# Human Rights NEG

## HUMAN RIGHTS ANSWERS

### 1NC – Human Rights Adv

#### Cutting arms sales will result in more civilian deaths and greater human rights violations

Cordesman, 18 --- Arleigh A. Burke chair in strategy at the CSIS, served as a consultant on Afghanistan to the U.S. Department of Defense and the U.S. Department of State (3/21/18, Anthony, “Saudi Arabia is a critical American security partner in the Middle East,” <https://thehill.com/opinion/international/379542-saudi-arabia-is-a-critical-american-security-partner-in-the-middle-east>, accessed on 6/8/19, JMP)

The United States, especially members of Congress, needs to remember that we have had at least as many military problems in fighting the Iraq and Syria wars as Saudi Arabia and the United Arab Emirates have faced in fighting in Yemen. Cutting U.S. arms shipments to Saudi Arabia may do little more that lead the Saudis to ignore the systems that the United States has helped set up to limit targeting of civilians and using unguided and more damaging air munitions. It raises a whole new round of questions about the U.S commitment to its partners in the region. We need to forge a common solution in Yemen, not a decoupling that leaves Saudi Arabia exposed. This would fail in both military and human rights terms, and leaves both the United States and Saudi Arabia with no options for dealing with the Houthi or Iran, seeking ways to end the war, dealing with Al Qaida or the other terrorist movements in Yemen, and without any means to help Yemen back to some form of stability and development.

#### Risk assessment is already imbedded into the process to prevent misuse.

Cressey, 18 --- deputy director in the Office of Regional Security and Arms Transfers in the Bureau of Political-Military Affairs at U.S. Department of State (8/8/18, Laura, “U.S. Arms Transfer Policy: Shaping the Way Ahead,” <https://www.csis.org/analysis/us-arms-transfer-policy-shaping-way-ahead>, accessed on 6/5/19, JMP)

Q: Good morning. Thank you. My name is Veronica Cartier. I am a think tank and focus on the security sector including nuclear policy. So my intention is in the future risk. That’s what I am – would like to focus on, and my comment is I think – is the CAT policy should include risk policy, and the security monitoring body should be considered, which is primarily just focus in the future risk. For example, how could we be so sure after we transferred a weapon not to be retransferred somewhere else? And the second, does United States still have the technology control of the transferred weapon? I think that primary, and – MR. HUNTER: Yeah – Q: – as we all know that the changing world our ally become adversary and vice versa. We should consider that. Thank you. MR. HUNTER: OK. So risk – how does risk fit into the policy? MS. CRESSEY: So risk is something that we have to – I think we have to factor into every decision that we make. All of my colleagues are very aware of risk, whether you are looking at the release of a technology, the sale of a system, the situation within that country, the situation within that region. So I would say that the assessment of risk is baked into the entire process from the beginning to the end, including end-use monitoring, whether it’s a direct commercial sale or a foreign military sale. We also have very strict retransfer provisions that are within the – whether it’s – again, whether it’s a direct commercial sale and built into the license or whether it’s a foreign military sale and built into the contract or the letter of offer and acceptance. So in order to retransfer an item, they have to come back to my office, if it’s a foreign military sale, to get that kind of – that kind of approval. And if that doesn’t happen, then we have – you know, we have other provisions to deal with countries that transfer in contravention of their agreements. So I would say that we are very much aware of risk. Jeff has pointed out the kinds of things that we are dealing in. We are not talking about paper, we’re not talking about transferring – we’re talking about transferring lethal equipment, so risk is something that is baked in, I think, every step of the way.

### --Ext: Safeguards for Human Rights Now

#### State Department emphasizes human rights when approving arms sales

Toombs, et. al, 12 --- managing editor for national security at the Center for Public Integrity (6/21/2012, Zach Toombs, Center for Public Integrity, R. Jeffrey Smith, “Why Is the U.S. Selling Billions in Weapons to Autocrats? The export of American arms to countries around the world -- even those actively repressing their own citizens -- is booming,” <https://foreignpolicy.com/2012/06/21/why-is-the-u-s-selling-billions-in-weapons-to-autocrats/>, accessed on 5/25/19, JMP) **\*\*\*Andrew Shapiro is the Assistant Secretary for the Bureau of Political-Military Affairs**

Shapiro, at the press conference, said his Bureau of Political-Military Affairs ensures any military assistance to foreign militaries and companies “is fully in line with U.S. foreign policy.” Officials vet governments as well as the companies on both sides of the sale, he said. “We only allow a sale after we carefully examine issues like human rights, regional security, and nonproliferation concerns.” The State Department emphasizes that many items shipped to foreign militaries are used only for external defense, not for internal suppression. In the case of the United Arab Emirates, for example, a $29.4 billion sale authorized in January for fiscal year 2012 consisted mostly of the purchase of 84 F-15 fighter aircraft. But State also authorized billions of dollars in sales of small arms, ammunition, and toxicological agents to various countries, including $3,091,166 of firearms to Peru and $1,153,617 to Honduras.

#### Safeguards already protect human rights

Cohen & Koran, 18 (4/19/18, Zachary & Laura, “How Trump plans to arm the world with US weapons,” <https://www.cnn.com/2018/04/19/politics/trump-us-arms-sales-policy/index.html>, accessed on 5/18/19, JMP) **\*\*\* Ambassador Tina Kaidanow is the Principal Deputy Assistant Secretary of State for Political-Military Affairs**

Administration officials sought to downplay concerns that fewer arms trade restrictions could have a negative impact on human rights. "This is a balanced policy. We absolutely look at human rights as one of a set of considerations that we look at." "Every sale we do is done on a case-by-case basis," Kaidanow said. "We have been very, very focused, especially in this administration and in tandem with Congress, on trying to give our partners -- our strategic partners overseas -- the ability to avoid civilian casualties especially, where we can," she said. The US government sold nearly $42 billion worth of weapons to foreign partners in 2017, according to the Defense Security Cooperation Agency.

### --Ext: No Arms Misuse / Retransfer

#### Government-to-government and industry-to-country ties both help mitigate risk of weapons misuse

Hardwick, 18 --- assistant vice president, international affairs, at the Aerospace Industries Association (8/8/18, Dak, “U.S. Arms Transfer Policy: Shaping the Way Ahead,” <https://www.csis.org/analysis/us-arms-transfer-policy-shaping-way-ahead>, accessed on 6/5/19, JMP)

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So I would say that we are very much aware of risk. Jeff has pointed out the kinds of things that we are dealing in. We are not talking about paper, we’re not talking about transferring – we’re talking about transferring lethal equipment, so risk is something that is baked in, I think, every step of the way. MR. HUNTER: Jeff? MR. ABRAMSON: It’s easy to forget that – I mean, the U.S. is by far the world’s largest arms dealer and growing its share. If you look at the SIPRI reports, the U.S. is not suffering; it’s growing, and it has great influence, and for decades has argued for responsible arms trade. And I think as we assess the policy, if this is setting the standard for the next 50 years, is it the standard that we want other countries to follow. I think that if it is, we need to make that portion of the case, and if we are concerned that some countries are not acting as responsibly as they should, how do we convince them to act more responsibly. And that’s where I think we stress these end-use monitoring agreements, we stress pieces of our continuing process that we want other countries to follow, and it’s an unfair criticism to say this, but I don’t think this administration or this president is particularly proud or fond of multilateralism, but ultimately that is I think the approach that you have to take here. There is an arms trade treaty that is signed in a hundred countries – almost all of our allies included are part of it – and how do we figure out ways to build the multilateral system at the same time because if the problem is other countries acting poorly, and we’re presenting a model, is that model one that they are going to want to replicate. If we figure out how to do it faster and better, how do we show we’re doing it, taking account of all these risks? MR. HARDWICK: So, Andrew, if I can just very quickly – I want to say something differently about risk than what I think other panelists have said. So risk can be – so risk can be mitigated by processes. That part is true; I think that’s what you have heard. But risk is also mitigated by relationships. And I want to emphasize that because the government-to-government relationship that occurs between the United States and other countries is so critical to ensuring that whatever risk we think there is in transferring an item is mitigated is really important. But the other relationship that has developed that we don’t talk about very often is the relationship between the industry partner and the country in question because those relationships are baked in for years because what happens is as soon as you start working with a country, you also start working with their supply chain, with their in-country partners, and those relationships are developed, and continue, and endure even beyond the government-to-government relationships. So we don’t necessarily talk about those relationships very often, and so what you will see is that risk reduction occur both on the government-to-government level as well as the industry-to-country level. That is so important in making sure that you are making the right decisions when it comes to sales in countries around the world.

### AT: Philippines

#### No solvency – Philippines will just buy from other markets

Toi 18 [Toi Staff, “Duterte says he’ll buy only Israeli weapons… because there are no restrictions,” Times of Israel, 9-4-2018, https://www.timesofisrael.com/duterte-says-hell-only-buy-israeli-weapons-because-there-are-no-limitations/] 7-2-2019 //AT

Philippines President Rodrigo Duterte on Tuesday told President Reuven Rivlin that his country would henceforth only buy weapons from Israel due to its lack of restrictions, as dozens of demonstrators gathered outside the president’s Jerusalem residence to protest the controversial visit. According to a Hebrew-language statement, Duterte praised Israel for helping the Philippines win its war on terror and said the Jewish state had aided the country on intelligence matters on multiple occasions. He said he instructed his military personnel to purchase weapons and military equipment exclusively from Israel. The US is “a good friend,” but if we buy there are limitations, also with Germany and China, added Duterte, without elaborating on the restrictions. Though it is not officially listed on his schedule, Duterte’s trip to Israel was expected to focus on exploring possible arms deals. He has said in the past that he sees Israel as an alternative supplier of weapons after the US and other countries refused to sell him arms over human rights violations. His visit comes amid a violent crackdown on drug dealers back home that has been forcefully denounced by human rights groups. Israel is among the world’s top arms dealers, with nearly 60 percent of its defense exports going to the Asia-Pacific region, according to Israeli Defense Ministry data. The Philippines emerged as a significant new customer in 2017, with sales of radar and anti-tank equipment worth $21 million. Israelis protest against the visit of Philippines’ President Rodrigo Duterte upon his arrival for a meeting with President Reuven Rivlin in Jerusalem on September 4, 2018 (Yonatan Sindel/Flash90) Duterte, in his comments, was dismissive of the criticism, saying his country upholds “morals and principles of democracy.” Dozens of protesters gathered outside Rivlin’s residence on Tuesday to demonstrate against the hosting of Duterte. Israel has found itself in hot water previously for its arms sales, particularly in 2017 for supplying Myanmar with “advanced weapons” during the country’s ethnic cleansing campaign against the Rohingya, a Muslim minority.

#### That’s worse for Human Rights – no disclosure, monitoring, or rules

**Giovannetti 1/17** (Megan Giovannetti; Journalist at The Progressive; “‘Battle-Proven:’ Weapons Expo Shows One Way Israel Profits from Occupation”; 6/10/2019; The Progressive;  [<https://progressive.org/dispatches/weapons-expo-israel-profits-occupation-giovannetti-190610/>)/](https://www.timesofisrael.com/duterte-says-hell-only-buy-israeli-weapons-because-there-are-no-limitations%29/)/Garfield-Ben

The Tel Aviv expo hall hummed with activity. Inside, Israeli weapons manufacturer and dealer SK Group proudly displayed artillery that was “combat-proven,” having been used by the Israeli Defense Forces. The Israeli spyware company NSO Group Technologies also had its own sleek booth, with representatives who refused to speak to anyone who was not a military or government agent. NSO is the creator of the surveillance software Pegasus which has been reportedly used to persecute, jail, and even kill journalists, activists, and other dissidents in countries like Mexico and Saudi Arabia. In early June, the tenth annual Israel Defense Exposition took place in the “liberal” capital of Israel. Hundreds of Israeli and international arms and cybersecurity companies showcased their state-of-the-art weaponry to war industry dealers from all over the world. Among the event’s attendees were military officials from Myanmar, South Sudan, and the Philippines—just a few countries Israel sells to that have been accused of wholesale violations of human rights. Early the morning of June 4, various groups of Israeli human rights activists peacefully protested outside the Tel Aviv expo hall. Delegates from Amnesty International-Israel handed out flyers detailing truths regarding some of Israel’s most loyal customers. A banner in Hebrew read, “Israel, stop exporting weapons to human rights abusers,” while members of the feminist anti-occupation group Coalition of Women for Peace held posters reading, “Enter here for blood money” and “War starts here.” Coalition of Women for Peace activist Daniela, who declined to give her last name due to safety concerns, told me that protesting the expo is critical because it’s getting bigger every year. As of this year, Israel is the world’s eighth largest exporter of weapons in the world—“and the first if you calculate it per capita,” she explains. Daniela says the lack of information and regulation allowed Israeli companies to “sell their weapons . . . to any country in the world,” regardless of their human rights records. Chen Brill Egri, a campaigner for Amnesty International, said she came to demonstrate “because people come here from countries like Myanmar and South Sudan, which are under international embargoes, and other countries like the Philippines and Angola, which are other countries we should not trade arms with.” Earlier this year, Amnesty published a report in Hebrew about private Israeli security companies continuously exporting weapons and cyber technologies to states that routinely violate human rights or commit crimes against humanity. The report named states including South Sudan, Myanmar, the Philippines, Cameroon, Azerbaijan, Sri Lanka, Mexico, and UAE as “questionable.” Furthermore, the report stated that “often these weapons reach their destination after a series of transactions, thereby skirting international monitoring and the rules of Israel itself.” Brill Egri explained that there is no public disclosure of details about which countries buy weapons or for what amounts. Amnesty International, she says, is trying to amend existing legislation regarding the supervision of Israeli exports, “so it will include one section that says it is forbidden to give a license to countries that commit human rights violations under humanitarian law.”

### AT: Nigeria

#### Nigeria is addressing corruption now.

Markey and Greenfield, 2016 – Senator and Asst Sec of State [May 10, 2016 Federal News Service “Full committee hearing on ‘Terrorism and Instability in Sub-Saharan Africa.’” Lexis]

MARKEY: Thank you, Mr. Chairman, very much. I'm just going to follow up on Senator Corker and Senator Cardin's point which is that while Nigeria's people most need help with daunting governance and corruption issues, United States is planning to sell the government attack aircraft known as the A-29 Super Tucano to Nigeria and it would be to fight Boko Haram, a group everyone opposes but the Nigerian military has a long standing history of human rights abuses including under the current administration. Just last month, Amnesty International accused the Nigerian Army of killing hundreds members of the Shia minority sect in December and unfortunately, that's happening in other countries in East Africa as well. So, what is your perspective on that, given the fact that the people of Nigeria increasingly are seeing USAID move from humanitarian or anti-corruption efforts over to more military aid for those who they believe internally are the ones who are a greater risk to the security of their families. THOMAS-GREENFIELD: Our aid is not moving away from corruption. The new president of Nigeria has made clear that corruption is one of his highest priorities. He named three priorities when he came into power; that was dealing with Boko Haram, dealing with corruption and dealing with the economy and we are working very, very closely with this government.

#### Arms sales cooperation is more likely to moderate the Nigerian government.

Goure, 2016 – vice president of the National Security Program at the Lexington Institute [Dan November 21, “5 Reasons Why Selling the Embraer A-29 Super Tucano Attack Aircraft to Nigeria is a Good Idea” <https://nationalinterest.org/blog/the-buzz/5-reasons-why-selling-the-embraer-29-super-tucano-attack-18467> acc 7/3/19]

Withholding vital military assistance will do nothing to address weaknesses of Nigerian government There is no question that Nigeria has much work to do to strengthen governmental institutions, root out corruption and institute the rule of law. But indirectly punishing the Nigerian military for problems with deep roots in that country is misguided. Moreover, it will not work. It might make frustrated ex-diplomats and NGOs feel good, but it will not cause a substantive change in the level of corruption in Nigeria or temper any excesses by the military. Working with partner countries is the best way to help them reform An arms-length relationship with partner countries struggling to address problem of corruption, weak legal systems and poor military discipline is exactly the wrong way of improving their situation. Military-to-military contacts, collaborative training and even advisory support are proven ways of influencing the behavior of partner countries’ militaries. But to have this effect, the U.S. must have an ongoing working relationship with those militaries. Expanded U.S. military cooperation with Nigeria also figures into Washington’s strategy for encouraging the new government of President Muhammadu Buhari to continue its efforts to fight corruption The Air Force’s Office of Defense Cooperation, Africom, the Defense Security Cooperation Agency and the Department of State have all worked very hard to make sure that the A-29 is the right solution to Nigeria’s requirements. At the same time, they have not forgotten about Nigeria’s problem with corruption or its military’s violations of human rights. But this is a matter, first and foremost, of the right priorities. Boko Haram must be defeated.

### 1NC – Terrorism Turn

#### Turn: Terrorism

#### a. Arms sales and security partnerships are key to counter-terrorism.

Saab, 18 --- Senior Fellow and Director of the Defense and Security Program at the Middle East Institute (2/22/18, Bilal Y., “What Does America Get for Its Military Aid? Too often the United States has sold or transferred weapons to Arab friends and allies with little regard to their military utility and the recipients’ capacity to use them,” <https://nationalinterest.org/feature/what-does-america-get-its-military-aid-24605>, accessed on 4/11/19, JMP)

U.S. SECURITY assistance to Arab partners has played a marginal (or at best an unclear) role in the goal of deterring Iran by conventional means. It has been almost irrelevant to the goal of countering Iran unconventionally. And it has been at least partly helpful to the goal of fighting ISIS and Al Qaeda. Of all the likely reasons why Iran has been successfully deterred from directly attacking any of America’s Arab Gulf partners, the presumed deterrent power of the Arab Gulf states’ conventional arsenals, developed to a large extent through U.S. arms sales, might be the least convincing. This is not meant to pooh-pooh the Arab Gulf states’ military assets, or to suggest that these countries’ missile defenses, in particular, do not constrain the planning of Iran’s military leaders. But it does imply that Tehran worries about potential U.S. punishment, which robust and forward-deployed U.S. forces in the Gulf could quickly execute, more than anything else. Until the Arab Gulf states integrate militarily—a goal that seems even more remote today than it was before—deterring Iran is primarily a U.S. responsibility. Washington’s military support to its Arab Gulf partners may have been a boon to the U.S. economy, but it has done little to stop Tehran from spreading its regional influence. Despite the large volume of powerful and sophisticated weapons the United States has sold the GCC countries, several members of that bloc still feel existentially threatened by Iran, even though it is militarily inferior to them. Such deep fears continue to create significant pressures on U.S. policy and fissures in U.S.-GCC relations. The one time the United States did address, at least indirectly, Iran’s regional challenge, it produced awful results. With the help of U.S. arms and logistical assistance, the Saudis went to war against the pro-Iran Houthi militia in Yemen, primarily to deny Tehran a presence in their backyard. Riyadh’s national-security concern was and still is legitimate, yet its prosecution of the military campaign has been ineffective so far (although the tide might finally be turning in the Saudis’ favor). The tale of U.S. counterterrorism support to Arab partners is more promising, though still vastly lacking. Thanks in large part to various forms of U.S. help, Iraq’s counterterrorism service, a crowning achievement of the United States in Iraq, has performed ably in the fight against ISIS; Jordan’s elite military units, one of the most proficient “rapid reaction forces” in the region and highly regarded in the world’s special-operations community, have trained Arab irregular forces in partnership with the U.S. military to fight terrorism; Lebanon’s army has succeeded in protecting the country’s northern borders and evicting violent Sunni extremists; the Palestinian Authority has ensured security and coordinated with the Israel Defense Forces and Shin Bet much more effectively over the past decade; the UAE’s special-operations forces have pursued military missions jointly with U.S. special-operations commandos against Al Qaeda in the Arabian Peninsula in Yemen; and finally, Saudi Arabia’s counterterrorism apparatus crushed Al Qaeda’s insurgency across the kingdom in the mid-2000s and, more recently, denied ISIS a foothold in the country.

#### b. Terrorism causes global nuclear war

Arguello and Buis 18 – \*Irma, Founder and Chair of the NPSGlobal Foundation (Non-proliferation for Global Security), degree in Phyisics Science from the University of Buenos Aires, Master degree in Business Administration from IDEA/Wharton School, Defense and Security studies (Master level) at the Escuela de Defensa Nacional, Argentina; \*\*Emiliano, lawyer and associate professor of public international law, international humanitarian law, international law of disarmament, and the origins of international law in antiquity (Irma Arguello & Emiliano J. Buis, “**The global impacts of a terrorist nuclear attack: What would happen?** What should we do?,” *Bulletin of the Atomic Scientists*, 2018, https://doi.org/10.1080/00963402.2018.1436812)

But the consequences would go far beyond the effects in the target country, however, and promptly **propagate worldwide**. Global and national security, economy and finance, international governance and its framework, national political systems, and the behavior of governments and individuals would all be put under **severe trial**. The severity of the effects at a national level, however, would depend on the countries’ level of development, geopolitical location, and resilience. Global security and regional/national defense schemes would be strongly affected. An **increase in global distrust** would **spark rising tensions** among countries and blocs, that could even lead to the **brink of nuclear weapons use** by states (if, for instance, a sponsor country is identified). The consequences of such a shocking scenario would include a **decrease in states’ self-control**, an **escalation of present conflicts** and the **emergence of new ones**, accompanied by an **increase in military unilateralism** and military expenditures. Regarding the economic and financial impacts, a **severe global economic depression** would rise from the attack, likely **lasting for years**. Its duration would be strongly dependent on the course of the crisis. The main results of such a crisis would include a 2 percent fall of growth in global Gross Domestic Product, and a 4 percent decline of international trade in the two years following the attack (cf. Figure 3). In the case of developing and less-developed countries, the economic impacts would also include a shortage of high-technology products such as medicines, as well as a fall in foreign direct investment and a severe decline of international humanitarian aid toward low-income countries. We expect an increase of unemployment and poverty in all countries. Global poverty would raise about 4 percent after the attack, which implies that at least 30 million more people would be living in extreme poverty, in addition to the current estimated 767 million. In the area of international relations, we would expect a **breakdown of key doctrines** involving politics, security, and relations among states. These **international tensions could lead to a collapse of the nuclear order** as we know it today, with a consequent **setback of nuclear disarmament** and **nonproliferation commitments**. In other words, the whole system based on the Nuclear **N**on- **P**roliferation **T**reaty would be put under **severe trial**. After the attack, there would be a reassessment of existing security doctrines, and a deep review of concepts such as nuclear deterrence, no-firstuse, proportionality, and negative security assurances. Finally, the behavior of governments and individuals would also change radically. **Internal chaos** fueled by the media and social networks would **threaten governance at all levels**, with greater impact on those countries with weak institutional frameworks. **Social turbulence** would emerge in most countries, with consequent **attempts by governments to impose restrictions on personal freedoms to preserve order** – possibly by declaring a state of siege or **state of emergency** – and legislation would surely become tougher on human rights. There would also be a **significant increase in social fragmentation** – with a deepening of antagonistic views, mistrust, and intolerance, both within countries and towards others – and a resurgence of large-scale social movements fostered by ideological interests and **easily mobilized** through social media.

### --Ext: Philippines Link

#### Arms sales reinforces U.S.-Philippine cooperative counterterrorism operations

Parameswaran ’17 (Prashanth, Senior Editor at The Diplomat, Previously, he worked on Asian affairs at several think tanks, including the Center for Strategic and International Studies, PhD and an MA in international relations from the Fletcher School of Law and Diplomacy at Tufts University, and a BA in foreign affairs and peace and conflict studies from the University of Virginia, “US Terror Aid to Philippines Signals Enduring Defense Ties Under Duterte,” The Diplomat, 6/8/17, <https://thediplomat.com/2017/06/us-terror-aid-to-philippines-signals-enduring-defense-ties-under-duterte/>, JL)

On June 5, the United States delivered new military equipment to the Philippines to assist Manila in its fight against terrorism. The move is yet another sign of the continuing opportunities that exist for bilateral cooperation despite the challenges the alliance has faced under Philippine President Rodrigo Duterte thus far. U.S.-Philippine security cooperation has been ongoing for decades. Despite controversy, varying levels of U.S. military presence – which dates back to 1898 when Washington first colonized the Philippines and continued on even after the country gained independence in 1946 – helped the Philippine government confront various internal challenges, ranging from communism to terrorism, while also deterring external threats from the Soviet Union and then a rising China. But the environment for bilateral collaboration has been complicated since Duterte assumed the presidency last June. Duterte has vowed to pursue a more independent foreign policy that diversifies Philippine alignments away from its traditional ally the United States and toward other major powers like China and Russia (See: “The Limits of Duterte’s US-China Rebalance”). He has also publicly criticized the U.S. military role in the Philippines and downgraded some U.S.-Philippine security cooperation (albeit not as sharply as his rhetoric initially suggested) (See: “Where Are US-Philippine Defense Ties Under Duterte?”). Yet as I have repeatedly noted, the prospects for U.S.-Philippine defense ties are in fact brighter than Duterte’s personal sentiment might suggest, in part because his statements belie the deep institutional bonds between the U.S. and Philippine militaries and publics as well as the convergence of interests between the two nations in the face of common challenges (See: “The US-Philippine Alliance Under Duterte: A Path to Recalibration”). Chief among these is terrorism, as has been demonstrated by the Armed Forces of the Philippines’ (AFP’s) struggle against Islamist militants in the city of Marawi on the conflict-ridden southern island of Mindanao in the past few weeks. The United States and the Philippines have a long history of cooperation when it comes to terrorism, which became a focus especially after the September 11 attacks. The most often cited manifestation of this was the Joint Special Operations Task Force-Philippines (JSOTF-P) – which started in 2002 and saw up to 600 official U.S. military personnel in the country. Though JSOTF-P was deactivated back in 2015, some personnel continue to remain to advise and assist Philippine security forces. Washington also continues to provide various forms of aid to the Philippines today. On Monday, in an illustration of this continued U.S.-Philippine security collaboration, the United States provided another round of military equipment to the Philippine military. Officials from the Joint United States Military Assistance Group (JUSMAG), which has been in the Philippines since its establishment in 1947, turned over equipment delivered recently under Washington’s Counterterrorism Train and Equip Program at a transfer ceremony at the Philippine Marine Corps (PMC) headquarters in Taguig. According to the U.S. Embassy in Manila, 300 M4 carbines, 200 Glock 21 pistols, 4 M134D Gatling-style machine guns, and 100 M203 grenade launchers were delivered May 18-22 to Clark Air Base, while 25 new Combat Rubber Raiding Craft (CRRC) with outboard motors were delivered on May 30 to PMC Headquarters. The deliveries were just the latest in a series that have continued even after Duterte took office. In January, JUSMAG representatives delivered new military equipment to the Philippine Army and Marine Corps, including over 400 M203 grenade launchers, 85 M40A5 sniper rifles, and a RQ-11B Raven unmanned aerial vehicle system consisting of three drones for exclusive use and ownership by the Armed Forces of the Philippines. And in October last year, JUSMAG delivered pallets of new military equipment to the Philippine Marine Special Operations Group, Philippine National Police-Special Action Force, and Philippine Coast Guard that included tactical Harris radios, ballistic helmets, and diving gear. According to the U.S. Embassy in Manila, over the past decade alone, JUSMAG has delivered and programmed 7.3 billion Philippine pesos ($147 million) of military equipment to the AFP to enhance counterterrorism capabilities. This is apart from other assistance that the AFP receives through U.S. programs such as Foreign Military Sales (FMS) and other grants from U.S. agencies. The embassy calculates that in just the last five years, the U.S. government has allocated 15 billion pesos ($300 million) of grant funding to provide the AFP with equipment, including corresponding upgrades and training. Apart from the recent collaboration, it is worth noting that JUSMAG’s history is itself a powerful reminder of the history of U.S.-Philippine defense cooperation. Since its founding in 1947, JUSMAG Philippines has provided aid and assistance to the AFP in various areas including training, equipment, and organization. This year marks its 70th anniversary, and in March the U.S. Embassy inaugurated the Major General Albert M. Jones Memorial Award, which recognizes the first JUSMAG chief, who had survived the infamous Bataan Death March during the Japanese occupation of the Philippines during World War II. The award was presented to Philippine Defense Secretary Delfin Lorenzana, who in receiving the award also stressed the importance of U.S. counterterrorism assistance.

#### Military alliance and arms sales are crucial to fight terror – Marawi proves.

Storey ’17 (Ian, Senior Fellow at ISEAS – Yusof Ishak Institute, Fellow at the Institute of Southeast Asian Studies, bachelor’s degree from Hull University, England; master’s degree from the International University of Japan; and Ph.D. from the City University of Hong Kong, “End of Marawi Siege Underscores Critical Importance of US-Philippine Alliance,” ISEAS – Yusof Ishak Institute, 10/30/17, <https://www.iseas.edu.sg/medias/commentaries/item/6469-end-of-marawi-siege-underscores-critical-importance-ofusphilippine-alliance-by-ian-storey>, JL)

The end of hostilities in Marawi city in Mindanao has underscored the critical importance of the Philippines’ military alliance with America, despite attempts by President Rodrigo Duterte to forge closer defence ties with China and Russia. According to the Chief of Staff of the Armed Forces of the Philippines (AFP) General Eduardo Ano, US assistance during the five-month conflict was instrumental in “tilting the balance” against the pro-Islamic State militants. US forces provided the AFP with invaluable real-time surveillance of the battlespace using drones and P-3 Orion aircraft, intelligence and urban warfare training. The US also transferred 300 assault rifles, 200 pistols, 100 grenade launchers, four heavy machine guns and two Cessna surveillance aircraft. Chinese military assistance was not insignificant but consisted solely of hardware. China provided 6,000 assault rifles and 9 million rounds of ammunition, almost half of which was transferred to the Philippine National Police. According to Duterte, it was a Chinese-made sniper rifle that was used to kill militant leader Isnilon Haplon, although Philippines army rangers subsequently said it was a heavier, US-manufactured weapon mounted on an armoured vehicle that had killed him. On 25 October, Russia delivered 5,000 assault rifles, 1 million rounds of ammunition, 4 military vehicles and 5,000 helmets. However, by the time the equipment had arrived in the Philippines the government had declared the siege was over. Although Duterte was initially reluctant to acknowledge US support, by the end of the conflict he was praising American aid: “I would not say they were our saviours, but they are our allies and they helped us”. He also stated that previous disputes with America were “water under the bridge”. The conflict in Marawi highlights the AFP’s preference for US military assistance over other countries, and the high levels of comfort and interoperability between the US and Philippine armed forces built up over nearly seven decades. While the Philippines’ defence cooperation with China and Russia will undoubtedly grow incrementally, America will remain the country’s most important security partner for the foreseeable future.

### --Ext: Nigeria Link

#### FMS sales are key to counter Boko Haram --- Nigeria will buy elsewhere and exacerbate conflict

Duncan 18 – officer in the U.S. Marine Corps and the co-founder of [Ender’s Galley](https://twitter.com/endersgalley?lang=en). (Austin, "Revitalizing U.S. Strategy in Nigeria to Address Boko Haram," RealClear Defense, [https://www.realcleardefense.com/articles/2018/06/06/revitalizing\_us\_strategy\_in\_nigeria\_to\_address\_boko\_haram\_113512.html 6-6-18](https://www.realcleardefense.com/articles/2018/06/06/revitalizing_us_strategy_in_nigeria_to_address_boko_haram_113512.html%206-6-18))

Revitalizing the U.S. counter-Boko Haram strategy is best accomplished by increasing foreign military sales (FMS); enhancing the security force assistance mission to incorporate aviation training and non-lethal effects; and incentivizing disarmament, demobilization, and reintegration efforts in Nigeria. Last fall, the United States approved the pending sale of twelve Super Tucano light attack aircraft to Nigeria.[21] While the United States should take more steps to increase FMS, convincing U.S citizens and allies to support the effort will not be an easy task.[22] One of the biggest criticisms of the recent deal stems from an ethical debate about providing weapons to a military saddled with allegations of war crimes and human rights violations.[23] Due to significant congressional discourse, the Obama administration delayed the final sale of the Super Tucanos for years, and it took the new Trump administration nearly a year to finally approve the 2016 proposal.[24] Meanwhile, Nigeria was busy making agreements to purchase twelve Su-30 fighter jets from Russia, three JF-17 Thunder multi-role fighters from Pakistan, and three Embraer EMB-314 Super Tucanos from Brazil.[25] The United States must carefully balance the interest of not only assisting Nigerian forces on the ground, but also strengthening diplomatic leverage globally. While the human rights discussion is undoubtedly pertinent, an equally relevant counterpoint is that Nigeria will buy from any country willing to sell, some of which likely have less concern for human rights than the United States. As a result, competitors such as Russia and China stand to gain significant economic and diplomatic leverage in Africa should they gain further access to the military sales market. Moreover, it is more challenging to professionalize the Nigerian force as a bystander; foreign military sales are often accompanied by extensive training packages which provides the United States with more opportunities for engagement to address professionalization challenges. Foreign military sales potentially bolster security, lighten the warfighting burden, strengthen alliances, and improve the trade balance—all wins for the United States. [26] The security force assistance mission also needs to evolve from a focus on rudimentary targeting to incorporate more aviation and nonlethal effects. The principal strategic objective of USAFRICOM in West Africa and the Lake Chad Region is to contain and degrade Boko Haram by building partner capacity.[27] USAFRICOM supports these efforts by providing advisors, intelligence, training, and equipment while avoiding engagement in direct military operations.[28] A refined training regimen should accompany an increase in arms sales to Nigeria. In preparation for the delivery of eight A-29 Super Tucanos arriving in 2020, USAFRICOM must build partner capacity in air operations and teach the Nigerians how to incorporate air into the targeting cycle.[29] In addition to the current intelligence support to Nigerian forces, an improved U.S. strategy would increase nonlethal effects focusing on information, electronic warfare (EW), and cyber support. Arguably, the most influential clash between Nigeria and Boko Haram is a battle of narratives. The United States has considerable experience in this realm, recently recognizing information as a seventh joint function and restructuring military services appropriately.[30,31] Additionally, Nigeria boasts the largest growth in internet usage across the country and the Nigerian government acknowledges significant cybersecurity risks.[32] In the winter of 2017, the U.S. Consulate in Nigeria called for improved cybersecurity awareness and encouraged police units to develop anti-cybercrime units.[33] The relatively new cyber domain offers more attack vectors and room for ambiguity for not only cyber criminals but also terror groups such as Boko Haram. Much like the United States organizes military forces to be prepared to fight in the cyber domain, Nigeria can benefit from similar training. By increasing the awareness and competency of Nigerian forces on non-lethal effects such as cyber and electronic warfare, Nigeria can proactively attack threat groups like Boko Haram instead of being reactive to a change in tactics. Overall, the current security force assistance mission needs to evolve beyond traditional targeting. Nigerian Armed Forces are more than capable of defeating Boko Haram through lethal means when adequately resourced; what they can benefit from is increased proficiency incorporating aviation and nonlethal effects. Thus far, this article emphasizes that security is paramount before the “reintroduction of politics.”[34] In essence, military assistance will improve the security environment, thus giving way to humanitarian assistance. Long-term success will stem from the Nigerian people’s ability to address the core grievances which spawned Boko Haram. Therefore, the last recommended improvement of the U.S. counter-Boko Haram strategy is to incentivize  more disarmament, demobilization, and reintegration efforts. This recommendation does not discount Nigerian efforts in this area to date.

#### Arms sales are key to shift the balance in the War on Boko Haram – it is essential for US cooperation with Nigeria, which is key to containing the spread of terrorist groups

Lardner and Faul, 2017 – [ Richard and Michelle, Military Times April 10 “Trump to sell attack planes to Nigeria for Boko Haram fight” <https://www.militarytimes.com/news/pentagon-congress/2017/04/10/trump-to-sell-attack-planes-to-nigeria-for-boko-haram-fight/>]

The A-29 sale would improve the U.S. relationship with Nigeria, Africa's largest consumer market of 170 million people, the continent's biggest economy and its second-largest oil producer. Nigeria also is strategically located on the edge of the Sahel, the largely lawless semi-desert region bridging north and sub-Saharan Africa where experts warn Islamic extremists like the Nigeria-based Boko Haram may expand their reach. The aircraft deal also would satisfy Trump's priorities to support nations fighting Islamic uprisings, boost U.S. manufacturing and create high-wage jobs at home. The A-29 aircraft, which allow pilots to pinpoint targets at night, are assembled in Jacksonville, Florida. "It's hard to argue that any country in Africa is more important than Nigeria for the geopolitical and other strategic interests of the U.S.," said J. Peter Pham, vice president of the Atlantic Council in Washington and head of its Africa Center. Once Congress is officially notified of the sale, lawmakers who want to derail it have 30 days to pass veto-proof legislation. That's a high hurdle given Corker's support. Sen. John McCain, R-Ariz., chairman of the Armed Services Committee, also said he backs the sale. "We've really got to try to do what we can to contain them," McCain said of Boko Haram. In Trump's first phone call with Buhari in February, he "assured the Nigerian president of U.S. readiness to cut a new deal in helping Nigeria in terms of military weapons to combat terrorism," according to Buhari's office.

### 1NC – Imperialism Turn

#### Turn: Relying on western conceptions of universal human rights is imperialistic --- subjects developing countries to the same standards as western nations --- leads to more death and suffering

Kinzer 10 (Stephen, Stephen Kinzer is a former New York Times foreign correspondent and the author of [Overthrow: America's Century of Regime Change from Hawaii to Iraq](http://www.amazon.com/Overthrow-Americas-Century-Regime-Change/dp/0805082409) and [The Brothers: John Foster Dulles, Allen Dulles, and Their Secret World War](http://www.amazon.com/The-Brothers-Foster-Dulles-Secret/dp/0805094970). He teaches at the Watson Institute for International Studies at Brown University, 12/31/10, “End human rights imperialism now”, <https://www.theguardian.com/commentisfree/cifamerica/2010/dec/31/human-rights-imperialism-james-hoge?AMG>)

For those of us who used to consider ourselves part of the human rights movement but have lost the faith, the most intriguing piece of news in 2010 was the appointment of an eminent foreign policy mandarin, [James Hoge, as board chairman of Human Rights Watch](http://www.hrw.org/en/news/2010/01/24/hoge-chair-human-rights-watch-board). Hoge has a huge task, and not simply because human rights violations around the world are so pervasive and egregious. Just as great a challenge is remaking the human rights movement itself. Founded by idealists who wanted to make the world a better place, it has in recent years become the vanguard of a [new form of imperialism](https://www.theguardian.com/commentisfree/2009/jun/23/human-rights-imperialism-western-values). Want to depose the government of a poor country with resources? Want to bash Muslims? Want to build support for American military interventions around the world? Want to undermine governments that are raising their people up from poverty because they don't conform to the tastes of upper west side intellectuals? Use human rights as your excuse! This has become the unspoken mantra of a movement that has lost its way. Human Rights Watch is hardly the only offender. There are a host of others, ranging from Amnesty International and Reporters Without Borders to the Carr Centre for Human Rights at Harvard and the pitifully misled "anti-genocide" movement. All promote an absolutist view of human rights permeated by modern western ideas that westerners mistakenly call "universal". In some cases, their work, far from saving lives, actually causes more death, more repression, more brutality and an absolute weakening of human rights. Yet, because of its global reach, now extended by an [amazing gift of $100m from George Soros](https://www.theguardian.com/world/2010/sep/07/george-soros-100-million-human-rights-watch) – which Hoge had a large part in arranging –Human Rights Watch sets a global standard. In its early days, emerging from the human rights clauses in the 1975 Helsinki Accords, it was the receptacle of the world's innocent but urgent goal of basic rights for all. Just as Human Rights Watch led the human rights community as it arose, it is now the poster child for a movement that has become a spear-carrier for the "exceptionalist" belief that the west has a providential right to intervene wherever in the world it wishes. For many years as a foreign correspondent, I not only worked alongside human rights advocates, but considered myself one of them. To defend the rights of those who have none was the reason I became a journalist in the first place. Now, I see the human rights movement as opposing human rights. The problem is its narrow, egocentric definition of what human rights are. Those who have traditionally run Human Rights Watch and other western-based groups that pursue comparable goals come from societies where crucial group rights – the right not to be murdered on the street, the right not to be raped by soldiers, the right to go to school, the right to clean water, the right not to starve – have long since been guaranteed. In their societies, it makes sense to defend secondary rights, like the right to form a radical newspaper or an extremist political party. But in many countries, there is a stark choice between one set of rights and the other. [Human rights](https://www.theguardian.com/law/human-rights) groups, bathed in the light of self-admiration and cultural superiority, too often make the wrong choice. The actions of human rights do-gooders is craziest in Darfur, where they show themselves not only dangerously naive but also unwilling to learn lessons from their past misjudgments. By their well-intentioned activism, they have given murderous rebel militias – not only in Darfur but around the world – the idea that even if they have no hope of military victory, they can mobilise useful idiots around the world to take up their cause, and thereby [win in the court of public opinion](https://www.theguardian.com/world/2010/jul/12/bashir-charged-with-darfur-genocide) what they cannot win on the battlefield. The best way to do this is to provoke massacres by the other side, which Darfur rebels have dome quite successfully and remorselessly. This [mobilises well-meaning American celebrities and the human rights groups behind them](http://news.yahoo.com/s/time/20101228/wl_time/08599203988700). It also prolongs war and makes human rights groups accomplices to great crimes. This is a replay of the Biafra fiasco of the late 1960s. Remember? The world was supposed to mobilise to defend Biafran rebels and prevent the genocide that Nigeria would carry out if they were defeated. Global protests prolonged the war and caused countless deaths. When the Biafrans were finally defeated, though, the predicted genocide never happened. Fewer Biafrans would have starved to death if Biafran leaders had not calculated that more starvation would stir up support from human rights advocates in faraway countries. Rebels in [Darfur](https://www.theguardian.com/world/darfur) have learned the value of mobilising western human rights groups to prolong wars, and this lesson is working gloriously for them. The place where I finally broke with my former human-rights comrades was Rwanda. The regime in power now is admired throughout Africa; 13 African heads of state attended President Paul Kagame's recent inauguration, as opposed to just one who came to the inauguration in neighbouring Burundi. The Rwandan regime has given more people a greater chance to break out of extreme poverty than almost any regime in modern African history – and this after a horrific slaughter in 1994 from which many outsiders assumed [Rwanda](https://www.theguardian.com/world/rwanda) would never recover. It is also a regime that forbids ethnic speech, ethnically-based political parties and ethnically-divisive news media – and uses these restrictions to enforce its permanence in power. By my standards, this authoritarian regime is the best thing that has happened to Rwanda since colonialists arrived a century ago. My own experience tells me that people in Rwanda are happy with it, thrilled at their future prospects, and not angry that there is not a wide enough range of newspapers or political parties. [Human Rights Watch, however, portrays the Rwandan regime as brutally oppressive](http://www.hrw.org/en/news/2010/02/10/rwanda-end-attacks-opposition-parties). Giving people jobs, electricity, and above all security is not considered a human rights achievement; limiting political speech and arresting violators is considered unpardonable. Human Rights Watch wants Rwandans to be able to speak freely about their ethnic hatreds, and to allow political parties connected with the [defeated genocide army](http://news.bbc.co.uk/1/hi/world/africa/288937.stm) to campaign freely for power. It has come to this: all that is necessary for another genocide to happen in Rwanda is for the Rwandan government to follow the path recommended by Human Rights Watch. This is why the appointment of James Hoge, who took office in October, is so potentially important. The human rights movement lost its way by considering human rights in a vacuum, as if there are absolutes everywhere and white people in New York are best-equipped to decide what they are. Hoge, however, comes to his new job after nearly two decades as editor of [Foreign Affairs magazine](http://www.foreignaffairs.com/). He sees the world from a broad perspective, while the movement of which he is now a leader sees it narrowly. Human rights need to be considered in a political context. The question should not be whether a particular leader or regime violates western-conceived standards of human rights. Instead, it should be whether a leader or regime, in totality, is making life better or worse for ordinary people. When the global human rights movement emerged nearly half a century ago, no one could have imagined that it would one day be scorned as an enemy of human rights. Today, this movement desperately needs a period of reflection, deep self-examination and renewal. The ever-insightful [historian Barbara Tuchman](http://en.wikipedia.org/wiki/Barbara_W._Tuchman) had it exactly right when she wrote a sentence that could be the motto of a chastened and reformed Human Rights Watch: Humanity may have common ground, but needs and aspirations vary according to circumstances.

## SOLVENCY ANSWERS

### 1NC – Solvency

#### Case-by-case vetting makes vetting procedures inaccurate and ineffective—pressures result in inaccurate reportings

Dalton, et al., 18 – senior fellow and deputy director of the CSIS International Security Program and director of the Cooperative Defense Project (Hijab Shah, research associate with the International Security Program at CSIS, Shannon N. Green, senior director of programs at the Center for Civilians in Conflict, Research Associate at Council on Foreign Relations, “Oversight and Accountability in U.S. Security Sector Assistance”, Center for Strategic & International Studies, Feburary 2018, <https://www.csis.org/analysis/oversight-and-accountability-us-security-sector-assistance>)//hecht

The normative and deterrent value of the Leahy laws, however, is overshadowed by significant gaps and weaknesses. A key weakness is the absence of clear standards for determining the credibility of sources during the Leahy vetting process. DoS guidance explains that vetters must determine whether information is credible on a case-by-case basis, depending on the source’s reputation and the presence of corroborating evidence. This approach relies on the discretion of individual officers, who might reach dif­ferent conclusions based on the same information. In some instances, local populations will report information differently to DoD sources than to civil society organizations. Additionally, egregious human rights abuses may occur in areas with limited media and NGO access, which affects the perceived credibility of a claim.7 Another challenge is the confusion surrounding whether the unit itself or every individual in the unit must be vetted. DoS considers the relevant unit to be “the lowest organizational element of a security force capable of exercising command and discipline over its members, typically residing at the battalion level.”8 Human rights groups charge that this is too narrow and that vetting should go as high as possible, while some DoD officials have complained that vetting officials apply Leahy too broadly, occasionally denying assistance to units that are clean except for the presence of one or two “bad apples.”

#### Leahy Law is too weak to reign in the president—Human rights violations will still occur

Singer-Emery, 19—J.D. candidate at Harvard Law School and the Deputy Executive Editor of the National Security Law Journal. He has worked as a researcher and policy advisor on violent extremist recruitment, first as a policy advisor NYPD Police Commissioner Bratton, and subsequently as a Case Analyst at the NYPD Intelligence Bureau (Jack, “Constraining U.S. foreign policy by enforcing current law: a series on Congress’s options to limit arms sales and aid to Saudi Arabia, part 3”, Journal of Middle Eastern Politics and Policy, March 21, 2019, <http://jmepp.hkspublications.org/2019/03/21/constraining-u-s-foreign-policy-by-enforcing-current-law-options-to-limit-aid-to-saudi-arabia-part-3/>)//MJ

Thus far, the Trump administration has largely refused to acknowledge independent reports that have documented Saudi violations of international human rights law. The most recent FAA-mandated State Department report on Saudi Arabia focused on the Kingdom’s domestic human rights record, with only a brief acknowledgement of Riyadh’s Yemen air campaign. Additionally, a recent declassified Defense Department (D0D) report to Congress on U.S. involvement in detention operations in Yemen stated: “DoD has not developed any independent, credible information indicating that U.S. allies or partners have abused detainees in Yemen. . . . [The] Leahy laws would apply, and would be enforced, if the unit[s] responsible for the detainees were receiving U.S. assistance. . . . [H]owever, the foreign partners conducting detention operations in Yemen do not receive U.S. assistance that would be subject to Leahy laws [sic].” These conclusions directly contradict or ignore the findings of independent monitors like Amnesty International, which might otherwise prompt a presidential determination under the FAA or trigger a Leahy laws proscription. To rebut the Defense and State Departments’ assessments, Congress would need to state on the official Congressional record that it recognizes U.N. and other NGO research as accurately depicting the war in Yemen. After taking this action, Congress could then argue that the President, Secretary of State, and Secretary of Defense have been presented with “credible information,” as defined by the FAA, linking the Saudi coalition to gross violations of human rights. Injunction junction: the process behind the authority of the courts After presenting this “credible information,” Congress could try to enforce the FAA and Leahy laws by obtaining a court order, in the form of an injunction or writ of mandamus. However, obtaining either of these court orders is difficult. Generally, the American judiciary prefers to recuse itself from political confrontations between the executive and legislative branches—especially in the realm of foreign affairs. Nevertheless, the case of U.S. involvement in Yemen represents a rare instance in which the executive’s actions directly conflict with established law. The Supreme Court has recognized that the courts can intervene in a legislative-executive dispute when the executive’s action “amounts to [a] nullification of a particular vote and [the legislative branch’s] votes would have been sufficient to pass or defeat a particular bill.” This means that Congress can sue the executive to demand the President adhere to a law that it has already passed. Willfully ignoring the FAA or the Leahy laws is functionally equivalent to refusing to accept Congress’s ability to write and pass laws. The toothlessness of the FAA The FAA is a poor candidate for constraining presidential behavior. Even if Congress presents the Trump administration with credible information linking Riyadh to atrocities in Yemen, the the White House retains substantial latitude in determining if those atrocities meet the FAA’s threshold of “a consistent pattern” of gross violations of human rights. Suing the Trump administration using the FAA only allows Congress to seek a court-issued writ of mandamus ordering the White House to publicly determine whether the Saudi coalition’s actions reach the FAA threshold. Because the Trump administration supports Saudi Arabia, such an order would likely lead to a White House determination that the Saudi coalition’s actions do not amount to a pattern of gross violations of human rights. Thus, a “successful” lawsuit under the FAA is unlikely to bar the administration from selling arms and providing military aid to Riyadh. The Leahy Laws: a narrow red line Unlike the FAA, there is no discretionary component to the Leahy laws. The Secretary of Defense must restrict aid to specific foreign units if he “has credible information that those units have committed a gross violation of human rights.” Consequently, if a court concludes that Congress’s findings about specific Saudi units amount to “credible information,” the Secretary of Defense would be required to halt all U.S. aid, intelligence resources, and training to those units. If the Secretary refused or aid continued to flow despite congressional admonishment, the court could then issue an injunction halting all U.S. assistance to those units. Such an outcome would nominally achieve all three of Congress’s goals: it would publicly penalize Riyadh in a manner the President cannot soften, signal that the U.S. does not unconditionally support allies that flagrantly violate human rights, and limit the Saudi-led coalition’s air war by reducing the coalition’s access to the weapons and support systems that enable it. The major shortcoming of broadly applying the Leahy laws in the Yemen context lies in their narrow scope. Even if the court sides with Congress, the ruling would only prevent aid from flowing to specific units the court and Congress deem responsible for the human rights violations in question. Therefore, the executive could still supply aid to Saudi Arabia as long as Riyadh did not allow that aid to reach the individual units found to have committed the abuses. Thus, successfully suing the executive using the Leahy laws might achieve the same public relations effect as a bill censuring and sanctioning the Kingdom, but the resulting sanctions would be far more lenient than the further-reaching Saudi Arabia Accountability and Yemen Act.

#### Circumvention takes out solvency---Bahrain proves

Abrams, 2-27-2015---senior fellow for Middle Eastern studies at the Council on Foreign Relations in Washington, D.C. (Elliot, "How Obama Caved on Bahrain", Foreign Policy, 2-27-2015, https://foreignpolicy.com/2015/02/27/how-obama-caved-on-bahrain-manama-human-rights/)---RKM

Instead, the United States has not only remained largely silent on human rights abuses, but has acted in ways that can only convince the Bahraini government to ignore any quiet protests that are actually made. In 2012, when Congress objected to arms sales to Bahrain because of the repression there, the Obama administration used a loophole to continue the sales. As Foreign Policy reported, the State Department is required to formally notify Congress of any arms sales over $1 million. According to a congressional source, rather than going through the notification process, the administration divided up an arms sales package into multiple sales, each of which was less than $1 million — thereby dodging congressional oversight.

#### U.S. can’t shape the arms market because buyers can shift – Russia or China will fill-in and they don’t care about human rights

The Economist, 18 (8/18/2018, “The global arms trade is booming. Buyers are spoiled for choice; Increased competition between suppliers means buyers have the upper hand,” <https://www.economist.com/international/2018/08/18/the-global-arms-trade-is-booming-buyers-are-spoiled-for-choice>, accessed on 6/4/19, JMP)

ONLY a few months ago, Canadians were earnestly debating whether or not the country’s Liberal administration was right to go ahead with executing a $12bn contract to deliver armoured vehicles to Saudi Arabia. The government said it would, but acknowledged its critics’ concerns by agreeing to adopt a version of an international treaty that limits arms sales to rogues (see article). However, things took a different turn. It was the Saudis who plunged the deal into uncertainty. After Canada’s foreign minister urged the release of some political prisoners on Twitter, the Saudi government declared that all new business with Canada was suspended. This left Canadians unsure if the kingdom still wants the arms deal. And if the Saudis do walk away, plenty of other countries will be happy to supply armoured cars. “They could get their combat vehicles from Turkey, South Korea or Brazil,” says Pieter Wezeman, a researcher at SIPRI, a Stockholm-based think-tank. In the United States, meanwhile, Congress has been pressing the administration to implement the letter of a law that would force countries to make a hard, instant choice between buying American or Russian weapons. But the Pentagon is hinting that America’s huge diplomatic power does not quite stretch that far. Defence officials argue it would be better to accept that some countries will go on buying Russian weapons for a while, in the hope they will gradually kick the habit. Both these developments reflect the volatile (and from a Western viewpoint, barely controllable) state of the global arms market. Total demand is growing, the number of sellers is rising and the Western countries that have dominated the business are less confident of shaping the playing field. Above all, buyers are becoming more insistent on their right to shop around. For the likes of India, Saudi Arabia, Egypt and the United Arab Emirates, “this is a buyer’s market,” says Lucie Béraud-Sudreau of the International Institute for Strategic Studies, a London-based think-tank. Speak softly and sell a big stick The numbers show that the global commerce in conventional weapons is still dominated by the United States. But America feels strangely nervous about maintaining that role, and this year it has adopted a more aggressive sales posture. Under a policy proclaimed in April and mapped out in more detail last month, American diplomats have been told to promote weapons sales more actively and speed up procedures for approving them. At first sight, American apprehensions seem puzzling. There are several ways to measure the arms market, but America comes out on top of all of them. SIPRI has studied the volume of cross-border weapon transfers over the five years to December and compared them with the previous five years (see chart). The size of the world market rose by 10% between the two periods. In the more recent one, America’s slice of this expanding pie was 34%, up from 30% in the previous five years. America and its five nearest rivals (in descending order Russia, France, Germany, China and Britain), account for nearly 80% of total transfers. Britain, meanwhile, claims that last year it jumped to third place among global arms exporters, as measured by the value of their sales. According to the Defence and Security Organisation, a government body, America bagged 53% of the global business, its “highest-ever market share”. This left 16% for Russia and 12% for Britain, double the share taken by France. In part, the jumpiness in Washington, DC, stems from the entry to the market of new competitors, especially China. In part it reflects new products and technologies where America will struggle to keep its lead. Both these challenges were highlighted by the appearance at last year’s Paris Air Show of a Chinese military drone that looked very like the American unmanned aircraft that have been used for assassinations, for example in Pakistan. Hitherto, America has been willing to share these powerful drones only with close European allies. A new policy will broaden the range of customers and thus lessen the risk that China will dominate a market that could soon be worth $50bn a year. China has long been better known as a buyer of arms, mainly from Russia, than as a seller. A big share of its arms deliveries have gone to close allies such as Pakistan. But it has enormously increased its capacity to make and sell its own weapons, including ships and submarines. Meanwhile, American arms-export policy has been a delicate balance between, on the one hand, seizing economic and geopolitical opportunity and, on the other, being careful not to share technologies which could destabilise war zones or be used against the United States. But such caution can be counter-productive. At a panel discussion in Washington this month, a defence-industry advocate lamented that, because of America’s technology-transfer curbs, France had won from it a contract to sell airborne radar to India. “I like the French, but I like American industry even more,” he grumbled. In another Franco-American contest over technology, France is finding it hard to sell more Rafale combat aircraft to its prize arms customer, Egypt, because the accompanying Scalp cruise missile incorporates American know-how, the transfer of which to third parties is barred. France has promised to develop its own technology, but Egypt may not have the patience to wait. Egypt’s government has also been a keen purchaser of Russian equipment, including aircraft and attack helicopters. For defence-equipment manufacturers such as Britain and France, export sales matter ever more as a way to maintain their own industries. Britain’s edge in military aviation may depend on its sales to Saudi Arabia. And the Royal Navy’s ambitious building programme got a boost when Australia said it would buy British for a new range of frigates. France wants to develop a new air-to-air missile, but only, as Florence Parly, the defence minister, put it, if it can get foreign customers. Such desperation adds to the frenzy of market competition. So does the utter indifference Russia and China display towards their customers’ human-rights policies. So too does the growth in the number of countries that have graduated from being mainly buyers of weapons and knowhow to sellers—Turkey, the Emirates and South Korea, for example. Japan, which boasts a huge defence industry, is entirely new to the market. It plunged in when the government lifted restrictions on arms exports in 2014. It competes, albeit from a fairly weak position, with China for Asia-Pacific customers. As for Russia, SIPRI calculates that its share of the global market has slipped (to about 22% in 2013-17). But it offers a blend of tried-and-tested hardware and, to a few customers, superb know-how, especially in air defence. That creates a dilemma for America, which hopes soon to sell weapons worth $6bn to India, but is dismayed by that country’s determination to acquire S-400 air-defence systems from Russia: missiles that could ward off potential threats from China or Pakistan. Other countries intent on continuing to buy Russian include Indonesia and Vietnam. Jim Mattis, America’s defence secretary, has implored Congress not to be too harsh with Russia’s customers, so long as they pledge gradually to reduce their reliance. In a letter leaked in July to Breaking Defense, a specialist news service, he told a congressman: “We are faced with a once-in-a-lifetime opportunity to decrease Russia’s dominance in key regions.” But that could only happen if America were free to sell its own weapons. For customers, that means that for the foreseeable future they can keep both American and Russian weapons in their arsenals. It is telling that India has recently been admitted to the Missile Technology Control Regime, a group of countries which promises not to help pariah states obtain ballistic missiles. That will make it easier for both America and Russia to sell long-range rockets to India. The two arms-sales giants, who do not agree on much else, have welcomed India into the club.

### --Ext: Vetting Fails

#### Credible information threat isn’t met—vetting processes rely on false assumptions tanking credibility and relations

McNerney, et al., 17 - associate director of the International Security and Defense Policy Center and a senior international/defense researcher at the RAND Corporation (Jonah Blank, senior political scientist at the RAND Corporation, Becca Wasser, policy analyst at the RAND Corporation focusing on international security, Jeremy Boback, assistant policy researcher at RAND, Alex Stephenson, research assistant at RAND, “Improving Implementation of the Department of Defense Leahy Law”, RAND corporation, 2017, [https://www.rand.org/content/dam/rand/pubs/research\_reports/RR1700/RR1737/RAND\_RR1737.pdf)//hecht](https://www.rand.org/content/dam/rand/pubs/research_reports/RR1700/RR1737/RAND_RR1737.pdf%29//hecht)

Defining Credible Information Many of our interviewees noted concerns about the sources used to determine vetting outcomes or support DI findings. One interviewee described a hierarchy of information sources, terming official reporting as “reliable,” other media as “mixed,” and social media as “very fuzzy.”52 Concerns include issues with NGOs’ and human rights organizations’ reporting, particularly reports from questionable sources that tarnish whole units and organizations as GVHR abusers.53 DoS guidance provides a definition of credible information, but many interviewees continue to express confusion or disagreement with how the guidance is implemented. Our analysis of 16 post SOPs found that only one defined credible information. One interviewee requested a clarification from DoS headquarters and was told it was up to the post.54 Interviewees reported a significant difference between their posts’ definition of credible information and the standard vetters at DoS headquarters used. Many of our interviewees felt that potentially untrustworthy information, such as allegations from questionable sources, was weighed and valued differently within different levels of the Leahy vetting process. For example, one DoS official noted that the evidentiary threshold for credible information was relatively low.55 Stakeholders perceived final determinations on information credibility to be opaque and inconsistent. This was frustrating not only for DoD officials implementing assistance programs but also for the partners themselves. As one CCMD official noted: “Failure to apply appropriate rigor to adjudication prior to the suspension of assistance may negatively impact bilateral relationships and partner nation willingness to investigate and address legitimate allegations.”56

#### Lack of standardization in vetting policies causes inconsistent implementation

McNerney, et al., 17 - associate director of the International Security and Defense Policy Center and a senior international/defense researcher at the RAND Corporation (Jonah Blank, senior political scientist at the RAND Corporation, Becca Wasser, policy analyst at the RAND Corporation focusing on international security, Jeremy Boback, assistant policy researcher at RAND, Alex Stephenson, research assistant at RAND, “Improving Implementation of the Department of Defense Leahy Law”, RAND corporation, 2017, [https://www.rand.org/content/dam/rand/pubs/research\_reports/RR1700/RR1737/RAND\_RR1737.pdf)//hecht](https://www.rand.org/content/dam/rand/pubs/research_reports/RR1700/RR1737/RAND_RR1737.pdf%29//hecht)

DoD Process Ownership and Variation in Implementation Practices One important process and policy challenge we identified in our research was the need to balance the efficiencies and synergies that come from using a single vetting process (maintained by DoS) to implement both the DoS and DoD Leahy laws with the need to ensure that DoD can execute its responsibilities for cases that fall under the DoD Leahy law. Our analysis of document and interview data made it clear that DoD needs to be a more equal partner in the vetting process, yet many DoD stakeholders, from embassies to CCMDs to the Pentagon, do not perceive DoD as having sufficient involvement in this process. Another key challenge was inconsistent approaches to implementing Leahy at the embassy level. Both CRS and GAO reports have noted the lack of standardization in Leahy vetting practices and procedures implemented at posts.1 Given the variety of circumstances at posts, it is DoS policy to delegate SOPs to suit each unique situation. Each embassy maintains its own SOP; there is no government-wide model SOP.2 As a result, each post has adopted a different set of internal processes and practices for producing results within the broader Leahy vetting process. Of course, some tailoring is important, and DoS does provide standard building blocks to posts that are drafting SOPs. Nevertheless, a model SOP—based on a template identifying minimum information requirements—would be valuable for many implementers. It could also help institutionalize some of the procedures that were sometimes cited in our embassy interviews as best (or at least good) practices

### --Ext: Leahy Law Bad

#### Leahy can’t solve – other units, civilian conflict and pre-partnership vetting all thump the AFF

Mahanty 17 – director of the U.S. program at the Center for Civilians in Conflict (CIVIC). Prior to joining CIVIC, Dan spent 16 years at the U.S. Department of State.  (Daniel R. "The "Leahy Law" Prohibiting US Assistance to Human Rights Abusers: Pulling Back the Curtain," Just Security, <https://www.justsecurity.org/42578/leahy-law-prohibiting-assistance-human-rights-abusers-pulling-curtain/> 6-27-2017

Those are the major elements of the Leahy Law. Here are a few other items to keep in mind: The law does not restrict assistance to entire countries: The original legislation (502B) restricted all foreign assistance from countries where there was a consistent reported pattern of abuse. The executive branch has never once complied with this provision, which successive administrations interpreted as too vague and too broad. The Leahy Law was introduced in 1997 as a more targeted measure, which adds precision to the sanction, but also means that little prevents the US from legally providing massive amounts of military assistance to countries with highly problematic records of conduct like Egypt and the Philippines. Vetting sometimes takes place before a violation is committed: Vetting units won’t prevent violations of human rights. When a unit or individual is vetted and then trained by the US and goes on to commit abuses, it might call into question the value of the training, often touted as the best way of preventing misconduct by critics of Leahy, rather than the vetting itself. Vetting is the last step in a multi-part security assistance process: The best opportunities to carefully evaluate the record of conduct and its implications for US partnership takes place well before a candidate is invited for training. A few minutes spent evaluating open-source information will never, and should never, replace a more thoughtful and selective approach to security assistance. Too many US agencies involved in security assistance defer the selection of candidates for training entirely to the partner country, which, while providing host-country ownership and agency, can also lead to entirely avoidable and embarrassing results when a candidate has to be excluded. Human rights information is different: Documenting human rights violations can be tricky, even dangerous, business. Conventional long-form reporting from international NGOs does not lend itself well to Leahy review, because it typically provides a representative rather than exhaustive set of cases or facts. Critics on both ends often focus their recommendations for “fixing” the Leahy process on the relatively few resources DRL has for vetting and the relatively little time a vetter spends on any one case. But the time spent on vetting is perhaps less important than the capacity to obtain, store, and analyze human rights information from more local sources and apply it much earlier in the development of security assistance programs. Leahy does not generally apply to civilian harm in conflict: The State Department and DOD do not generally consider civilian harm incurred during the conduct of hostilities in a conflict as a gross violation of human rights, even if and when credible third parties have determined that the laws of armed conflict may have been violated. During my time working on Leahy, I came to appreciate it as an important tool and an under-valued means of promoting accountability. Unfortunately, I also came to understand that the law will never replace a long overdue examination of the consequences of human rights abuses and impunity for US foreign policy, which continue to surface in the headlines twenty years after Leahy was introduced.

### --Ext: Fill-in

#### Countries are diversifying --- allows them to shift if U.S. changes policy

Arad, 18 --- retired colonel of the Israeli Defense Forces (9/28/18, Shimon, “Trump’s Arms Exports Policy: Debunking Key Assumptions,” <https://warontherocks.com/2018/09/trumps-arms-exports-policy-debunking-key-assumptions/>, accessed on 5/17/19, JMP)

Moreover, as noted above, some of Washington’s major clients, such as the Gulf states and India have a deliberate policy of diversifying their arms imports. A streamlined U.S. approach to arms exports makes little difference to deliberate arms diversification strategies adopted by client countries. At its core, a policy of diversification is designed to increase leverage on the United States, to retain freedom of action, and to hedge against possible negative U.S. regional policies and to push up the quality of the capabilities being offered. Therefore, easing U.S. defense export regulations or reducing surcharge rates will not necessarily make much difference to the choices that these countries will make regarding the purchase of American versus non-American-made weapon systems. A case in point that highlights the potency of self-serving strategic considerations on the negotiation of arms deals is Qatar. Following the severing of diplomatic ties with Bahrain, Egypt, Saudi Arabia, and the United Arab Emirates in June 2017, Qatar negotiated arms deals with multiple exporters in an attempt to overcome its regional isolation and broaden its international support and partnerships. It signed deals with the U.S. for 36 F-15s ($6.2 billion) and precision-guided munitions, with Britain for 24 Eurofighters ($6.7 billion), with Italy for helicopters ($3 billion) and for warships ($5 billion). In addition, it has negotiated deals with its regional partner Turkey ($700 million) as well as with Norway ($1.9 billion). The perception of favorable U.S. long-term regional policies by clients around the world is far more likely to increase arms sales than the enhanced processes incorporated into the new CAT policy.

#### Fill-in is likely even if it takes time --- other countries prove

Deen, 19 ---Director & Senior Editor, UN Bureau, Inter Press Service (4/26/19, Thalif, “US & Western Arms in Yemen Conflict Signal Potential War Crime Charges,” <http://www.ipsnews.net/2019/04/us-western-arms-yemen-conflict-signal-potential-war-crime-charges/>, accessed on 6/8/19, JMP) **\*\*\* Pieter Wezeman is Senior Researcher, Arms and Military Expenditure Programme at the Stockholm International Peace Research Institute (SIPRI)**

Asked how dependent Saudi Arabia is on US arms, Wezeman told IPS that US is by far the largest arms supplier to Saudi Arabia. SIPRI estimates that in 2014-18, the USA accounted for 68% of Saudi arms imports followed by the UK at a distant 16 per cent. Several other European countries accounted for most of the rest. China played a small role and Russia had not yet established itself as arms supplier to Saudi Arabia. Asked about the current state of US arms sales to Saudi Arabia, Wezeman said the US supplies all types of weapons to Saudi. But most important in value of the weapons that have been or are to be delivered are F-15 combat aircraft with a full set of advanced arms and Patriot and THAAD air defence systems. But the list also includes M1A2 tanks, frigates, reconnaissance planes, light armoured vehicles, communication equipment, and basically anything needed to equip modern armed forces. What is important is that these weapons come with a service package. Though exact data is scarce, the companies supplying the equipment also supply vital maintenance and repair services, he noted. Compare with what happened in Iran in 1979, which also was highly dependent on US and UK arms, Tehran had to figure out by itself how to operate the equipment. Possibly the Iranians were better prepared and trained for that than Saudi Arabia is now, but they struggled to continue to use the US equipment in the war with Iraq and had to resort to importing inferior weapons from China and North Korea. It is very likely, said Wezeman, that Russia and China will happily step in and offer their weapons. However, it will take time before they can deliver large numbers of weapons and train the Saudi’s on new equipment based on different military doctrines. A full transition will probably take many years. There are several of other cases where states have shifted between different suppliers, with different levels of success, he pointed out. Warsaw pact countries moved to NATO weapons, over several decades. Venezuela switched from US equipment to Russian and Chinese over a period of roughly a decade.

### 1NC – Influence Turn

#### Turn: Arms sales expansion is critical to maintain U.S. global influence

Hardwick, 18 --- assistant vice president, international affairs, at the Aerospace Industries Association (8/8/18, Dak, “U.S. Arms Transfer Policy: Shaping the Way Ahead,” <https://www.csis.org/analysis/us-arms-transfer-policy-shaping-way-ahead>, accessed on 6/5/19, JMP)

I want to, very quickly, go through a couple of things. The first I want to talk about is the strategic linkages that Andrew spoke about. The second I want to talk just a little bit about what the AIA recommendations were for government action, talk a little bit about the country relationships, and then, frankly, trying to wrap some of this up, where does all of this lead. So, first of all, the Conventional Arms Transfer Policy, we thought, was the very first critical step in addressing some of the key reforms that we need in the U.S. defense trade system. It has been a pillar of U.S. foreign policy for decades and we see that it’s going to continue to be a pillar of foreign policy, going forward. AIA and its member companies have focused on this issue for a number of years and we’re very excited to see some of the progress that we’re making now. At its core, the Conventional Arms Transfer Policy and the reforms associated with it is in support of foreign policy and national security objectives of the United States as laid out in the National Security Strategy and the National Defense Strategy, and in the National Security Strategy, the reforms to the Conventional Arms Transfer that we see that coincide with those reforms are renewing America’s competitive edge and reducing the regulatory burdens. In the National Defense Strategy, we find key objectives like strengthening alliances and attracting new partners, deepening interoperability, and fostering a competitive mindset to be central to the goals of the Conventional Arms Transfer Policy. So the point in going through all of that is that there is a direct linkage between the National Security Strategy, the National Defense Strategy, and the Conventional Arms Transfer Policy that has been – that has been identified, and so we see a strategic linkage from what the direction of the United States is – the United States government is and the Conventional Arms Transfer reforms. We see those linkages as key to reforms, going forward. Now, earlier this summer, AIA sent in some recommended government actions as a result of dialogue that we’ve had with the AIA member companies, both large and small, and those fell into 11 different areas, and if you’re interested, the AIA website, aia-aerospace.org, has those recommendations. But it really fell into key areas, and those include identifying specific priorities, addressing key reforms in the foreign military sales system, specifically, contracting, nonprogram of record, and reform to FMS-only-related transactions, examining the arms transfer and technology review release process, licensing, and that industrial cooperation – we commonly refer to that as offsets. So those were 11 categories of recommendations that AIA recommended. When we saw the fact sheet that came out in the middle of July, we saw many of the themes associated with those recommendations carried forward by the U.S. government. We were very excited to see those themes coming forward. But the next step and the critical step is the implementation. You’ve heard it referred to here in the National Implementation Plan. One of the things that we really need to do is have a key system that is set up where the industry can provide feedback to the government during the implementation stage. As I said earlier on one of the other questions, we really need to bake in the feedback mechanism from industry to government to be able to realize some of the changes that are being recommended in the Conventional Arms Transfer Policy. Effective coordination mechanisms between industry and government are going to be key because the objective here is to reduce the burden on the system. So one of the questions that we had earlier today was about – was about resourcing. Well, one of the easiest things to handle resourcing is to identify the things in the system that you don’t need to do anymore and so we did that as part of the Export Control Reform Initiative. So what are the things in the export control system that we don't need to do anymore and how can we reduce the burdens? So if you have a resourcing issue, then look at the system that you currently have and see what you don’t necessarily have to do anymore because the situation has evolved. That’s one of the ways that you really get to the resourcing piece. Now, where does all of this lead? So one of the things that has been missing from some of this discussion, and I’d like to emphasize in forums like this, is the role of the ultimate end user of the items that we are transferring, and that is our foreign partners. So how do our foreign partners – if you were to take off your shoes and put on their shoes, how do you think our foreign partners feel about the U.S. conventional arms system? And what I would submit to you, having talked with a lot of these foreign partners, is they are as frustrated as we are because their objective is to control their own national security to meet their own national security objectives and to be key partners with the United States. We think about it one directionally. We want key partners and allies. Well, our partners also want key partners and allies, and that main partner, for many of them around the world, is the United States, and we want to make sure that we are meeting their national security objectives through our foreign military sales system just like we are meeting our own national security objectives. So where does all of this lead, ultimately? So at the end of the day, this is a very competitive market. There are foreign competitor countries. There are foreign companies. They are all looking to get a leg up. They’re all looking to take market share from U.S. companies. But it’s not necessarily about market share. They’re looking to expand their global influence. So the race that we’re actually running is a race for global influence, and for 50 years the United States has set the standard for the race in global influence. The question that we have and that we think by some of these reforms that we see that are coming as part of the National Implementation Plan is who is going to make the rules for global influence for the next 50 years. And as an industry, as a country, and as a government, we feel like the United States is poised to continue to set the standard and make the rules for the next 50 years and that’s why we are excited about the potential change in the Conventional Arms Transfer Policy, the reforms that are coming forward, and we think that we have set the stage for really good action, going forward. So with that, Andrew, I’ll stop and happy to answer any questions.

### 1NC – Transparency Turn

#### Turn: U.S. will get accused of double standards, countries will have an incentive to be less transparent, and rights violations will increase without our military expertise

Rubin, 15 --- Ph.D. in History from Yale, ident scholar at the American Enterprise Institute, where he researches Arab politics, the Gulf Cooperation Council, Iran, Iraq, the Kurds, terrorism, and Turkey (10/18/15, Michael, “Time to re-think the Leahy law?” <http://www.aei.org/publication/time-to-re-think-the-leahy-law/>, accessed on 6/8/19, JMP)

The Leahy Law is one of the most significant international human rights laws the U.S. Congress has passed since the Jackson-Vanik Amendment to the Trade Act of 1974, which tied trade to the freedom of emigration. Vermont Senator Patrick Leahy sponsored the initial Leahy Law as part of the Foreign Operations Appropriate Act in 1997, as he grew concerned that the United States was providing aid and assistance to Colombian and other Latin American militaries that had committed human rights abuses as they sought to counter drug cartels, but it soon expanded to cover all State Department assistance on any subject. A permanent feature of law since 2008, Congress has continued to expand its reach and implementation ever since. The full text of the law is here but, in sum, it prohibits any U.S. assistance to any foreign security forces or military officer “if the Secretary of State has credible information that such unit has committed a gross violation of human rights.” It does make an exception if “the government of such country is taking effective steps to bring the responsible members of the security forces unit to justice.” The purpose of Leahy vetting of foreign military officers who seek to come to the United States for training or who seek to participate in other U.S. government-funded programs in their home countries is well-intentioned and necessary: The United States should not be partnering with death squad leaders, nor should those engaged in the worst human rights abuses face no consequences or be embraced with open arms. There are two major problems, however, which threaten to undercut both the Leahy Law’s intent and U.S. partnerships abroad. First, countries penalized under Leahy can easily accuse the United States of double standards. The U.S. military takes human rights seriously. Lawyers, both inside and outside the military, scrutinize almost every decision soldiers in the field make. Many U.S. policies — for example, the Obama administration’s extensive use of drones — remain quite controversial. If these countries were to apply the same standard as Leahy vetting does, that is that accusation is enough, then the United States would find itself without the valuable partnerships it has across the globe, especially as Leahy vetting often applies not only to individual commanders but to everyone who has served underneath him. Second, and perhaps more corrosively, the Leahy Law relies not on evidence but rather on accusations. Hence, the secretary of state’s ability to wave Leahy sanction represent the equivalent of justice in 17th century Salem: Submerge the accused in a pool and if he drowns, then he’s innocent. If an accusation is false, the secretary of state can waive the sanctions only if the government in questions takes action as if it were true. In addition, the idea of “credible information” can pay too much heed to groups like Human Rights Watch and Amnesty International who have done good work in the past, but too often today filter human rights analysis through a political lens that infuses their reports with agendas that have little to do with human rights. Governments that have a culture of openness — Morocco and Israel, for example — suffer disproportionate criticism simply because they do not prohibit the movement of human rights researchers in the way that countries like Algeria, Saudi Arabia, and the Hamas-run administration in the Gaza Strip do. This can translate theoretically into the Leahy vetting creating a perverse incentive for countries to be less transparent with human rights. Nor can human rights organizations always be trusted to uphold professional standards in their work. Both Human Rights Watch and Amnesty International, for example, incorporated information provided by al-Karamah, which was led by a man designated by the U.S. Treasury Department as a financier for al-Qaeda. In effect, al-Karamah became a mechanism for promoting radical Islamist groups and promoting sometimes questionable accusations about their opponents. By including al-Karamah’s reports, both organizations effectively laundered the information that the State Department then embraced. Human Rights Watch Executive Director Kenneth Roth showed how he let personal animus trump objective analysis when he essentially augmented reported casualty figures in Egypt’s very real abuse of human rights in a fit of pique after he had been stopped at the Cairo airport. The Congress should not throw the baby out with the bathwater. Vetting is important. But it’s time to accept that the politicization of human rights has eroded both the value and the credibility of the community making the accusations. There has to be a higher standard of evidence; if not, human rights will actually worsen, as regimes seeking to defeat terrorism will be unable to enjoy the aid and expertise that the United States military can provide.

## FRAMING ANSWERS

### 1NC – Framing

#### Prefer utilitarianism – the only ethical rubric is to maximize number of lives saved

Greene 10 (Joshua, Associate Professor of the Social Sciences Department of Psychology Harvard University, Moral Psychology: Historical and Contemporary Readings, “The Secret Joke of Kant’s Soul”, [www.fed.cuhk.edu.hk/~lchang/material/Evolutionary/Developmental/Greene-KantSoul.pdf](http://www.fed.cuhk.edu.hk/~lchang/material/Evolutionary/Developmental/Greene-KantSoul.pdf))

What turn-of-the-millennium science is telling us is that human moral judgment is not a pristine rational enterprise, that our moral judgments are driven by a hodgepodge of emotional dispositions, which themselves were shaped by a hodgepodge of evolutionary forces, both biological and cultural. Because of this, it is exceedingly unlikely that there is anyrationallycoherentnormativemoral theory that can accommodateourmoral intuitions. Moreover, anyone who claims to have such a theory, or even part of one, almost certainly doesn't. Instead, what that person probably has is a moral rationalization.¶ It seems then, that we have somehow crossed the infamous "is"-"ought" divide. How did this happen? Didn't Hume (Hume, 1978) and Moore (Moore, 1966) warn us against trying to derive an "ought" from and "is?" How did we go from descriptive scientific theories concerning moral psychology to skepticism about a whole class of normative moral theories? The answer is that we did not, as Hume and Moore anticipated, attempt to derive an "ought" from and "is." That is, our method has been inductive rather than deductive. We have inferred on the basis of the available evidence that the phenomenon of rationalist deontological philosophy is best explained as a rationalization of evolved emotional intuition (Harman, 1977).¶ Missing the Deontological Point I suspect that rationalist deontologists will remain unmoved by the arguments presented here. Instead, I suspect, they will insist that I have simply misunderstoodwhatKant and like-minded deontologistsare all about. Deontology, they will say, isn't about this intuition or that intuition. It's not defined by its normative differences with consequentialism. Rather, deontology is about taking humanity seriously. Above all else, it's about respect for persons. It's about treating others as fellow rational creatures rather than as mere objects, about acting for reasons rational beings can share. And so on (Korsgaard, 1996a; Korsgaard, 1996b).This is, no doubt, how many deontologists see deontology. But this insider's view, as I've suggested, may be misleading. The problem, more specifically, is that it defines deontology in terms of values that are notdistinctivelydeontological, though they may appear to be from the inside. Consider the following analogy with religion. When one asks a religious person to explain the essence of his religion, one often gets an answer like this: "It's about love, really. It's about looking out for other people, looking beyond oneself. It's about community, being part of something larger than oneself." This sort of answer accurately captures the phenomenology of many people's religion, but it's nevertheless inadequate for distinguishing religion from other things. This is because many, if not most, non-religious people aspire to love deeply, look out for other people, avoid self-absorption, have a sense of a community, and be connected to things larger than themselves. In other words, secular humanists and atheists can assent to most of what many religious people think religion is all about. From a secular humanist's point of view, in contrast, what's distinctive about religion is its commitment to the existence of supernatural entities as well as formal religious institutions and doctrines. And they're right. These things really do distinguish religious from non-religious practices, though they may appear to be secondary to many people operating from within a religious point of view. In the same way, I believe that most of the standard deontological/Kantian self-characterizatons fail to distinguish deontology from other approaches to ethics. (See also Kagan (Kagan, 1997, pp. 70-78.) on the difficulty of defining deontology.) It seems to me that consequentialists, as much as anyone else, have respect for persons, are against treating people asmereobjects, wish to act for reasons that rational creatures can share, etc. A consequentialist respects other persons, and refrains from treating them as mere objects, by counting every person's well-beingin the decision-making process. Likewise, a consequentialist attempts to act according to reasons that rational creatures can share by acting according to principles that give equal weight to everyone's interests, i.e. that are impartial. This is not to say that consequentialists and deontologists don't differ. They do. It's just that the real differences may not be what deontologists often take them to be. What, then, distinguishes deontology from other kinds of moral thought? A good strategy for answering this question is to start with concrete disagreements between deontologists and others (such as consequentialists) and then work backward in search of deeper principles. This is what I've attempted to do with the trolley and footbridge cases, and other instances in which deontologists and consequentialists disagree. If you ask a deontologically-minded person why it's wrong to push someone in front of speeding trolley in order to save five others, you will getcharacteristically deontological answers. Some will betautological: "Because it's murder!"Others will be more sophisticated: "The ends don't justify the means." "You have to respect people's rights." But, as we know, these answers don't really explain anything, because if you give the same people (on different occasions) the trolley case or the loop case (See above), they'll make the opposite judgment, even though their initial explanation concerning the footbridge case applies equally well to one or both of these cases. Talk about rights, respect for persons, and reasons we can share are natural attempts to explain, in "cognitive" terms, what we feel when we find ourselves having emotionally driven intuitions that are odds with the cold calculus of consequentialism. Although these explanations are inevitably incomplete, there seems to be "something deeply right" about thembecause they give voice to powerful moral emotions. But, as with many religious people's accounts of what's essential to religion, they don't really explain what's distinctive about the philosophy in question.

#### Magnitude should come first

Mark Jablonowski 10, Lecturer in Economics at the University of Hartford, “Implications of Fuzziness for the Practical Management of High-Stakes Risks,” International Journal of Computational Intelligence Systems, Vol.3, No. 1 (April, 2010), 1-7,

“Danger” is an inherently fuzzy concept. Considerable knowledge imperfections surround both the probability of high-stakes exposures, and the assessment of their acceptability. This is due to the complex and dynamic nature of risk in the modern world. ¶ Fuzzy thresholds for danger are most effectively established based on natural risk standards. This means that risk levels are acceptable only to the degree they blend with natural background levels. This concept reflects an evolutionary process that has supported life on this planet for thousands of years. By adhering to these levels, we can help assure ourselves of thousands more. While the level of such risks is yet to be determined, observation suggest that the degree of human-made risk we routinely subject ourselves to is several orders of magnitude higher. ¶ Due to the fuzzy nature of risk, we can not rely on statistical techniques. The fundamental problem with catastrophe remains, in the long run, there may be no long run. That is, we can not rely on results “averaging out” over time. With such risks, only precautionary avoidance (based on the minimax’ing of the largest possible loss) makes sense. Combined with reasonable natural thresholds, this view allows a very workable approach to achieving safe progress.

#### Predictions are inevitable, possible, and necessary for good policymaking

Chernoff 9—Fred Chernoff is Professor of IR and Director of IR @ Colgate University. “Conventionalism as an Adequate Basis for Policy-Relevant IR Theory,” European Journal of International Relations, 15:1, Sage, Accessed date: 10/26/12 y2k

The social sciences offer only probabilistic connections between links in causal chains of events. When many such links are subjoined, the probabilities of the end-point events quickly decline. Thus simpler and shorter-term processes, and the consequent short-term predictions, are more reliable than long-term predictions. Still, since policy-makers have to make decisions about long-term projects, they must answer questions like, ‘Will there be a need for this rail line in ten years when today’s investment might begin to show a return?’ or ‘Will there be a need for an additional carrier battle group in 20 years?’ In answering these questions there is a clear need to recognize the reliability of the probabilisitic generalizations involved and the need to hedge bets. The nature of the social world is highly complex. Moreover, the field of IR asks many different sorts of questions, for which different types of methods will be appropriate. Scholars are nowhere near finding any sort of comprehensive unity across explanatory domains; to pretend there are theories that do so will only lead to greater error. As I have argued previously, there is ‘no single, unified IR or social-science “field equation” into which all must ultimately be made to fit, though there are some specific forms of reasoning that are applicable to all. Because the social world is complex and multifaceted, even questions about a possible war between the US and North Korea yields questions that, though related, sometimes require orthogonal and crosscutting theoretical approaches and methods’ (Chernoff, 2005: 20; cf. 223–4, n. 17). While we should seek theoretical unity in particular domains, where such domains are well-defined and based on theoretical analyses, there are many non-intersecting, skewed dimensions that must be understood on their own terms. This requires the use of multiple methods even as we seek to understand a single real-world past phenomenon or future policy-related question. Social reality, as I have argued elsewhere, is glimpsed in bits and pieces along these orthogonal dimensions. Policies may be based on theory that gives more reliable predictions than merely throwing dice; the policies must be hedged, based on the predictive limitations, and the likelihood that other possible outcomes will obtain in the future requires attention and planning.

### --Ext: Util

#### Maximizing all lives is the only way to affirm equality

Cummiskey 90—David, Professor of Philosophy, Bates [Kantian Consequentialism, Ethics 100.3, p 601-2, p 606, JSTOR]

We must not obscure the issue by characterizing this type of case as the sacrifice of individuals for some abstract "social entity." It is not a question of some persons having to bear the cost for some elusive "overall social good." Instead, the question is whether some persons must bear the inescapable cost for the sake of other persons. Nozick, for example, argues that "to use a person in this way does not sufficiently respect and take account of the fact that he is a separate person, that his is the only life he has."30 Why, however, is this not equally true of all those that we do not save through our failure to act? By emphasizing solely the one who must bear the cost if we act, one fails to sufficiently respect and take account of the many other separate persons, each with only one life, who will bear the cost of our inaction. In such a situation, what would a conscientious Kantian agent, an agent motivated by the unconditional value of rational beings, choose? We have a duty to promote the conditions necessary for the existence of rational beings, but both choosing to act and choosing not to act will cost the life of a rational being. Since the basis of Kant's principle is "rational nature exists as an end-in-itself' (GMM, p. 429), the reasonable solution to such a dilemma involves promoting, insofar as one can, the conditions necessary for rational beings. If I sacrifice some for the sake of other rational beings, I do not use them arbitrarily and I do not deny the unconditional value of rational beings. Persons may have "dignity, an unconditional and incomparable value" that transcends any market value (GMM, p. 436), but, as rational beings, persons also have a fundamental equality which dictates that some must sometimes give way for the sake of others. The formula of the end-in-itself thus does not support the view that we may never force another to bear some cost in order to benefit others. If one focuses on the equal value of all rational beings, then equal consideration dictates that one sacrifice some to save many. [continues] According to Kant, the objective end of moral action is the existence of rational beings. Respect for rational beings requires that, in deciding what to do, one give appropriate practical consideration to the unconditional value of rational beings and to the conditional value of happiness. Since agent-centered constraints require a non-value-based rationale, the most natural interpretation of the demand that one give equal respect to all rational beings lead to a consequentialist normative theory. We have seen that there is no sound Kantian reason for abandoning this natural consequentialist interpretation. In particular, a consequentialist interpretation does not require sacrifices which a Kantian ought to consider unreasonable, and it does not involve doing evil so that good may come of it. It simply requires an uncompromising commitment to the equal value and equal claims of all rational beings and a recognition that, in the moral consideration of conduct, one's own subjective concerns do not have overriding importance.

#### Accept util – their reliance on moral absolutism fails in the context of crises

Watkins-Smith, Dominic, 17, "Torture and coercive interrogation: A critical discussion," No Publication, https://search-proquest-com.proxy.lib.umich.edu/docview/2035748268/A9BAF2EBE8C74A3CPQ/15?accountid=14667]

Moral absolutism is the meta-ethical view that some forms of human conduct are right or wrong (alternatively, good or evil) in any context. Even for the purpose of doing good, bad actions are always bad and cannot be justified’.209 Ariel Dorfman’s unconditional support of the absolute prohibition on torture provides a stereotypical example of moral absolutism. He states: This view, however, has come under severe criticism from the judiciary and philosophers alike. Steinhoff and Ginbar respectively opine that ‘[m]oral absolutism is a dangerous and mistaken view’;211 ‘even in its minimal version, is not easy to defend. It brings to mind… the refusal of the Catholic Church to recommend the use of condoms in sub-Saharan Africa, even between spouses, as a means of slowing down the catastrophic spread of HIV/AIDS.’212 Here, the Catholic Church limited the effectiveness of a widespread, life saving measure, based upon the absolute belief that using contraception is sinful. Clearly such teaching is dangerous and life threatening. Steinhoff explains his belief by way of example; asserting that ‘[i]f, for example, humanity would face the choice… between being exterminated or torturing one particularly bad man… it is far from clear why any person in his right mind, both intellectually and morally, should pray that humanity said ‘no to torture’’213 As such, Posner describes Dorfman’s rejection of torture as ‘not only overwrought in tone but irresponsible in content’.214 Moral absolutism, as a concept, is flawed for the simple reason that ‘[c]onsequences count; they cannot simply be ignored for the benefit of some allegedly absolute rule, especially if they might be catastrophic.’215 Gross makes the point, that ‘[t]o be a true moral absolutist, one must support a ban on torture no matter what, that is, no matter how likely the harm and no matter how great the magnitude of that harm.’216 However, when this principle is applied to real life, ‘[m]any who support absolute, categorical rights… realize that their position is untenable, not only practically but also morally speaking, when applied to such catastrophic cases.’217 Fried, a professed anti-utilitarian and human rights professor, suggests that this is perhaps because they realise that ‘it seems fanatical to maintain the absoluteness of the judgement, to do right even if the heavens will in fact fall.’218 Here, Fried recognises what might be referred to as a ‘catastrophic exception’ to any general anti-torture argument.

### --Ext: Magnitude

#### You should consider our impacts even if there is a lower probability

Sunstein 7—Felix Frankfurter Professor of Law at Harvard Law School [Cass R., “Worst-Case Scenarios" Harvard University Press 2007 pp. 138-139 Accessed Online through Emory Libraries]

A Catastrophic Harm Precautionary Principle, of the modest kind just sketched, raises several questions. The most obvious is whether a low-probability risk of catastrophe might not deserve more attention than higher-probability risks, even when the expected value appears to be equal. The reason is that the loss of 200 million people may be more than 1,000 times worse than the loss of 2,000 people. Pause over the real-world meaning of a loss of 200 million people in the United States. The nation would find it extremely hard to recover. Private and public institutions would be damaged for a long time, perhaps forever. What kind of government would emerge? What would its economy look like? Future generations would inevitably suffer. The effect of a catastrophe greatly outruns a simple multiplication of a certain number of lives lost. The overall "cost" of losing two-thirds of the American population is far more than 100,000 times the cost of losing 2,000 people. The same point holds when the numbers are smaller. Following the collapse of a dam that left 120 people dead and 4,000 homeless in Buffalo Creek, Virginia, psychiatric researchers continued to find significant psychological and sociological changes two years after the disaster occurred. Survivors still suffered a loss of direction and energy, along with other disabling character changes.41 One evaluator attributed this "Buffalo Creek Syndrome" specifically to "the loss of traditional bonds of kinship and neighborliness."42 Genuine catastrophes, involving tens of thousands or millions of deaths, would magnify that loss to an unimaginable degree. A detailed literature on the "social amplification of risk" explores the secondary social losses that greatly outrun the initial effects of given events.43 The harm done by the attacks of 9/11, for instance, far exceeded the deaths on that day, horrendous as those were. One telling example: Many people switched, in the aftermath of the attack, to driving long distances rather than flying, and the switch produced almost as many highway deaths as the attacks themselves, simply because driving is more dangerous than flying.44 The attacks had huge effects on other behaviors of individuals, businesses, and governments, resulting in costs of hundreds of billions of dollars, along with continuing fear, anxiety, and many thousands of additional deaths from the Afghanistan and Iraq wars. We might therefore identify a second version of the Catastrophic Harm Precautionary Principle, also attuned to expected value but emphasizing some features of catastrophic risk that might otherwise be neglected: Regulators should consider the expected value of catastrophic risks, even when the worst-case scenario is highly unlikely. In assessing expected value, regulators should consider the distinctive features of catastrophic harm, including the "social amplification” of such harm. Regulators should choose cost-effective measures to reduce those risks and should attempt to compare the expected value of the risk with the expected value of precautionary measures.

### --Ext: Predictions

#### Even if you are uncertain of our DA’s- they are responsible for the consequences of the plan

Cowen 4 The Epistemic Problem Does Not Refute Consequentialism, Tyler Cowen, Department of Economics George Mason University, November 2, 2004, https://www.gmu.edu/centers/publicchoice/faculty%20pages/Tyler/Epistemic2.pdf

If we know for sure which remedy works, obviously we should apply that remedy. But imagine now that we are uncertain as to which remedy works. The uncertainty is so extreme that each remedy may cure somewhere between three hundred thousand and six hundred thousand children. Nonetheless we have a slight idea that one remedy is better than the other. That is, one remedy is slightly more likely to cure more children, with no other apparent offsetting negative effects or considerations. Despite the greater uncertainty, we still have the intuition that we should try to save as many children as possible. We should apply the remedy that is more likely to cure more children. We do not say: “We are now so uncertain about what will happen. We should pursue some goal other than trying to cure as many children as possible.” Nor would we cite greater uncertainty about longer-run events as an argument against curing the children. We have a definite good in the present (more cured children), balanced against a radical remixing of the future on both sides of the equation. The definite upfront good still stands firm. Alternatively, let us assume that our broader ￼￼14 future suddenly became less predictable (perhaps genetic engineering is invented, which creates new and difficult-to-forecast possibilities). That still would not diminish the force of our reason for saving more children. The variance of forecast becomes larger on both sides of the equation – whether we save the children or not – and the value of the upfront lives remains. A higher variance of forecast might increase the required size of the upfront benefit (to overcome the Principle of Roughness), but it would not refute the relevance of consequences more generally. We could increase the uncertainty more, but consequentialism still will not appear counterintuitive. The remedies, rather than curing somewhere in the range of three to six hundred thousand children, might cure in the broader range of zero to all one million of the children. By all classical statistical standards, this new cure scenario involves more uncertainty than the previous case, such as by having a higher variance of possible outcomes. Yet this higher uncertainty lends little support for the view that curing the children becomes less important. We still have an imperative to apply the remedy that appears best, and is expected the cure the greater number of children. This example may appear excessively simple, but it points our attention to the non- generality of the epistemic critique. The critique appears strongest only when we have absolutely no idea about the future; this is a special rather than a general case. Simply boosting the degree of background generic uncertainty should not stop us from pursuing large upfront benefits of obvious importance.

### Extinction First

#### Moral equality means even a small risk of preventing extinction outweighs structural violence – future generations

Bostrom, 2012 (Mar 6, Nick, director of the Future of Humanity Institute at Oxford, recipient of the 2009 Gannon Award, “We're Underestimating the Risk of Human Extinction,” interview with Ross Andersen, freelance writer in D.C., <http://www.theatlantic.com/technology/archive/2012/03/were-underestimating-the-risk-of-human-extinction/253821/>)

some have argued that we ought to be directing our resources toward humanity's existing problems, rather than future existential risks, because many of the latter are highly improbable. You have responded by suggesting that existential risk mitigation may in fact be a dominant moral priority over the alleviation of present suffering. Can you explain why? Bostrom: Well suppose you have a moral view that counts future people as being worth as much as present people. You might say that fundamentally it doesn't matter whether someone exists at the current time or at some future time, just as many people think that from a fundamental moral point of view, it doesn't matter where somebody is spatially---somebody isn't automatically worth less because you move them to the moon or to Africa or something. A human life is a human life. If you have that moral point of view that future generations matter in proportion to their population numbers, then you get this very stark implication that existential risk mitigation has a much higher utility than pretty much anything else that you could do. There are so many people that could come into existence in the future if humanity survives this critical period of time---we might live for billions of years, our descendants might colonize billions of solar systems, and there could be billions and billions times more people than exist currently. Therefore, even a very small reduction in the probability of realizing this enormous good will tend to outweigh even immense benefits like eliminating poverty or curing malaria, which would be tremendous under ordinary standards.

### Security Analysis Good

#### Security threats are real, not constructed – rational risk assessment goes neg

Knudsen 1– PoliSci Professor at Sodertorn (Olav, Post-Copenhagen Security Studies, Security Dialogue 32:3)

Moreover, I have a problem with the underlying implication that it is unimportant whether states 'really' face dangers from other states or groups. In the Copenhagen school, threats are seen as coming mainly from the actors' own fears, or from what happens when the fears of individuals turn into paranoid political action. In my view, this emphasis on the subjective is a **misleading conception of threat**, in that it discounts an independent existence for what- ever is perceived as a threat. Granted, political life is often marked by misperceptions, mistakes, pure imaginations, ghosts, or mirages, but such phenomena **do not occur simultaneously** to large numbers of politicians, and **hardly most of the time**. During the Cold War, threats - in the sense of plausible possibilities of danger - referred to 'real' phenomena, and they **refer to 'real' phenomena** now. The objects referred to are often not the same, but that is a different matter. Threats have to be dealt with both ín terms of perceptions and in terms of the phenomena which are perceived to be threatening. The point of Waever’s concept of security is not the potential existence of danger somewhere but the use of the word itself by political elites. In his 1997 PhD dissertation, he writes, ’One can View “security” as that which is in language theory called a speech act: it is not interesting as a sign referring to something more real - it is the utterance itself that is the act.’24 The deliberate disregard of objective factors is even more explicitly stated in Buzan & WaeVer’s joint article of the same year.” As a consequence, the phenomenon of threat is reduced to a matter of pure domestic politics.” It seems to me that the security dilemma, as a central notion in security studies, then loses its foundation. Yet I see that Waever himself has no compunction about referring to the security dilemma in a recent article." This discounting of the objective aspect of threats shifts security studies to insignificant concerns. What has long made 'threats' and ’threat perceptions’ important phenomena in the study of IR is the implication that **urgent action may be required**. Urgency, of course, is where Waever first began his argument in favor of an alternative security conception, because a convincing sense of urgency has been the chief culprit behind the abuse of 'security' and the consequent ’politics of panic', as Waever aptly calls it.” Now, here - in the case of urgency - another baby is thrown out with the Waeverian bathwater. When real situations of urgency arise, those situations are challenges to democracy; they are actually at the core of the problematic arising with the process of making security policy in parliamentary democracy. But in Waever’s world, threats are merely more or less persuasive, and the claim of urgency is just another argument. I hold that instead of 'abolishing' threatening phenomena ’out there’ by reconceptualizing them, as Waever does, we should continue paying attention to them, because **situations with a credible claim to urgency will keep coming back** and then we need to know more about how they work in the interrelations of groups and states (such as civil wars, for instance), not least to find adequate democratic procedures for dealing with them.

#### Security scenario planning enhances REFELXIVITY, deconstructs cognitive biases and flawed ontological assumptions, and enables the imagination and creation of alternative futures.

Barma et al. 16 – (May 2016, [Advance Publication Online on 11/6/15], Naazneen Barma, PhD in Political Science from UC-Berkeley, Assistant Professor of National Security Affairs at the Naval Postgraduate School, Brent Durbin, PhD in Political Science from UC-Berkeley, Professor of Government at Smith College, Eric Lorber, JD from UPenn and PhD in Political Science from Duke, Gibson, Dunn & Crutcher, Rachel Whitlark, PhD in Political Science from GWU, Post-Doctoral Research Fellow with the Project on Managing the Atom and International Security Program within the Belfer Center for Science and International Affairs at Harvard, “‘Imagine a World in Which’: Using Scenarios in Political Science,” International Studies Perspectives 17 (2), pp. 1-19, <http://www.naazneenbarma.com/uploads/2/9/6/9/29695681/using_scenarios_in_political_science_isp_2015.pdf>)

Over the past decade, the “cult of irrelevance” in political science scholarship has been lamented by a growing chorus (Putnam 2003; Nye 2009; Walt 2009). Prominent scholars of international affairs have diagnosed the roots of the gap between academia and policymaking, made the case for why political science research is valuable for policymaking, and offered a number of ideas for enhancing the policy relevance of scholarship in international relations and comparative politics (Walt 2005,2011; Mead 2010; Van Evera 2010; Jentleson and Ratner 2011; Gallucci 2012; Avey and Desch 2014). Building on these insights, several initiatives have been formed in the attempt to “bridge the gap.”2 Many of the specific efforts put in place by these projects focus on providing scholars with the skills, platforms, and networks to better communicate the findings and implications of their research to the policymaking community, a necessary and worthwhile objective for a field in which theoretical debates, methodological training, and publishing norms tend more and more toward the abstract and esoteric. Yet enhancing communication between scholars and policymakers is only one component of bridging the gap between international affairs theory and practice. Another crucial component of this bridge is the generation of substantive research programs that are actually policy relevant—a challenge to which less concerted attention has been paid. The dual challenges of bridging the gap are especially acute for graduate students, a particular irony since many enter the discipline with the explicit hope of informing policy. In a field that has an admirable devotion to pedagogical self-reflection, strikingly little attention is paid to techniques for generating policy-relevant ideas for dissertation and other research topics. Although numerous articles and conference workshops are devoted to the importance of experiential and problem-based learning, especially through techniques of simulation that emulate policymaking processes (Loggins 2009; Butcher 2012; Glasgow 2012; Rothman 2012; DiCicco 2014), little has been written about the use of such techniques for generating and developing innovative research ideas. This article outlines an experiential and problem-based approach to developing a political science research program using scenario analysis. It focuses especially on illuminating the research generation and pedagogical benefits of this technique by describing the use of scenarios in the annual New Era Foreign Policy Conference (NEFPC), which brings together doctoral students of international and comparative affairs who share a demonstrated interest in policy-relevant scholarship.3 In the introductory section, the article outlines the practice of scenario analysis and considers the utility of the technique in political science. We argue that scenario analysis should be viewed as a tool to stimulate problem-based learning for doctoral students and discuss the broader scholarly benefits of using scenarios to help generate research ideas. The second section details the manner in which NEFPC deploys scenario analysis. The third section reflects upon some of the concrete scholarly benefits that have been realized from the scenario format. The fourth section offers insights on the pedagogical potential associated with using scenarios in the classroom across levels of study. A brief conclusion reflects on the importance of developing specific techniques to aid those who wish to generate political science scholarship of relevance to the policy world. What Are Scenarios and Why Use Them in Political Science? Scenario analysis is perceived most commonly as a technique for examining the robustness of strategy. It can immerse decision makers in future states that go beyond conventional extrapolations of current trends, preparing them to take advantage of unexpected opportunities and to protect themselves from adverse exogenous shocks. The global petroleum company Shell, a pioneer of the technique, characterizes scenario analysis as the art of considering “what if” questions about possible future worlds. Scenario analysis is thus typically seen as serving the purposes of corporate planning or as a policy tool to be used in combination with simulations of decision making. Yet scenario analysis is not inherently limited to these uses. This section provides a brief overview of the practice of scenario analysis and the motivations underpinning its uses. It then makes a case for the utility of the technique for political science scholarship and describes how the scenarios deployed at NEFPC were created. The Art of Scenario Analysis We characterize scenario analysis as the art of juxtaposing current trends in unexpected combinations in order to articulate surprising and yet plausible futures, often referred to as “alternative worlds.” Scenarios are thus explicitly not forecasts or projections based on linear extrapolations of contemporary patterns, and they are not hypothesis-based expert predictions. Nor should they be equated with simulations, which are best characterized as functional representations of real institutions or decision-making processes (Asal 2005). Instead, they are depictions of possible future states of the world, offered together with a narrative of the driving causal forces and potential exogenous shocks that could lead to those futures. Good scenarios thus rely on explicit causal propositions that, independent of one another, are plausible—yet, when combined, suggest surprising and sometimes controversial future worlds. For example, few predicted the dramatic fall in oil prices toward the end of 2014. Yet independent driving forces, such as the shale gas revolution in the United States, China’s slowing economic growth, and declining conflict in major Middle Eastern oil producers such as Libya, were all recognized secular trends that—combined with OPEC’s decision not to take concerted action as prices began to decline—came together in an unexpected way. While scenario analysis played a role in war gaming and strategic planning during the Cold War, the real antecedents of the contemporary practice are found in corporate futures studies of the late 1960s and early 1970s (Raskin et al. 2005). Scenario analysis was essentially initiated at Royal Dutch Shell in 1965, with the realization that the usual forecasting techniques and models were not capturing the rapidly changing environment in which the company operated (Wack 1985; Schwartz 1991). In particular, it had become evident that straight-line extrapolations of past global trends were inadequate for anticipating the evolving business environment. Shell-style scenario planning “helped break the habit, ingrained in most corporate planning, of assuming that the future will look much like the present” (Wilkinson and Kupers 2013, 4). Using scenario thinking, Shell anticipated the possibility of two Arab-induced oil shocks in the 1970s and hence was able to position itself for major disruptions in the global petroleum sector. Building on its corporate roots, scenario analysis has become a standard policymaking tool. For example, the Project on Forward Engagement advocates linking systematic foresight, which it defines as the disciplined analysis of alternative futures, to planning and feedback loops to better equip the United States to meet contemporary governance challenges (Fuerth 2011). Another prominent application of scenario thinking is found in the National Intelligence Council’s series of Global Trends reports, issued every four years to aid policymakers in anticipating and planning for future challenges. These reports present a handful of “alternative worlds” approximately twenty years into the future, carefully constructed on the basis of emerging global trends, risks, and opportunities, and intended to stimulate thinking about geopolitical change and its effects.4 As with corporate scenario analysis, the technique can be used in foreign policymaking for long-range general planning purposes as well as for anticipating and coping with more narrow and immediate challenges. An example of the latter is the German Marshall Fund’s EuroFutures project, which uses four scenarios to map the potential consequences of the Euro-area financial crisis (German Marshall Fund 2013). Several features make scenario analysis particularly useful for policymaking.5 Long-term global trends across a number of different realms—social, technological, environmental, economic, and political—combine in often-unexpected ways to produce unforeseen challenges. Yet the ability of decision makers to imagine, let alone prepare for, discontinuities in the policy realm is constrained by their existing mental models and maps. This limitation is exacerbated by well-known cognitive bias tendencies such as groupthink and confirmation bias (Jervis 1976; Janis 1982; Tetlock 2005). The power of scenarios lies in their ability to help individuals break out of conventional modes of thinking and analysis by introducing unusual combinations of trends and deliberate discontinuities in narratives about the future. Imagining alternative future worlds through a structured analytical process enables policymakers to envision and thereby adapt to something altogether different from the known present. Designing Scenarios for Political Science Inquiry The characteristics of scenario analysis that commend its use to policymakers also make it well suited to helping political scientists generate and develop policy-relevant research programs. Scenarios are essentially textured, plausible, and relevant stories that help us imagine how the future political-economic world could be different from the past in a manner that highlights policy challenges and opportunities. For example, terrorist organizations are a known threat that have captured the attention of the policy community, yet our responses to them tend to be linear and reactive. Scenarios that explore how seemingly unrelated vectors of change—the rise of a new peer competitor in the East that diverts strategic attention, volatile commodity prices that empower and disempower various state and nonstate actors in surprising ways, and the destabilizing effects of climate change or infectious disease pandemics—can be useful for illuminating the nature and limits of the terrorist threat in ways that may be missed by a narrower focus on recognized states and groups. By illuminating the potential strategic significance of specific and yet poorly understood opportunities and threats, scenario analysis helps to identify crucial gaps in our collective understanding of global politicaleconomic trends and dynamics. The notion of “exogeneity”—so prevalent in social science scholarship—applies to models of reality, not to reality itself. Very simply, scenario analysis can throw into sharp relief often-overlooked yet pressing questions in international affairs that demand focused investigation. Scenarios thus offer, in principle, an innovative tool for developing a political science research agenda. In practice, achieving this objective requires careful tailoring of the approach. The specific scenario analysis technique we outline below was designed and refined to provide a structured experiential process for generating problem-based research questions with contemporary international policy relevance.6 The first step in the process of creating the scenario set described here was to identify important causal forces in contemporary global affairs. Consensus was not the goal; on the contrary, some of these causal statements represented competing theories about global change (e.g., a resurgence of the nation-state vs. border-evading globalizing forces). A major principle underpinning the transformation of these causal drivers into possible future worlds was to “simplify, then exaggerate” them, before fleshing out the emerging story with more details.7 Thus, the contours of the future world were drawn first in the scenario, with details about the possible pathways to that point filled in second. It is entirely possible, indeed probable, that some of the causal claims that turned into parts of scenarios were exaggerated so much as to be implausible, and that an unavoidable degree of bias or our own form of groupthink went into construction of the scenarios. One of the great strengths of scenario analysis, however, is that the scenario discussions themselves, as described below, lay bare these especially implausible claims and systematic biases.8 An explicit methodological approach underlies the written scenarios themselves as well as the analytical process around them—that of case-centered, structured, focused comparison, intended especially to shed light on new causal mechanisms (George and Bennett 2005). The use of scenarios is similar to counterfactual analysis in that it modifies certain variables in a given situation in order to analyze the resulting effects (Fearon 1991). Whereas counterfactuals are traditionally retrospective in nature and explore events that did not actually occur in the context of known history, our scenarios are deliberately forward-looking and are designed to explore potential futures that could unfold. As such, counterfactual analysis is especially well suited to identifying how individual events might expand or shift the “funnel of choices” available to political actors and thus lead to different historical outcomes (Nye 2005, 68–69), while forward-looking scenario analysis can better illuminate surprising intersections and sociopolitical dynamics without the perceptual constraints imposed by fine-grained historical knowledge. We see scenarios as a complementary resource for exploring these dynamics in international affairs, rather than as a replacement for counterfactual analysis, historical case studies, or other methodological tools. In the scenario process developed for NEFPC, three distinct scenarios are employed, acting as cases for analytical comparison. Each scenario, as detailed below, includes a set of explicit “driving forces” which represent hypotheses about causal mechanisms worth investigating in evolving international affairs. The scenario analysis process itself employs templates (discussed further below) to serve as a graphical representation of a structured, focused investigation and thereby as the research tool for conducting case-centered comparative analysis (George and Bennett 2005). In essence, these templates articulate key observable implications within the alternative worlds of the scenarios and serve as a framework for capturing the data that emerge (King, Keohane, and Verba 1994). Finally, this structured, focused comparison serves as the basis for the cross-case session emerging from the scenario analysis that leads directly to the articulation of new research agendas. The scenario process described here has thus been carefully designed to offer some guidance to policy-oriented graduate students who are otherwise left to the relatively unstructured norms by which political science dissertation ideas are typically developed. The initial articulation of a dissertation project is generally an idiosyncratic and personal undertaking (Useem 1997; Rothman 2008), whereby students might choose topics based on their coursework, their own previous policy exposure, or the topics studied by their advisors. Research agendas are thus typically developed by looking for “puzzles” in existing research programs (Kuhn 1996). Doctoral students also, understandably, often choose topics that are particularly amenable to garnering research funding. Conventional grant programs typically base their funding priorities on extrapolations from what has been important in the recent past—leading to, for example, the prevalence of Japan and Soviet studies in the mid-1980s or terrorism studies in the 2000s—in the absence of any alternative method for identifying questions of likely future significance. The scenario approach to generating research ideas is grounded in the belief that these traditional approaches can be complemented by identifying questions likely to be of great empirical importance in the real world, even if these do not appear as puzzles in existing research programs or as clear extrapolations from past events. The scenarios analyzed at NEFPC envision alternative worlds that could develop in the medium (five to seven year) term and are designed to tease out issues scholars and policymakers may encounter in the relatively near future so that they can begin thinking critically about them now. This timeframe offers a period distant enough from the present as to avoid falling into current events analysis, but not so far into the future as to seem like science fiction. In imagining the worlds in which these scenarios might come to pass, participants learn strategies for avoiding failures of creativity and for overturning the assumptions that prevent scholars and analysts from anticipating and understanding the pivotal junctures that arise in international affairs.