama administration had decided to press on with this program. Its fiscal year 2010 spending request -- which asks for $79.7 million for 792 Hellfire missiles and $489.4 million for 24 Reapers, nearly double the number requested in fiscal year 2009 -- points to an increased use of drones.

Without Targeted Killing We Face the Peril of Nuclear Terrorism

Bruno and Zenko 6/2/10

\*Interviewee: [Micah Zenko](http://www.cfr.org/bios/15139/micah_zenko.html), Fellow for Conflict Prevention, Council on Foreign Relations \*Interviewer: [Greg Bruno](http://www.cfr.org/bios/13554/greg_bruno.html), Staff Writer, CFR.org “Raising the Curtain on U.S. Drone Strikes” <http://www.cfr.org/publication/22290/raising_the_curtain_on_us_drone_strikes.html>) MFR

Predator drones have been credited with the removal of top al-Qaeda and Taliban figures from the tribal areas of Pakistan, the most recent example being the apparent killing of Mustafa Abu al-Yazid, al-Qaeda's No. 3. How critical are these unmanned strikes to the mission in the Afghan-Pakistan war zone? Unmanned drone strikes are an essential tool for killing terrorists who provide guidance and operational support for international terrorism. The apparent killing of al-Yazid represents an important small victory, given his connections to [terrorist plots abroad](http://chicago.fbi.gov/dojpressrel/pressrel10/cg011410.htm), and his declarations last summer that al-Qaeda would use nuclear weapons [against the United States (RFE/RL)](http://www.rferl.org/content/AlQaeda_Says_It_Would_Use_Pakistani_Nuclear_Weapons/1759660.html). Such targeted killings, however, are only one element of national power that is part of the Obama administration's six-month-old [Afghanistan and Pakistan Regional Stabilization Strategy](http://www.cfr.org/publication/21469).

\*\*\*Instability Turn\*\*\*

Instability Good Turn (1NC)

Participation in political system leads to Sunni/Shia coalition and creates tensions with Kurds causing the biggest internal link to instability

Gompert M.A. in Public Affairs - Et Al 2010 ( David C., Terrence K. Kelly, Jessica Watkins. Senior Fellows for Rand, David Gompert has an MA from Princeton University, served as Vice President of RAND and Director of the National Defense Research Institute. Terrence Kelly is a senior researcher at RAND with a M.A in strategic studies and Ph.D in mathematics. Jessica Watkins is a doctoral student in War Studies at the ICSR, BA in Oriental Studies. “Security in Iraq - A Framework for Analyzing Emerging Threats as U.S. Forces Leave” Accessed from the RAND Corporation URL - <http://www.rand.org/pubs/monographs/2010/RAND_MG911.pdf>) MFR

For their part, Sunnis are expanding their involvement in the political order, provincial governance, the parliament, the GoI itself, and the ISF. With this trend, and barring a GoI crackdown on SoI and Sunnis in general, the resumption of a broad-based Sunni insurgency looks unlikely. AQI appears to have lost its ability to instigate Sunni violence, and, if it targets moderate Sunni leaders as it has in the past, AQI is more likely to cause SoI wrath than cooperation. If Sunnis continue to accept Iraq’s new political order and gain political strength, a Sunni bloc may be poised to replace the Kurds in a ruling coalition with Shi’a parties. While desirable, Sunni-Shi’a rapprochement could aggravate Kurdish marginalization from an increasingly Arab-dominated political order and the ISF, making Kurd-Arab conflict more probable. Iraq could thus break along ethnic instead of sectarian lines, with an Arab core determined to exercise control of the Iraqi state—and Arab interests—and the Kurds equally determined to resist. In such combustible conditions, ample opportunities exist for sparks to ignite hostilities, especially with oil wealth at stake. While neither Iraqi Kurds nor Iraqi Arabs may want warfare, both could be swept toward it by events or boxed in by mutual intransigence. Kurd-Arab conflict is the most dangerous of the plausible cases of the break-up of Iraq’s core, and potentially of Iraq.

This is the biggest internal link to stability – Kurdish-Arab conflict would split Iraq. There are ample forces available

Gompert M.A. in Public Affairs - Et Al 2010 ( David C., Terrence K. Kelly, Jessica Watkins. Senior Fellows for Rand, David Gompert has an MA from Princeton University, served as Vice President of RAND and Director of the National Defense Research Institute. Terrence Kelly is a senior researcher at RAND with a M.A in strategic studies and Ph.D in mathematics. Jessica Watkins is a doctoral student in War Studies at the ICSR, BA in Oriental Studies. “Security in Iraq - A Framework for Analyzing Emerging Threats as U.S. Forces Leave” Accessed from the RAND Corporation URL - <http://www.rand.org/pubs/monographs/2010/RAND_MG911.pdf>) MFR

Kurds currently feel threatened by two trends—al-Maliki’s consolidation of power (discussed later in this section), and the projected capabilities of the ISF. If current trends continue, the balance will tip more in favor of the ISF as time progresses. The exit of U.S. forces will remove what the Kurds see as a guarantor of their security. The potential gravity of Kurd-Arab conflict lies in the fighting capabilities of the two sides and the risk of the break-up of Iraq. The Peshmerga are a capable army by regional standards with some heavy equipment that could be strengthened, especially if the Iraqi Army were to split along ethnic lines. At the same time, the ISF are increasingly capable of conducting demanding independent operations. Thus, ample forces exist for Kurdish-Arab hostilities.

Instability Good Turn (1NC)

Kurdish secessionism and split from Iraq prompts all out offensive by Turkey, which collapses stability in Iraq and causes World War III.

Manekshaw Staff Writer 10/27/07 (Rita, “Little India, Seed of Third World War? Turkey is ready to defy ‘anyone’ to fight Kurdish rebels when needed” <http://www.littleindia.com/news/157/ARTICLE/6050/2010-02-10.html>)

Turkey is under heavy pressure from the United States, Iraq and other countries to refrain from a cross-border military offensive against Kurdish PKK rebels based in northern Iraq. Americans are trying to prevent an all out Turkish offensive on Northern Iraq. Iraq President, Talabani, a Kurd and supporter of PKK is up on arms with Turkey and wants America to prevent any Turkish infiltration into Northern Iraq. Even Iran has taken actions against Kurds to make sure Turkey does not infiltrate Iranian border. "Whenever an operation is needed to be carried out, we will do that. We will not ask permission from anyone” says Prime Minister Recep Tayyip Erdogan while talking to a flag-waving crowd in the western city of Izmit. He says Turkey will defend its strategic interests at any cost. The youngest member of NATO and EU, Turkey is ready to take on PKK. US, EU and others are scrambling to pacify the matter. Oil is moving towards $100 a barrel because of the possible disruption of oil supplies from Northern Iraq. PKK, the Kurdish rebels, are determined too. They do not plan to listen this time to Iraqi President Talabani. Eventually a political solution will be reached. The international debate is on if Iraqi and US led coalition force must disciple and somewhat neutralize the PKK infrastructure. This can potentially break all the loosely wired coalition in Iraqi Government too. The Kurds are not willing to see PKK crushed. The Sunnis and Shiites do not care what happens to PKK. The US led coalition must control the situation. Turkish action will create turmoil in Iraq. In turn the whole are can blow up in a massive civil war. That can form the seed of the third world war.

Middle East wars result in preemptive nuclear strikes and escalation.

Burrows – Director of the National Intelligence Council 9 (Matthew J, “Revisiting the Future: Geopolitical Effects of the Financial Crisis,” The Washington Quarterly)

The most dangerous casualty of any economically-induced drawdown of U.S. military presence would almost certainly be the Middle East. Although Iran’s acquisition of nuclear weapons is not inevitable, worries about a nuclear-armed Iran could lead states in the region to develop new security arrangements with external powers, acquire additional weapons, and consider pursuing their own nuclear ambitions. It is not clear that the type of stable deterrent relationship that existed between the great powers for most of the Cold War would emerge naturally in the Middle East with a nuclear Iran. Episodes of low intensity conflict and terrorism taking place under a nuclear umbrella could lead to an unintended escalation and broader conflict if clear red lines between those states involved are not well established. The close proximity of potential nuclear rivals combined with underdeveloped surveillance capabilities and mobile dual-capable Iranian missile systems also will produce inherent difficulties in achieving reliable indications and warning of an impending nuclear attack. The lack of strategic depth in neighboring states like Israel, short warning and missile flight times, and uncertainty of Iranian intentions may place more focus on preemption rather than defense, potentially leading to escalating crises.

Instability Good I/L ext.

Here’s another internal link – New Sunni involvement doesn’t maintain stability but helps replace the Kurds

Gompert M.A. in Public Affairs - Et Al 2010 ( David C., Terrence K. Kelly, Jessica Watkins. Senior Fellows for Rand, David Gompert has an MA from Princeton University, served as Vice President of RAND and Director of the National Defense Research Institute. Terrence Kelly is a senior researcher at RAND with a M.A in strategic studies and Ph.D in mathematics. Jessica Watkins is a doctoral student in War Studies at the ICSR, BA in Oriental Studies. “Security in Iraq - A Framework for Analyzing Emerging Threats as U.S. Forces Leave” Accessed from the RAND Corporation URL - <http://www.rand.org/pubs/monographs/2010/RAND_MG911.pdf>) MFR

Overall, Sunnis are currently leaning toward involvement in the political order, in government (including at the provincial level), and in the ISF. If they gain political ground as anticipated, they may also be poised to replace the Kurds in a ruling GoI coalition with Shi’a parties. Barring a reversal of these trends, armed Sunni opposition to the GoI looks unlikely and preventable by fair treatment of SoI. Withdrawal of U.S. forces need not affect this outlook.

Another internal link – Arab coalition could prompt the Kurds to engage in conflict

Gompert M.A. in Public Affairs - Et Al 2010 ( David C., Terrence K. Kelly, Jessica Watkins. Senior Fellows for Rand, David Gompert has an MA from Princeton University, served as Vice President of RAND and Director of the National Defense Research Institute. Terrence Kelly is a senior researcher at RAND with a M.A in strategic studies and Ph.D in mathematics. Jessica Watkins is a doctoral student in War Studies at the ICSR, BA in Oriental Studies. “Security in Iraq - A Framework for Analyzing Emerging Threats as U.S. Forces Leave” Accessed from the RAND Corporation URL - <http://www.rand.org/pubs/monographs/2010/RAND_MG911.pdf>) MFR

In sum, a shift in Kurdish strategy away from participation in and with the GoI could be driven by any number of events that empower the Barzani faction over the Talabani one. This, in turn, could make the Kurds feel more isolated and intensify their efforts to pad Kurdistan’s wealth, security, autonomy, and expanse. While the Kurds might grow more cautious as U.S. forces leave, it is also plausible that they will feel impelled to use force before the odds shift against them.

Political Instability Good (Kurdish War ext.)

And the creation of a security gap will make Kurdish incentivization to engage in war inevitable

Gompert M.A. in Public Affairs - Et Al 2010 ( David C., Terrence K. Kelly, Jessica Watkins. Senior Fellows for Rand, David Gompert has an MA from Princeton University, served as Vice President of RAND and Director of the National Defense Research Institute. Terrence Kelly is a senior researcher at RAND with a M.A in strategic studies and Ph.D in mathematics. Jessica Watkins is a doctoral student in War Studies at the ICSR, BA in Oriental Studies. “Security in Iraq - A Framework for Analyzing Emerging Threats as U.S. Forces Leave” Accessed from the RAND Corporation URL - <http://www.rand.org/pubs/monographs/2010/RAND_MG911.pdf>) MFR

Another way of looking at these force relationships is in the context of the security gap described earlier. Figure 2.6 includes—in a notional way—the capabilities of JAM, SoI, and the Peshmerga. It reflects our judgment that, despite the decline of U.S. capabilities and slow improvement of the ISF, JAM is already vulnerable to military defeat. It also indicates that the ISF would have difficulty defeating SoI for a brief period after U.S. force withdrawal begins, after which the potential SoI threat would abate. In contrast, the Kurds have a lengthy period during which the ISF would be hard-pressed against them in outright hostilities—again, especially where Kurd majorities would give the Peshmerga operational advantages. This might lead Kurdish leaders to judge that the time to use force, if at all, is as U.S. forces leave and before the ISF are able to defeat the Peshmerga. This creates a window of danger of Kurdish-Arab conflict in the next few years.

Kurdish war is the most probable

Gompert M.A. in Public Affairs - Et Al 2010 ( David C., Terrence K. Kelly, Jessica Watkins. Senior Fellows for Rand, David Gompert has an MA from Princeton University, served as Vice President of RAND and Director of the National Defense Research Institute. Terrence Kelly is a senior researcher at RAND with a M.A in strategic studies and Ph.D in mathematics. Jessica Watkins is a doctoral student in War Studies at the ICSR, BA in Oriental Studies. “Security in Iraq - A Framework for Analyzing Emerging Threats as U.S. Forces Leave” Accessed from the RAND Corporation URL - <http://www.rand.org/pubs/monographs/2010/RAND_MG911.pdf>) MFR

This analysis indicates, as suggested earlier, that the greatest danger, combining likelihood with significance, is that the Kurds will calculate that force offers a better way than peaceful politics to realize their goals, provided that they do not delay until ISF capabilities are superior to those of the Peshmerga. At the same time, large-scale Sunni (e.g., SoI) violence cannot be excluded, though the window is small and the outcome is unpromising. JAM’s chance to use force may have passed.

\*\*\*Foreign Aid Turn\*\*\*Foreign Aid Turn

Military presence is key to foreign assistance and Redevelopment

Unger, Taylor, and Barton 10 (Noam Unger is a Fellow with the Global Economy and Development program at the Brookings, Margaret L. Taylor is a Council on Foreign Relations International Affairs Fellow with the CSIS Post-Conflict Reconstruction Project. Frederick Barton was a senior adviser in the International Security Program and codirector of the Post-Conflict Reconstruction Project of the Center for Strategic and International Studies until his appointment as U.S. ambassador to the United Nations Economic and Social Council in December 2009. 2010, Accessed June 23, 2010, “Capacity for Change, “Reforming U.S. Assistance Efforts in Poor and Fragile Countries”) RA

The United States’ continued high-profile engagements in Iraq, Afghanistan, and Pakistan are likely

to ensure that these contexts will be the crucibles of U.S. foreign assistance reform, even though they are not representative of the broader array of U.S. efforts in poor and fragile countries. In fact, the high stakes in each of these challenging environments may provide the political impetus for long-needed changes to the United States’ overall aid system. It is in these violent contexts, where U.S. national security and the very lives of U.S. troops and civilians are on the line, that policymakers on Capitol Hill and in the executive branch are being forced to realistically weigh the prospects for truly effective large-scale stabilization and development investments. These policymakers are realizing that such challenges cannot be met with a civilian bureaucracy that is politically weak, incoherent, and fragmented.

\*\*\*PMC Shift Turn\*\*\*

PMC Shift Turn (1NC)

A. Targeted killing has been contracted to Xe (formerly known as Blackwater).

LandlerandMazzetti09(Mark and Mark, is the diplomatic correspondent of The New York Times, based in Washington, Mazzetti is a correspondent for The New York Times, where he has covered national security from the newspaper's Washington bureau, New York Times, “US Still Using Security Firm It Broke With,” August 21 2009, <http://www.nytimes.com/2009/08/22/us/22intel.html>, 06/25/10, HR)

This week, government officials and current and former Blackwater employees said the company had also taken on a role in the United States’ most important counterterrorism program: the use of remotely piloted [drones](http://topics.nytimes.com/top/reference/timestopics/subjects/u/unmanned_aerial_vehicles/index.html?inline=nyt-classifier) to kill Al Qaeda leaders. Mr. Kerry also plans to write to Mrs. Clinton to raise his concerns, said one of his aides. In a meeting with department employees in February, Mrs. Clinton said, “I certainly am of the mind that we should, insofar as possible, reduce our dependence.” But she added, “Whether we can go all the way to banning, under current circumstances, seems unlikely.” The decision to use Blackwater contractors in the assassination program starting in 2004 was born partly out of desperation, said former C.I.A. officials: the spy agency had tried to operate the program in house, and had failed. The agency was still reeling from the botched assessments about Iraq’s weapons programs, said the officials who spoke on the condition of anonymity, and was desperate for information about Al Qaeda’s top leaders. “You want to have everything when you know nothing,” said one former official familiar with details of the canceled program. Top C.I.A. officials — including Jose A. Rodriquez Jr., the head of the agency’s clandestine service — found outside help. Mr. Rodriguez had close connections to Enrique Prado, a career C.I.A. operations officer who had recently left the agency to become a senior executive at Blackwater. Both Mr. Prado and Mr. Prince signed agreements with the C.I.A. to participate in the program, officials said. Over time, the officials said, Mr. Rodriguez and other senior members of the clandestine service gave up on the Blackwater arrangement to hunt Qaeda leaders. By then, the spy agency was starting to have regular success killing top militants in Pakistan and Afghanistan with drones, and the assassination program had yielded no successes. Robert S. Bennett, a lawyer for Mr. Rodriguez, declined to comment. Government officials said that about $10 million was spent over the seven years of the assassination program. Experts who study government outsourcing point out that even a few million dollars is a significant sum when spent for training in a program that ultimately achieved nothing. "That’s a very expensive laser tag exercise or paint-ball war in the yard,” said Scott Amey, general counsel for the Project on Government Oversight. Government officials have estimated that about 25 percent of the intelligence workforce consists of contractors, and as much as 70 percent of the entire intelligence budget goes to outside contracts. Yet these are rough estimates, and members of Congressional oversight committees lament that they cannot get reliable figures about the extent of intelligence outsourcing. “Without even that basic information, you can’t render judgment about the risks associated with their growing role” in spy agencies, said Steven Aftergood of the Federation of American Scientists, an expert on intelligence contracting.

PMC Shift (1NC)

B. Armed contractors have been known to act unnecessarily aggressive towards Iraqi citizens

Dunigan et al 10’ (Molly, Ph.D. from the Government Department at Cornell University, where she specialized in International Relations and Military Studies. Her research interests focus on field coordination issues between private security forces and professional militaries ,Q. Burkhart M.S. in statistics, North Carolina St University; B.A. in applied mathematics, Brown University, Michael Webber Ph.D. in mechanical engineering, Stanford University; M.S. in mechanical engineering, Stanford University, Edward O’Connell Senior Defense Analyst for RAND corporation, Megan Zander-Cotugno M.A. in policy analysis, Stanford University; B.S. in psychology, University of Illinois, Sarah K. Cotton, Ulrich Petersohn, “Hired Guns Views about Armed Contractors in Operation Iraqi Freedom” http://www.rand.org/pubs/monographs/MG987/ RAND Corporation June 16 2010 MJB)

Reports are plentiful of PSCs committing serious, and sometimes fatal, abuses of power in Iraq. The incident in Nisour Square in September 2007, in which armed contractors employed by Blackwater USA killed 17 Iraqis, is the most publicized example. Less extreme, yet still very aggressive, incidents have also been reported. Our survey results indicate that neither the U.S. military nor DoS personnel appear to perceive PSCs to be “running wild” in Iraq. However, in the experience of military personnel, incidents in which armed contractors behaved in an unnecessarily threatening, arrogant, or belligerent way in Iraq were not entirely uncommon. Although a majority of surveyed personnel had never witnessed an event of this sort, the number of respondents with experience interacting with armed contractors who reported having sometimes observed such behavior (20 percent) is a substantial figure. This is particularly so when considering that we expect armed contractors to behave well when employed in support of a U.S. military mission, even if not employed directly by the United States.

In like manner, although most military personnel had never witnessed armed contractors instigating direct action or taking offensive measures, the fact that 14 percent of those with experience with armed contractors had sometimes witnessed armed contractors taking offensive measures is not insignificant.

PMC’s Bad ext.

These incidents no matter how frequent or small influence the way Iraqi’s view the occupation as a whole and are detrimental to the success of the occupation

Dunigan et al 10’ (Molly, Ph.D. from the Government Department at Cornell University, where she specialized in International Relations and Military Studies. Her research interests focus on field coordination issues between private security forces and professional militaries ,Q. Burkhart M.S. in statistics, North Carolina St University; B.A. in applied mathematics, Brown University, Michael Webber Ph.D. in mechanical engineering, Stanford University; M.S. in mechanical engineering, Stanford University, Edward O’Connell Senior Defense Analyst for RAND corporation, Megan Zander-Cotugno M.A. in policy analysis, Stanford University; B.S. in psychology, University of Illinois, Sarah K. Cotton, Ulrich Petersohn, “Hired Guns Views about Armed Contractors in Operation Iraqi Freedom” http://www.rand.org/pubs/monographs/MG987/ RAND Corporation June 16 2010 MJB)

These results cast doubt on how frequently armed contractors engage in behavior that would negatively color how Iraqis viewed armed contractors, and thus the occupying force as a whole. Nonetheless, to the extent that Iraqis have a negative view of armed contractors, which can be detrimental to larger U.S. goals in Iraq, such a view is likely derived from a small number of incidents. Hence, the threshold for survey respondents’ firsthand knowledge of PSC mistreatment of civilians does not need to be very high for it to be significant. It is therefore troubling that over one-fifth of DoS personnel did report “sometimes” or “often” having firsthand knowledge of armed contractors mistreating civilians

Prefer our evidence it comes from firsthand experiences with armed contractors and DOS and DOD

Dunigan et al 10’ (Molly, Ph.D. from the Government Department at Cornell University, where she specialized in International Relations and Military Studies. Her research interests focus on field coordination issues between private security forces and professional militaries ,Q. Burkhart M.S. in statistics, North Carolina St University; B.A. in applied mathematics, Brown University, Michael Webber Ph.D. in mechanical engineering, Stanford University; M.S. in mechanical engineering, Stanford University, Edward O’Connell Senior Defense Analyst for RAND corporation, Megan Zander-Cotugno M.A. in policy analysis, Stanford University; B.S. in psychology, University of Illinois, Sarah K. Cotton, Ulrich Petersohn, “Hired Guns Views about Armed Contractors in Operation Iraqi Freedom” http://www.rand.org/pubs/monographs/MG987/ RAND Corporation June 16 2010 MJB)

Given these factors, although it cannot be said that the results of the military survey generalize to the overall population, the authors believe that the greater value lies in the opinions of those people who worked closely with contractors. Therefore, the results of this survey are presented primarily from that subset of respondents. However, it should be noted that, even in cases where the survey question asked respondents whether they had firsthand knowledge of a particular armed contractor behavior or impact, those who classified themselves as not having had direct experience interacting with armed contractors could feasibly respond, because direct experience with armed contractors and firsthand knowledge of incidents involving them are not mutually

exclusive.4 All these observations may now be used to guide further research and can inform more immediate shifts in policies related to the use of armed contractors in situations such as their engagement in OIF. Because our preliminary assessment indicated that DoD and DoS personnel might have very different perspectives about the roles, benefits, drawbacks, and implications of the widespread use of PSCs, we decided to include a second survey of DoS personnel that could be used in conjunction with the military survey. Permission to develop such a survey in collaboration with the State Department was initially sought in 2006 and granted in 2008. We worked with assistant secretaries in the Bureau of Resource Management and Administration offices, and the Under Secretary for Management, to develop the survey.

PMC shift ext.

Empirical evidence proves these contractors can commit serious, and fatal abuses of power- Blackwater and Triple Canopy proves

Dunigan et al 10’ (Molly, Ph.D. from the Government Department at Cornell University, where she specialized in International Relations and Military Studies. Her research interests focus on field coordination issues between private security forces and professional militaries ,Q. Burkhart M.S. in statistics, North Carolina St University; B.A. in applied mathematics, Brown University, Michael Webber Ph.D. in mechanical engineering, Stanford University; M.S. in mechanical engineering, Stanford University, Edward O’Connell Senior Defense Analyst for RAND corporation, Megan Zander-Cotugno M.A. in policy analysis, Stanford University; B.S. in psychology, University of Illinois, Sarah K. Cotton, Ulrich Petersohn, “Hired Guns Views about Armed Contractors in Operation Iraqi Freedom” http://www.rand.org/pubs/monographs/MG987/ RAND Corporation June 16 2010 MJB)

Reports are plentiful of private security contractors committing serious, sometimes fatal, abuses of power in Iraq. Consider, for instance, the highly publicized September 2007 Nisour Square incident, in which a team of contractors working for the company known at that time as Blackwater (now called Xe Services) providing personal security details for State Department officials stopped traffic in a busy Baghdad square 26 Hired Guns: Views About Armed Contractors in Operation Iraqi Freedom and proceeded to shoot and kill 17 civilians, wounding numerous others (Glanz and Rubin, 2007a, 2007b; Oppel and Gordon, 2007; Johnston and Broder, 2007; Logan, 2007). Conflicting reports exist regarding whether the Blackwater/Xe contractors came under hostile fire and were acting in self-defense. The Blackwater/Xe guards said they believed that they had come under small-arms fire from insurgents, so they began firing machine guns, grenade launchers, and a sniper rifle in Nisour Square. But investigators concluded that the guards had indiscriminately fired in an unprovoked assault (Williams, 2010). The fact that these contractors were immune to prosecution under Iraqi law meant that months went by before they were indicted in the United States under the MEJA. In another documented case from 2006, contractors working for Triple Canopy in Iraq shot and killed civilians for no apparent reason other than “for sport” (Fainaru, 2007a, p. A01). Unlike contractors involved in the more highly publicized Blackwater/ Xe case, these Triple Canopy personnel completely escaped prosecution. Brigadier General Karl Horst, deputy commander of the U.S. Army’s 3rd Infantry Division, identified this problem even earlier. He counted twelve shootings and at least six Iraqi civilian deaths within two months in 2005. As General Horst put it, these guys [i.e., armed contractors] run loose in this country and do stupid stuff . There’s no authority over them, so you can’t come down on them hard when they escalate force. They shoot people, and someone else has to deal with the aftermath (quoted in Singer, 2007, p. 8).

2NC Impact: PMC Abuse Turns The Case

The abuse of power by armed contractors feed Iraqi resentment towards the entire U.S. occupation as a whole and happens very frequently.

Dunigan et al 10’ (Molly, Ph.D. from the Government Department at Cornell University, where she specialized in International Relations and Military Studies. Her research interests focus on field coordination issues between private security forces and professional militaries ,Q. Burkhart M.S. in statistics, North Carolina St University; B.A. in applied mathematics, Brown University, Michael Webber Ph.D. in mechanical engineering, Stanford University; M.S. in mechanical engineering, Stanford University, Edward O’Connell Senior Defense Analyst for RAND corporation, Megan Zander-Cotugno M.A. in policy analysis, Stanford University; B.S. in psychology, University of Illinois, Sarah K. Cotton, Ulrich Petersohn, “Hired Guns Views about Armed Contractors in Operation Iraqi Freedom” http://www.rand.org/pubs/monographs/MG987/ RAND Corporation June 16 2010 MJB)

There is evidence that such alleged abuses of power by private security contractors, carried out with impunity, have influenced local Iraqis’ perceptions of contractors and their activities and, arguably, of coalition operations in general. Extrapolating from their experiences with private security contractors, Iraqi citizens may take a negative view of the entire military occupation and coalition forces as a whole. But another perspective on this issue does exist. Other accounts hold that at least some private security firms have been flexible enough in their standard operating procedures to keep a low profile among local civilians and therefore have not colored Iraqi opinion negatively. Interviews with family members of the Nisour Square victims indicate that they and other Iraqis resent both the contractors themselves and Blackwater/Xe as a whole. The incident fueled the perception among Iraqis more broadly that U.S. private security contractors can act with impunity. This engendered widespread resentment and led the Iraqi government to vow that the perpetrators of the Nisour Square deaths in Baghdad would be tried in Iraqi courts (Luban, 2007). Such resentment was exacerbated among both Iraqi civilians and government officials when, on December 31, 2009, Justice Ricardo M. Urbina dismissed the manslaughter and weapons charges against the Blackwater/Xe contractors involved in the Nisour Square incident, ruling that the U.S. Justice Department’s investigation had been badly tainted by statements the guards provided to the State Department under promises Private Security Contractors’ Effect on Local Iraqis’ Perceptions Prior to 2009 27 of immunity. Although Nisour Square and the incident involving the Triple Canopy contractors were two unusually extreme cases of the alleged abuse of power by private security contractors, less extreme instances have also been reported. Accounts maintain that some armed contractors, when conducting private security details, employ aggressive tactics to ward off potential attackers—for example, driving on the wrong side of the road and firing warning shots (Singer, 2007). Similar accounts describe contractors forcing Iraqis off the road while driving fast and recklessly. Armed contractors have also reportedly cleared areas by throwing full water bottles at local civilians while driving through (Montagne and Temple-Raston, 2007). Retired U.S. Marine Colonel Thomas X. Hammes has argued that Blackwater/ Xe’s aggressive approach to protection has detracted from the overall counterinsurgency Effort to win the allegiance of the local population: The problem is [that] in protecting the principal, they had to be very aggressive, and each time they went out they had to offend locals, forcing them to the side of the road, being overpowering and intimidating, at times running vehicles off the road, making enemies each time they went out (quoted in Luban, 2007, p. 1). Blackwater/Xe has received the majority of such criticism. But employees of other security firms have reportedly acted in similar ways both in Iraq and other theaters. A USAID official with experience in Afghanistan noted in a 2006 interview: DynCorp, Kroll, Global, and their operations are in Afghanistan. The way that they behave in public is quite offensive by any standard. In a small town, they drive quickly; shooters shoot at traffic; they force their cars through. That is not only when they are escorting the Ambassador. It is also when they are just driving around town or to the airport. I questioned them on a number of occasions. They think that it is harder for a suicide bomber to kill you if you are driving very quickly and weaving through traffic. So they think of it as a safety precaution. It’s not clear to me that this is true. This is an excellent example of misplacing our priorities . . . They exhibit a level of arrogance that is just difficult to describe unless you actually view it. . . . Fear is contrary to our interest. In the last four years, people have been forced to flee for their lives in the face of U.S. security vehicles. It is not the military that drives like that . . . there have been hundreds of times that I’ve seen PMCs do it. They behave in public in a threatening manner. It is part of their rules of engagement. Many of the shooters were decent guys. At the same time, as of July 2005, these kinds of intimidating incidents happened all the time (confidential interview, 2006).

PMCs Turn the Case ext.

Contractors are prone to cause fraud, waste, and abuse – only going to be perpetuated due to increased dependence

Fontaine and Nagl 10(Richard, Senior fellow for CNAS, Dr. John, President of the Center for CNAS, “Contracting in Conflicts: The Path to Reform”, Accessed June 24, 2010, June 2010, RA”

The U.S. military can fight nothing but the most limited engagements without the extensive use of contractors, and the State Department and USAID will continue to rely on contractors to carry out a great deal of reconstruction work. Since it is unlikely that the (statutorily limited) U.S. force structure will increase dramatically in the years ahead, and it is likely that American commitments overseas will remain great or even increase, U.S. reliance on private ES&R contractors is here to stay. But accepting this reality makes reform imperative. As New York Times journalist Thomas Friedman put it in a recent column, “We’re also building a contractor-industrialcomplex in Washington that has an economic interest in foreign expeditions. Doesn’t make it wrong; does make you want to be watchful.”⁵ｹ The U.S. government’s increased dependence on contractors has provoked a number of concerns, investigations and calls for reform. Five issues merit particular attention: • Fraud, waste and abuse • Cost • Military implications • Foreign policy implications • Legal and regulatory implications One area of particular concern among public officials and concerned citizens has been the degree of fraud, waste and abuse linked to reconstruction operations and contractor-provided services in Iraq and Afghanistan. The post-invasion reconstruction environments in both countries represent the largest-ever markets for private firms providing ES&R services; through March 2010 Congress had appropriated 53 billion dollars for reconstruction in Iraq and 51 billion dollars for reconstruction in Afghanistan (President Obama has since requested an additional 20 billion dollars to fund reconstruction in Afghanistan).⁵ｲ The great amounts of money disbursed, the speed with which the government demanded the reconstruction projects move forward and the lack of oversight – particularly in the early stages of reconstruction efforts in each country – invited a significant degree of waste and corruption.

\*\*\*Assasinations Good\*\*\*

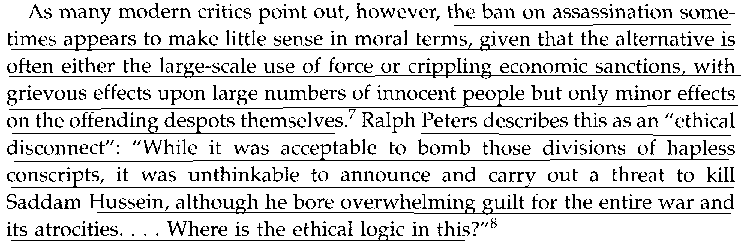
Assassination Moral/Util Saves Lives

In a utilitarian perspective, and a morale one as well – targeted kills are the only viable option

Ulrich 05 (Jonathan, received his J.D. from the University of Virginia School of Law in 2005, and his A.B., cum laude, from Princeton University in 2002. He works as an associate in the International Arbitration Group of White & Case, LLP, in Washington, D.C., “The Gloves Were Never On: Defining the President's Authority to Order Targeted Killing in the War Against Terrorism”, L/N) RA

The foregoing examination of the basic requirements of the law of armed conflict reveals, in the words of one commentator, that "targeted killing is the most natural application of the principles of jus in bello in wars against terror." n112 The practice of assassination, even when justified by the exigencies and laws of war, is not often viewed as a morally defensible use of force. And yet, the comparatively widespread acceptance of the higher combatant deaths and collateral damage associated with conventional conflict is more at odds with the basic jus in bello precept of limited war: The moral legitimacy of targeted killing becomes even clearer when compared to the alternative means of fighting terror - that is, the massive invasion of the community that shelters and supports the terrorists in an attempt to catch or kill the terrorists and destroy their [\*1054] infrastructure... Hence, targeted killing is the preferable method not only because, on a utilitarian calculation, it saves lives - a very weighty moral consideration - but also because it is more commensurate with a fundamental condition of justified self-defense, namely, that those killed are responsible for the threat posed. n113 Targeted killing preserves not only the lives of civilians caught up in the conflict by combatants who often refuse to fight in the open, but also those of the troops who must engage these terrorists. n114 By directing the use of force at only those individuals who threaten U.S. soldiers and civilians, targeted killing more efficiently destroys the terrorists' ability to wage war and inflict terror, while ensuring that collateral damage is kept to a minimum. This is the very essence of limited war as prescribed by jus in bello.

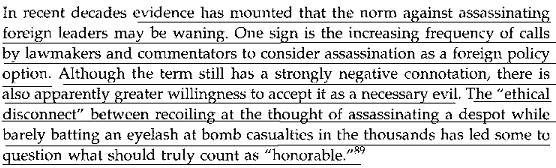
Assassinations are the most ethical option – it saves the innocent victims in the long run – **Thomas ’00** (Ward, Assistant Professor of Political Science at the College of Holy Cross, “Norms and Security: The Case of International Assassination”, International Security, Vol. 25, No. 1 (Summer 2000). pp. 105 – 131) DM



Assassination Moral

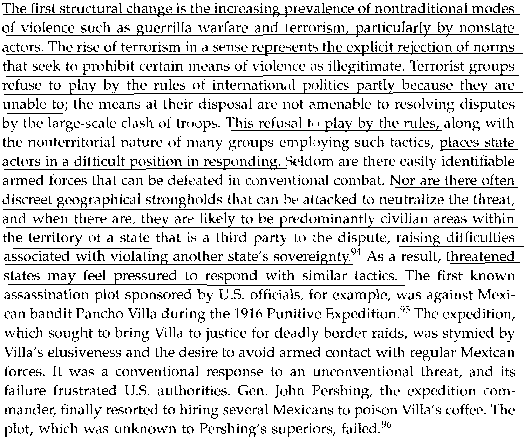
Assassinations are the only option – assassinating a target better than killing innocent people in bombing

Thomas ’00 (Ward, Assistant Professor of Political Science at the College of Holy Cross, “Norms and Security: The Case of International Assassination”, International Security, Vol. 25, No. 1 (Summer 2000). pp. 105 – 131) DM



Assassination Moral

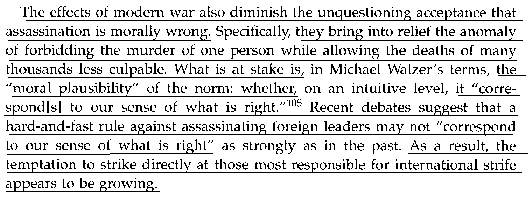
Threats of terrorism justify assassinations – critical to decrease threat of state conflicts – **Thomas ’00** (Ward, Assistant Professor of Political Science at the College of Holy Cross, “Norms and Security: The Case of International Assassination”, International Security, Vol. 25, No. 1 (Summer 2000). pp. 105 – 131) DM



Assassination Moral

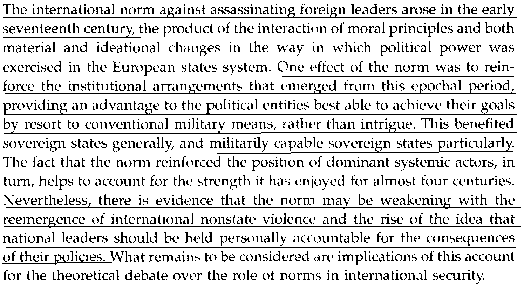
Modern war justifies assassinations being moral action

Thomas ’00 (Ward, Assistant Professor of Political Science at the College of Holy Cross, “Norms and Security: The Case of International Assassination”, International Security, Vol. 25, No. 1 (Summer 2000). pp. 105 – 131) DM



Their advantage is assumptive of the past system – assassinations are a normal occurrence in the status quo

Thomas ’00 (Ward, Assistant Professor of Political Science at the College of Holy Cross, “Norms and Security: The Case of International Assassination”, International Security, Vol. 25, No. 1 (Summer 2000). pp. 105 – 131) DM



Assassination Moral

We must assess the long-term results – assassinating leaders is critical to save lives for the future

Statman ’03 (Daniel, Department of Philosophy, University of Haifa, “The Morality of Assassination: A reply to Gross”, Political Studies (2003) vol. 51. pp. 775-779, Ebsco) DM

First, in the war against terror, just like in the war against the mafia, what counts are the long-term results, not the immediate ones. In the short run, killing terrorists might be followed by acts of revenge, but, in the long run, there is good reason to think that such killing will weaken the terror organizations, cause demoralization among their members, limit their movements, etc. The personal charisma or professional skills of some individuals are crucial to the success of the organizations they lead, and this is especially true with terror organizations that operate underground and with no clear institutional structure. It is reasonable to assume that killing such individuals will gradually make it harder for the terror machinery to operate.

Assassinations are justified during high intensity wars – lethal measures are acceptable – **Statman ’03** (Daniel, Department of Philosophy, University of Haifa, “The Morality of Assassination: A reply to Gross”, Political Studies (2003) vol. 51. pp. 775-779, Ebsco) DM

Second, Gross’s convinced statements about the result of assassination do not\ accord with his own admission that ‘judging efficacy ... is *extremely difficult*’ (p. 357, italics added). Indeed, that is difficult, not only in low-intensity wars, but also in conventional ones. Morally speaking, wars are a risky business. Still, according to just war theory, one is allowed to use lethal measures if there are good reasons to believe that they will be efficient in self-defense. I believe that, in the war against terror, assassination enjoys the support of such reasons.

Assassinated killings should be morally preferred – it kills much less than other methods of war

Statman ’03 Daniel, Department of Philosophy, University of Haifa, “The Morality of Assassination: A reply to Gross”, Political Studies (2003) vol. 51. pp. 775-779, Ebsco) DM

Third, while assassination does involve some moral risk, it also has a chance of achieving *better* results from a moral point of view. Think of a battle in a conventional war against an enemy unit. Assume it can be won either by bombing the unit from the air, killing 200 soldiers, or by having its headquarters targeted by an ‘intelligent’ missile, killing most of the commanders of the unit – say, 25 officers. If both tactics could achieve the same result, then surely the second tactic should be morally preferred. Similarly, if Bin Laden and 30 of his close partners had been targeted, that would have been far better than killing thousands of people and causing enormous damage in Afghanistan, in a war whose contribution to the cessation of world terror is far from clear.

Assassination Moral

Assassinations do not violate war theory and are solve for the initial problem –

Statman ’03 (Daniel, Department of Philosophy, University of Haifa, “The Morality of Assassination: A reply to Gross”, Political Studies (2003) vol. 51. pp. 775-779, Ebsco) DM

Contra Gross, then, assassination does not violate the basic conditions of just war theory, neither is there evidence that, in the long run, it is counter-effective. In the war against a nation whose great majority supports the most horrific terror attacks against civilians and whose armed organizations are proud to announce their responsibility for such atrocities, assassination of key terror figures is a just and reasonable means of self-defense.

We are morally justified in preventing another terrorist attack

**Statman** **04** (Daniel, Theoretical Inquiries of Law, January 2004, “Targeted Killing”, L/N) RA

*Alaqsa Intifada,* whose main characteristic is almost daily attempts at murdering Jews across Israel, in buses, restaurants, nightclubs, universities, wherever possible. If ever there could be a *casus belli* on grounds of self-defense, it is such a terror campaign launched against a country or some other collective. From a moral point of view, the values under threat in such cases are far more important than those involved in cases of a mere formal violation of sovereignty, which, under the common view, justify waging war. To make the point as clear as possible, if the United Kingdom was morally justified in waging war to regain control over the Falkland Islands when there was no threat to the lives of British citizens and no significant threat to their security or economy, then surely the U.S. is morally justified in going to war against Bin Laden to prevent another attack against it, an attack that could cause the loss of many innocent lives and have catastrophic effects on the life of the nation. And if the U.S. is justified in going to war after only one (awful) day of terror, Israel certainly has the right to do so after so many dark days of terror.

\*\*\*Legality and Domestic Law\*\*\*

A2: Targeted Killing is Illegal

States a have a right to targeted killings – Self defense.

Guiora 2005 (Amos, Visiting Professor of Law at Case Western Reserve University School of Law; served for 19 years in the Israel Defense Forces, Judge Advocate General Corps (Lt. Col.). The opinions expressed are the authors alone. Special thanks to research assistant Niki Dorsky and colleagues Jon Leiken and Marc Stern for their significant contributions to this work.)

Because the fight against terrorism takes place in what has been referred to as the "back alleys and dark shadows against an unseen enemy," the State, in order to adequately defend itself, must be able to take the fight to the terrorist before the terrorist takes the fight to it. From experience gained over the years, it has become clear that the State must be able to act preemptively in order to either deter terrorists or, at the very least, prevent the terrorist act from taking place. By now, we have learned the price society pays if it is unable to prevent terrorist acts. The question that must be answered—both from a legal and policy perspective—is what tools should be given to the State to combat terrorism? What I term active self-defense would appear to be the most effective tool; that is, rather than wait for the actual armed attack to “occur” (Article 51), the State must be able to act anticipatorily (Caroline) against the non-State actor (not considered in Caroline).

States a have a right to targeted killings – Self defense.

Guiora 2005 (Amos, Visiting Professor of Law at Case Western Reserve University School of Law; served for 19 years in the Israel Defense Forces, Judge Advocate General Corps (Lt. Col.). The opinions expressed are the authors alone. Special thanks to research assistant Niki Dorsky and colleagues Jon Leiken and Marc Stern for their significant contributions to this work.)

Active self-defense (in the form of targeted killing), if properly executed, not only enables the State to more effectively protect itself within a legal context but also leads to minimizing the loss of innocent civilians caught between the terrorists (who regularly violate international law by using innocents as human shields) and the State. “(I)n time of war or armed conflict innocents always become casualties. It is precisely because targeted killing, when carried out correctly, minimizes such casualties that it is a preferable option to bombing or large military sweeps that do far more harm to genuine noncombatants.”

A2: Targeted Killing is Illegal

States have every right to act preemptively against non-state actors regaurdless of the consequences.

Guiora 2005 (Amos, Visiting Professor of Law at Case Western Reserve University School of Law; served for 19 years in the Israel Defense Forces, Judge Advocate General Corps (Lt. Col.). The opinions expressed are the authors alone. Special thanks to research assistant Niki Dorsky and colleagues Jon Leiken and Marc Stern for their significant contributions to this work.)

The fundamental difference between the *Caroline* doctrine and the theory espoused here is the extension of *Caroline* to non-State actors involved not in traditional warfare but in terrorism. If properly executed (as suggested by David), this policy would reflect the appropriate response by international law in adjusting itself to the new dangers facing society today. In many ways, the doctrine espoused in this paper is one of pre-emption. That is, the State’s right to act preemptively against terrorists planning to attack. While there is much disagreement amongst legal scholars as to the meaning (and subsequently, timing) of words such as “planning to attack,” the doctrine of active self-defense would enable the State to undertake all operational measures required to protect itself. The concept of acting preemptively against a non-State actor as compared to against a State is one that legal scholars must address since the essence of counter-terrorism is both reliable, corroborated intelligence and the right to attack before being attacked. An example of this sort of preemption took place in the 1967 Six-Day War when Israel attacked the Egyptian air force before Egypt had fired a single shot against Israel, but after President Nassar had closed the Straits of Tiran and had made his intentions regarding the destruction of Israel very clear. Another example of preemption is Israel's successful attack on the Iraqi nuclear reactor in 1981, though it was heavily criticized by international lawyers. There are also examples of preemptive action in American history aside from the current war in Iraq. The bombing of five Libyan military targets April 1986, though justified as a response to the December 1985 bombings in airports in Rome and Vienna and the 1986 bombing of a West Berlin nightclub, were also supposed to be “designed to disrupt Libya’s ability to carry out terrorist acts and to deter future terrorist acts by Libya.” After the embassy bombings in Kenya and Tanzania in 1998, the U.S. fired seventy-nine tomahawk missiles on the alleged terrorist outposts of bin Laden in Sudan and Afghanistan. President Clinton mainly relied on traditional Article 51 self-defense in justifying the act, but did add that the strikes “were a necessary and proportionate response to the imminent threat of further terrorist attacks against U.S. personnel and facilities.”

Article 13(3); Protocol II justifies the attack of armed forces or groups at any time

Cullen ’07 (Colonel Peter M. United States Army, Staff Judge Advocate, 101st Airborne Division (Air Assault) at Fort Campbell, The Role of Targeted Killing in the Campaign Against Terror, March 13, 2007, p.4) BW

Article 13(2) of Additional Protocol II23 incorporates the principle of distinction and mandates that the civilian population and individual civilians shall not be the object of attack. An exception to this is found in Article 13(3) which states that civilians forfeit protection “for such time as they take a direct part in hostilities.” The combatants in a non-international armed conflict are the armed forces of the state and, inter alia, “organized armed groups.” In the International Committee of the Red Cross commentary on Additional Protocol II, it states that “[t]hose who belong to the armed forces or armed groups may be attacked at any time.”24 In the context of the armed conflict between the U.S. and AQAM, this means that active members of AQAM are combatants and may be lawfully targeted at will.25 Given the status of AQAM operatives as combatants, the U.S. is under no obligation to attempt to arrest an individual before targeting him or her. This combatant status remains in effect for the duration of the armed conflict unless the individual takes some action to renounce this status.

A2: Targeted Killing is Illegal

Assassination to protect US national security is legal

Lotrionte 03(Catherine Lotrionte Associate Director of the Institute for Law, Science & Global Security at Georgetown University,“When to Target Leaders”, THE WASHINGTON QUARTERLY)LP

In light of recent U.S. foreign policy actions overseas in places such as Kosovo and Somalia and those taken during the Persian Gulf War and in response to terrorist attacks against the United States, public debate has increased about the prohibition against targeting leaders such as Slobodan Milosevic and Saddam. An increasing number of calls have emerged from Congress and various commentators to rescind any legal ban on the use of assassinations as a foreign policy tool with an executive order or otherwise.8 The most recent of these congressional initiatives was the Terrorist Elimination Act of 2001, a bill proposed by Representative Bob Barr (R-Ga.) that asserted that the prohibition of assassination “limit[ed] the swift, sure and precise action needed by the United States to protect our national security.”9 Furthermore, the U.S. public’s views on the use of assassination reveal that Americans may be more receptive to killing leaders than they were in the 1970s.10 A poll taken during the Persian Gulf War revealed that 65 percent of the U.S. public favored “covert assassination of Hussein to end the war quickly.”11

Targeting leaders and enemy combatants is a legitimate act

Lotrionte 03(Catherine Lotrionte Associate Director of the Institute for Law, Science & Global Security at Georgetown University,“When to Target Leaders”, THE WASHINGTON QUARTERLY)LP

The principles derived from international law dealing with the use of force can be used to develop the pertinent criteria to consider when deciding whether to kill regime leaders during armed conflict. Under international law, two elements deal with the use of force: *jus ad bellum*—the rules related to when a state can use force—and *jus in bello*—the rules related to how a state must conduct hostilities when engaged in the use of force. These international rules that guide states in their conduct against other states are based on both the practice and behavior of states, as well as the rules codified in international conventions or agreements between states. To guide conduct during war, states, including the United States, abide by the principles of the laws of war as codified in the 1907 Hague Convention on the Laws and Customs of War and the 1949 Geneva Conventions. 27 When the United States is engaged in a state of armed hostilities, whether as a result of congressional declaration or presidential initiative,28 the killing of enemy combatants is considered a legitimate act. Such enemy combatants may include regime leaders. Although no international law, including the Hague and Geneva Conventions, ban “assassinations” per se, the laws of war do recognize that there are limits to the means combatants may use to injure the enemy. These prohibitions would apply to any legitimate targets, including regime leaders.

A2: Targeted Killing is Illegal

Targetable Terrorist are active participants in hostilities, but not political supporters

Cullen ’07 (Colonel Peter M. United States Army, Staff Judge Advocate, 101st Airborne Division (Air Assault) at Fort Campbell, The Role of Targeted Killing in the Campaign Against Terror, March 13, 2007, p.4) BW

This analysis raises the question of how are active members of a terrorist organization to be properly identified. Unlike combatants in international armed conflicts, they are not required to display “a fixed distinctive sign recognizable at a distance.”26 Nor should their combatant status be limited to the time they have a weapon in their hands. The answer lies in designating as combatants those members of the terrorist organization who have taken an active part in hostilities. Proponents of this position argue that this status is established if the individual takes a direct part in hostilities by planning, directing, or executing attacks or “if there is other evidence of his or her combatant role.”27 Such evidence will be primarily derived from intelligence information, often supplemented by the statements and admissions of the individuals themselves. A difficult issue is whether an individual who provides purely financial support for terrorist activities can be targeted as a combatant. Given the critical enabling role of finance in terrorist activities, such individuals should be viewed as having an active role in hostilities. The requirement for active participation, however, would exclude individuals from being targeted who provide purely political support to a terrorist organization.

29

Assassination is legal under both international and U.S. domestic law but only when carried out by U.S. armed forces

Cullen ’07 (Colonel Peter M. United States Army, Staff Judge Advocate, 101st Airborne Division (Air Assault) at Fort Campbell, The Role of Targeted Killing in the Campaign Against Terror, March 13, 2007, p. 5-6) BW

Legality of Targeted Killing under Domestic Law. Even if the targeted killing of terrorists by the U.S. is legal under international law, it is also necessary to determine its legality under U.S. domestic law. Some commentators have pointed to Executive Order 12,33331 and its prohibition on assassination. Although this Executive Order regulating intelligence activities does have legal effect, it does not apply to actions in time of war or to the U.S. Armed Forces. Accordingly, it does not impact military operations that target terrorist operatives outside the United States.32 Even if these exceptions were not available, it can reasonably be argued that the congressional resolution of 18 September 2001 authorizing the President to “use all necessary and appropriate force .… in order to prevent any future acts of international terrorism against the United States,”33 would suffice to address any domestic legal concerns about a policy of targeted killing of AQAM operatives. While Executive Order 12,333 presents no legal impediment to targeted killings executed by the U.S. armed forces, it could impact such operations conducted by Central Intelligence Agency (CIA) personnel. They are considered to be non-combatants under the law of war. Existing intelligence oversight laws have established a legal regime requiring presidential findings and reporting to the Intelligence Committees before U.S. intelligence agencies can engage in covert actions, to include targeted killing operations.34 summary, a review of the U.S. policy of targeted killing confirms that it has a valid basis under international and domestic law. The U.S. is legally justified in taking military action against AQAM as a matter of self-defense. AQAM are an organized force and their operatives are combatants in a non-international armed conflict who can be targeted at will provided such action is proportionate, does not involve perfidy or treachery, and respects the sovereignty of other nations.

A2: Targeted Killing is Illegal

Targeted killings are not assassinations

Guiora 2005 (Amos, Visiting Professor of Law at Case Western Reserve University School of Law; served for 19 years in the Israel Defense Forces, Judge Advocate General Corps (Lt. Col.). The opinions expressed are the authors alone. Special thanks to research assistant Niki Dorsky and colleagues Jon Leiken and Marc Stern for their significant contributions to this work.)

Targeted killing is also not an assassination. An assassination is the killing of a political leader or a statesman and, according to international law, involves treachery or perfidy. Terrorists are not political leaders or statesmen and should never be considered as such. The difference between a terrorist and a political leader is important to targeted killing. For example, Arafat, though he supports terrorism, would not be an appropriate object of a targeted killing because of his current status. The responsibility of a State is to protect the public and only if all other measures have failed, should a targeted killing be ordered. It is important to understand that the "rules of the game" are clear (though they may well be harsh) and that ultimately combatants—even if they are illegal combatants not part of a regular armed force—die on the “battlefield.”

As long as we prove they are terrorists, we have justified cause in the attacks

Ulrich 05 (Jonathan, received his J.D. from the University of Virginia School of Law in 2005, and his A.B., cum laude, from Princeton University in 2002. He works as an associate in the International Arbitration Group of White & Case, LLP, in Washington, D.C., “The Gloves Were Never On: Defining the President's Authority to Order Targeted Killing in the War Against Terrorism”, L/N) RA

The U.S. campaign to capture or destroy Osama bin Laden and his al Qaeda network is governed domestically by two principal authorities: t**he U.S. Constitution and the 2001 joint resolutio**n of Congress [\*1045] authorizing the use of force to combat terrorism. n70 **Article II of the Constitution**, which confers upon the president the powers of commander in chief and executor of the nation's laws, n71 has traditionally been viewed as the primary basis for the president's national security authority. Both Reagan and Clinton successfully argued that the inherent authority to use lethal force embodied in Article II allowed them to launch airstrikes against Qadhafi and bin Laden, even in the absence of a declaration of war. n72 The Bush administration has, likewise, laid the president's targeted killing directives on this constitutional foundation. n73 In addition to the executive powers granted by Article II of the Constitution, the **2001 Authorization for Use of Military Force provides sweeping congressional support for the war on terrorism**. As a preliminary matter, it is worth noting that the Preamble to the Resolution recognizes that "the President has authority under the Constitution to take action to deter and prevent acts of international terrorism against the United States." n74 Enacted a few days after the September 11 attacks, the Resolution provides: That the president is authorized to use all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons, in order to prevent any future acts of international terrorism against the United States by such nations, organizations or persons. n75 Contrary to the title, the **Authorization for Use of Military Force approves the use of "all necessary and appropriate forc**e," and not military force alone. n76 Although predicated upon involvement in the attacks of September 11 - thus excluding from its reach terrorists who were not involved, but nonetheless pose a threat to U.S. national [\*1046] security - the target list is decidedly broad. n77 All "nations, organizations, or persons" who participated in the terrorist strike, seemingly to any degree, are permissible targets of American force. By expressly authorizing the use of necessary and appropriate force against "persons," the Resolution places individual terrorists squarely within American cross-hairs. The separate mention of "organizations" and "persons" strongly suggests that Congress was making a purposeful distinction between infrastructure and human targets. While there is little doubt that Osama bin Laden falls within the reach of the Authorization, it is not limited to leadership targets. Anyone is fair game, once the appropriate determination of September 11 involvement has been made.

A2: Targeted Killing is Illegal

We meet all the guidelines of the UN Charter 51, proves the attacks are not illegal

Ulrich 05 (Jonathan, received his J.D. from the University of Virginia School of Law in 2005, and his A.B., cum laude, from Princeton University in 2002. He works as an associate in the International Arbitration Group of White & Case, LLP, in Washington, D.C., “The Gloves Were Never On: Defining the President's Authority to Order Targeted Killing in the War Against Terrorism”, L/N) RA

Under international law, the transnational use of force must comply with both jus ad bellum and jus in bello - the laws which govern, respectively, a state's resort to force, and the means with which that force is applied. n79 As the predominant international legal paradigm for jus ad bellum, the United Nations Charter prohibits the aggressive use of force, n80 subject to two exceptions: when authorized by the Security Council n81 or when necessitated by self-defense. n82 The self-defense exception, provided in Article 51, was invoked by the United States in [\*1047] response to the attacks of September 11, n83 and serves as the principal international legal foundation for the U.S. war on terrorism. Article 51 reads, in pertinent part: "Nothing in the present Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security." n84 Although it may be argued that the al Qaeda attacks of September 11 did not constitute an "armed attack" of the sort envisioned by the drafters of the UN Charter, the United States has not been alone in characterizing the attacks as sufficiently grave to warrant self-defensive action. On September 12, 2001, the UN Security Council passed a resolution which, "recognizing the inherent right of individual or collective self-defence in accordance with the Charter," condemned the attacks and expressed the Security Council's "readiness to take all necessary steps to respond to the terrorist attacks of 11 September 2001, and to combat all forms of terrorism...." n85 The Security Council reaffirmed the inherent right of self-defense in another resolution passed sixteen days later. n86 Once Article 51 has vested the United States with the right to self-defense, the United States retains that right unless and until the Security Council takes "measures necessary to maintain international peace and security." n87 As Norman Printer notes, "action by the Security Council is not a condition precedent to the use of self-help. Rather, one may exercise self-help until the Council takes action." n88 The Security Council's repeated reaffirmation of the inherent right to self-defense is [\*1048] best interpreted as implicit recognition of the United States' right to self-help in response to September 11. n89 The Council, furthermore, did not denounce the use of force after being notified by the United States that it had initiated action pursuant to its right of self-defense. n90 The Security Council's failure to take any "measures" to terminate the United States' Article 51 right, when coupled with its repeated resolutions on the right to self-defense, make clear that the U.S. response to the attacks of September 11 was consistent with the use of force paradigm established by the UN Charter. n91 While the UN Charter remains the principal international source of jus ad bellum, the resort to forceful measures in self-defense is further governed by customary international law under the so-called "Caroline doctrine." The indirect result of an 1837 dispute over the British destruction of a U.S. steamship which had transported sympathetic American citizens to aid Canadian secessionists, the Caroline doctrine is drawn from a letter sent by U.S. Secretary of State Daniel Webster to the British minister Henry Fox. n92 In response to British claims that their attack was legally justified by self-defense, Webster wrote that the right to self-defense could be recognized only when the "necessity of self-defence [is] instant, overwhelming, leaving no choice of means, and no moment for deliberation." n93 The customary standard for lawful self-defense under the Caroline doctrine has come to require four conditions: an imminent threat, a necessary action, the exhaustion of peaceful means, and a proportionate response. n94 **The United States' resort to force to combat terrorism meets all of these requirements**. As the events of September 11 made all too clear, the United States faces an established threat to national security. Terrorist attacks on American soil are not merely imminent; they have already materialized, and promise to do so again if preventive action is not taken. Any argument that a specific attack, rather than a general menace, must be imminent to justify the use of force, moreover, fails to adequately address two considerations. First, the United States has already been attacked and is responding accordingly. Second, the [\*1049] danger of mass destruction and death contemplated by today's terrorist is too great for the immediacy of a particular attack to remain a prerequisite to preventive, defensive action. It is worth remembering that the Caroline doctrine itself arose from a case of preemptive self-defense, where the British sought to eliminate a perceived threat before it could be brought to bear.

A2: Targeted Killing is Illegal

Attacks against terrorists are proportionate in comparison to 9/11

Ulrich 05 (Jonathan, received his J.D. from the University of Virginia School of Law in 2005, and his A.B., cum laude, from Princeton University in 2002. He works as an associate in the International Arbitration Group of White & Case, LLP, in Washington, D.C., “The Gloves Were Never On: Defining the President's Authority to Order Targeted Killing in the War Against Terrorism”, L/N) RA

Finally, the U.S. effort to eradicate the terrorist threat has been a proportionate response to both the September 11 attacks and the continuing danger that al Qaeda and other networks pose. Military force has been applied only against the terrorists and their infrastructure - and, in the case of the Taliban (and, arguably, Saddam Hussein's Iraqi regime), the state powers that harbored and supported them. While the war on terrorism is, without question, a global effort which has surpassed the boundaries of its initial battleground in Afghanistan, the principle of proportionality does not dictate that forceful measures stop short of eliminating the threat. Proportionality, as Norman Printer writes, "is not a mathematical calculation requiring exact symmetry." n97 **The continued use of force against terrorist networks, which still pose a very real and serious threat to U.S. interests around the world**, meets the final Caroline requirement of proportionality.

Assassinations are not illegal – we only have to prove they are of threat to national security

Jahagirdar 08 (Om. M., University of Virginia School of Law, July 2008, “Targeted killing, not assassination: the legal case for the United States to kill terrorist leaders”, Accessed June 24, 2010, RA)

However, it is important to note that the Commission did not conclude that the US should institute a **total ban.** Carved out of the report were exceptions “**important to the national security of the United States**”50 and an exception for when the **US was at war with another country**. The Commission also “never reached the question whether targeted killing for reasons of self-defense was unlawful” because the CIA probably never made that argument to justify its actions.51 Thus, **the targeted killing of foreign terrorist leaders,** especially those that can cause immediate danger to the US with no advanced weaponry, accords with the recommendations of the Commission since this article **only expands the Commission’s definition of wartime to a terrorist context.** The Commission’s criticism that a policy of killing instituted by the US would be akin to the action of a totalitarian dictator can be rebutted if a legitimate, legal framework is created using domestic and international **standards to justify targeted killing**.52 A US policy favoring targeted killing would not be the same as killings instituted by rogue nations because the US government’s policy would not be capricious or whimsical.

XO’s don’t over-ride international law – proves that targeting killings are legit

Jahagirdar 08 (Om. M., University of Virginia School of Law, July 2008, “Targeted killing, not assassination: the legal case for the United States to kill terrorist leaders”, Accessed June 24, 2010, RA)

The attacks in 1998 against al-Qaeda, and the specific targeting of bin Laden, were lawful because the US invoked Article 51 citing self-defense.74 Even at that time, al-Qaeda “presented a consistent and credible threat to the security” of the US.75 The more complex issue in the 1998 strikes was that al-Qaeda was a non-state entity and the attacks clearly violated the sovereignty of Afghanistan and Sudan. Although those specific states were not directly involved in attacks against US interests, they were supporting and giving aid to terrorists and even President Clinton warned countries that, whether or not they were directly involved in planning a terrorist attack, they “could find [themselves] on the receiving end of the US military force”.76 In conclusion, the executive orders banning assassination do not in fact hinder a targeted killing program because of the wartime distinction and because the president can still order attacks against those who are at war with the US. The general public and the media remain confused about the executive orders because the orders are “ambiguous…[and because of the] failure to define ‘assassination’”.77 .

A2: Targeted Killing is Illegal

Article 51 of the UN charter justifies it

Jahagirdar 08 (Om. M., University of Virginia School of Law, July 2008, “Targeted killing, not assassination: the legal case for the United States to kill terrorist leaders”, Accessed June 24, 2010, RA)

Article 51 of the UN charter states in relevant parts: “nothing in the present charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations.”96 When the US has suffered a terrorist attack and wishes to pursue terrorists abroad, it would be wise to invoke Article 51 authority in order to abide by international law so that the “laws of war control as they would in any formally declared conflict”.97 Under Article 51 authority, the US would be able to attack foreign terrorist leaders without any heightened fear of international reprisal or condemnation,98 but “Article 51 is not limited to situations” when a country has declared a formal war.99 One author has stated that “acting consistent with the charter of the United Nations, a decision by the President to employ clandestine [force]…would not constitute assassination” if the US were attacking those that pose a security threat to the US.100 Scholars seem to agree that “the use of force as self-defense must be immediately subsequent to and proportional to the armed attack to which it was an answer”, or a state can launch an anticipatory attack “if it has enough reliable evidence to believe that there will be further attacks from a particular source”.101

A2: Targeted Killing is Illegal

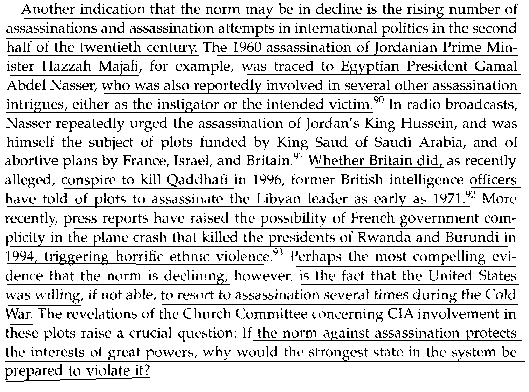
International Law doesn’t take into account non-state actors like terrorist groups.

Guiora 2005 (Amos, Visiting Professor of Law at Case Western Reserve University School of Law; served for 19 years in the Israel Defense Forces, Judge Advocate General Corps (Lt. Col.). The opinions expressed are the authors alone. Special thanks to research assistant Niki Dorsky and colleagues Jon Leiken and Marc Stern for their significant contributions to this work.)

Traditional or conventional international law based on the assumption that war is an armed conflict between two States is obviously inapplicable to what has been deemed a new form of armed conflict. This new form of armed conflict involves States and non-State actors, sometimes supported by States but not necessarily so. It would be illogical to expect the victim State not to respond. In light of the fact that a response is to be reasonably expected, if not demanded (terrorists themselves expect a response as shown by their seeking shelter in an area distant from where they generally reside), the question becomes "against whom is the state to act" (how broadly is the terrorist network to be expanded?) and in what fashion? This naturally concerns the important principle of proportionality. Targeted killing cannot be implemented against a Palestinian whose involvement in terrorism is minor and whose actions do not endanger public safety. Targeted killing can only be implemented against those terrorists who either directly or indirectly participate in terrorism in a fashion that is equivalent to involvement in armed conflict. The IDF has no intention (implicit or explicit) of using this "ultimate" weapon at will and with impunity. It is more appropriate to consider targeted killing as a "weapon of last resort" to be implemented, as previously mentioned, only when all other reasonable alternatives have been ruled out as operationally unfeasible and the terrorist in question presents a significant enough threat that the State has determined that there is no other option.

A2: Targeted Killing is Illegal

Assassination’s are now an acceptable norm – the strongest nations participate in it – Thomas ’00 (Ward, Assistant Professor of Political Science at the College of Holy Cross, “Norms and Security: The Case of International Assassination”, International Security, Vol. 25, No. 1 (Summer 2000). pp. 105 – 131) DM



A2: Targeted Killing is Illegal

ASSASINATIONS FOR SELF DEFENSE ARE JUSTIFIED

Kasher & Yadlin 2005 [Asa Kasher & Amos Yadlin, Kasher is a Israeli philosopher and linguist at Tel Aviv University, Yadlin is the head of Israeli Military Intelligence Directorate, “Assassination and Preventive Killing”, Winter-Spring 2005, <http://muse.jhu.edu/journals/sais/summary/v025/25.1kasher.html>, 6/24/2010, K.C.]

The Principle of Self-Defense Duty

(1) It is the prime duty of a democratic state to effectively defend its citizens against any danger posed to their lives and well-being by acts or activities of terror, both in the short run and in the long run.

(2) In doing so, the state discharges its obligation to protect the human dignity of the citizen, both as person and as citizen.

(3) Moreover, being a democratic state, it must fulfill its obligation while properly respecting the human dignity of each person, as a person. Protecting human dignity is therefore not only a source of a duty to fight against terror but also a source of a constraint on what the state does against terror.

The gist of Principle A.1 is commonly accepted as governing just international relationships between states. Defense of the life and well being of citizens against danger posed by terror is commonly held to be a prime duty of a democratic state. We take the defense of citizens from terror to be not only a prime duty of a democratic state but also, under present circumstances, as the prime duty, since the danger posed by terror is a relatively new one, at least in some major respects, and is of a special nature. To the extent that it is a new danger, the state has to create new means of defense or adapt those available to the new duty of defense.

Effective defense of its citizenry is sanctioned by a democratic state’s moral principles. The means a democratic state may use in order to serve such an end should also be justified by the same principles. The duty of protecting human dignity is therefore not only a source of a duty to fight against terror but also a source of a constraint on what the state does against terror.

PRE-EMPTIVE ASSASSINATIONS TO PROTECT CITIZENS ARE ACTS OF SELF-DEFENSE

Kasher & Yadlin 2005 [Asa Kasher & Amos Yadlin, Kasher is a Israeli philosopher and linguist at Tel Aviv University, Yadlin is the head of Israeli Military Intelligence Directorate, “Assassination and Preventive Killing”, Winter-Spring 2005, <http://muse.jhu.edu/journals/sais/summary/v025/25.1kasher.html>, 6/24/2010, K.C.]

To be sure, acts of self-defense can be pre-emptive, where the danger is imminent, or preventive, where there is an ongoing process that jeopardizes people but not imminently so. Both pre-emptive and preventive strikes are governed by the same principles of Military Necessity and Distinction, among others. Both pre-emptive and preventive strikes are tactical. They are not governed by a strategy that is meant to gradually change the general situation. They are professional means of providing citizens with effective defense against terror acts, the use of which is governed by moral and ethical principles such as B.1 and B.2.

A2: Violates Domestic Law (EO 12333)

Any definitive interpretation – legal or illegal – is arbitrary and ignores major portions of international law

Machon 06 (Matthew J., U.S. Army Major, “Targeted Killing as an Element of U.S. Foreign Policy in the War on Terror,” School of Advanced Military Studies, United States Army Command and General Staff College, Fort Leavenworth, Kansas, May 25, <http://www.fas.org/irp/eprint/machon.pdf>, 53, JH)

Through the examination of both U.S. domestic and international law it becomes evident that little direct evidence exists conclusively supporting the argument that the targeted killing of suspected trans-national terrorists is an illegal act. This examination, however, reveals the overall lack of consensus among academics, scholars, and politicians concerning the proper interpretation of existing international law. In fact, the debate not only focuses on the proper interpretation of the law, but on exactly which aspect of international law is applicable to the current situation regarding states and trans-national terrorists. The analysis in the previous sections indicates that a clear and definitive answer to the question of whether the specific targeting of a suspected terrorist qualifies as an assassination, legitimate act of war, or a breach of international humanitarian law is inconclusive. The answer largely depends upon individual interpretation of vaguely defined terms within the existing law, determination of the applicable legal regime (again subject to interpretation), and the status of the targeted individual or group.

1233 Does Not Apply To Military Operations.

Machon 06 (Matthew J., U.S. Army Major, “Targeted Killing as an Element of U.S. Foreign Policy in the War on Terror,” School of Advanced Military Studies, United States Army Command and General Staff College, Fort Leavenworth, Kansas, May 25, <http://www.fas.org/irp/eprint/machon.pdf>, 53, JH)

Executive Order 12333 presumably prohibits political assassination, although the order never defines or clarifies what is or is not assassination. The intent of the E.O. is to prevent the peacetime efforts of intelligence officials to assassinate foreign heads of state whose policy or conduct are considered detrimental to the U.S.188 E.O. 12333 does not apply to the application of military force directed against legitimate targets, whether they constitute individual terrorists or heads of state. The E.O., as a presidential directive, is subject to revocation or modification by the president at any time were the change deemed necessary to justify a particular policy or action. The targeted killing of trans-national terrorists is not a violation of E.O.12333 since the policy constitutes the direct application of military force rather than intelligence activities and because targeted killing itself does not constitute an assassination.

A2: Violates Domestic Law (EO 12333)

The U.S. has always pursued targeted killings – their impact empirically denied

Machon 06 (Matthew J., U.S. Army Major, “Targeted Killing as an Element of U.S. Foreign Policy in the War on Terror,” School of Advanced Military Studies, United States Army Command and General Staff College, Fort Leavenworth, Kansas, May 25, <http://www.fas.org/irp/eprint/machon.pdf>, 54-5, JH)

The United States, throughout its history, has frequently resorted to the use of military force beyond the realm of international armed conflict whenever “another nation has failed to discharge its international responsibilities in protecting U.S. citizens from acts of violence originating in or launched from its sovereign territory, or has been culpable in aiding and abetting international criminal activities.”191 These actions have often been conducted against non-state actors and individuals across international boundaries and without a formal declaration of war. Some of these actions include: 1801-1805: Naval actions and expedition conducted against Barbary Pirates along the North African coast.192 1916-1917: General Pershing’s punitive expedition into Mexico in pursuit of Pancho Villa.193 1926-1933: U.S. Marines conduct campaign in Nicaragua to kill or capture Augusto Cesar Sandino.194 1986: U.S. aircraft conduct airstrikes against terrorist related infrastructure within Libya in response to Libya’s support of terrorist operations directed against U.S. interests. 1988-1993: U.S. provides support to Columbian government in the attempt to kill or capture the drug lord Pablo Escobar.195 1998: U.S. launches cruise missiles against al-Qaeda training facilities in Afghanistan and a suspected chemical/biological weapons factory in Sudan. Thus, historical precedent exists for the use of military force by the U.S. government to kill or capture individuals whose actions constitute a direct, credible, and ongoing threat to U.S. citizens, interests, or national security.196 The U.S., regardless of international perception or protestation, has consistently invoked its inherent right to self-defense provided by Article 51 of the U.N. Charter to justify the application of military force as a defensive response to hostile actions taken against U.S. citizens or national security interests.

U.S. and al Qaeda exist in a state of armed conflict – makes targeted killings legal

Machon 06 (Matthew J., U.S. Army Major, “Targeted Killing as an Element of U.S. Foreign Policy in the War on Terror,” School of Advanced Military Studies, United States Army Command and General Staff College, Fort Leavenworth, Kansas, May 25, <http://www.fas.org/irp/eprint/machon.pdf>, 56, JH)

Current operations within both Afghanistan and Iraq qualify as non-international armed conflict. Both nations have recognized governments combating insurgents and terrorists within their sovereign territory. United States military operations and actions are conducted within their territorial boundaries and in direct support of these governments. The relevant aspects of international law regarding non-international armed conflict recognizes that individuals and organizations targeted within the borders of these states qualify as combatants, legally subject to targeting and the lethal application of force, but are not subject to the ‘privileges’ afforded combatants according to the law of international armed conflict. Insurgents and terrorists within both nations are subject to legitimate targeting in all circumstances and are subject to the criminal prosecution under national law rather than afforded prisoner of war status and protected from prosecution. The 2002 Yemen strike and the 13 January 2006 strike targeting Ayman al-Zawahiri bring the issue of targeted killing of terrorists beyond the scope of the non-international armed conflicts in Iraq and Afghanistan and into the forefront of U.S. policy for taking the fight to al-Qaeda and other trans-national terrorists. Although extremely controversial, the targeted killing of al-Harethi and the attempt on Zawahiri are not expressly illegal according to U.S. domestic or international law. In assessing the legality of these operations it is essential to determine whether or not an armed conflict exists between the United States and al-Qaeda at the time of these attacks.198 Although there is no clear consensus on the issue, and although numerous scholars would disagree, the United States clearly recognizes the existence of a state of armed conflict between itself and al-Qaeda. The United States, therefore, through this acknowledgement is able to classify al-Qaeda members and other trans-national terrorists as combatants subject to legal and legitimate targeting.

A2: Violates Domestic Law (EO 12333)

There is no U.S law that defines an assassination, additionally the banin the executive orders doesn't apply to the military or the intelligence community during times of armed conflict.

Lotrionte 03(Catherine Lotrionte Associate Director of the Institute for Law, Science & Global Security at Georgetown University,“When to Target Leaders”, THE WASHINGTON QUARTERLY)LP

One of the primary challenges of analyzing the legality of killing regime leaders is reaching a clear definition of the term “assassination.” According to Black’s Law Dictionary, assassination is an “act of deliberately killing someone, especially a public figure, usually for hire or for political reasons.”13

In addition, the 1980 Oxford Companion to Law states that assassination is “the murder of a person by lying in wait for him and then killing him, particularly the murder of prominent people from political motives, e.g., the assassination of President Kennedy.”14 Based on these definitions, a case can

be made that killing regime leaders in self-defense to ensure international security is not an assassination as it is not for political beliefs. As for U.S. laws that define assassination as a foreign policy tool, there are none. Furthermore, in the U.S. Constitution, specifically those provisions

enumerating the president’s foreign affairs powers, there is no mention of assassination. A usable body of law that governs assassination can be compiled, however, from U.S. domestic laws related to intelligence activities and international legal conventions related to the conduct of armed conflict.

Nowhere in the executive orders of Ford establishing—nor those under Carter or Reagan that continued—the ban on assassination is there a definition for the term. Although this omission may possibly have been a mere oversight in drafting, it was more likely an intentional effort to grant the president flexibility in interpreting the applicability of this order. The congressional hearings that led Ford to sign the first intelligence executive order can, however, shed light on its intent. Based on these hearings, the presidential orders against assassination were intended to prohibit the killing of foreign political leaders as long as the United States was not engaged in armed conflict with the countries of those leaders.15 Nothing in the language of any of these executive orders indicates that their intent was to replace any aspect of the legal framework of the law of armed conflict with something more restrictive. In fact, the ban in the executive orders meant to control the activities of the intelligence community during a time of peace, not the military or the intelligence community during times of armed conflict.

A2: Violates Domestic Law (EO 12333)

Peacetime killings of targeted leaders was never intended to apply when the United States is engaged in armed hostilities with another country, it acts in accordance with the laws of war

Lotrionte 03(Catherine Lotrionte Associate Director of the Institute for Law, Science & Global Security at Georgetown University,“When to Target Leaders”, THE WASHINGTON QUARTERLY)LP

Ultimately, the reason why Congress has not legislated a ban against assassinations is probably the ambiguity that exists over the meaning of the term “assassination” itself. Today, both scholars and policymakers alike have argued that changes in the contemporary security environment seriously undermine the continued peacetime applicability of any legal prohibition against killing regime leaders.One scholar of international relations, Ward Thomas, attributes the weakening of the “international norm against assassination” to two specific structural changes in the post–World War II international system.25 The first is the increasing prevalence of unconventional violence, including guerrilla warfare and terrorism.26 The second is the destructive and brutal nature of modern warfare, including but not limited to the advent of nuclear weapons and WMD. Indeed, the high level of concern in U.S. security considerations regarding asymmetric threats such as WMD use is unmistakable. The increasing challenges to state sovereignty, particularly from nations that threaten the peace with WMD; the very nature of the international political order; and its inability to contain such threatening actors may require policymakers to reexamine preexisting policies concerning foreign leaders. Under any circumstances, the prohibition of peacetime killings of specifically targeted leaders was never intended to apply to all cases in which a leader’s life may be lost. When the United States is engaged in armed hostilities with another country, it acts in accordance with the laws of war as

developed under international law.

A2: No Due Process

A2 Targeting US Citizens: Presidential Directive Authorized Killing. CIA and Military Not Arbitrarily Choosing Targets.

Shane 10’ (“U.S. Approves Targeted Killing of American Cleric”, by Scott Shane, writer for the New York Times, published in the New York Times, Published: April 6, 2010 Accessed 6/24/10, http://www.nytimes.com/2010/04/07/world/middleeast/07yemen.html)

WASHINGTON — The Obama administration has taken the extraordinary step of authorizing the targeted killing of an American citizen, the radical Muslim cleric [Anwar al-Awlaki](http://www.nytimes.com/2009/11/19/us/19awlaki.html), who is believed to have shifted from encouraging attacks on the United States to directly participating in them, intelligence and counterterrorism officials said Tuesday. Mr. Awlaki, who was born in New Mexico and spent years in the United States as an imam, is in hiding in [Yemen](http://topics.nytimes.com/top/news/international/countriesandterritories/yemen/index.html?inline=nyt-geo). He has been the focus of intense scrutiny since he was linked to Maj. [Nidal Malik Hasan](http://topics.nytimes.com/top/reference/timestopics/people/h/nidal_malik_hasan/index.html?inline=nyt-per), the Army psychiatrist accused of killing 13 people at [Fort Hood](http://topics.nytimes.com/top/reference/timestopics/subjects/f/fort_hood_texas/index.html?inline=nyt-classifier), Tex., in November, and then to [Umar Farouk Abdulmutallab](http://topics.nytimes.com/top/reference/timestopics/people/a/umar_farouk_abdulmutallab/index.html?inline=nyt-per), the Nigerian man charged with trying to blow up a Detroit-bound airliner on Dec. 25.

American counterterrorism officials say Mr. Awlaki is an operative of Al Qaeda in the Arabian Peninsula, the affiliate of the terror network in Yemen and Saudi Arabia. They say they believe that he has become a recruiter for the terrorist network, feeding prospects into plots aimed at the United States and at Americans abroad, the officials said. It is extremely rare, if not unprecedented, for an American to be approved for targeted killing, officials said. A former senior legal official in the administration of [George W. Bush](http://topics.nytimes.com/top/reference/timestopics/people/b/george_w_bush/index.html?inline=nyt-per) said he did not know of any American who was approved for targeted killing under the former president.

But the director of national intelligence, [Dennis C. Blair](http://topics.nytimes.com/top/reference/timestopics/people/b/dennis_c_blair/index.html?inline=nyt-per), told a House hearing in February that such a step was possible. “We take direct actions against terrorists in the intelligence community,” he said. “If we think that direct action will involve killing an American, we get specific permission to do that.” He did not name Mr. Awlaki as a target. The step taken against Mr. Awlaki, which occurred earlier this year, is a vivid illustration of his rise to prominence in the constellation of terrorist leaders. But his popularity as a cleric, whose lectures on Islamic scripture have a large following among English-speaking Muslims, means any action against him could rebound against the United States in the larger ideological campaign against [Al Qaeda](http://topics.nytimes.com/top/reference/timestopics/organizations/a/al_qaeda/index.html?inline=nyt-org). It is extremely rare, if not unprecedented, for an American to be approved for targeted killing, officials said. A former senior legal official in the administration of [George W. Bush](http://topics.nytimes.com/top/reference/timestopics/people/b/george_w_bush/index.html?inline=nyt-per) said he did not know of any American who was approved for targeted killing under the former president. But the director of national intelligence, [Dennis C. Blair](http://topics.nytimes.com/top/reference/timestopics/people/b/dennis_c_blair/index.html?inline=nyt-per), told a House hearing in February that such a step was possible. “We take direct actions against terrorists in the intelligence community,” he said. “If we think that direct action will involve killing an American, we get specific permission to do that.” He did not name Mr. Awlaki as a target.

The possibility that Mr. Awlaki might be added to the target list was reported by The Los Angeles Times in January, and Reuters reported on Tuesday that he was approved for capture or killing. “The danger Awlaki poses to this country is no longer confined to words,” said an American official, who like other current and former officials interviewed for this article spoke of the classified counterterrorism measures on the condition of anonymity. “He’s gotten involved in plots.” The official added: “The United States works, exactly as the American people expect, to overcome threats to their security, and this individual — through his own actions — has become one. Awlaki knows what he’s done, and he knows he won’t be met with handshakes and flowers. None of this should surprise anyone.” As a general principle, international law permits the use of lethal force against individuals and groups that pose an imminent threat to a country, and officials said that was the standard used in adding names to the list of targets. In addition, Congress approved the use of military force against Al Qaeda after the Sept. 11, 2001, terrorist attacks. People on the target list are considered to be military enemies of the United States and therefore not subject to the ban on political assassination first approved by President [Gerald R. Ford](http://topics.nytimes.com/top/reference/timestopics/people/f/gerald_rudolph_jr_ford/index.html?inline=nyt-per). Both the [C.I.A.](http://topics.nytimes.com/top/reference/timestopics/organizations/c/central_intelligence_agency/index.html?inline=nyt-org) and the military maintain lists of terrorists linked to Al Qaeda and its affiliates who are approved for capture or killing, former officials said. But because Mr. Awlaki is an American, his inclusion on those lists had to be approved by the [National Security Council](http://topics.nytimes.com/top/reference/timestopics/organizations/n/national_security_council/index.html?inline=nyt-org), the officials said. At a panel discussion in Washington on Tuesday, [Representative Jane Harman](http://harman.house.gov/about/committees-legislation.shtml), Democrat of California and chairwoman of a House subcommittee on homeland security, called Mr. Awlaki “probably the person, the terrorist, who would be terrorist No. 1 in terms of threat against us.”

\*\*\*Drones Neg\*\*\*

\*\*\*Drones Good\*\*\*

Drones Good 1NC

Drones result in fewer civilian casualties and the CIA is currently building more accurate and smaller drones that accurately target terrorist, Pakistan incident proves. This takes out the internal link to instability.

Hodge 4/26 (“Targeted Killing Lite: Inside the CIA’s New Drone Arsenal”, By [Nathan Hodge](http://www.wired.com/dangerroom/author/nathanhodge/), writer for the Wired <http://www.wired.com/dangerroom/2010/04/in-drone-war-cia-opts-for-smaller-less-deadly-weapons/>

In Iraq and Afghanistan, the U.S. military has long been wise to a problem: Weapons designed for Cold War combat are often too powerful — and too lethal — for low-intensity conflict and counterinsurgency. Now it seems the CIA is catching on to the concept as well.in today’s *Washington Post*, Joby Warrick and Peter Finn [report](http://www.washingtonpost.com/wp-dyn/content/article/2010/04/25/AR2010042503114_pf.html) that the CIA may be using “new, smaller missiles” to take out suspected insurgents in Pakistan’s tribal areas, in combination with better surveillance and other technological upgrades.

Last month, they write, a CIA missile “probably no bigger than a violin case and weighing about 35 pounds” targeted a house in Miram Shah, in Pakistan’s South Waziristan province. The strike [killed a top al-Qaeda organizer](http://blog.newsweek.com/blogs/declassified/archive/2010/3/17.aspx), along with several others. Such precise, low-collateral-damage attacks, they add, “have provoked relatively little public outrage.”

Leaving aside the question of whether the CIA’s campaign of targeted killing is any less controversial — our pal Peter Singer [argues that is isn’t](http://www.brookings.edu/testimony/2010/0323_unmanned_systems_singer.aspx) — the agency’s acquisition of less-lethal weapons is intriguing. While the agency refused to comment on the specifics, it’s pretty easy to guess what’s going on here.

Take the [AGM-114 Hellfire missile](http://en.wikipedia.org/wiki/AGM-114_Hellfire), once the primary weapon in the drone arsenal. The hundred-pound missile packs a warhead that was originally designed to destroy a main battle tank. Use it against a more lightly armored target — [say, a civilian car](http://www.usatoday.com/news/world/2002-11-04-yemen-explosion_x.htm) — and it’s overkill. At the military’s behest, contractors have long been developing a number of alternatives for arming drones.

Drones Good 1NC

Pakistan made the sovereign decision to authorize U.S. drone attacks. This takes out the legitimacy internal link to Pakistani stability.

Benjamin 09’ (“U.S. carrying out “targeted killings”, by Mark Benjamin, writer on RINF, <http://rinf.com/alt-news/usa-news/us-carrying-out-targeted-killings/6146/>, 18th July 2009, Accesses 6/24/10, RINF, News article)

Pakistan’s complaints about U.S. drone strikes in Pakistan probably reflect domestic [political](http://rinf.com/alt-news/category/politics/) considerations there, observers speculate, rather than any lack of consent. Pakistan likely quietly gave the CIA the green light. Similarly, U.S. airstrikes in Iraq and Afghanistan documented in the Salon article last year passed legal muster since the governments of Iraq and Afghanistan consented. Koplow and other experts on international law said while few details of Cheney’s alleged assassination squad are publicly available, legally at least, it’s doesn’t sound like a far stretch from current CIA activities. Ironically, the attorneys add, Cheney could theoretically face stiffer legal consequences under U.S. law for failing to inform Congress about plans for CIA assassinations than he would have had he carried them out. Cheney’s reported decision not to inform Congress might have violated the 1947 National Security Act, which requires that the intelligence committees in Congress are “kept fully and currently informed of the intelligence activities of the United States, including any significant anticipated intelligence activity.” However, as the Washington Post article states, the intelligence finding that gave rise to the program “imposed no geographical limitations on the agency’s actions.” That raises the possibility that the program would have violated sovereignty. Solis speculated that Cheney’s assassination squad could have been conceived to go a step further and send civilian agents into foreign countries without permission to kill individual people. “Other countries would take a very dim view of that,” he said.Did the Cheney assassination ring contemplate assassinations in other countries without that country’s permission, which would violate international law? Even if it did, Cheney would likely have escaped sanction, provided he didn’t try to use his passport much. United States domestic law contains no enforcement mechanism for violating a foreign country’s sovereignty, attorneys say. In short, there is no domestic tool to hold Cheney legally liable even if he set up and ran an assassination squad that was taking out al-Qaida operatives in Canada. “Would there be a domestic prosecution?” noted Scott Silliman, an expert on international law at Duke Law. “No. There is nothing there.” But perhaps, like Augusto Pinochet, Cheney could’ve found himself unable to travel abroad without fearing arrest.

Drones Good 1NC

No internal link to soft power or international law the U.S. has gained approval for drone attacks.

Benjamin 09’ (“U.S. carrying out “targeted killings”, by Mark Benjamin, writer on RINF, <http://rinf.com/alt-news/usa-news/us-carrying-out-targeted-killings/6146/>, 18th July 2009, Accesses 6/24/10, RINF, News article

Media reports recently exposed efforts by the Bush administration to create a CIA “assassination squad” so secret that former Vice President Dick Cheney ordered the agency to keep Congress in the dark about it. The Wall Street Journal called it a secret plan to “capture or kill al Qaida operatives”; on Thursday, the Washington Post said the program was about to be activated when [CIA director Leon Panetta pulled the plug](http://www.washingtonpost.com/wp-dyn/content/article/2009/07/15/AR2009071503856.html?nav=hcmodule). But the blaring headlines, and the buzz in the blogosphere, are not just due to more evidence of the ex-veep’s addiction to executive power and behind-the-scenes machinations. It’s that word “assassinate.” Most observers assume that assassination is specifically proscribed by U.S. policy. Except it isn’t, exactly, and while the secret CIA assassination program canceled by Panetta may never have claimed a victim, the U.S. is already carrying out actions that look nearly exactly like assassinations, and doing so within the guidelines of domestic and international law. The United States has had plenty of legal latitude to carry out targeted killings during the so-called [war](http://rinf.com/alt-news/category/war-terrorism/) on terror — and has been exercising that option vigorously for the past eight years.The United States, in fact, has been targeting and eliminating specific al-Qaida and Taliban operatives ever since Congress authorized the use of force against them in September 2001. Just the other day, what were probably unmanned CIA drones [killed 43 militants in Pakistan](http://www.nytimes.com/2009/07/09/world/asia/09pstan.html) as part of the still unsuccessful effort to assassinate just one man, Taliban leader Baitullah Mehsud. Early last year, [Salon reported](http://www.salon.com/news/feature/2008/02/15/air_war/) from the Middle East on targeted killings carried out by the U.S. Air Force in Iraq and Afghanistan. That article explored the sometimes-excruciating process, assisted by military attorneys, of trying to decide who could be killed from the air and under what circumstances, while simultaneously trying not to kill innocent civilians. The military officials at the installation Salon visited were definitely engaged in targeted killing — yet they objected to the use of the term “targeted killing,” much less “assassination.” Gary Solis, an expert on military law at Georgetown University, said the Bush administration — and now the Obama administration — would take umbrage at characterizing the ongoing CIA drone attacks on specific targets as assassinations. “‘Assassination’ is a civilian term for a politically motivated murder,” Solis said. “Soldiers don’t assassinate. They kill.” Whatever phrase we use to describe the process, clearly the U.S. has been engaged in targeted killing during the past eight years. So what about those U.S. policies that expressly forbid assassination? It may generate flashbacks to the tortured debate over torture, but it all comes down to semantics. Assassination is OK — as long as you don’t use the word “assassination.” In 1975, the U.S. Senate formed an 11-member commission called the Church Committee, led by Idaho Sen. Frank Church, to investigate the activities of the CIA. The Church Committee’s many reports detailed efforts by the agency to assassinate such foreign leaders as Fidel Castro, Patrice Lumumba and Rafael Trujillo. Reacting to the committee’s findings, Gerald Ford was the first president to issue what would become a series of executive orders limiting targeted [political](http://rinf.com/alt-news/category/politics/) killings. Ford’s Executive Order 11905 of Feb. 18, 1976, included a specific prohibition of assassination that said, “No employee of the United States Government shall engage in, or conspire to engage in, [political](http://rinf.com/alt-news/category/politics/) assassination.” Jimmy Carter reaffirmed that executive order with his own, as did Ronald Reagan; their versions of the order dropped the modifier “[political](http://rinf.com/alt-news/category/politics/)” from “assassination.” There is no public indication that any president since has rescinded Reagan’s order, so it likely remains in place. But where there’s a will, there’s a way. When the state wants to kill someone, it has to come up with a rationale for describing that killing as something other than assassination. There are effectively three rules the U.S. government must follow in order to be able to argue that a killing is in accordance with both domestic and international law, and is not an “assassination.” First, the killing must be a military act, an act of [war](http://rinf.com/alt-news/category/war-terrorism/). Second, the target must be definable as military or a civilian engaging in hostile acts against the United States. Third, if the killing takes place within a state with which the U.S. is not at [war](http://rinf.com/alt-news/category/war-terrorism/), the U.S. must have the permission of that country’s government to carry out the hit. The U.S. pursuit of Taliban and al-Qaida targets follows those rules — for the most part — and is compliant with domestic and international law — in theory.

Drones Good 1NC

Turn: Drones deescalate conflict and are the only way to win the war on terrorism

Anderson, ’10 (Kenneth, Visiting Fellow on the Hoover Task Force on National Security and Law and Professor of Law at American University, “Predators over Pakistan,” The Weekly Standard Vol. 15, No. 24, 3/8/10, accessed 6/25/10, <http://www.weeklystandard.com/print/articles/predators-over-pakistan>, SSD)

Targeting terrorists and militants with Predator drone strikes is one campaign promise President Obama has kept to the letter. Missiles fired from remote-piloted “unmanned aerial vehicles” (UAVs) at al Qaeda and Taliban leadership steadily and sharply increased over the course of 2009. Senior U.S. military and intelligence officials have called them one of the most effective tactics available to strike directly at al Qaeda and the Taliban. Indeed, CIA director Leon Panetta says that drones are “the only game in town in terms of confronting or trying to disrupt the al Qaeda leadership.” There is every reason to believe him.

In January 2010 alone, a dozen strikes were launched just in the Pakistani tribal region of Waziristan. With the beginning of the promised offensive against the Taliban in Afghanistan, Predator attacks have likewise surged against targets in Pakistan, concurrent with moves by Pakistani intelligence to detain Taliban leaders, and also concurrent with the extensive use of UAVs on the battlefield in the Afghan offensive (primarily as an urban surveillance tool but also for missile strikes). Obama promised that his administration would go after al Qaeda and Taliban in their refuges in Pakistan​—​with or without the permission of the Pakistani government, he pointedly said—and so he has done.

The aggressive expansion of the Predator targeted killing program is the Obama administration’s one unambiguous innovation in the war against terrorists. The adaptation of UAV surveillance craft into missile platforms took place as an improvisation in 2002 under the Bush administration—but its embrace as the centerpiece of U.S. counterterrorism operations belongs to Obama. It is not the whole of it—the Obama administration has expanded joint operations with Pakistan and Yemen, and launched commando operations in Somalia against terrorists. But of all the ways it has undertaken to strike directly against terrorists, this administration owns the Predator drone strategy. It argued for it, expanded it, and used it, in the words of the president’s State of the Union address, to “take the fight to al Qaeda.”

As al Qaeda, its affiliates, and other transnational jihadists seek shelter in lightly governed places such as Yemen or Somalia, the Obama administration says the United States will follow them and deny them safe haven. Speaking at West Point, the president obliquely referred to so-called targeted killings—we will have to be “nimble and precise” in the use of military power, he said, adding that “high-ranking al Qaeda and Taliban leaders have been killed, and we have stepped up the pressure on al Qaeda worldwide.”

The Predator drone strategy is a rare example of something that has gone really, really well for the Obama administration. Counterterrorism “on offense” has done better, ironically, under an administration that hoped it could just play counterterrorism on defense—wind down wars, wish away the threat as a bad dream from the Bush years, hope the whole business would fade away so it could focus on health care. Yet for all that, the Obama administration, through Predator strikes, is taking the fight to the enemy.

And, let’s face it, in dealing with terrorist groups in ungoverned places in the world, we have few good options besides UAVs. Drones permit the United States to go directly after terrorists, rather than having to fight through whole countries to reach them. Maybe that’s not enough to win. Maybe “light-footprint” counterterrorism via drones turns out to be just the latest chimera in the perennial effort to find a way to win a war through strategic airpower. Yet even in a serious counterinsurgency on the ground, drones will still be important as a means of attacking terrorists while clearing and holding territory. The upshot? As long as we engage in counterterrorism, drones will be a critical part of our offense.

Drones Good 1NC

Drones Critical To Effective Counter-Insurgency and Stabilization Efforts

Callam ’10 (Andrew Callam The George Washington University Emory University Executive Assistant at George Washington University, international affairs review Volume XIX, No. 1: Winter 2010) A.L.

UAVs also proved useful during counterinsurgency operations in Iraq. The stabilization of Sadr City in 2008 is a dramatic example of the utility of drones in counterinsurgency warfare. In this instance, U.S. colonels on the ground could directly control armed drones hovering over the streets of Baghdad. This was the first time drones were used at the brigade level. For example, after militants fired a rocket at an American position, an American battalion would deploy a Predator drone to survey the area as insurgents set up their next shot, then destroy the enemy’s mortar positions. The Predator could also loiter above the battle area, relaying the insurgents’ patterns and tactics to commanders on the ground. In one instance, a Predator drone hovered above a house that was a suspected weapons cache, waited for civilians to leave, and then destroyed the building with a Hellfire missile. The Predator granted the battalion persistent surveillance and strike capabilities, which proved crucial in stabilizing Sadr City.

Turn: Drones only way to solve post draw down stability in Iraq.

Brook 08 (Tom Vanden; writer USA Today, journalist; 3/25/2008 2:55 AM; USA Today; Report: Insurgents benefit from drone shortage; <http://www.usatoday.com/news/world/iraq/2008-03-24-UAV_N.htm> GM)

WASHINGTON — Insurgents have freely planted and detonated roadside bombs that cause most U.S. casualties in Iraq, exploiting the Pentagon's inability to meet the soaring demand for surveillance from unmanned aircraft, military records and interviews show. "The demand is huge because commanders no longer want pictures taken last week; they want streaming video with enough clarity and fidelity to anticipate the actions of the enemy," said retired major general Robert Scales, a military historian. "Thus, we are not even within 5% of what's really needed." There's a 300% annual increase in requests for full-motion video, said Dyke Weatherington, deputy director of unmanned warfare for the Pentagon. That demand, he says, outpaces the Pentagon's traditional acquisition process. "From the outside perspective, it may seem like the department isn't moving fast enough to incorporate new technology," Weatherington said. But he said the military prides itself on delivering proven technology that can be used as quickly as possible. The military's fleet of drones has increased from 167 unmanned planes to 5,331 in the past five years. "We're using every tool in our toolbox, in some cases developing new tools, to meet that requirement," Weatherington said. Yet the supply remains inadequate. A Pentagon presentation on drones last month showed that demand for video is more than four times the supply. The failure to meet the demand has led to more roadside bomb attacks, as insurgents have operated in the open without interference, military documents show. An internal Marine report in January said insurgents, free from drone observation, have "prepared and executed … attacks with relative impunity." That report echoed an urgent request in November 2006 from Marine commanders in Iraq for more video. Improvised explosive devices remain the top killer of U.S. troops in Iraq. Sunday, a roadside bomb killed four soldiers in Baghdad. Their deaths increased the U.S. death toll to at least 4,000, according to an Associated Press tally. The Marine Corps responded in part to the November 2006 request by expanding a contract it had with a private company that provided surveillance with drones, Lt. Col. Christopher Patton said in an e-mail. That's not good enough, said Sen. Kit Bond, R-Mo. Drones will become more important as U.S. troop levels decrease, forcing commanders to rely on unmanned systems to collect intelligence. Congress, Bond said, needs to prod the Pentagon "to end bureaucratic delays of lifesaving equipment." The failure to get more drones aloft resembles the delays in fielding Mine Resistant Ambush Protected (MRAP) vehicles, said retired Marine lieutenant general Wallace Gregson. Defense Secretary Robert Gates stepped in last year to make fielding MRAPs the Pentagon's top acquisition priority. "Will we have to wait years for the UAV (unmanned aerial vehicle) surveillance and the bandwidth to exploit it?" Gregson said.

Drones Good 1NC

Turn: Drones are critical to U.S. Readiness. Drone prolif is inevitable the only question is whether the United States maintain its edge.

Rogan, March 29 2010 (Christopher, army cadet, “INCREASING THE COMBAT POWER OF THE SQUAD ON PATROL: THE POTENTIAL OF THE SOLDIER-PORTABLE DRONE AS A TACTICAL FORCE MULTIPLIER” , accessed June 24 2010)

Another important consideration is the international technological race for drones and unmanned combat vehicles. American, and to some extent, Israeli, drones have dominated news coverage for the past decade, but what about America’s strategic competitors? Countries such as Russia, Belarus, George, India, Pakistan, China, and Iran have conducted significant research and development into drone technology. Furthermore, other nations have investigated electronic ways of interfering with drones—Iraqi insurgents were able to find a flaw in the Predator’s programming that allowed them to tap into the drone’s live feed and watch what American commanders were watching. The drone will not be a technology limited solely to the United States or its allies; it will be a technology used by all nations, and as such the United States must stay ahead of the curve in order to protect its national security interests abroad.

Drones Good ext.

Smaller More Accurate Drones Coming Down the Pipe. Status Quo solves your harms without letting the terrorist win.

Hodge 4/26 (“Targeted Killing Lite: Inside the CIA’s New Drone Arsenal”, By [Nathan Hodge](http://www.wired.com/dangerroom/author/nathanhodge/), April 26, 2010, http://www.wired.com/dangerroom/2010/04/in-drone-war-cia-opts-for-smaller-less-deadly-weapons/

The video here shows a test launch of [Scorpion](http://www.lockheedmartin.com/data/assets/mfc/PC/MFC_scorpion_pc.pdf), a thirty-five pound precision glide bomb developed by Lockheed Martin. As our own David Hambling [reported in December](http://www.wired.com/dangerroom/2009/12/video-tiny-deadly-glide-bombs-unpack-for-assault/), Scorpion uses a vicious warhead known as Battleaxe which “combines shaped-charge, fragmentation and enhanced blast in one compact package, and adds an extra bonus: it throws out [fragments of reactive material which explode on impact](http://www.wired.com/dangerroom/2008/05/reactive-revo-1/), making it especially effective against unarmored vehicles and other soft targets. This type of explosive technology can make smaller munitions as effective as their bigger predecessors.” Scorpion was conceived as a competitor to the [GBU-44 Viper Strike](http://en.wikipedia.org/wiki/GBU-44/B_Viper_Strike), a small glide bomb that has already been tested in combat (the Army integrated Viper Strike, a derivative of the Brilliant Anti-Tank Munition, on the [RQ-5 Hunter drone](http://en.wikipedia.org/wiki/MQ-5_Hunter)). As Hambling [noted](http://www.aviationweek.com/aw/jsp_includes/articlePrint.jsp?storyID=news/DTI-UAVs.xml&headLine=Efforts%20Are%20Underway%20to%20Arm%20Small%20UAVs), weapons designers have been rushing to develop a number of off-the-shelf air-to-surface weapons for drones, using parts from existing missiles. The Thales [Lightweight Multirole Missile](http://www.thalesgroup.com/Portfolio/Defence/Air_Systems_Product_-_Lightweight_Multi-role_Missile__%28LMM%29/?pid=1568), he notes, was developed using elements from Thales’s Starstreak/Starburst anti-aircraft missiles, and weighs 28 pounds. Raytheon’s [Griffin](http://en.wikipedia.org/wiki/Griffin_%28missile%29) missile is a similar effort: It combines parts of the company’s Javelin man-portable anti-tank missile and AIM-9X Sparrow air-to-air missile. It weighs in at 45 pounds. The Army even put money toward the [Advanced Precision Kill Weapon System](http://en.wikipedia.org/wiki/Advanced_Precision_Kill_Weapon_System) (APKWS), an effort to design a “smart” 2.75-inch rocket (the [Hydra 70 rockets](http://en.wikipedia.org/wiki/Hydra_70) currently fired from helicopters are unguided, area-effect weapons).  The Navy, which took over the development effort, [recently declared](http://www.baesystems.com/Newsroom/NewsReleases/autoGen_11039154649.html) that the APKWS was ready to enter production.

Using CIA to control drones will not violate international laws about targeted killing, drones minimize violence and target military personnel not civilians.

**Benjamin 09’** (“U.S. carrying out “targeted killings”, by Mark Benjamin, writer on RINF, <http://rinf.com/alt-news/usa-news/us-carrying-out-targeted-killings/6146/>, 18th July 2009, Accesses 6/24/10, RINF, News article)

The United States is at [war](http://rinf.com/alt-news/category/war-terrorism/) with al-Qaida. The president has the authority to conduct limited military action without congressional approval, but for sustained military action the executive branch needs to be granted legal license by the legislative branch. On Sept. 14, 2001, Congress passed a resolution authorizing “all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons.” The president then signed a secret intelligence “finding” authorizing the CIA to hunt and kill just those kinds of “persons.” Internationally, the Law of Armed Conflict, that web of treaties including the Geneva Conventions, allows the killing of enemy combatants or even civilians engaged in hostile acts against the United States. Legally, it does not matter where the hit occurs. As long as the U.S. government has the permission of the government where the killing takes place, the killing can occur anywhere in the world. It also does not matter that the people “pulling the trigger” — deploying the drones — are civilian CIA agents, not soldiers. “That is the CIA’s involvement in an armed conflict,” Solis explained. “We have the CIA flying drones killing people who we conceive to be combatants” with the permission of the country where the strikes occur. But fighting a [war](http://rinf.com/alt-news/category/war-terrorism/) against a stateless organization is complicated. The “[war](http://rinf.com/alt-news/category/war-terrorism/) on terror” is conducted against anybody deemed the enemy anywhere in the world. The tricky part comes in trying to decide who fits the definition of somebody carrying out hostile acts against the United States. A suspected bomb maker with no uniform? What if he hasn’t made a bomb in a week? A month? A year? Solis said most attorneys would view President Clinton’s 1998 cruise missile strike aimed, in part, at Osama bin Laden as a military operation short of [war](http://rinf.com/alt-news/category/war-terrorism/), not as an assassination attempt. It was undertaken in response to al-Qaida’s attack on the USS Cole, which was clearly a hostile act. The killing of a person engaged in hostile acts, even by an “assassination squad” of secret agents, would not violate international law — specifically U.N. charter provisions on sovereignty — unless the United States carried out an assassination in a foreign country without the foreign government’s consent. “International law says the U.S. can’t go into country X and do military operations without that country’s consent,” explained David Koplow, a professor specializing in international law and national security law at Georgetown University. “Internationally, so long as you are doing it with the permission of the host country, it is no problem.”

Drones Good ext.

TURN: DRONES DECREASE LOSS OF LIFE AMONGST CIVILIANS AND SOLDIERS DECREASE THE INSURGENCY FROM BOTH THE POPULATION AND ENEMY SIDES OF THE CONFLICT.

Singer, June 27 2009, (Peter, Director of the 21st Century Defense Initiative with The National, “Attack of the Military Drones”, accessed June 21 2010)

Since the start of last year, US drones have hit more targets in Pakistan – over 50 – than Nato’s manned bombers did during the opening round of the war in Kosovo a decade ago. By one measure, these strikes could be considered incredibly effective: reports indicate that the US has killed 14 top al Qa’eda or Taliban leaders without losing a single one of its own soldiers in the process. Imagine, by contrast, if thousands of US troops had been sent into the rugged terrain of Pakistan’s north-west frontier on the same mission – they would have suffered great casualties, killed fewer militant leaders, and killed or displaced many more civilians in turn. Yet, instead of being lauded, these drone strikes have been increasingly questioned, largely due to controversial claims about the civilian casualties they have caused. In the Pakistani media, it has been widely reported that some 700 civilians have been killed in the last year. American officials, of course, strongly dispute these figures: they cite the precision of the technology, the lack of any firm evidence for these casualty numbers (which are cited without sources) and the fact that terrorist leaders often hide among civilian populations and deliberately cause collateral damage. Adding fuel to the fire, all too typically, the Pakistani government long tried to play a double game with these strikes. For months, it angrily decried the civilian losses and blasted the supposed violations of its sovereignty. Then it was revealed that the US drones carrying out the strikes were actually flown out of the Shamsi airbase inside Pakistan. The government then shifted its tone: it went from stoking public anger to asking for its own drones from the United States. While the casualty figures remain contested, this narrative of robots killing civilians has taken on a life of its own in both Pakistan and the United States. The News of Pakistan recently declared that “Predator attacks against extremists inside Pakistan [have] now moved America into the position of ‘principal hate figure’ and all-purpose scapegoat”. At the same time, a recent New York Times op-ed, citing the well-publicised casualty figures, suggested that the death toll of 700 civilians and 14 terrorist leaders represented a ratio of 50 civilians for every militant target. The writers Andrew Exum and David Kilcullen, two exceptionally wise and influential counterinsurgency experts, then called for the end of the strikes, arguing that “the persistence of these attacks on Pakistani territory offends people’s deepest sensibilities, alienates them from their government, and contributes to Pakistan’s instability”. Go back to those two scenarios at the start. Clearly, for many, the second scenario, the killing of Osama bin Laden in a messy battle on the ground, would be more of a victory in the “war of ideas” than a clean precision strike from afar, even if the former left far more civilians killed. The reason is that while we most often focus on the narrative of collateral damage in discussions of these drone strikes, our interpretations are not only shaped by whether civilians get in the way or not. There is something more at work. The meaning of these strikes – and the battle to define their morality and efficacy – cuts to the heart of the narratives by which each side in the “war on terror” defines itself. The most basic rationale for the use of unmanned systems is to reduce the user’s risk of casualties: American commanders I have interviewed reflexively cite this as the most important benefit of the new technology. As one soldier put it: “When a robot dies, you don’t have to write a letter to its mother.” But as Peter Feaver, a Duke University professor turned Bush Administration National Security Council adviser, asks: “What is Osama bin Laden’s fundamental premise if not the belief that killing some Americans will drive our country to its knees?” The conflicts now raging in places like Iraq and Afghanistan are being fought by combatants with vastly different understandings of war, the role of the warrior and the meaning of sacrifice. As Christopher Coker of the London School of Economics has put it: “opposites in the psychology and emotions of war” are colliding. One side looks at war instrumentally, as a means to an end, while the other sees it metaphysically, placing great meaning on the very act of dying for a cause. It is for this reason that completely different interpretations are made of the same act. To some, a person who blows themselves up along with a hotel full of civilians is a shaheed carrying out a noble act of jihad. To others, that same person is a fanatical murderer committing an ignoble act of barbarity. Similarly, a pilot who uses a drone to strike with precision from thousands of miles away may see himself as a warrior fighting in full respect of the international laws of war. But 7,000 miles away that very same pilot is described by others as a coward engaging in an act of “heartless terrorism”, as the lyrics of a Pakistani pop song put it. The use of unmanned systems may

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Drones Good ext.

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therefore provide the most graphic illustration of the “war of ideas” that underpins much of the conflict currently underway. The very value of robots in war is their ability to diminish human loss for the side using them: they are the ultimate means of avoiding sacrifice. But the side that turns to robots is fighting against those who see death as something to be celebrated, and not merely for themselves, but also for those around them. The loss of civilians to a member of al Qa’eda is not something to be lamented or apologised for, but viewed as a victory. So, with the growing use of remote technologies and terrorism, the warriors of the two sides meet less and less in battle – whether actual combat or the battle of ideologies. Each side has its own worldview, but it is one that the other side views as not only irrational, but also contemptible. Thus, when we bring together those who fight with robotics and those who see themselves as martyrs targeted by them, a powerful irony is revealed. For all our growing use of machines in war, our humanity remains at the centre of it. The dilemmas of modern warfare may seem to be driven by technological advances, but they are rooted in our all too human politics and psychology. If we want to understand the impact of using robots to wage war, we should really look within ourselves.

Readiness Ext: DRONES SAVE SOLDIERS’ LIVES AND GIVE THE MILITARY A TECHNOLOGICAL ADVANTAGE

Rogan, March 29 2010 (Christopher, army cadet, “INCREASING THE COMBAT POWER OF THE SQUAD ON PATROL: THE POTENTIAL OF THE SOLDIER-PORTABLE DRONE AS A TACTICAL FORCE MULTIPLIER” , accessed June 24 2010)

Over the past twenty years, a new type of force multiplier has emerged within the US military. The unmanned drone has found use in a number of different roles from functioning as an intelligence, surveillance and reconnaissance (ISR) platform to a weaponized strike asset. Barry R. Posen writes that the advantage that the unmanned drone offers over satellites in the ISR domain is that these machines can linger, very often undetected, over an objective for hours, even days, without having to move, a capability satellites are unable to provide. Peter Bergen and Katherine Tiedemann of the New America Foundation also point out that drones have been successfully used to target key leaders in insurgent and terrorist organizations during the ongoing conflicts in Afghanistan, Pakistan and Iraq. These unmanned drones have found a growing role in US military operations, as they offer the capability to have a strike asset available over an extended period of time to attack targets of opportunity without placing pilots at risk. Although platforms such as the Predator have been used to attack high-value targets on battlefields in places like Afghanistan, many still argue that the most effective way to use drones is to integrate drones with their manned counterparts. David Ortiz, while attending classes on the utilization of Air Force intelligence gathering assets such as the AWACS and JSTAR aircraft, asserts that systems such as Global Hawk and Predator can be integrated with these aircraft to improve the scope of what the Air Force can gather intelligence on. This concept is certainly applicable at the tactical level—drones have been effectively integrated into light infantry and EOD units to serve as reconnaissance or bomb defusing tools.

Negative Drone Data Flawed/Anecdotal (1)

STATISTICS ON CIVILIAN DEATHS ARE BASED ON TALIBAN CLAIMS-- SKEWS DRONE DEBATE IN FAVOR OF THE OPPOSITION

Fair, May 28 2010 (Christine, assistant professor in the Security Studies Program at Georgetown University's Edmund A. Walsh School of Foreign Service, <http://www.foreignpolicy.com/articles/2010/05/28/drone_wars?page=full>, accessed June 25 2010)

It's been a bad week for drones. On Friday, U.N. official Philip Alston [announced](http://www.nytimes.com/2010/05/28/world/asia/28drones.html) he would be asking the United States to move the controversial, Central Intelligence Agency-run program under the aegis of the military, and international law. He joins a growing chorus of people opposed to the use of drone airstrikes to target militants ensconced in Pakistan's Federally Administered Tribal Areas (FATA), on legal, humanitarian, and operational grounds. (Alston is at least more informed than most drone foes in that he recognizes that the drone strikes in Pakistan's FATA are CIA-led covert operations rather than "military strikes.") The anti-drone argument goes like this: Because drone attacks kill innocent civilians and violate Pakistan's sovereignty, they are deeply and universally despised by Pakistanis, and contribute to deepening anti-U.S. sentiment in the country -- enmity that could boost terrorist organizations' recruitment and eventually force Pakistan's military and civilian leaders to abandon their cooperation with the United States. During his [testimony](http://articles.latimes.com/2009/may/03/opinion/oe-mcmanus3)before the U.S. Senate Foreign Relations Committee in May 2009, David Kilcullen, a former counterinsurgency advisor to Centcom commander Gen. David Petraeus, said it was time for the United States to "call off the drones." Later that month, Kilcullen and Andrew M. Exum, who served as an Army Ranger in Iraq and Afghanistan from 2002 to 2004, published a provocative editorial in the *New York Times*, titled ["Death From Above: Outrage from Below,"](http://www.nytimes.com/2009/05/17/opinion/17exum.html) in which they estimated that over the "past three years" drones had killed just 14 "terrorist leaders" at the price of some 700 civilian lives. "This is 50 civilians for every militant killed," they wrote, "a hit rate of 2 percent." Their conclusion? Drone strikes produce more terrorists than they eliminate-an assertion that has become an article of faith among drone-strike opponents. It would be a damning argument -- if the data weren't simply bogus. The only publicly available civilian casualty figures for drone strikes in Pakistan come from their targets: the Pakistani Taliban, which report the alleged numbers to the Pakistani press, which dutifully publishes the fiction. No one has independently verified the Taliban's reports -- journalists cannot travel to FATA to confirm the deaths, and the CIA will not even acknowledge the drone program exists, much less discuss its results. But high-level Pakistani officials have conceded to me that very few civilians have been killed by drones and their innocence is often debatable. U.S. officials who are knowledgeable of the program report similar findings. In fact, since January 1 there has not been *one* confirmed civilian casualty from drone strikes in FATA. Not only do drone opponents rely upon these fictitious reports of civilian casualties, they also tend to conflate *drone* strikes in Pakistan with *air* strikes in Afghanistan, lumping the two related but very different battlefields together as one contiguous theater. They also conflate different kinds of air strikes within Afghanistan. These distinctions matter, a lot.In Afghanistan, it is an ignominious truth that hundreds of civilians are killed in NATO airstrikes every year. But most of the civilian casualties in Afghanistan have not stemmed from pre-planned, intelligence-led attacks; rather, civilians are most likely to die when troops come into contact with the enemy and subsequently request air support. This is because when it comes to air strikes, NATO forces in Afghanistan have a limited range of air assets at their disposal. As a result, when troops come into contact with insurgents and call for air support, they get the ordinance that is available, not the firepower that would be best suited to their needs. Sometimes large bombs are dropped when smaller ones would have been better, and the risk of civilian casualties increases accordingly. By contrast, drone airstrikes are pre-planned, intelligence-led operations, and are usually accomplished with minimal civilian deaths -- as even Human Rights Watch [acknowledges](http://www.hrw.org/en/reports/2008/09/08/troops-contact-0). They are the product of meticulous planning among lawyers, intelligence officers, and others who scrupulously and independently confirm information about potential enemies, working to establish a rigorous "pattern of life" to minimize the deaths of innocents. Others in the Air Force, using a classified algorithm, estimate the potential for civilian casualties based upon a variety of local data inputs. While one should not be blasé about the loss of any civilian life, it is important to note that the different kinds of air operations are not created equal. How does the situation in the air over Afghanistan compare to that in Pakistan? The short answer is that we don't know -- drone strikes in Pakistan are conducted under the auspices of the CIA and occasionally the Joint Special Operations Command, and are covert operations that the United States government does not even acknowledge take place. (If you've seen footage of civilian casualties at all, they're in Afghanistan, not Pakistan.) But if we know little about the drone strikes, we know enough about the alternative means of eliminating terrorists in FATA to know that they're probably worse.

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Negative Drone Data Flawed/Anecdotal (2)

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Pakistan has no police in FATA to arrest them. The Pakistan army is now in its 13th month of sustained combat in the region, an effort that has flattened communities and displaced millions but done little to chip away at the insurgents' strength. Drone strikes may not be perfect, but they're likely the most humane option available. Of course, the actual impact of the drone strikes is only part of the equation -- the perception of them in Pakistan matters enormously as well. But here, too, the conventional wisdom -- that Pakistanis hate the drone strikes, and consider them an affront to their national sovereignty -- is not entirely correct. Pakistan's government makes a big show of opposing the strikes, but it's not much more than political theater. In fact, the United States secured permission to launch strikes from then President Pervez Musharraf in 2006 -- Musharraf was adamant at the time that the strikes be confined to the FATA and they have been. Musharraf also warned U.S. President George W. Bush beforehand that Pakistani military and civilian officials alike would protest the strikes, out of domestic political necessity -- it was nothing personal. Presidents Asif Ali Zardari and Barack Obama have inherited this combination of operating agreements and kabuki politics. What about the Pakistanis in the regions where the strikes are occurring? The truth is, we don't really know what they think. Collecting reliable and rigorous opinion data in FATA is difficult -- the lack of a current census, the influx of Afghan refugees and emigration of FATA natives fleeing the unstable region makes it nearly impossible for even the best polling firms in Pakistan to draw a scientifically defensible sample of FATA residents. As a result, all we have is a smattering of anecdotal accounts, which vary depending upon who is asked, and where, when, and how they are interviewed. On one hand are those who [rubbish](http://www.airra.org/newsandanalysis/AnalysisDroneattackschallengingsomefabrications.php) the Pakistani media claims of civilian casualties and assert that the drones effectively kill militants but not civilians. On the other are [outraged residents](http://thenews.com.pk/top_story_detail.asp?Id=28773) who live in fear of the constant buzzing of the drones circling above. It's unreasonable to extrapolate any kind of majority opinion from either one of them. What is clear enough, however, is that the drone strikes, however unpopular they may be, are likely to be more popular than the realistic alternatives: the Taliban's violence or the Pakistani army's operations, which have displaced millions. Mosharraf Zaidi, a Pakistani journalist and commentator, vividly captured the complex reality in his [May 11 piece](http://thenews.com.pk/top_story_detail.asp?Id=28773) in *The News*: "The relative popularity of drones is almost as emphatic as their absolute unpopularity. Pakistani military operations have a reputation in the region now, for being so brutal, that entire parts of towns are destroyed. Drones that destroy one or two homes at a time, obviously represent less damage, and therefore, an option that is preferable to the military's artillery campaigns." That's why, if the United States does pull its drones out of FATA, Pakistanis will have two options. Either the government simply gives up the fight, or the Pakistani military -- which is already stretched thin -- may have to pick up where the Americans leave off. After the Pakistani army's arduous battle to wrest control of the Swat Valley back from the Taliban beginning in earnest in 2009, Musharraf argued that the United States should give Pakistan drones to pull off future strikes without the massive footprint of a ground force operation. After subsequent requests were rebuffed, Pakistan first sought to buy drones from Italy, but now plans to manufacture them locally. Nevertheless, American and Pakistani citizens do need to weigh the relative costs and benefits of drone attacks. Doing this requires some concessions from the U.S. government. First, it should abandon the absurd claim that it does not conduct drone strikes -- since Google Earth images of U.S. drones at the Shamshi airbase in Baluchistan were [published](http://www.timesonline.co.uk/tol/news/world/asia/article5762371.ece) in 2009, the charade hardly seems worth the effort. Second, it should provide evidence of what exactly the drone attacks have produced so far: who has been killed, and how important those people were to the enemy's capabilities. Drone critics can surely question and even reject the process by which individuals are declared "fair targets" and the legality of these extrajudicial killings. But such a debate can only happen when the U.S. government clarifies how targets are selected and vetted. Until the U.S. government owns these attacks and presents information about their outcomes, at best unrealiable and at worst fabricated civilian casualties figures will dominate the drone debate. And that would be the real tragedy -- it could force policymakers in the United States and Pakistan to discard the least bad tool at their disposal.

Drones Legal

Its justified – fits the Caroline Case in the UN Charter’s guidelines

Jahagirdar 08 (Om. M., University of Virginia School of Law, July 2008, “Targeted killing, not assassination: the legal case for the United States to kill terrorist leaders”, Accessed June 24, 2010, RA)

Even if the authority to attack enemies exists under Article 51 of the UN charter, the larger issue is when this authority can be invoked. There is “no specific definition of ‘selfdefense’ or ‘armed attack’…the only evidence customary international law provides as to its scope arises from”102 what is now called the Caroline Case. This case arose when British troops, in 1837, launched an attack on a US ship called the Caroline “that had been moving arms and volunteers to Canadian secessionists”.103 The US Secretary of State at the time, Daniel Webster, responded to that attack, claiming that the situation was not one of self-defense. His often-quoted statement has become the backbone of the definition of self-defense: It will be for [the British] to show a necessity of self-defense, instant overwhelming, leaving no choice of means, and no moment for deliberation. It will be for it to show, also, that the local authorities of Canada, even supposing the necessity of the moment authorized them to enter the territories of the United States at all, did nothing unreasonable or excessive; since the act, justified by the necessity of self-defense, must be limited by that necessity and kept clearly within it.104 The Caroline case has generally been accepted as requiring a state, usually before launching an anticipatory attack, to ensure that that “self-defense is instant, overwhelming, and leaving no choice of means, and no moment of deliberation”.105 Another author also discusses four factors that influence whether a state should take preemptive action, including: the past practices of the terrorist organization; the motives of the particular group; the current context of relations between either the state or the terrorist entity; and actions being taken by the group in preparation for future attacks.106 In addition, a targeted killing policy should be “combined with the principles of imminence, necessity, and proportionality”.107 The International Military Tribunal at Nuremberg has accepted the Caroline definition for anticipatory attacks.108 The government of the US, on the basis of the Caroline doctrine: Generally recognizes three forms of self-defense permitted within Article 51: (a) against an actual use of force, or hostile act, (b) preemptive self-defense against an imminent use of force, and (c) self-defense against a continuing threat.109 In conclusion, the factors relevant to whether the US can lawfully launch a military strike against foreign terrorist leaders, either in response to an attack, or in anticipation of an attack, are: (1) past practices and current context; (2) the US should attack immediately and (3) proportionally because (4) all other means were exhausted and there was (5) no choice but to protect the US. As a result of the above international analysis, any action taken with Article 51 authority would mean that the laws of war would control the circumstances – and if the U.S. can justify the “targeted killing of a terrorist under Article 51, then it is legal under both US domestic and international law”.110

\*\*\*Anwsers to Anwsers\*\*\*

A2 Collateral Damage

Just because civilians are killed does not mean international laws are broken

Kahl 07 (Colin H. Assistant Professor of Foreign Service at Geogetown, Summer, International Security, Volume 32, Number 1 page 7-46 “In the Crossfire or the Crosshairs? Norms, Civilian Casualties, and U.S. Conduct in Iraq” MIT Press, Project Muse, 6/26/10 RCM)

The Law of War rests on four interrelated principles: military necessity, humanity, distinction, and proportionality. The latter two principles are central to the norm of noncombatant immunity. The principle of distinction is the obligation for parties to hostilities to always distinguish between lawful military targets (i.e., combatant forces and military objects and objectives) and unlawful noncombatant ones (including the civilian population as such, individuals not taking direct part in hostilities, and civilian objects such as hospitals, schools, places of worship, and important cultural sites). Under no circumstances, including military necessity, is the direct (intentional) application of force against noncombatant targets allowed. Nonuniformed “civilians” may not be targeted unless they directly take part in hostilities, and civilian objects and structures are also off limits unless they are being used for military purposes. The principle of proportionality states that anticipated but unavoidable or otherwise incidental (i.e., “collateral”) damage to noncombatants and civilian objects incurred while attacking a legitimate military objective must not be excessive in relation to the concrete and direct military advantage to be gained. Proportionality is not a wholly separate legal standard, but rather a secondary test that a planned attack must pass after meeting the principle of distinction.10 If both the distinction and proportionality principles are met, civilian casualties resulting from a strike on a military target, however tragic, are not considered violations of international law

Most international law violations are subjective and are not always reflective of the U.S. a balance must be struck between military necessity and human concerns  
Kahl 07 (Colin H. Assistant Professor of Foreign Service at Geogetown, Summer, International Security, Volume 32, Number 1 page 7-46 “In the Crossfire or the Crosshairs? Norms, Civilian Casualties, and U.S. Conduct in Iraq” MIT Press, Project Muse, 6/26/10 RCM)

Norm compliance is determined by the extent to which actors recognize normative obligations and attempt to bring behavior into line with these obligations. Evaluating the objective degree of compliance with a given norm is notoriously difficult because what constitutes a “violation” is often open to interpretation; norm compliance does not necessarily imply norm efficacy; and the existence of some violations is not sufficient to demonstrate systematic noncompliance.11 Therefore, three types of measures are used here to assess the degree of U.S. military compliance with the norm of noncombatant immunity in Iraq: (1) levels of civilian casualties (an indirect measure); (2) conduct during military operations; and (3) responses to instances of noncompliance. Drawing inferences from casualty data is a risky exercise. In wars, especially those involving powerful armed forces and long durations, large numbers of people may be killed or wounded, including civilians. This is why protections for noncombatants were institutionalized within the Law of War in the ªfirst place. But the Law of War merely balances military necessity against humanitarian concerns; no one argues that even full compliance with the norm of non- combatant immunity would spare all civilians. Accidents (both human and technological) will happen; civilians will unwittingly get caught in the cross-fire; and some collateral damage will be deemed acceptable, at least from a legal point of view. That said, at some point, very low or very high levels of casualties relative to the historical record and the nature of the conflict provide some indirect evidence of compliance or noncompliance.

A2: Capture is Superior

Targeted Killing Is Only Pursued As A Last Resort When Capture Isnt Possible.

Cullen ’07 (Colonel Peter M., United States Army, Staff Judge Advocate, 101st Airborne Division (Air Assault) at Fort Campbell, The Role of Targeted Killing in the Campaign Against Terror, March 13, 2007, p.8) BW

A third criticism is that in the campaign against terror that is so dependent on intelligence, it does not make sense to kill the target when capture and interrogation would produce significant benefits. This would be a valid criticism if the U.S. consistently passed on opportunities to apprehend targets in favor of killing them. This is not the case. There are numerous instances where the U.S. has worked with allies to apprehend key terrorists. The targeted killings that have occurred were presumably under circumstances where capture was not a viable option or presented unreasonable risk to U.S. personnel. The opposition to targeted killings increases dramatically when targeting errors occur and innocent non-combatants are killed. The answer, however, is not to stop targeted killings when they are justified, but to minimize mistakes with more timely and reliable intelligence and a careful process that reviews and approves all targeting missions.

A2: Killings = Martyrs

Targeted killing may create martyrs but it is not proven that these martyrs increase the popularity of terrorist organizations.

Byman 2006(Daniel, Ph.D in Political Science, Director for Security Studies Program and for Peace and Security Studies @ Georgetown, Associate Professor in the School of Foreign Service, Senior Fellow with the Saban Center for Middle East Policy @ Brookings Institution. Professional Staff Member for the Joint 9/11 Inquiry Staff of the House and Senate Intelligence Committees. Research Director of Middle East Public Policy @ RAND Corporation. Analyst on the Middle East for the U.S. government, “Foreign Affairs: Do targeted killings work?” p.102)NB

Moreover, although Israel’s recent killing campaign did create a new crop of Palestinian martyrs, it is not clear that the popularity of groups such as Hamas has increased as a result. The killings appear to have had only a short-term impact on Palestinian public opinion, particularly compared to the impact of even more unpopular Israeli policies such as the closing off of large parts of the West Bank to travel. Polls show that Palestinians have long favored negotiations with Israel and care most about issues such as economic growth and political reform. They supported a truce even in 2003, at the height of Israel’s military crackdown. Palestinian support for violence may briefly increase after a high-profile killing such as Yassin’s, but in general it seems to depend more on whether the public has faith in the peace process and the course of the negotiations.

Instability Alt. Cause

NATURAL RESOURCE DEPRIVATION CREATES POLITICAL INSTABILITY

Parthemore and Rogers 2010 [Christina Parthemore is a Fellow at the Center for a New American Security, Will Rogers is a Research Assistant at the Center for a New American Security “Sustaining Security: How Natural Resources Influence National Security” June 2010 Accessed 6/21/10 KAP]

In the 21st century, the security of nations will depend increasingly on the security of natural resources, or “natural security.” The global economy, developing countries and local economies throughout the world all rely on the availability of potable water, arable land, fish stocks, biodiversity, energy, minerals and other renewable and nonrenewable resources to meet the rising expectations of a growing world population. Yet the availability of these resources is by no means assured. Stable and sustainable natural resource supplies influence an array of U.S. security and foreign policy interests. In Afghanistan, which derives 50 percent of its GDP from agriculture and ranching, frequent droughts in combination with unsustainable land use and deforestation have put 75 percent of land area at risk of desertification. Water scarcity and pollution reduce Pakistan’s irrigation capabilities and agricultural productivity. Yemen, often cited as a potential safe haven for terrorists, is at risk of complete environmental collapse as both its water and oil reserves decline. The loss of Mexico’s forests and fisheries has long influenced economic stability and internal security dynamics. The Somali government’s inability to rein in illegal fishing and enforce regulations has contributed to the pernicious piracy that has drawn an international military response in the Gulf of Aden. Not all natural resource pressures carry consequences for national security, and many countries possess the means to meet their resource needs and to adjust to any deficiencies. However, in cases like those noted above, natural resources are closely intertwined with political stability and security.

Too many reasons for instability in Iraq – need more troops and personnel

Unger, Taylor, and Barton 10 (Noam Unger is a Fellow with the Global Economy and Development program at the Brookings, Margaret L. Taylor is a Council on Foreign Relations International Affairs Fellow with the CSIS Post-Conflict Reconstruction Project. Frederick Barton was a senior adviser in the International Security Program and codirector of the Post-Conflict Reconstruction Project of the Center for Strategic and International Studies until his appointment as U.S. ambassador to the United Nations Economic and Social Council in December 2009. 2010, Accessed June 23, 2010, “Capacity for Change, “Reforming U.S. Assistance Efforts in Poor and Fragile Countries”) RA

Reconstruction and stabilization missions in conflict zones, particularly in top-priority countries like Afghanistan and Iraq, still hold the attention of national security analysts when the topic of civilian capacity building arises. But the dialogue has clearly expanded to also include the capacity to reduce poverty, support economic growth, promote global public health, foster better governance, build resilience in communities at risk, and prevent conflict in a broader range of developing countries.6 Against this backdrop, the problems hampering the effectiveness of the United States’ official global development efforts—from policy incoherence, to a lack of coordination, to the human capital crisis at USAID—have drawn increased attention. Today the “civilian capacity” problem is related to stabilization in high-priority conflict zones and to development efforts more broadly. The lack of capacity spans many levels and areas—from operational implementation in the field to strategic planning at headquarters, and from staff size and technical expertise to program budgets and authority.

\*\*\*Ans. To Advantages\*\*\*

A2 Soft Power Adv

The international community will be more accepting of the assassinations to terrorists leaders because of the overall threat they pose to world stability.

Roma 2’ (Amy C., “Assassinations: Executive Orders and World Stability” 2002 Suffolk University Suffolk University Law Review MJB)

The application of the assassination ban to non-nation-state leaders becomes more problematic when introducing the issue of terrorism. n173 While the **[\*131]** interpretation of the ban clearly covers world leaders, the question remains as to whether the ban also extends to leaders of terrorist organizations. n174 Terrorist cells are rogue organizations that defy accepted rules of warfare and seek to annihilate the present state of global affairs to further their own objectives. n175 Terrorist organizations operate like independent cells, much like an infection in the body. n176 In the human body, one may treat the superficial symptoms, as with individual cells, but the virus still remains waiting to pop up somewhere else and wreak havoc on the body. n177 Thus, the question remains as to what role the terrorist plays in the assassination ban. n178 The assassination of a terrorist leader will not create the same problems as the assassination of a national leader. n179 A terrorist leader is not tied to a nation that will destabilize or further escalate some conflict with the United States, or the rest of the world. n180 The threat of reciprocity is not as great because, most **[\*132]** likely, the United States' President is already a target. n181 Therefore, the international community would not view any counter-assassination as justified. n182 The United States cannot continue to provide current freedoms to its citizens if an unstable environment develops. n183 Therefore, the primary goal of the United States, as well as the international community, is to maintain stability, the very thing a terrorist seeks to destroy. n184 In the name of national preservation, a government may persuasively create justification for assassinating a terrorist leader. n185 The international community's response to **[\*133]** such an act would likely vary; but, in the case of a terrorist like Osama bin Laden, the international community might turn a blind eye because the terrorist's very existence threatens world stability. n186 The international community may condone a government's active participation in an assassination because of the severe consequences of terrorist activity. n187

Non- violent Approaches do not work- Military action is needed to maintain US intelligence sources and swiftly mitigate the terrorist threat

Thomas 5’(Ward, is associate professor in the Political Science Department of the College of the Holy Cross, and an associate at the John M. Olin Institute for Strategic Studies at Harvard, “The New Age of Assassination”, SAIS Review 25.1 (2005) 27-39, Project Muse, MJB)

While counter-terror efforts must use an array of strategies, non-violent means may not always suffice. Terrorists are immune to most forms of diplomatic and economic pressure and may be beyond the effective reach of judicial procedures. They are difficult to apprehend and to indict and convict without compromising intelligence sources that are important for preventing future attacks. Indeed, it may be both unrealistic and undesirable to expect intelligence gathering to proceed with an eye toward the potential admissibility of evidence in a court of law. If these individuals are taken alive, of course, they must be tried, but the threat posed by their organizations, while eluding easy categorization, is better understood in military than in criminal justice terms.

A2: Stability Adv (Generic)

Targeting killings decrease terrorism effectiveness

Guiora 2005 (Amos, Visiting Professor of Law at Case Western Reserve University School of Law; served for 19 years in the Israel Defense Forces, Judge Advocate General Corps (Lt. Col.). The opinions expressed are the authors alone. Special thanks to research assistant Niki Dorsky and colleagues Jon Leiken and Marc Stern for their significant contributions to this work.)

The question, in the context of policy considerations, is how effective is targeted killing. A thought-provoking analysis regarding effectiveness has been written by Professor Ed Kaplan of Yale University entitled "Tactical Prevention of Suicide Bombings in Israel" (in print, quoted by permission of Prof. Kaplan). In this detailed, empirically-based study, Professor Kaplan found “strong statistical evidence that hits (defined as targeted killings) are associated with an increase in suicide bombing attempts…each additional hit appears to invite an additional 7.75 attempts.” This study would seem to support Professor Scharf's fourth point regarding the strengthening of terrorist morale. However, though there may be an increase in suicide bombing attempts, this increase may be of little significance considering the fact that targeted killing has succeeded in removing the most effective terrorists. Today’s Palestinian terrorists are simply not as effective as evidenced by the relative lack of success of many recent attempted suicide bombings and the long lulls between attacks. Moreover, targeted killing has forced terrorists to be constantly on the run. Therefore, the long-term effects of targeted killing may be more promising that Professor Kaplan’s numbers imply.

A2 Terrorism Adv

It is empirically proven that targeted killing substantially reduces the effectiveness of terrorist operations as well as the lethality of the attacks.

Byman 2006(Daniel, Ph.D in Political Science, Director for Security Studies Program and for Peace and Security Studies @ Georgetown, Associate Professor in the School of Foreign Service, Senior Fellow with the Saban Center for Middle East Policy @ Brookings Institution. Professional Staff Member for the Joint 9/11 Inquiry Staff of the House and Senate Intelligence Committees. Research Director of Middle East Public Policy @ RAND Corporation. Analyst on the Middle East for the U.S. government, “Foreign Affairs volume 85 no. 2” p.103)NB

The National Memorial Institute for the Prevention of Terrorism (MIPT) reports that in 2005, only 21 Israeli civilians died at the hands of Hamas—down from 67 in 2004, 45 in 2003, 185 in 2002, and 75 in 2001. Figures for deaths of Israeli soldiers show a comparable decline. This drop-off occurred partly because Israel’s targeted killings have shattered Palestinian terrorist groups and made it difficult for them to conduct effective operations. Consider the lethality rate of Hamas attacks since the start of the second intifada. The number of Hamas attacks grew steadily as the intifada progressed, even as Israel eliminated Hamas members: there were 19 attacks in 2001, 34 in 2002, 46 in 2003, 202 in 2004, and 179 in 2005 (most in the first half of that year, before a tentative cease-fire took hold). But as the number of attacks grew, the number of Israeli deaths they caused plunged, suggesting that the attacks themselves became far less effective. The lethality rate rose from 3.9 deaths per attack in 2001 to 5.4 in 2002, its highest point. Then, in 2003 the rate began to fall, dropping to 0.98 deaths per attack that year, 0.33 in 2004, and 0.11 in 2005.

When skilled terrorists are assassinated it disrupts operations because it takes many months to train new terrorists to gain enough experience to be effective.

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Contrary to popular myth, the number of skilled terrorists is quite limited. Bomb makers, terrorism trainers, forgers, recruiters, and terrorist leaders are scarce; they need many months, if not years, to gain enough expertise to be effective. When these individuals are arrested or killed, their organizations are disrupted. The groups may still be able to attract recruits, but lacking expertise, these new recruits will not pose the same kind of threat.

A2 Terrorism Adv

Frequent targeted killing resulted in Hamas endorsing a cease-fire with Israel.

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Recently, however, in response to Israel’s stepped-up campaign, Hamas and other Palestinian groups have found it difficult to replace their lost cadres with equally skilled substitutes. Frequent targeted killings also force surviving terrorists to spend more and more of their time protecting themselves. To avoid elimination, the terrorists must constantly change locations, keep those locations secret, and keep their heads down, all of which reduces the flow of information in their organization and makes internal communications problematic and dangerous. Over time, the stress of such demands on terrorists becomes enormous. Operatives cannot visit their parents or children without risking death. Rantisi,Yassin’s successor, was killed on April 17, 2004, when he broke his cautious routine to visit his home. Explaining Hamas’ decision to endorse a cease-fire in 2005

Terrorists demands to end Israel’s targeted killing policy prove that terrorists don’t welcome these strikes to increase their support. Targeted killing doesn’t result in terrorist retaliation, and policies like these obliterate the structure of terrorist organizations.

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Palestinian terrorists’ own demands and actions have testified to the impact of Israel’s targeted-killing campaign. Again and again, Palestinian groups have insisted on an end to the policy. These demands suggest that, contrary to what critics contend, terrorists do not in fact welcome the strikes as a way of increasing their support. Before his death, Rantisi conceded that the killings had made things harder for his organization. And Hamas never retaliated for his death. In 2005, the group even declared that it would unilaterally accept a “period of calm” because of the losses it was suffering among its senior cadre. As Hroub, the Cambridge expert on Hamas, contends, “On the ground, there is no question that Hamas has been seriously weakened by the decimation of its ranks through assassination and arrest.”

TARGETED KILLINGS ARE KEY TO DETERING TERRORISTS AND STOPPING ATTACKS

Solis 07 (Gary; 2006–2007 Scholar in Residence at the Library of Congress, a U.S. Military Academy professor of law (retired), and an adjunct professor of law at Georgetown University Law Center; TARGETED KILLING AND THE LAW OF ARMED CONFLICT; Naval War College Review, Spring 2007, Vol. 60, No. 2; GM)

Killing senior terrorists, expert bomb makers, and those who provide philosophical guidance for terrorists may spare countless noncombatant victims while, at the same time, forgoing risk to friendly combatant forces. A successful targeted killing removes a dangerous enemy fromthe battlefield and deprives the foe of his leadership, guidance, and experience. The targeted killing of terrorist leaders leaves subordinates confused and in disarray, however temporarily. Successors will feel trepidation, knowing they too may be in the enemy’s sights. Targeted killing unbalances terrorist organizations, making them concerned with protecting their own membership and diverting them from their goals.

A2: Terrorism Adv (Defense)

The affs claims to solve terrorism are hollow, while Al Qaeda may be under pressure, complete eradication is a long ways away

Jenkins 4-26-10(Brian Michael, Senior Advisor to the president of the Rand Corporation, “Al-Qaeda tipping point? Still a long way to go” p.1)NB

Although al Qaeda appears to be coming under pressure in some dimensions, I remain wary of calling a tipping point, and I am even more skeptical about the prospect of a knockout punch. We are still too close to the events to discern the long-term trajectory of the campaign against al Qaeda. And almost nine years after 9/11, analysts are still remarkably divided in their assessments of al Qaeda's current situation, specifically the current role played by al Qaeda's central command. Al Qaeda Central's capability to project power in the form of terrorist attacks has diminished. There have been no successful centrally-directed terrorist attacks in the West since 2005. Authorities have uncovered and foiled numerous terrorist plots, some centrally-connected. These indicate intent but lack of craft. Those attacks that have occurred comprise lone gunmen or inept bombers. Clearly, al Qaeda confronts a quality control problem

Al-Qaeda is nowhere as threatening as the affirmative portrays them to be. There has been no successful terrorist attacks in the West since 2005

Jenkins 4-26-10(Brian Michael, Senior Advisor to the president of the Rand Corporation, “Al-Qaeda tipping point? Still a long way to go” p.1)NB http://www.rand.org/commentary/2010/04/26/NJ.html

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A2: Terrorism Adv

KILLING ONE TERRORIST PREVENTS A SERIES OF ACTS OF TERROR

Kasher & Yadlin 2005 [Asa Kasher & Amos Yadlin, Kasher is a Israeli philosopher and linguist at Tel Aviv University, Yadlin is the head of Israeli Military Intelligence Directorate, “Assassination and Preventive Killing”, Winter-Spring 2005, <http://muse.jhu.edu/journals/sais/summary/v025/25.1kasher.html>, 6/24/2010, K.C.]

A common objection to targeted prevention of terror takes seriously the quantitative connotation of the notion of “proportionality.” According to the proposed norm of priorities on grounds of duties (B.2(d)), the state has to give preference to saving the life of a single citizen even if the collateral damage caused in the course of protecting him or her is much higher in number. This result seems unacceptable to some people. Our rejoinder rests on the distinction between a moral evaluation of a single act and a moral evaluation of an activity. It is well known that terrorists are usually not reluctant to operate in the vicinity of persons not involved in terror. This is their mode of operation, not accidentally, but deliberately and regularly. We are familiar with the terrible phenomenon of terrorists using their children and neighbors as human shields. If such behavior grants a terrorist, who is known on grounds of appropriate intelligence to play a crucial role in activity of terror, an immunity from military attack, it would mean that he or she has thus mastered a mode of operation that enables terrorists to kill as many citizens of the state as they wish. Hence, when only a single act of targeted prevention of terror by killing the terrorist is considered, the possibility exists that the number of casualties of the collateral damage is much higher than the number of saved citizens who are jeopardized by that single act of terror. However, consideration of a single act rather than the whole mode of activity is morally wrong. It is not the benefit gained by preventing a single act of terror that should be considered but the cumulative benefits gained by preventing a series of acts of terror to be committed if the terrorist enjoys immunity from military attack. Consideration of accumulative benefits will obviate the difficulty raised by the apparent disproportionality.

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A2 Pakistan Adv

The ISI can hold their own against a coup

Simon and Stevenson Oct. 09 (Jonathan Stevenson is Editor of Strategic Survey and Senior Fellow for Counterterrorism at the International Institute for Strategic Studies in London. \*Steven Simon is a Senior Fellow for Middle Eastern Studies at the [Council on Foreign Relations](http://www.sourcewatch.org/index.php?title=Council_on_Foreign_Relations). “Afghanistan: How Much is Enough?” Accessed from “[Survival](http://www.informaworld.com/smpp/title%7Edb=all%7Econtent=t713659919)”, Volume [51](http://www.informaworld.com/smpp/title%7Edb=all%7Econtent=t713659919%7Etab=issueslist%7Ebranches=51), Issue [5](http://www.informaworld.com/smpp/title%7Edb=all%7Econtent=g915362691) October 2009 , pages 47 – 67) MFR

Certainly worries about Islamabad's ability to handle the Taliban on its own are justified. Some Taliban members are no doubt keen on regime change in favour of jihadists, as noted by Bruce Riedel, who headed up the Obama administration's 60-day policy review.[29](http://www.informaworld.com/smpp/section?content=a915362559&fulltext=713240928) But Pakistan's military capabilities should not be given short shrift. The Pakistani army, however preoccupied by India, is seasoned and capable, and able to respond decisively to the Taliban should its activities reach a critical level of destabilisation. Inter-Services Intelligence, devious though it may be, would be loath to allow the transfer of nuclear weapons to the Taliban.

Pakistan's Military is Well Trained, Well Equipped and Has No Incentive to Leak Nukes

Simon 9 (Steven, Steven Simon is a Senior Fellow for Middle Eastern Studies at the [Council on Foreign Relations](http://www.sourcewatch.org/index.php?title=Council_on_Foreign_Relations) “Can The Right War Be Won? – Defining American Interests in Afghanistan” <http://www.foreignaffairs.com/articles/65159/steven-simon/can-the-right-war-be-won?page=show>) MFR

Anxieties about Pakistan's ability to manage the Taliban are certainly warranted. According to Bruce Riedel, the leader of the 60-day policy review, the Taliban "smell blood, and they are intoxicated by the idea of a jihadist takeover in Pakistan." That idea, however, might be more a delusion than an achievable goal. The Pakistani army is big, is well equipped, obeys orders, and can fight, and the Pakistani intelligence service, notwithstanding its Machiavellian tendencies, is not likely to transfer nuclear weapons to the Taliban. As the United States plans for the next phase of the conflict, these limits on the Taliban's ambitions in Pakistan should be kept in mind. So should the limits on the United States' ability to reengineer Afghanistan's politics and society.

\*\*\*Counterplans\*\*\*

\*\*\*Transparency CP\*\*\*

Transparency CP

Text: USFG Should issue a press release detailing each targeted killing and assassination and the case against each individual targeted.

Transparency CP (Solvency)

If targeted killing operations are MADE MORE TRANSPARENT, they will be a potent weapon against terrorism [TRANSPARENCY CP]

Cullen ’07 (Colonel Peter M. United States Army, Staff Judge Advocate, 101st Airborne Division (Air Assault) at Fort Campbell, The Role of Targeted Killing in the Campaign Against Terror, March 13, 2007, p.11) BW

The U.S. cannot afford to take a passive posture citing operational security and allow critics to dominate the debate and characterize the tactic as extrajudicial killings or assassinations. The U.S. must aggressively explain the strong legal and moral bases for the policy and assure the world community that the tactic is invoked sparingly and only when no other reasonable alternatives are available to prevent the target from threatening the U.S. and innocent civilians. It must be clearly demonstrated that all reasonable efforts are made to minimize collateral damage and, where it does occur, responsibility rests with the terrorists who operate out of civilian areas. All of this requires a more transparent policy on targeted killing in which there is public confidence in its checks and balances to ensure proper targeting decisions are being made. If targeted killing operations are supported by a comprehensive information operations strategy and are professionally executed using timely and accurate intelligence, they will become an even more potent weapon against trans-national terrorism.

Because the policies behind assassinations are kept secret, when mistakes occur there are huge controversies. If these policies were expressed to the public as unfortunate necessities during a conflict than the current administration wouldn’t lose as much credibility as they would otherwise.

Byman 2006(Daniel, Ph.D in Political Science, Director for Security Studies Program and for Peace and Security Studies @ Georgetown, Associate Professor in the School of Foreign Service, Senior Fellow with the Saban Center for Middle East Policy @ Brookings Institution. Professional Staff Member for the Joint 9/11 Inquiry Staff of the House and Senate Intelligence Committees. Research Director of Middle East Public Policy @ RAND Corporation. Analyst on the Middle East for the U.S. government, ““Foreign Affairs volume 85 no. 2” p.109-110)NB

This is an area where the United States, and particularly the Bush administration, would do well to study the Israeli experience carefully. A key reason that most Israeli counterterrorism policies have enjoyed sustained popular support is that they have been subjected to public debate. Without such a debate, a policy can be held hostage to perfection. If policies are not endorsed beforehand by the public and the political opposition, they will provoke intense controversy when abuses and mistakes occur—as they inevitably will. This is exactly what has happened, of course, with the Bush administration’s policies on the treatment of enemy detainees, the rendition of suspects for interrogation abroad, and, most recently, domestic surveillance. A case can be made for all of these policies (or modified versions of them) as unfortunate necessities during an unfortunate conflict. But such a case was never made to the U.S. public, and so when the policies and the secret deliberations that spawned them were eventually revealed, the public reacted with dismay, and the administration was forced to retreat.

Transparency CP (Solvency)

Targeted killings can’t resolve the issue of terrorism by itself. All killings muse be a part of a larger overall strategy. The US will only be successful with these strategies if it makes it open to the public.

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Washington must also remember that although Israel’s experience suggests that targeted killings can help manage terrorism, the policy cannot by itself resolve the problem. Thus any killings must be embedded in a broader counterterrorism program with better defenses and improved intelligence. Even with such measures in place, it would not make sense for the United States to rely on targeted killings nearly as often as Israel does. And before it does pursue the policy, the United States must learn how to make such operations a legitimate and sustainable part of its broader counterterrorism effort. The only way this distasteful tool can be preserved, ironically, is by bringing it into the light rather than keeping it in the shadows.

Transparency Can Rebuild International Image and Rebuild U.S. Leadership

Machon 06 (Matthew J., U.S. Army Major, “Targeted Killing as an Element of U.S. Foreign Policy in the War on Terror,” School of Advanced Military Studies, United States Army Command and General Staff College, Fort Leavenworth, Kansas, May 25, <http://www.fas.org/irp/eprint/machon.pdf>, 57-8, JH)

To maintain international legitimacy and retain the moral high ground within the war on terror, the U.S. should clarify its policy regarding the specific targeting of suspected terrorists outside the ongoing conflicts in Afghanistan and Iraq. The current policy remains shrouded underneath a veil of secrecy, its full extent unknown to the general public and mostly a subject of outright speculation. To allay the fears of human rights advocates who fear the policy may constitute an abuse of power and constitute an arbitrary deprivation of an individual’s right to life, the policy must be made public, which can be done without revealing classified information. The U.S. should make it abundantly clear that apprehension of the suspect is the primary objective. The intelligence value of detained terrorist suspects and the potential information they possess makes their capture and detention far preferable to outright elimination. The use of targeted killing should be a policy of last resort intended to eliminate a direct threat to the security of the United States when other means are unavailable or the risk of inaction is too great to await or attempt other methods. A clear review process needs to be established and publicized to provide a sense of transparency, and show these targeted killings are not randomly selected actions. While the details of each case should remain classified to prevent compromise of sources or sensitive information, awareness of a codified procedure for review prior to execution of any targeted killing would mollify some of the disparagement from critics of the policy. The policyshould be used sparingly and selectively, which appears to be the case thus far in the war on terror.

Transparency CP

Assassinations are good, the current policies behind them just need to be more openly expressed to the public.

Byman 2006(Daniel, Ph.D in Political Science, Director for Security Studies Program and for Peace and Security Studies @ Georgetown, Associate Professor in the School of Foreign Service, Senior Fellow with the Saban Center for Middle East Policy @ Brookings Institution. Professional Staff Member for the Joint 9/11 Inquiry Staff of the House and Senate Intelligence Committees. Research Director of Middle East Public Policy @ RAND Corporation. Analyst on the Middle East for the U.S. government, “Foreign Affairs volume 85 no. 2” p.109)NB

After 9/11, the Bush administration abandoned such caution, abolishing many long-standing limits on U.S. action and authorizing a range of more aggressive measures, such as secret prisons, domestic surveillance without court authorization, the holding of captured terrorists as enemy combatants, and the rendition of suspects to third countries for interrogation. But these measures have provoked an international outcry and have caused some Americans to question the legitimacy of their government’s counterterrorism policy. Unless the procedures for authorizing targeted killings are made clear, the United States risks moving either too slowly when it decides to act (thereby allowing the target to escape) or too quickly (bypassing appropriate deliberation or the careful vetting of intelligence). A public educated about the need for distasteful measures would be more likely to tolerate them, even if mistakes are made in their implementation. Unless the procedures are made transparent, in other words, they are unlikely to garner the legitimacy necessary to make them sustainable.

Transparency CP (Soft Power Solvency)

Increasing transparency mollifies international disparagement

Machon 06 (Matthew J., U.S. Army Major, “Targeted Killing as an Element of U.S. Foreign Policy in the War on Terror,” School of Advanced Military Studies, United States Army Command and General Staff College, Fort Leavenworth, Kansas, May 25, <http://www.fas.org/irp/eprint/machon.pdf>, 57-8, JH)

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\*\*\*Internal Review CP\*\*\*

International Review CP 1NC

The [Central Intelligence Agency OR President OR Executive Branch OR USfg OR someone else?] should require all CIA targeted killings be subject to review by the Inspector General. The [actor] should establish review teams within the CIA’s Clandestine Service and use existing “accountability boards” to support the IG. The National Security Council will coordinate the internal oversight. The US Judicial Branch will review cases in a special national security court. The CIA will make public investigations so long as doing so does not clearly cause substantial harm to national security.

Solves due process, makes it more legitimate

Murphy and Radsan 09 (\*Richard, AT&T Professor of Law, Texas Tech University School of Law, and \*Afsheen John, Professor, William Mitchell College of Law, former assistant general counsel at the CIA, “Due Process and Targeted Killing of Terrorists,” 32 Cardozo L. Rev. 405, November, Lexis Law, JH)

In both PCATI and McKerr, the courts rooted the duty to investigate in an express right to life. In the United States, this right to life finds a home in the doctrine of substantive due process. n242 A [\*448] Mathews-style balancing suggests that to protect this right to life, the United States, too, has a duty to conduct intra-executive review of the use of deadly force through targeted killing. Of course, one can imagine situations in which an investigation that satisfied everything spelled out by the Israeli or European courts would be unwise. For instance, official acknowledgment of the United States' role in a fully public investigation of a Predator strike might cause diplomatic repercussions with countries that had helped us or had looked the other way. Further, the executive might not be able to explain its targeting decision without compromising intelligence sources and methods. n243 Internal investigations, however, do not always pose a plausible threat to national security. Consider the Predator program. Within the CIA, the task of investigating the legality of its actions is entrusted to the CIA's Inspector General (IG). He holds an office created by statute, is subject to Senate confirmation, and can only be removed by the President. n244 Where the IG's investigation finds evidence of criminality, he or she refers the matter to the Department of Justice for further investigation and possible prosecution. n245 One could easily impose a categorical requirement that all CIA targeted killings be subject to IG review. To support the IG, review teams could be established within the CIA's Clandestine Service or existing "accountability boards" could be used. The CIA's Office of General Counsel could also play a role. And the National Security Council, a link between the CIA and the White House, could coordinate the internal oversight. Review within the CIA ensures the proper handling of classified information. Plus, internal review protects private interests by encouraging careful, sparing use of targeted killing and by ensuring some accountability when mistakes or abuses do occur. The increasing accountability on Predator strikes, in turn, serves an even broader interest in the legitimacy and fairness of deadly government action. Thus, the Mathews balance favors an intra-executive review at least as intrusive as IG review.

AT: due process limits effectiveness, hurts national security, can’t have habeas without making the mission pointless

We’ll have the trial for them! (post-deprivation)

Murphy and Radsan 09 (\*Richard, AT&T Professor of Law, Texas Tech University School of Law, and \*Afsheen John, Professor, William Mitchell College of Law, former assistant general counsel at the CIA, “Due Process and Targeted Killing of Terrorists,” 32 Cardozo L. Rev. 405, November, Lexis Law, JH)

But might due process require courts to play a more expansive role in controlling targeted killing than adjudicating a war crime prosecution that may never come? Justice Thomas mocked this possibility in Hamdi as leading to the conclusion that executive officials must give notice and an opportunity to be heard to a person before killing him with a missile. n196 This reductio ad absurdum does not stand up to scrutiny, however, for the simple reason that due process does not always demand notice and an opportunity to be heard before a deprivation occurs. Where such pre-deprivation procedures would be impracticable, due process may take the form of post-deprivation procedures. North American Cold Storage Co. v. City of Chicago provides a canonical example. n197 In this case, local authorities seized and destroyed meat [\*440] they had determined was putrid and unfit for sale. n198 The Court held that, because of health concerns, immediate destruction was acceptable to prevent the meat from being sold on the sly during the pendency of any hearings. n199 The owners of the meat were not left without a remedy, though; they were free to sue the local officials in tort for the value of their destroyed meat. n200 In application, Hamdi and Boumediene fit rather neatly into this paradigm of requiring post-deprivation review when pre-deprivation process is impracticable. Enemy forces in the conflicts after 9/11 were not neatly arrayed in uniforms and units that made for easy identification. As a result, American forces found themselves in custody of thousands of persons whose status was unclear. By definition, every one of these detainees was deprived of their liberty immediately upon detention. Obviously, the military cannot provide notice and an opportunity to be heard before detaining these suspects, and any process that occurs immediately after capture will be constrained by the conditions of war. n201 As Hamdi and Boumediene make plain, however, due process may nonetheless demand that a detainee receive meaningful notice and an opportunity to be heard at a later time. n202 The Hamdi/Boumediene model of judicial control therefore does not suggest the odd prospect of holding hearings where a terrorist gets to argue that he ought not be killed by a Predator strike. Rather, a more direct analogy suggests that targeted killings should be subject to some form of judicial review in civil proceedings initiated by private parties. The vehicle for this review cannot be habeas, the thousand-year-old vehicle for testing the legality of detentions. But the vehicle might take the form of a Bivens-style action in which the plaintiff - who might be a survivor of an attempted targeted killing or an appropriate next friend - claims that the attack was unconstitutional either because it violated the Fifth Amendment on a "shock the conscience" theory or because it constituted excessive force under the Fourth Amendment. n203

\*\*\*Judicial Review CP\*\*\*Judicial Review CP

Text: The USFG should submit each case for targeted killing or assassination to the FISA court to be reviewed and approved.

Judicial Review CP Solvency

Having judicial review maintains liberty/constitutionality/due process without sacrifices in national security

Murphy and Radsan 09 (\*Richard, AT&T Professor of Law, Texas Tech University School of Law, and \*Afsheen John, Professor, William Mitchell College of Law, former assistant general counsel at the CIA, “Due Process and Targeted Killing of Terrorists,” 32 Cardozo L. Rev. 405, November, Lexis Law, JH)

In view of so many practical and legal hurdles, some courts and commentators might be inclined to categorically reject all Bivens-style challenges to targeted killings. In essence, they might view lawsuits related to targeted killing as a political question left to the executive. n222 This view parallels Justice Thomas's that courts should not second-guess executive judgments as to who is an enemy combatant. n223 Contrary to Justice Thomas's view, the potency of the government's threshold defenses means that targeted-killing cases that make it to the merits would likely involve the most egregious conduct - for example, killing an unarmed Jose Padilla at O'Hare Airport on a shoot-to-kill order. For these egregious cases, a judicial check on executive authority is most necessary. In terms of a Mathews balancing, the question becomes whether the benefits of Bivens actions on targeted killings of terrorists outweigh the harms. The potential harm is to the CIA's sources and methods on the Predator program. Lawsuits might harm national security by forcing the disclosure of sensitive information. The states-secrets privilege should block this result, however. Lawsuits might also harm national security by causing executive officials to become risk-averse about actions needed to counter terrorist activities. Qualified immunity, however, should ensure that liability exists only where an official lacks any justification for his action. On the benefit side, allowing lawsuits to proceed would, in truly exceptional cases, serve the private interest of the plaintiff in seeking compensation and, perhaps more to the point given the incommensurability of death and money, would provide accountability. Still more important, all people have an interest in casting light on the government's use of the power to kill in a world-wide war in which combatants and targets are not easily identified. This balance of interests favors judicial challenges to targeted killings. Court cases, suitably circumscribed, will not harm national security and will help protect liberty. To be sure, for many practical reasons, it is unlikely that a Predator plaintiff will ever bring a case. And we hope the government exercises its power to kill wisely enough to avoid judicial challenge. Yet if the federal courts ever confront a [\*445] case that has survived the government's threshold defenses, the Hamdi/Boumediene model suggests that the judiciary should hold the executive to account.

Judicial review avoids mistakes

Murphy and Radsan 09 (\*Richard, AT&T Professor of Law, Texas Tech University School of Law, and \*Afsheen John, Professor, William Mitchell College of Law, former assistant general counsel at the CIA, “Due Process and Targeted Killing of Terrorists,” 32 Cardozo L. Rev. 405, November, Lexis Law, JH)

Judicial control of targeted killing could increase the accuracy of target selection, reducing the danger of mistaken or illegal destruction of lives, limbs, and property. Independent judges who double-check targeting decisions could catch errors and cause executive officials to avoid making them in the first place. More broadly, judicial control of targeted killing could serve the interests of all people - targets and non-targets - in blocking the executive from exercising an unaccountable, secret power to kill. n191 If possible, we should avoid a world in which the CIA or other executive officials have unreviewable power to decide who gets to live and who dies in the name of a shadow war that might never end. Everyone has a cognizable interest in stopping a slide into tyranny.

Judicial Review CP

Judicial review/making some investigations public solves

Murphy and Radsan 09 (\*Richard, AT&T Professor of Law, Texas Tech University School of Law, and \*Afsheen John, Professor, William Mitchell College of Law, former assistant general counsel at the CIA, “Due Process and Targeted Killing of Terrorists,” 32 Cardozo L. Rev. 405, November, Lexis Law, JH)

One might object that the investigatory program just sketched for Predator strikes does not go far enough to protect the right to life. Taking a page from the McKerr case, one might contend: (a) that the [\*449] IG's independence from political influence upon the CIA is questionable; n246 and (b) that internal investigations cannot generate accountability unless they are made public. n247 There are many responses to such objections. First, investigations of targeted killings could be made public except when it is clear that publicity would cause substantial harm to national security. Second, some judicial review could be included. n248 To alleviate security concerns while honoring accountability, judicial review might take place in a special national security court designed along the lines of the Foreign Intelligence Surveillance Court. n249 To the degree these (and other) moves toward openness might threaten intelligence sources or otherwise compromise security, they present closer calls under Mathews.

Legal domestically (at: violates XO)

Machon 06 (Matthew J., U.S. Army Major, “Targeted Killing as an Element of U.S. Foreign Policy in the War on Terror,” School of Advanced Military Studies, United States Army Command and General Staff College, Fort Leavenworth, Kansas, May 25, <http://www.fas.org/irp/eprint/machon.pdf>, 53, JH)

Executive Order 12333 presumably prohibits political assassination, although the order never defines or clarifies what is or is not assassination. The intent of the E.O. is to prevent the peacetime efforts of intelligence officials to assassinate foreign heads of state whose policy or conduct are considered detrimental to the U.S.188 E.O. 12333 does not apply to the application of military force directed against legitimate targets, whether they constitute individual terrorists or heads of state. The E.O., as a presidential directive, is subject to revocation or modification by the president at any time were the change deemed necessary to justify a particular policy or action. The targeted killing of trans-national terrorists is not a violation of E.O.12333 since the policy constitutes the direct application of military force rather than intelligence activities and because targeted killing itself does not constitute an assassination.

Judicial Review CP

Empirically Targeted Killings Have been effective and important to U.S. National Security

Machon 06 (Matthew J., U.S. Army Major, “Targeted Killing as an Element of U.S. Foreign Policy in the War on Terror,” School of Advanced Military Studies, United States Army Command and General Staff College, Fort Leavenworth, Kansas, May 25, <http://www.fas.org/irp/eprint/machon.pdf>, 54-5, JH)

The United States, throughout its history, has frequently resorted to the use of military force beyond the realm of international armed conflict whenever “another nation has failed to discharge its international responsibilities in protecting U.S. citizens from acts of violence originating in or launched from its sovereign territory, or has been culpable in aiding and abetting international criminal activities.”191 These actions have often been conducted against non-state actors and individuals across international boundaries and without a formal declaration of war. Some of these actions include:

1801-1805: Naval actions and expedition conducted against Barbary Pirates along the North African coast.192

1916-1917: General Pershing’s punitive expedition into Mexico in pursuit of Pancho Villa.193

1926-1933: U.S. Marines conduct campaign in Nicaragua to kill or capture Augusto Cesar Sandino.194

1986: U.S. aircraft conduct airstrikes against terrorist related infrastructure within Libya in response to Libya’s support of terrorist operations directed against U.S. interests.

1988-1993: U.S. provides support to Columbian government in the attempt to kill or capture the drug lord Pablo Escobar.195

1998: U.S. launches cruise missiles against al-Qaeda training facilities in Afghanistan and a suspected chemical/biological weapons factory in Sudan.

Thus, historical precedent exists for the use of military force by the U.S. government to kill or capture individuals whose actions constitute a direct, credible, and ongoing threat to U.S. citizens, interests, or national security.196 The U.S., regardless of international perception or protestation, has consistently invoked its inherent right to self-defense provided by Article 51 of the U.N. Charter to justify the application of military force as a defensive response to hostile actions taken against U.S. citizens or national security interests.

As Long As Killings are Not Arbitrary and are Reviewed they are acceptable under International law.

Machon 06 (Matthew J., U.S. Army Major, “Targeted Killing as an Element of U.S. Foreign Policy in the War on Terror,” School of Advanced Military Studies, United States Army Command and General Staff College, Fort Leavenworth, Kansas, May 25, [**http://www.fas.org/irp/eprint/machon.pdf**](http://www.fas.org/irp/eprint/machon.pdf), 56, JH)

Current operations within both Afghanistan and Iraq qualify as non-international armed conflict. Both nations have recognized governments combating insurgents and terrorists within their sovereign territory. United States military operations and actions are conducted within their territorial boundaries and in direct support of these governments. The relevant aspects of international law regarding non-international armed conflict recognizes that individuals and organizations targeted within the borders of these states qualify as combatants, legally subject to targeting and the lethal application of force, but are not subject to the ‘privileges’ afforded combatants according to the law of international armed conflict. Insurgents and terrorists within both nations are subject to legitimate targeting in all circumstances and are subject to the criminal prosecution under national law rather than afforded prisoner of war status and protected from prosecution.

The 2002 Yemen strike and the 13 January 2006 strike targeting Ayman al-Zawahiri bring the issue of targeted killing of terrorists beyond the scope of the non-international armed conflicts in Iraq and Afghanistan and into the forefront of U.S. policy for taking the fight to al-Qaeda and other trans-national terrorists. Although extremely controversial, the targeted killing of al-Harethi and the attempt on Zawahiri are not expressly illegal according to U.S. domestic or international law.

In assessing the legality of these operations it is essential to determine whether or not an armed conflict exists between the United States and al-Qaeda at the time of these attacks.198 Although there is no clear consensus on the issue, and although numerous scholars would disagree, the United States clearly recognizes the existence of a state of armed conflict between itself and al-Qaeda. The United States, therefore, through this acknowledgement is able to classify al-Qaeda members and other trans-national terrorists as combatants subject to legal and legitimate targeting.

\*\*\*Slow Down CP\*\*\*

\*\*\*A2: Slow Down CP\*\*\*

Slow Down CP

GRADUAL WITHDRAWAL GOOD-- KEEPS IRAN’S INFLUENCE DOWN AND GIVES IRAQ CHANCE TO REGAIN STABILITY

Haass and Indyk, February 16-20 2008(Richard and Martin, with the Saban Center at Brookings and Council on Foreign Relations Project, “Toward A New US- Middle East Strategy”, accessed June 21 2010)

The drop in sectarian violence in Iraq is much welcomed by the smaller Gulf states, although there is skepticism that this lull will last. Those with whom we spoke said they are caught between their desire to see a reduction in U.S. presence (which they regard as an occupation), and the fear of chaos that might ensue, which could create an opportunity for Iran to consolidate its influence on the Arabian side of the Gulf.

Many in the Gulf are divided about how to view and treat Iraq’s Shi’ah. They prefer to see them as Arabs who share an interest in containing the influence of the “Persians.” But they consider the current ruling class of Iraqi Shi’ah as all beholden to the regime in Tehran. They are little impressed by Iraqi government statements that call for U.S. troops to remain since they view the Iraqi government as an extension of Iran. They interpret these calls as evidence that Iran prefers the *status quo* of a large-scale U.S. presence in Iraq that keeps a lid on chaos. For Tehran, this may have the added benefit of keeping U.S. troops tied down, reducing the chances that they will be used against Iran. Tehran’s ability to inflict heavy casualties on American forces in Iraq in retaliation for an U.S. military strike on Iran also provides it with a deterrent, as long as American forces are present there.

Logically, a reduction in presence of U.S. troops would therefore be of greater concern to Iran than a continued high-level commitment (the logic is similar to the advantage Syria saw in keeping the Israeli army stuck in southern Lebanon before its unilateral withdrawal in July 2000). That leads Gulf policymakers to prefer a gradual and responsible withdrawal of U.S. troops to a prolonged stay.

\*\*\*Iraq Pullout Bad\*\*\*

General Iraq Pullout Negative (Civil War Turns)

WITHDRAWAL FROM IRAQ WOULD REMOVE CONSISTENT GOAL AND RESULT IN COUNTERPRODUCTIVE CIVIL WAR

Pollack, December 21 2009, (Kenneth, Director of the Saban Center for Middle East Policy with The Daily Beast, “Could We Still Lose Iraq?”, accessed June 21 2010)

The problem we face in Iraq is that while the country has made tremendous progress in both the security and political realms, all of those gains are fragile and could evaporate quickly if strained. What Iraq experienced was a lot like shattering the bones in your arm: with time, the bones can heal and the arm can become strong again, but if you take off the cast too soon, then any strain on the arm will cause the bones to fracture all over again.  
As scholars of civil war have warned, states like Iraq that have undergone a major inter-communal civil war have a terrifying rate of recidivism—especially if the state has valuable natural resources like diamonds, gold or oil. So to some extent, we and the Iraqis are fighting an uphill battle. There is no reason that we can’t succeed, but it isn’t going to be easy and it isn’t going to happen on its own. And since we can’t know for certain when Iraq’s bones have healed, we need to be very careful about how and when we remove the cast.

The mistake we are in danger of making in Iraq is that as our military steps back, our civilians are not always stepping up.

For that reason, the critical danger in Iraq today is not the residual violence, but the Iraqi reaction to that violence. The strings of bombings that seem to shake the capital every month or so are a nightmare for many Iraqis, but alone they are not a threat to Iraq itself. As long as the vast majority of Iraqis react to the bombings by blaming the perpetrators not one another, and see the perpetrators as marginalized elements outside the mainstream of Iraqi society, the problem they present is tragic, but not serious. In some ways they are a useful palliative, because they provide sobering evidence of just how fragile Iraq’s gains remain.

What would be very dangerous is if Iraqis began to react to the bombings the way they reacted in 2004 and early 2005. Then they saw the violence as the work of other members from within their own society. They saw no governmental force able or willing to protect them, and so they felt it necessary to form or join militias for their own protection—even though they knew that the militia warlords would inevitably push the country into civil war. As many Iraqis said to me at the time, “You (the United States) are not giving us a choice.” Countries that slide back into civil war tend to do so when people and leaders evince this pattern, once again seeing acts of violence as harbingers of worse times to come, rather than violent interruptions of the ordinary. It is the difference between Bosnia in 1994 or Lebanon in 1975 and Israel today. Israel, for instance, is battered by regular terrorist attacks, but Israeli society remains cohesive; Israelis blame their grief on their attackers, not on one another; and Israelis don’t see their government as unable to defend them, thereby requiring them to form militias for their own protection.

The critical role that the United States plays today is that we are the peacekeepers, we are the levy holding back violence, we are Iraq’s security blanket, and we are the broker of political deals that makes Iraqis willing to keep sacrificing today because they can hope for a better tomorrow. But another way to think about the American role is that we enforce the rules: we prevent Iraqis from employing large-scale violence in pursuit of political agendas, which reassures all of them that they can take actions that would be risky in the kind of security vacuum that existed (thanks to American negligence and foolishness) in 2004-2006 and that would exist again if we withdrew prematurely. Acts like voting for the candidate you like rather than the candidate with the most thugs.

If Iraqis believe that security blanket is going to be removed prematurely, they will be terrified that the militia warlords will revert back to violence (which they certainly will) and will again rule the country very soon. That would prompt ordinary Iraqis (who would gladly do the right thing if they could) to do the wrong thing, and sign on with the militias to ensure that they are protected when the Americans leave and the civil war re-ignites.

The mistake we are in danger of making in Iraq is that as our military steps back, our civilians are not always stepping up. Over the past six to nine months, our embassy has been inconsistent at best, and has panicked many Iraqis and many Iraqi leaders into believing that the Obama administration does not care about Iraq and is simply running for the exit as fast as they can. This isn’t true, and the President’s lieutenants have said so time and again, as has Vice President Biden, both in private and in public. But by failing to remain actively engaged with the Iraqi political process at all levels, by disdaining any further involvement in guiding Iraq’s domestic politics, and in abandoning aid programs willy-nilly, many embassy personnel have convinced a great many Iraqis of exactly the opposite. And therein lies the seeds of renewed civil war and a disaster for American interests.

General Iraq Pullout Negative (Civil War Turns)

Troops in Iraq are key to preventing a civil war.   
Ricks 2010 (Thomas E. Ricks is a Senior Fellow at the Center for a New American Security (CNAS), “The Burden: America's Hard Choices in Post-Election Iraq” 2/24/10, <http://cnas.org/node/4158>, 6/21/10, HR.

With the elections quickly approaching, these issues are likely to cause tensions to rise once more. Unfortunately, they have all led to violence in the past – and could lead to violence again. More discon­certingly, the Administration’s timeline could lead troops to leave areas that are far from quiet, just as new tensions begin brewing as a result of the elections. Let us not forget that it was the U.S. intervention back in 2007 that was a major factor in ending the small civil war then bleeding central Iraq. The only part of the Iraq security equation that is changing is that the Americans plan to radically reduce their military presence in the coming months. Soon after taking office, Obama threw out a cam­paign promise to withdraw at least a brigade a month from the time he became president.² Instead, he has kept troop levels at or near Bush-era levels, with close to 100,000 military personnel there even now. The plan for 2010 is to pull out about 10,000 troops a month for five months, beginning in late spring. That will halve the U.S. military presence this year, with the remainder scheduled to be with­drawn by the end of next year. This timing is worrisome. The original American withdrawal plan was drafted under the assumption that the Iraqi elections would be held late in 2009 or early this year. Troop levels were to be held stable as a new government was formed, because that will be a vulnerable period, especially if the Sunnis feel that the electoral process was unfair or if they were not given a role in the new government commensu­rate with their success at the polls. Instead, as Iraqi political leaders struggle to form a new government, U.S. military leaders will be distracted by the myr­iad tasks of supervising major troop movements. On top of that, the deeper the troop withdrawals go, the more potentially destabilizing they will be, because the first are due to be made in areas that are considered more secure, or where Iraqi forces are deemed more reliable or even handed. By June however, troops may be leaving areas that are far from quiet, where new tensions have emerged as a result of the elections. Once again, the United States would be rushing toward failure in Iraq, as it did so often under the Bush Administration, trying to pass responsibility to Iraqi officials and institutions before they were ready for the task. By late summer, the Obama Administration may find itself in the uncomfortable position of recon­sidering its vows to get out of combat in Iraq by August and to remove all troops by the end of 2011. This will be politically difficult for the presi­dent, but he has shown admirable flexibility in his handling of Iraq. Judging by a recent series of discussions I have had across the country, from California to Kentucky to South Carolina and New Hampshire, the American people now wish the United States had never become entangled in Iraq, but they understand just how precarious the situ­ation is and appear willing to give the president a surprising amount of leeway on it.³ Extending the U.S. military presence will be even more politically difficult in Iraq, and for that reason, it would be best to let Iraqi leaders make the first public move to re-open the Status of Forces Agreement. Few observers expect Iraqi forces to be able to stand entirely on their own by the end of next year, so at some point the SOFA is going have to be re-visited. The only question is when and how. Leaders in both countries may come to recognize that the best way to deter a return to civil war is to find a way to keep 30,000 to 50,000 U.S. troops there for many years to come. Their missions would be far narrower than dur­ing the surge era and would primarily involve training and advising Iraqi security forces and carrying out counter-terror missions. It is actually quite hard to get below 30,000 and still maintain an effective force, because in order to carry out those missions, surprisingly large numbers are needed for logistical, maintenance, medical, intelligence, communications and headquarters functions, and additional infantry units must then protect those troops. During the pres­idential campaign, Obama stated that his “guiding approach” to Iraq is “that we’ve got to make sure that our troops are safe and that Iraq is stable.”⁴ Military planners are likely to tell him that going below those levels would be unsafe, and further, less likely to help Iraq become truly stable.

General Iraq Pullout Negative (Civil War Turns)

DRAWDOWN IN IRAQ WOULD HURT ANY CHANCE OF STABILITY OR DEMOCRACY IN THE REGION AND WOULD INCREASE THE RISK OF SECTARIAN WAR AND CIVIL CONFLICTS –

INDYCK AND POLLACK ’10 (Martin, Vice President and Director, [Foreign Policy](http://www.brookings.edu/foreign-policy.aspx), and Kenneth, Director, Saban Center for Middle East Policy, “The Obama Administration: Facing Challenges in the Middle East”, <http://www.brookings.edu/opinions/2010/0113_middle_east_policy_indyk_pollack.aspx>, Accessed June 21, 2010) DM

***Iraq.***Iraq too has been a mixed bag. There the Obama administration needed to drawdown American troops and push forward an Iraqi political system that by 2009 had become paralyzed while preventing a slide back into sectarian warfare, all too common in states that have undergone a major intercommunal civil war.

Despite the occasional bombing outrage, overall levels of violence continue to fall. The administration also succeeded in prodding the various Iraqi factions to enact an election law that provides for a reasonably good system of "open-list" elections. It quashed a bid to put the security agreement by which U.S. troops are to remain in country till the start of 2012 to a popular referendum that almost certainly would have failed, and in so doing thrown the country’s entire security situation into chaos. In late February 2009, the president announced a 19-month drawdown plan for Iraq that would see U.S. forces reduced to about 50,000 by August 2010 and the end of American combat operations. Although this plan still remains possible, it seems increasingly difficult to reconcile with Iraqi political needs, and the administration has not yet demonstrated a willingness to modify it if the situation deteriorates. In particular, the Iraqi elections seem likely to produce a deeply fragmented parliament unable to form a government for many months. Such protracted wrangling will create opportunities and pressures for various groups to use violence to influence the negotiations. If the United States is seen as blithely withdrawing its troops without regard for mounting violence, this alone could push the country back into civil war. Finally, the administration continues to debate how and to what extent it will scale back civilian efforts in Iraq, and many Iraqi leaders remain frightened that Washington plans to take a far more hands-off approach--one for which they fear their country is unready.

Even if Iraqi civil war is inevitable, we have the moral obligation to keeping troops in Iraq.

Ricks 2010 (Thomas E. Ricks is a Senior Fellow at the Center for a New American Security (CNAS), “The Burden: America's Hard Choices in Post-Election Iraq” 2/24/10, [**http://cnas.org/node/4158**](http://cnas.org/node/4158), 6/21/10, HR.

Yet, to echo counterinsurgency expert David Kilcullen, just because you invade a country stu­pidly doesn’t mean you should leave it stupidly. In part because of the mistakes the United States has made in Iraq, it owes enough to the Iraqi people to consider keeping some troops there. The United States would do it not so much because of the benefits of doing so – few are possible, and none are certain – but because of the possibly horrible conse­quences of not doing so. The best argument against a continued presence is one some U.S. officers make, which is that a civil war is inevitable, and that by staying, all we are doing is postpone it. That may be so, but it is not worth gambling to find out. The consequences of a renewed civil war in Iraq would reverberate both regionally and globally, with profound costs for American interests. The United States has paid a huge price in Iraq so far, and Iraqi civilians have paid far more. The rela­tively small force proposed here, about a quarter of the size we have maintained in Iraq for the last six years, would be far less costly, and the potential results significant for all involved.

General Iraq Pullout Negative (Civil War Turns)

US PRESENCE KEY TO STOPPING AN ESCALATING CIVIL WAR THAT LEADS TO TOTAL ECONOMIC COLLAPSE AND GLOBAL INVOLVEMENT

Ricks 10 (Thomas E.; senior fellow at the Center for a New American Security and the author of several books about the U.S. military; “The Burden: America’s Hard Choices in Post-Election Iraq”; February 2010; GM)

Such a relatively small, tailored force is not big enough to wage a war, but it might be just enough to deter a new one from breaking out. Keeping American troops in Iraq may in fact just buy time. But, if **by maintain­ing a presence, the United States can help Iraq avoid sliding back into civil war, it should do so. Such a civil war would be a three- or four-sided affair, with the Shiites breaking into pro- and anti-Iranian factions, and could easily metastasize into a regional war. Neighboring powers such as Turkey and Iran already are involved in Iraqi affairs, and Arab states would be unlikely to stand by and watch a Shiite-dominated regime in Baghdad slaughter and displace the Sunni minority. A regional war in the middle of the world’s largest oil patch could shake the global economy to its foundations and would likely make the current reces­sion look mild.**

WE CANNOT ALLOW A CIVIL WAR TO REOCCUR IN IRAQ

Ricks 10 (Thomas E.; senior fellow at the Center for a New American Security and the author of several books about the U.S. military; “The Burden: America’s Hard Choices in Post-Election Iraq”; February 2010; GM)

The consequences of a renewed civil war in Iraq would reverberate both regionally and globally, with profound costs for American interests. The United States has paid a huge price in Iraq so far, and Iraqi civilians have paid far more. The rela­tively small force proposed here, about a quarter of the size we have maintained in Iraq for the last six years, would be far less costly, and the potential results significant for all involved.

General Iraq Pullout Negative (Civil War Turns)

US PRESENCE IN NECESSARY TO PREVENT FACTION WARS

Ricks 10 (Thomas E.; senior fellow at the Center for a New American Security and the author of several books about the U.S. military; “The Burden: America’s Hard Choices in Post-Election Iraq”; February 2010; GM)

In addition, a continued U.S. military presence may help Iraq move forward politically. Few if any Iraqis particularly like this presence, but many groups seem to trust the Americans as “honest brokers,” and military officials say their presence has been a major factor in keeping factional fighting from breaking out several times in recent years, espe­cially between Kurds and Arabs.

US TROOPS KEY TO PREVENT ABUSIVE MILITARY/POLICE FORCE

Ricks 10 (Thomas E.; senior fellow at the Center for a New American Security and the author of several books about the U.S. military; “The Burden: America’s Hard Choices in Post-Election Iraq”; February 2010; GM)

Finally, there is a moral, humanitarian and political benefit: Having Americans present in Iraqi military and police units may improve the behavior of Iraqi forces, discouraging relapses to Saddam-era abuses or the use of force for private ends. U.S. advisors not only instruct Iraqi commanders, they also monitor them. For example, in *The Gamble*, I wrote about a Turkmen Shiia police chief who used his pull with an Iraqi general to call an air strike on a Sunni village as part of his ethnic cleansing work. As it happened, the American gunships, seeing no hostile actions or threats in the village, declined to fire into it.⁵ Making U.S. forces a tool for inter­nal feuds would be worse than simply leaving altogether.

It’s empirically shown that an increase in troops to Iraq is key to stop sectarian violence and civil war.  
Perry, Johnson, Crane, Gompert, Gordon, Hunter, Kaye, Kelly, Peltz, and Shatz 09 (Walter, Ph.D. in information technology, George Mason University; M.S. in operations research, Tulane University; M.B.A., Tulane University; A.B. in mathematics, Northeastern University. Stuart Postdoctoral study, Department of Physics, University of Leiden, Netherlands; Ph.D. in physics, Massachusetts Institute of Technology; B.A., Amherst College, Keith Ph.D. and M.A. in economics, Indiana University; B.A. in international studies, University of Minnesota, David David Gompert is a Senior Fellow at the RAND Corporation and a member of the faculty of the RAND Pardee Graduate School. Prior to this, he was Distinguished Research Professor at the Center for Technology and National Security Policy, National Defense University. From 2003 to 2004 Mr. Gompert served as the Senior Advisor for National Security and Defense, Coalition Provisional Authority, Iraq., John Dr Gordon joined the RAND Corporation in 1997 following a 20-year U.S. Army career, Robert E U.S. Ambassador to NATO under President Clinton and U.S. representative to the Western European Union Ph.D. in international relations, Fulbright Scholar, London School of Economics; B.A., Wesleyan University, Dalia Dassa Ph.D., M.A. and B.A. in political science, University of California, Berkeley, Terrence K Ph.D. in mathematics, M.S. in computer and systems engineering, Rensselaer Polytechnic Institute; M.A. in strategic studies, U.S. Army War College; B.S., United States Military Academy, West Point., Eric M.B.A. and M.S.Eng. in industrial and operations engineering, University of Michigan; B.S.E. in systems engineering, United States Military Academy, West Point, Howard J Ph.D. in public policy, Harvard University; M.I.A., School of International and Public Affairs, Columbia University; postgraduate study in Middle East studies, Tel Aviv University; A.B. in history, Brown University. “Withdrawing from Iraq: Alternative Schedules, Associated Risks and Mitigating Strategies” RAND Corporation 6/24/10 Page RCM)  
Only when the United States changed strategy in 2007 did Iraq pull out of its descent into civil war. A Sunni backlash by tribal sheikhs and ex-insurgent Sons of Iraq (SoI) against the wanton terror of al-Qaeda in Iraq (AQI) was facilitated by U.S. payments. Thirty thousand additional U.S. troops using proper counterinsur- gency (COIN) tactics were able to stop most sectarian killing in Baghdad. Meanwhile, al-Sadr ordered a JAM ceasefire.

Spending/Readiness Links

Equipment which has to be withdrawn is costly and burdensome  
Perry, Johnson, Crane, Gompert, Gordon, Hunter, Kaye, Kelly, Peltz, and Shatz 09 (Walter, Ph.D. in information technology, George Mason University; M.S. in operations research, Tulane University; M.B.A., Tulane University; A.B. in mathematics, Northeastern University. Stuart Postdoctoral study, Department of Physics, University of Leiden, Netherlands; Ph.D. in physics, Massachusetts Institute of Technology; B.A., Amherst College, Keith Ph.D. and M.A. in economics, Indiana University; B.A. in international studies, University of Minnesota, David David Gompert is a Senior Fellow at the RAND Corporation and a member of the faculty of the RAND Pardee Graduate School. Prior to this, he was Distinguished Research Professor at the Center for Technology and National Security Policy, National Defense University. From 2003 to 2004 Mr. Gompert served as the Senior Advisor for National Security and Defense, Coalition Provisional Authority, Iraq., John Dr Gordon joined the RAND Corporation in 1997 following a 20-year U.S. Army career, Robert E U.S. Ambassador to NATO under President Clinton and U.S. representative to the Western European Union Ph.D. in international relations, Fulbright Scholar, London School of Economics; B.A., Wesleyan University, Dalia Dassa Ph.D., M.A. and B.A. in political science, University of California, Berkeley, Terrence K Ph.D. in mathematics, M.S. in computer and systems engineering, Rensselaer Polytechnic Institute; M.A. in strategic studies, U.S. Army War College; B.S., United States Military Academy, West Point., Eric M.B.A. and M.S.Eng. in industrial and operations engineering, University of Michigan; B.S.E. in systems engineering, United States Military Academy, West Point, Howard J Ph.D. in public policy, Harvard University; M.I.A., School of International and Public Affairs, Columbia University; postgraduate study in Middle East studies, Tel Aviv University; A.B. in history, Brown University. “Withdrawing from Iraq: Alternative Schedules, Associated Risks and Mitigating Strategies” RAND Corporation 6/24/10 Page RCM)

However, the drawdown and the overall U.S. military presence differs from the rotation of units into and out of Iraq. Units take only part of their equipment to the theater, receiving the rest in Iraq from a pool of equipment referred to as Theater Provided Equipment (TPE), which remains in Iraq. This equipment will have to be withdrawn in any drawdown. If a unit redeploying is not to be replaced, then all of its equipment will have to be removed, creating a considerable burden on the logistics system.

Once the administration has already determined a schedule alterations lead to increased fiscal and readiness cost   
Perry, Johnson, Crane, Gompert, Gordon, Hunter, Kaye, Kelly, Peltz, and Shatz 09 (Walter, Ph.D. in information technology, George Mason University; M.S. in operations research, Tulane University; M.B.A., Tulane University; A.B. in mathematics, Northeastern University. Stuart Postdoctoral study, Department of Physics, University of Leiden, Netherlands; Ph.D. in physics, Massachusetts Institute of Technology; B.A., Amherst College, Keith Ph.D. and M.A. in economics, Indiana University; B.A. in international studies, University of Minnesota, David David Gompert is a Senior Fellow at the RAND Corporation and a member of the faculty of the RAND Pardee Graduate School. Prior to this, he was Distinguished Research Professor at the Center for Technology and National Security Policy, National Defense University. From 2003 to 2004 Mr. Gompert served as the Senior Advisor for National Security and Defense, Coalition Provisional Authority, Iraq., John Dr Gordon joined the RAND Corporation in 1997 following a 20-year U.S. Army career, Robert E U.S. Ambassador to NATO under President Clinton and U.S. representative to the Western European Union Ph.D. in international relations, Fulbright Scholar, London School of Economics; B.A., Wesleyan University, Dalia Dassa Ph.D., M.A. and B.A. in political science, University of California, Berkeley, Terrence K Ph.D. in mathematics, M.S. in computer and systems engineering, Rensselaer Polytechnic Institute; M.A. in strategic studies, U.S. Army War College; B.S., United States Military Academy, West Point., Eric M.B.A. and M.S.Eng. in industrial and operations engineering, University of Michigan; B.S.E. in systems engineering, United States Military Academy, West Point, Howard J Ph.D. in public policy, Harvard University; M.I.A., School of International and Public Affairs, Columbia University; postgraduate study in Middle East studies, Tel Aviv University; A.B. in history, Brown University. “Withdrawing from Iraq: Alternative Schedules, Associated Risks and Mitigating Strategies” RAND Corporation 6/24/10 Page RCM)  
  
The alternative drawdown schedules presented here are essentially mutually exclusive. That is, once the government directs one of these or another alternative schedule, that schedule will become the basis for personnel and logistics planning. Attempting to substantially alter the selected schedule would likely entail major financial and readiness costs. In addition, abruptly switching from one alternative schedule to another would have detrimental effects on security and diplomacy in Iraq and the region, greatly increasing the probability that some of the risks discussed in Chapters Four, Five, and Six of the monograph will arise. We did not examine these costs and other effects in our study.

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\*\*\*Hegemony/Hard Power Links\*\*\*Hard Power/Hege Links

Allowing for the international law community to question the legality of drone attacks undermines American global influence due to a loss of “hard law” - Obama’s uniquely key to prevent “soft law”

Anderson, ’10 (Kenneth, Visiting Fellow on the Hoover Task Force on National Security and Law and Professor of Law at American University, “Predators over Pakistan,” The Weekly Standard Vol. 15, No. 24, 3/8/10, accessed 6/25/10, <http://www.weeklystandard.com/print/articles/predators-over-pakistan>, SSD)

In fact, the administration’s top lawyers should offer a public legal defense of its policies, and congressional Republicans and Democrats should insist on such a defense. This is partly to protect the full use-of-force tools of national security for future administrations, by affirming the traditional U.S. view of their legality. But it is also to protect and reassure the personnel of the CIA, NSC, and intelligence and military agencies who carry out these policies that they are not just effective but lawful policies of the U.S. government and will be publicly defended as such by their superiors. Even as the Obama administration increasingly relies on Predator strikes for its counterterrorism strategy, the international legal basis of drone warfare (more precisely, its perceived international legal legitimacy) is eroding from under the administration’s feet—largely through the U.S. government’s inattention and unwillingness to defend its legal grounds, and require its own senior lawyers to step up and defend it as a matter of law, legal policy, and legal diplomacy. On the one hand, the president takes credit for the policy—as frankly he should—as taking the fight to the enemy. His vice president positively beams with pride over the administration’s flock of Predator goslings. On the other hand, the Obama administration appears remarkably sanguine about the campaign gearing up in the “international law community” aimed at undermining the legal basis of targeted killing as well as its broad political legitimacy, and ultimately at stigmatizing the use of Predators as both illegal and a coward’s weapon. Stigmatizing the technology and the practice of targeted killing is only half of it, though. The other half is to undermine the idea that the CIA may use force and has the authority to act covertly under orders from the president and disclosure to Congress, as long provided in U.S. law. The aim is to create a legal and political perception that, under international law, all uses of force must be overt—either as law enforcement or as armed conflict conducted by uniformed military. The Obama administration is complacent about this emerging “international soft law” campaign. But Obama’s opponents in this country, for their part, likewise underestimate and ignore the threat such a campaign presents to national security. That’s apparently because many on the right find it hard to imagine that mere congeries of NGOs, academics, activists, U.N. officials, and their allies could ever overcome “hard” American national security interests, particularly when covered by the magic of the Obama administration. Both liberal and conservative national security hands, looking at the long history of accepted lawfulness of targeted killings under American law, think, “Come on, there’s obvious sense to this, legal and political. These arguments in domestic and international law have long been settled, at least as far as the U.S. government is concerned.” But if there’s a sense to it, there’s a sensibility as well, one that goes to the overall political and legal “legitimacy” of the practice within a vague, diaphanous, but quite real thing called “global public opinion,” the which is woven and spun by the interlocking international “soft law” community and global media. It’s a mistake to remain oblivious to either the sense or the sensibility. Outside of government, the oblivious include hard-realist conservatives. Inside government, some important political-legal actors are struggling impressively both to overcome bureaucratic inertia and get in front of this issue, and to overcome factions within government unpersuaded by, if not overtly opposed to, this program particularly as conducted by the CIA. Those actors deserve political support from congressional Republicans and Democrats. Because obliviousness to the sensibility of lawfulness and legitimacy—well, we should all know better by now. Does anyone still believe that the international legal-media-academic-NGO-international organization-global opinion complex cannot set terms of debate over targeted killing or covert action? Or that it cannot overcome “hard” American security interests? Or that this is merely another fringe advocacy campaign of no real consequence, whether in the United States, or abroad in Europe, or at the United Nations?

Hard Power/Hege Links

Effective Deployment of Special Forces Is Critical to Long Term U.S. Hegemony

Malvesti, 6/3 (Michele L., former Senior Director for Combating Terrorism Strategy on the National Security Council, “To Serve the Nation: U.S. Special Operations Forces in an Era of Persistent Conflict,” Date accessed: 6/21/10, SSD)

U.S. Special Operations Forces (SOF) are experiencing their most extensive use and greatest transformation of the modern SOF era.1 In playing direct and leading roles in Iraq and Afghanistan, as well as in the broader U.S. effort to defeat al Qaeda and violent extremism across the globe, these forces have become more operationally adept, endowed with more resources and organizational capacity, and are encountering greater demands for their leadership and expertise than ever before. SOF are in the midst of a resurgence, with their core capabilities aligning with the irregular and potentially catastrophic security threats of today’s geostrategic environment. In spite of these developments, SOF are not yet optimized for success. In order to enhance the strategic value of SOF and facilitate their continued evolution in service to the nation, three challenges should be addressed. First, SOF can advance U.S. efforts to disrupt and—perhaps more important—help prevent threats and challenges that emanate from beyond traditional battlefields. However, the United States continues to struggle with how best to apply force in general, and Special Operations in particular, outside theaters of combat. While SOF are operating on an unprecedented scale across the globe, both their capabilities and the 21st-century threat environment are in many ways outpacing the nation’s policies for employing SOF.2 Second, the various components within SOF have diverse proficiencies, cultures, and approaches to Special Operations that provide the United States a broad spectrum of capability in addressing an equally diverse set of security challenges. However, not all units and skills are being leveraged or enabled to maximum effect. While operational imperatives associated with the wars in Iraq and Afghanistan are contributing factors, other issues that undermine more effective utilization of SOF include outdated articulations of Special Operations missions and activities, internal and external challenges to resourcing and prioritization, and command and control structures that impede better synchronization of effects on the battlefield. A third challenge arises from the significant growth that has occurred across SOF over the past decade. While this growth—in budget, manpower, capacity, volume of work, and level of achievement—is in many ways positive, it also comes at a cost. Endowed with greater resources, an organization may have more complex demands placed upon it, incur greater constraints, and even invite more rivals.7

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DESPITE POTENTIAL ADVERSE EFFECTS OF GROWTH AND A LONG TIMEFRAME FOR RESULTS NOW IS KEY TO EXPAND SOFs

Malvesti, 6/3 (Michele L., former Senior Director for Combating Terrorism Strategy on the National Security Council, “To Serve the Nation: U.S. Special Operations Forces in an Era of Persistent Conflict,” Date accessed: 6/21/10, SSD)

The full effects of SOF’s growth—both positive and negative—might be neither discernible nor understood for several years. However, the community’s leaders and advocates should remain aware of the possible downsides of growth that could divert SOF from preparing for missions only they can conduct, conventionalize their experience, and potentially blunt their trademark innovative mindset. Exploring ways to change and elevate the performance of a successful organization can be difficult. Previous calls to reform SOF or reassess their use generally have been spurred by strategic, operational, or political failures, such as those that occurred during the 1980 attempt to rescue Americans held hostage in Iran, the 1993 battle in Mogadishu during the larger mission to capture Somali warlord Mohamed Farah Aideed, and, most recently, the 2001 terrorist attacks on U.S. soil, which became the watershed event for today’s generation of Special Operators. Yet these forces and the nation should not wait for failure before taking steps that will enhance SOF performance and contributions to national security. SOF should seize their current position of strength in order to bolster their ability to address security challenges that arise in countries with which the United States is not at war, fully leverage and enable the diverse skills and units across the community, and mitigate the potential drawbacks of growth that could adversely affect the evolution of the force. Failure to act now is a missed opportunity.

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SOFs KEY TO SUSTAINING SECURITY IN THE 21st CENTURY - IRREGULAR FORMS OF WARFARE, ENGAGEMENT WITH STATES AND POPULATIONS, NON-TRADITIONAL BATTLEFIELDS AND PROLIFERATION

Malvesti, 6/3 (Michele L., former Senior Director for Combating Terrorism Strategy on the National Security Council, “To Serve the Nation: U.S. Special Operations Forces in an Era of Persistent Conflict,” Date accessed: 6/21/10, SSD)

SOF Contributions Across the Security Landscape Protecting and advancing U.S. security interests in this 21st-century environment requires the coordinated application of all instruments of national power and influence—diplomatic, informational, military, economic, financial, intelligence, and law enforcement—across multiple departments and agencies. While no one instrument of power, executive department or agency, or sector of society will be the singular solution, SOF have competencies that align with today’s security challenges. Four are discussed herein. Competency in Irregular Forms of Warfare While retaining a relative advantage in conventional warfare, the United States also must continue to invest in and maintain capabilities across the full range of irregular forms of conflict and warfare that will arise from rogue states, violent sub-national groups and extremists, and their associated networks. SOF were designed to address such irregular threats and challenges. Four of the five activities and operations the Department of Defense (DOD) identifies as irregular warfare also are specified as Special Operations core activities: counterinsurgency, counterterrorism (CT), foreign internal defense (FID), and unconventional warfare.23 (See textbox Core Activities of Special Operations.) SOF also contribute directly to DOD’s fifth area of irregular warfare—stability operations.24 Engagement with Host Nations and Indigenous Populations Success in today’s strategic environment mandates an intimate understanding of foreign governments and their populations throughout the world. The United States requires fluency in a variety of cultures, languages, politics, and religions, and the ability to develop and leverage partnerships with foreign leaders, change agents, and populations at large. SOF have long-standing and well-regarded expertise in working with and through host nation security forces and broader indigenous populations. While each of the four aforementioned core activities require—to greater or lesser extents—the capability to work with and among foreign populations, other SOF activities also use this same set of competencies. For example, SOF leverage local relationships, along with their understanding of a country’s cultural, economic, and political landscape, in order to identify critical needs of the population in conducting civil affairs operations. Various types of information operations, such as psychological operations, also depend upon familiarity with local people, customs, and mores in order to shape behavior, attitudes, or the environment. The importance of engaging with host nations and indigenous populations also is intertwined with an imperative to strengthen partnerships in the face of enumerable security challenges and drivers of instability. Enhanced partner will and capacity are force multipliers that account for limited resources and inherent U.S. domestic and international political constraints on the use of force.28 Non -Traditional Battlefields Given the sensitive, ambiguous, and non-traditional settings from which security challenges can emerge, the country must be able to operate across environments as varied as cities, failing states, and countries with which the United States is not at war.29 In this regard, it is not just SOF’s core activities that render them highly relevant but also the nature of Special Operations and how they are executed. Special Operations are “conducted in hostile, denied, or politically sensitive environments” and “often require covert, clandestine, or low visibility capabilities.” (See textbox Special Operations Defined.) Unlike conventional military activities, they tend to require less support and use small, tailored teams with a low signature that reduces some of the risk of operating in precarious environments and circumstances. The atypical battlespaces of the 21st-century also extend to information networks and platforms. Not only do U.S. enemies seek to exploit cyber networks that underlie many of the nation’s critical infrastructures and key resources, but they also engage in information-based forms of confrontation and conflict that play out across the media battlefield. SOF’s ability to conduct information operations, which includes electronic warfare, computer network operations, and psychological operations, suggests another unorthodox environment—the virtual battlefield—on which they operate. Disrupting catastrophic threats The United States requires the ability to defeat the threat or use of WMD and related material and supply networks in the face of catastrophic capabilities that are increasingly available to a wider range of actors. It is here that SOF contribute to arguably the nation’s most critical capability by virtue of their counterproliferation mission. By conducting operations to detect, intercept, destroy, or otherwise render safe WMD and related material, SOF can respond to such potentially catastrophic threats from rogue states, as well as help to keep WMD out of the hands of illicit non-state actors. This cursory review of key themes in today’s

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security environment, the concomitant capabilities required to protect and advance U.S. interests, and the relevant characteristics of SOF reveal the value of these strategic assets: their ability to help prevent and respond to irregular and potentially catastrophic security threats and challenges. More specifically, SOF contributions today rest with their diverse set of skills that help the nation to: • Counter state, non-state, and networked actors who use or threaten to use irregular warfare or weapons of mass destruction; • Engage and partner with foreign governments, populations, and audiences; and • Operate in unorthodox environments as varied as urban settings, virtual battlefields, failing states, and, more broadly, in countries with which the United States is not at war. However, SOF face challenges—from within their own community and in their relationships with the larger U.S. national security apparatus—as they continue to demonstrate their value to the nation. We turn now to an exploration of those challenges.

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**Irregular forms of warfare, engagement with states and populations, non-traditional battlefields and proliferation are key threats to international security**

Malvesti, 6/3 (Michele L., former Senior Director for Combating Terrorism Strategy on the National Security Council, “To Serve the Nation: U.S. Special Operations Forces in an Era of Persistent Conflict,” Date accessed: 6/21/10, SSD)

Key Characteristics of the Security Landscape Four characteristics of the 21st-century security landscape are worth exploring here briefly given their direct implications for SOF. Asymmetric and irregular forms of conflict and warfare are eclipsing conventional confrontations between nation-state militaries and have come to dominate the post-Cold War era security environment. 9 The United States and its allies and partners will continue to face both traditional state adversaries and sub-national groups who employ or sponsor the use of terrorism, insurgency, information operations, and other irregular aspects of warfare for the foreseeable future.10 Accompanying this trend is a shift from interstate to intrastate conflicts11 and the security challenges that emanate from within weak, fragile, and failing states. Such states can produce and exacerbate humanitarian emergencies that may call for external intervention, and they can serve as breeding and recruiting grounds, transit points, and sanctuaries for insurgents, terrorists, and other violent sub-national actors. For example, those areas designated by the United States as terrorist safe havens are predominantly states, areas within states, or areas between or across states that are assessed to be significantly vulnerable to conflict or collapse.12 Not all irregular threats and challenges will arise from these environments. Indeed, terrorists and other extremists often leverage virtual sanctuaries that exist in the inadequately protected or insufficiently strong legal, financial, and cyber systems of stable countries and the larger international system. But with nearly two billion people living in states assessed as significantly vulnerable to collapse or conflict, weak and failing states are a global geostrategic challenge and represent a “new class of conflict” in and of themselves.13 Changing demographics also are affecting international security. Over the next decade and a half, the world population is likely to reach eight billion. 14 By 2050, there likely will be more than nine billion people—over two billion more than there are today.15 The majority of population expansion is projected to occur in developing countries that will struggle to accommodate the broad social, economic, and environmental strains likely to accompany this growth.16 One consequence of rapid growth is not just a larger population but a younger one that is likely to press for employment and educational opportunities in societies that may not be able to effectively absorb the demand.17 This could lead to a frustrated and disaffected population segment that is ripe for strife or exploitation by others.18 Migration and urbanization also are key aspects of this demographic landscape. The current transnational migration of opportunity-seeking individuals from youth-laden, growing, and under-developed countries into richer nation-states is expected to continue. Migration from the countryside to urban areas also is likely to persist. Based on current trends, nearly 57 percent of all people will be living in urban centers by 2025,19 and some estimates project that nearly 70 percent of the world’s population will be residing in cities by 2050.20 Absent effective assimilation, migration and urbanization could lead to tension and discord and increased susceptibility to violent radicalization within disaffected communities. The diffusion of global power across multiple actors gives populations an increasing ability to exercise choice and sway over their lives. Power and authority no longer rest solely with states. Civil society organizations, corporations, and ethnic and religious organizations, not to mention violent extremist groups, increasingly are providing statelike services to individuals and various segments of society. Sometimes these actors are filling gaps left by failing states; other times they are providing alternatives to otherwise capable governments. In either circumstance, more individuals and populations can assert greater choice and, at the most extreme, grant power and authority to criminal cartels, terrorists, or insurgents if they perceive these actors to be better able to address their specific political, economic, social, or security needs. This has led to a competition for suasion and influence over relevant populations.21 A highly interconnected world is facilitating the distributed and lethal activities of dangerous states and non-state groups and actors. Empowered by the proliferation of advanced communication and information systems and the diffusion of advanced military technologies and light weaponry, both state and non-state actors are creating lethal and resilient networks and conducting operations and illicit activities at greater distances and across multiple borders. They are, in effect, creating networked and geographically unconstrained battlefields. And by employing local actions to strategic effect, they also have given global significance to issues once deemed to have only local or regional implications. Most troubling within the trend of lethal transnational networks is the potential for an attack involving a weapon of mass destruction (WMD). WMD-related materials, scientific knowledge, and expertise are proliferating throughout the public domain. Their convergence in today’s interconnected world increases the potential that more actors will be able to acquire these weapons or their components through clandestine production, theft from poorly secured stockpiles, or directly from a rogue state or criminal network. Use by a state cannot be ruled out, but arguably the gravest threat to U.S. national security is WMD in the hands of terrorists.

Hard Power/Hege Links

DESPITE ATTEMPTS TO OPERATE IN SECRECY THE SOFs HAVE A LARGE OPERATING FOOTPRINT - REDUCES SUPPORT FROM POLICYMAKERS

**Malvesti, 6/3** (Michele L., former Senior Director for Combating Terrorism Strategy on the National Security Council, “To Serve the Nation: U.S. Special Operations Forces in an Era of Persistent Conflict,” Date accessed: 6/21/10, SSD)

Size and Visibility Contrary to **both** doctrine and perception, SOF have a record of operating with a large footprint. SOF were designed to operate in small, flexible, **often** clandestine teams, and policymakers generally prefer this lower visibility in order to mitigate **some of** the political risk associated with potential or perceived violations of sovereignty. **Yet one way** the military has **opted to mitigate some of the operational risks linked with SOF through the years—perhaps as an overreaction to lessons learned from the failure at Desert One—**has **been to** add more capabilities, enablers, and arguably unnecessary bells and whistles for many kinetic operations.**74** As the force packages for such operations grew bulky and cumbersome through the years, policymakers became more hesitant to employ a large and increasingly visible military presence outside war zones. In some cases, policymakers have been disinclined to ask for smaller packages if doing so would hurt the extraction capability of the force in a given operation.**75**

Hard Power/Hege Links

Defending drone attacks key to party unity, hard power, solving terrorism, Obama credibility and re-election and future presidential agenda

Anderson, ’10 (Kenneth, Visiting Fellow on the Hoover Task Force on National Security and Law and Professor of Law at American University, “Predators over Pakistan,” The Weekly Standard Vol. 15, No. 24, 3/8/10, accessed 6/25/10, <http://www.weeklystandard.com/print/articles/predators-over-pakistan>, SSD)

For that reason—quite apart from operational security—the CIA has to resist getting into a pissing match with the soft-law community over collateral damage numbers. The best nonofficial, non-CIA-leaked estimates are found at the blog Long War Journal, which keeps a running count based on a wide range of public reporting. Long War Journal’s tabulations suggest far lower collateral damage rates than the global press seems to believe. Leaks by government officials to journalists on a couple of occasions have expressed the same view—in even stronger terms. (When I have asked reporters about this, they appear to take the view that the more “conservative” way to report civilian casualty figures is to err on the high side, if necessary through that weaselly journalistic locution, “as high as.”) Perhaps some mechanism could be worked out for overtly informing the press about the aggregate collateral damage from the now obviously overt targeted killings campaign in Afghanistan and Pakistan. But the U.S. government can’t fall into the losing game of arguing with the press and human rights groups over proportionality. The standards and mechanisms for review should be tailored as closely as possible to military standards of review, and left at that. Making clear that the U.S. government is operating under the legal standard of self-defense would not quiet critics who believe it is all just murder, anyway. But it would provide a public, principled legal position by which this administration and future administrations could defend themselves against the charge of lawlessness. Congress has an important legitimating role to play in this—to show that the two political branches of government have policies in place that they regard as lawful and defensible, to occupy a ground of lawful national security that would otherwise invite inappropriate judicial entry, and to offer a check on covert actions that sometimes achieve momentum within the executive but, seen by congressional outsiders, raise commonsense questions. The U.S. government should, moreover, defend what its officers in fact believe to be the case—that targeted killing from drone platforms is not merely a question of hard-edged military necessity, but is also a humanitarian step forward in technology. The president believes that and so does the vice president, and they are correct. These technologies are lessening, not increasing, civilian damage, are being applied in ways (because it is killing that is, indeed, targeted) that lessen collateral damage from what it would otherwise be in traditional war. The U.S. government should react with outrage to the charge, implied or express, of American cowardice or some abstract increased propensity to violence on account of drone strikes, and assert its humanitarian moral ground. For that matter, hostile journalists ought to be pressed to explain why drone attacks are significantly different from missiles fired from aircraft or offshore naval vessels​—save for the vastly greater ability to monitor the circumstances of firing through sensor technologies. Senior officials believe that drone warfare allows the United States to take far greater measure and care with collateral damage than it can using either conventional war or attack teams on the ground. The U.S. government should say so, rather than simply falling back on narrow arguments of military necessity, operational convenience, and force protection, while ceding the moral high ground to the international soft-law community. But in making its case, the United States government has to be clear that it is reaffirming self-defense as its legal basis, not simply combatancy and not simply armed conflict. Congress—Republicans and Democrats—should endeavor to get the senior legal officials of the Obama administration to say so, on the public record. This will be important down the road for U.S. officials not protected by the aura of the Nobel Peace laureate now in the Oval Office. The administration itself might consider that a narrow justification of drone strikes under combatancy with respect to al Qaeda and the Taliban, rather than a broader legal basis in self-defense, is most likely to work for it under one circumstance—a one-term presidency. Indeed, the silence of the administration’s senior international lawyers, and in particular their failure to defend the practice on a basis broad enough to encompass the circumstances under which it might be used in the next seven years, rather than the next three, might be taken as their implied view of the administration’s life expectancy. The U.S. government ought to consider that, over time, terrorist groups the United States will believe itself compelled to attack will not always be al Qaeda. They may also be found in places beyond Yemen and Somalia, without obvious connection to the existing theaters of armed conflict in Iraq and South Asia. Unless the United States moves to self-defense as its fundamental legal basis for using force against terrorists, it will find itself pushed to revive the discredited “global” war on terror. Finally, future administrations, long beyond the Obama administration, may one day have to confront nonstate enemies that are not al Qaeda, have no relation whatever to 9/11, and are not jihadists but espouse some other violent cause against the United States. Future presidents will also have to respond with force, sometimes covert force, to such threats. The Obama administration has an obligation to itself and its successors to preserve their legal powers of national security. The United States must use these legal powers or lose them.

\*\*\*Politics\*\*\*

Politics Links

Republicans support keeping troops in Afghanistan.   
The Hill 09 (TheHill.com, “GOP Warns Obama on Troop Surge,” 10/20/09, <http://thehill.com/homenews/administration/64025-gop-warns-obama-on-troop-surge>,06/30/10 HR).

Republicans have grown increasingly vocal in their demands for a troop surge in Afghanistan, with Sen. Kit Bond (R-Mo.) saying Tuesday that “wavering in Washington is disheartening American troops, demoralizing the people of Afghanistan and emboldening our terrorist enemies.” “The clear message for the president is ‘no more excuses,’ ” Bond said of Karzai’s decision. “Delay leads to defeat, not victory; it’s critical for the commander in chief to support his commander on the ground now.” Earlier this month, after a meeting with Obama at the White House, most Republicans suggested they were willing to give the president the time he requested to hold meetings with his national security advisers and devise a new strategy. McCain, however, was a notable exception, telling reporters that “time is not on our side.” The White House’s delay comes as it awaits a political outcome in Karzai’s disputed election, which has emboldened Republicans. “Gen. McChrystal was clear that the window for success in Afghanistan is short,” said Antonia Ferrier, a spokeswoman for House Minority Leader John Boehner (R-Ohio). “Every passing day that goes by is a day that could have been used to give our commander on the ground the resources he and our troops need to achieve the goals the president outlined in March.” Ferrier and other Republicans questioned whether the administration is “allowing domestic political considerations to drive the reassessment, rather than a commitment to doing what it takes to secure our strategic and direct national interests in the region.”

Republicans don’t support speeding up troop reduction in Iraq.   
**FoxNews 07** (FoxNews.com, The Associated Press contribution, “Pelosi Pushes Plan to Begin Bringing Troops Home,” Nov 08, 2007, <http://www.foxnews.com/story/0,2933,309602,00.html>, 06/30/10, HR).

This war is the biggest ethical issue we're facing in our country. ... This is not working. There is no light at the end of the tunnel. We must reverse it," Pelosi said, adding that she planned to end Bush's believe that Congress is his "ATM" for Iraq. Pelosi said the bill also will target the controversy over torture, adding new restrictions on how interrogations would take place in the field. Pelosi said she expected to begin consideration of the bill on Friday. The plan outlined by Pelosi will likely meet heavy opposition from House and Senate Republicans, who have been reluctant to place restrictions like withdrawal timetables on the military. House Minority Leader John Boehner of Ohio on Thursday denounced the plan. "This plan we're hearing about to handcuff our generals and starve our troops is ill-advised. We are succeeding in Iraq. There is already a plan to allow many of our troops to come home. It's hard to speed it up," Boehner told reporters. "Congress will not handcuff our troops," he added. Since taking control of Congress in January, Democrats have struggled to challenge the president on the war. Holding a shaky majority, they lack the votes to overcome procedural hurdles in the Senate or override a presidential veto. Republicans also would likely oppose applying Defense Department interrogation standards government-wide because it would limit the CIA's use of aggressive techniques against high-value terrorism suspects.

**Politics Link**

Republicans will not support a rapid withdrawal of troops from Iraq.   
Kady 09 (Martin, five years at Congressional Quarterly, the Washington Business Journal, Politico.com, “Top Republicans Embrace Iraq Plan,” 2/27/09, <http://www.politico.com/news/stories/0209/19410.html>, 06/30/10, HR).

Republicans may seem like the party of “no” on domestic policy these days, but they’re finding they like Barack Obama as commander in chief. While liberal Democrats — led by House Speaker Nancy Pelosi (D-Calif.) — have voiced discontent over the past few days over Obama’s 50,000 troop commitment in Iraq, top Republicans are embracing the troop announcement today. Sen. John McCain (R-Ariz.) took to the Senate floor to declare “the president’s withdrawal plan is a reasonable one.” Senate Minority Leader Mitch McConnell (R-Ky.) commended “the president's decision yesterday for making it possible to take another step toward realizing our goal of a stable Iraq.” Rep. Eric Cantor (R-Va.), the House GOP whip, said Obama “deserves credit for not listening to the chorus of voices calling for a rapid drawdown of forces.” And House Minority Leader John A. Boehner, who has presided over a unified opposition party in the House, praised the Iraq plan. “The plan put forward by President Obama continues our strategy of bringing troops home from Iraq as they succeed in stabilizing the country,” Boehner said. “I believe he has outlined a responsible approach that retains maximum flexibility to reconsider troop levels.”