# 1NC

## First Off

#### AFF. PLAN IS FLAWED, MEANING THEY GET NO SOLVENCY, and ALSO SUPER-CHARGE THE LINKS TO OUR DISAD and K

#### A. LINK. The plan only specifies that Congress will establish an oversight court. It does not specify any criteria that will be applied by the court.

#### B. THIS WILL CREATE A RUBBER-STAMP COURT. Congress will want to continue to look “tough” on terror, so they will impose either very weak criteria, or most likely criteria that are completely illusory. This has two implications:

#### 1. NO SOLVENCY. If the court is a rubber stamp, or judicial review is essentially an illusion; the aff. Gets ZERO solvency, and all their advantages go away

#### 2. THE AFF. IS NOT TOPICAL. To be topical, the aff. Advocacy must ensure some additional restriction on presidential power; the plan as written clearly fails to meet this test. Topicality is a voting issue against the aff. For the following reasons: jurisdiction, education, limits, and predictability

#### C. IN THE ALTERNATIVE, THE CONGRESS and COURTS WILL EFFECTIVELY STOP ALL DRONE USE. This also takes out the aff. Advantages. The Heg. Advantage relies on credible and responsible US use of force; which would be killed. The Separation of Powers argument relies upon a balance between the branches. But the plan, as written, goes overboard and gives too much power to the Congress and the Courts—also destroying the balance of power, meaning the aff. Does not get their Separation of Powers advantage.

#### A second implication, is that this plan flaw super-charges the link to at least one of our off-case positions. If the court is a rubber stamp, this just gives window dressing to the SQO; meaning that the aff. Further props up the imperialist structure with an illusion of legitimacy and restraint.

#### On the other hand, if the court bans—or severely restricts drone use; this will drive Israel completely nuts…super-charging the link to our disad.

## Next Off

#### Targeted killing is just a symptom of larger Imperial ambitions – the continuance of Bush policies under Obama proves

ICL 02/22/13 (Workers Vanguard No. 1018, http://www.icl-fi.org/english/wv/1018/kill\_list.html)

Remote-Control Murder Guantánamo is not closed, but Obama is taking few prisoners. Over the last three years, his administration has carried out at least 239 covert drone strikes. The Air Force now trains more unmanned-systems operators than it does fighter and bomber pilots combined. The Bureau of Investigative Journalism estimates that CIA strikes in Pakistan between 2004 and 2013 have resulted in 3,468 deaths. In Somalia, the Bureau reports, up to 57 people described as civilians have been killed and in Yemen as many as 178. The key architect of the drone murder scheme is John Brennan, who is slated to be chief of the CIA, which directs many of the drone strikes. Brennan’s résumé, spanning a 25-year CIA career, includes working as a top agency official during the torture interrogations carried out under the Bush administration. On MSNBC’s Up with Chris Hayes last year, Jeremy Scahill described the village of al-Majalah in Yemen after the first strike there authorized by Obama. With 35 women and children killed, the U.S. tried to palm it off as the work of the Yemeni government. But, as Scahill said, “We know from the Wikileaks cables that David Petraeus conspired with the president of Yemen to lie to the world about who did that bombing. It’s murder—it’s mass murder—when you say, ‘We are going to bomb this area’ because we believe a terrorist is there” (Huffington Post, 3 June 2012). An editorial in the liberal Nation (6 June 2012) stated: “The drone strikes are inciting even more anti-American hatred in troubled places like Yemen as well as Pakistan…. It is hard to argue that they are making us safer when, for every suspect killed, one or more newly embittered militants emerge to take his place.” In other words, the Nation feels that Obama has broken his only real 2008 campaign promise, which was to be a more effective chief executive for blood-drenched U.S. imperialism. The carnage wreaked by the Obama administration gives the verdict on the reformists—International Socialist Organization, Workers World Party, Party for Socialism and Liberation, et al.—who pushed pro-Democratic “anybody but Bush” politics in protests over the Iraq war and cheered Bush’s replacement as a supposedly more benign Commander-in-Chief. In “9/11 in Retrospect” (Foreign Affairs, September-October 2011), Melvyn P. Leffler laid out that the Obama administration’s strategy has been in continuity with that of the Bush administration and, in fact, others going back to the dawn of the 20th century. The September 11 attacks, this bourgeois historian writes, “did not change the world or transform the long-term trajectory of U.S. grand strategy.” Rather, the U.S. “quest for supremacy” as well as “its preference for an open door and free markets, its concern with military supremacy, its readiness to act unilaterally when deemed necessary…all these remained, and remain, unchanged.” Wars, invasions, torture, executions, massacres of civilians, deployment of mercenaries, covert operations: all are integral to capitalism in its imperialist epoch, i.e., in its (prolonged) death agony. We wrote in “U.S. Imperialism’s Torture, Inc.” (WV No. 826, 14 May 2004): “Capitalist society was born in blood; modern imperialism continues the brutal practices of mass murder, torture and humiliation that accompany exploitation of labor and the ceaseless struggle between competing imperialist forces to dominate the world. From the Belgian Congo killing fields of King Leopold and the massacres in the Philippines by U.S. troops in the early days of its imperialist expansion to the first concentration camps, created by the Spanish in Cuba and a little later used by the British in South Africa in the Boer War, to Japanese imperialist atrocities in China and Nazi Germany’s Holocaust, imperialism has created a world in constant, cruel convulsions.” Decaying Capitalism and the Imperial Presidency The Obama administration’s assertion of the power to assassinate U.S. citizens is a dangerous but entirely logical extension of the police-state powers assumed by the government after the September 11 terrorist attacks. In 2003, the Spartacist League and Partisan Defense Committee submitted an amici curiae brief on behalf of Jose Padilla, a U.S. citizen arrested in Chicago in 2002 on trumped-up charges, declared an “enemy combatant” and disappeared into a Navy brig in South Carolina. Tortured by extreme sensory deprivation and other measures, Padilla was initially threatened with execution. In the end, a civilian show trial sentenced him to 17 years.

#### Imperialist domination empirically outweighs visible war and makes extinction inevitable

Eckhardt 90 (William, Lentz Peace Research Laboratory of St. Louis, JOURNAL OF PEACE RESEARCH, February 1990, p. 15-16)

Modern Western Civilization used war as well as peace to gain the whole world as a domain to benefit itself at the expense of others: The expansion of the culture and institutions of modern civilization from its centers in Europe was made possible by imperialistic war… It is true missionaries and traders had their share in the work of expanding world civilization, but always with the support, immediate or in the background, of armies and navies (pp. 251-252). The importance of dominance as a primary motive in civilized war in general was also emphasized for modern war in particular: '[Dominance] is probably the most important single element in the causation of major modern wars' (p. 85). European empires were thrown up all over the world in this process of benefiting some at the expense of others, which was characterized by armed violence contributing to structural violence: 'World-empire is built by conquest and maintained by force… Empires are primarily organizations of violence' (pp. 965, 969). 'The struggle for empire has greatly increased the disparity between states with respect to the political control of resources, since there can never be enough imperial territory to provide for all' (p. 1190). This 'disparity between states', not to mention the disparity within states, both of which take the form of racial differences in life expectancies, **has**killed15-20 times as many peoplein the 20th century as have wars and revolutions (Eckhardt & Kohler, 1980; Eckhardt, 1983c). When this structural violence of 'disparity between states' created by civilization is taken into account, then the violent nature of civilization becomes much more apparent. Wright concluded that 'Probably at least 10 per cent of deaths in modern civilization can be attributed directly or indirectly to war… The trend of war has been toward greater cost, both absolutely and relative to population… The proportion of the population dying as a direct consequence of battle has tended to increase' (pp. 246, 247). So far as structural violence has constituted about one-third of all deaths in the 20th century (Eckhardt & Kohler, 1980; Eckhardt, 1983c), and so far as structural violence was a function of armed violence, past and present, then Wright's estimate was very conservative indeed. Assuming that war is some function of civilization, then civilization is responsible for one-third of 20th century deaths. This is surely self-destruction carried to a high level of efficiency. The structural situation has been improving throughout the 20th century, however, so that structural violence caused 'only' 20% of all deaths in 1980 (Eckhardt, 1983c). There is obviously room for more improvement. To be sure, armed violence in the form of revolution has been directed toward the reduction of structural violence, even as armed violence in the form of imperialism has been directed toward its maintenance. But imperial violence came first**, in the sense of creating structural violence,** before revolutionary violence emerged to reduce it. It is in this sense that structural violence was basically, fundamentally, and primarily a function of armed violence in its imperial form. The atomic age has ushered in the possibility, and some would say the probability, of killing not only some of us for the benefit of others, nor even of killing all of us to no one's benefit, but of putting an end to life itself! This is surely carrying self-destruction to some infinite power beyond all human comprehension. It's too much, or superfluous, as the Existentialists might say. Why we should care is a mystery. But, if we do, then the need for civilized peoples to respond to the ethical challenge is very urgent indeed. Life itself may depend upon our choice.

#### Vote negative to question the epistemological foundations of empire. US neo-imperialism sustains itself by controlling the boundaries of knowledge. Only exposing the epistemic violence of imperialism and addressing the needs of the oppressed can solve.

McLaren and Kincheloe in 5 (Peter Professor of Education, Graduate School of Education and Information Studies @ UCLA and Joe, professor and Canada Research Chair at the Faculty of Education, McGill University in Montreal, Quebec, Canada. The Sage Handbook of Qualitative Research, Third Edition, Eds Norman Denzin and Yvonna Lincoln)

In this context, it is important to note that we understand a social theory as a map or a guide to the social sphere. In a research context, it does not determine how we see the world but helps us devise questions and strategies for exploring it. A critical social theory is concerned in particular with issues of power and justice and the ways that the economy; matters of race, class, and gender; ideologies; discourses; education; religion and other social institutions; and cultural dynamics interact to construct a social system (Beck-Gernsheim, Butler, & Puigvert, 2003; Flccha, Gomez, & Puigvert, 2003). Thus, in this context we seek to provide a view of an evolving criticality or a reconceptualized critical theory. Critical theory is never static; it is always evolving, changing in light of both new theoretical insights and new problems and social circumstances. The list of concepts elucidating our articulation of critical theory indicates a criticality informed by a variety of discourses emerging after the work of the Frankfurt School Indeed, some of the theoretical discourses, while referring to themselves as critical, directly call into question some of the work of Horkheimer, Adorno, and Marcuse. Thus, diverse theoretical traditions have informed our understanding of criticality and have demanded understanding of diverse forms of oppression including class, race, gender, sexual, cultural, religious, colonial, and ability-related concerns. The evolving notion of criticality we present is informed by, while critiquing, the post-discourses—for example, postmodernism, poststructuralism, and postcolonialism. In this context, critical theorists become detectives of new theoretical insights, perpetually searching for new and interconnected ways of understanding power and oppression and the ways they shape everyday life and human experience. In this context, criticality and the research it supports are always evolving, always encountering new ways to irritate dominant forms of power, to provide more evocative and compelling insights. Operating in this way, an evolving criticality is always vulnerable to exclusion from the domain of approved modes of research. The forms of social change it supports always position it in some places as an outsider, an awkward detective always interested in uncovering social structures, discourses, ideologies, and epistemologies that prop up both the status quo and a variety of forms of privilege. In the epistemological domain, white, male, class elitist, heterosexist, imperial, and colonial privilege often operates by asserting the power to claim objectivity and neutrality. Indeed, the owners of such privilege often own the "franchise" on reason and rationality. Proponents of an evolving criticality possess a variety of tools to expose such oppressive power politics. Such proponents assert that critical theory is well-served by drawing upon numerous liberatory discourses and including diverse groups of marginalized peoples and their allies in the nonhierarchical aggregation of critical analysts {Bello, 2003; Clark, 2002; Humphries, 1997). In the present era, emerging forms of neocolonialism and neo-imperialism in the United States move critical theorists to examine the wavs American power operates under the cover of establishing democracies all over the world. Advocates of an evolving criticality argue—as we do in more detail later in this chapter—that such neocolonial power must be exposed so it can be opposed in the United States and around the world. The American Empires justification in the name of freedom for undermining democratically elected governments from Iran (Kincheloe, 2004), Chile, Nicaragua, and Venezuela to Liberia (when its real purpose is to acquire geopolitical advantage for future military assaults, economic leverage in international markets, and access to natural resources) must be exposed by critical-ists for what it is—a rank imperialist sham (McLaren, 2003a, 2003b; McLaren & Jaramillo, 2002; McLaren & Martin, 2003). Critical researchers need to view their work in the context of living and working in a nation-state with the most powerful military-industrial complex in history that is shamefully using the terrorist attacks of September 11 to advance a ruthless imperialist agenda fueled by capitalist accumulation by means of the rule of force (McLaren & Farahmandpur,2003). Chomsky (2003), for instance, has accused the U.S. government of the "supreme crime" of preventive war (in the case of its invasion of Iraq, the use of military force to destroy an invented or imagined threat) of the type that was condemned at Kuremburg. Others, like historian Arthur Schlesinger (cited in Chomsky, 2003), have likened the invasion of Iraq to Japan's "day of infamy'' that is, to the policy that imperial Japan employed at the time of Pearl Harbor. David G. Smith (2003) argues that such imperial dynamics are supported by particular epistemological forms. The United States is an epistemological empire based on a notion of truth that undermines the knowledges produced by those outside the good graces and benevolent authority of the empire. Thus, in the 21 st century, critical theorists must develop sophisticated ways to address not only the brute material relations of class rule linked to the mode and relations of capitalist production and imperialist conquest (whether through direct military intervention or indirectly through the creation of client states) but also the epistemological violence that helps discipline the world Smith refers to this violence as a form of "information warfare" that spreads deliberate falsehoods about countries such as Iraq and Iran. U.S. corporate and governmental agents become more sophisticated in the use of such episto-weaponry with every day that passes. Obviously, an evolving criticality does not promiscuously choose theoretical discourses to add to the bricolage of critical theories. It is highly suspicious—as we detail later—of theories that fail to understand the malevolent workings of power, that fail to critique the blinders of Eurocentrism, that cultivate an elitism of insiders and outsiders, and that fail to discern a global system of inequity supported by diverse forms of ideology and violence. It is uninterested in any theory—no matter how fashionable—that does not directly address the needs of victims of oppression and the suffering they must endure. The following is an elastic, ever-evolving set of concepts included in our evolving notion of criticality. With theoretical innovations and shifting Zeitgeists, they evolve. The points that are deemed most important in one time period pale in relation to different points in a new era. <P306-307>

## Next Off

#### Syria proves to Iran that Obama can credibly negotiate with military force or diplomacy – this flex lets him negotiate an end to Iran’s nuclear weapons program

Benen, writer for MSNBC and producer of the Rachel Maddow show, 9/20/2013

(Steve, “When crises become opportunities,” <http://maddowblog.msnbc.com/_news/2013/09/20/20599445-when-crises-become-opportunities?lite>)

When it comes to the Middle East, progress has never moved in a straight line. There are fits and starts, ebbs and flows. There are heartening breakthroughs and crushing disappointments, occasionally at the same time. That said, while the domestic political establishment's attention seems focused elsewhere, there's reason to believe new opportunities are materializing in the region in ways that were hard to even imagine up until very recently. This morning, for example, the Organization for the Prohibition of Chemical Weapons (OPCW) announced that Syria has taken its first steps towards detailing its stockpiles. Michael Luhan, a spokesperson for the Hague-based chemical weapons regulator, said in a statement, "The OPCW has received an initial disclosure from the Syrian Government of its chemical weapons programme, which is now being examined by the Technical Secretariat of the Organisation." Meanwhile, Iranian President Hasan Rouhani has a new op-ed in the Washington Post arguing that the United States and the rest of the world "must work together to end the unhealthy rivalries and interferences that fuel violence and drive us apart" through a policy of "constructive engagement." The New York Times added that Iranian leaders, "seizing on perceived flexibility in a private letter from President Obama, have decided to gamble on forging a swift agreement over their nuclear program with the goal of ending crippling sanctions." David Sanger summarized the bigger picture nicely. Only two weeks after Washington and the nation were debating a unilateral military strike on Syria that was also intended as a forceful warning to Iran about its nuclear program, President Obama finds himself at the opening stages of two unexpected diplomatic initiatives with America's biggest adversaries in the Middle East, each fraught with opportunity and danger. Without much warning, diplomacy is suddenly alive again after a decade of debilitating war in the region. After years of increasing tension with Iran, there is talk of finding a way for it to maintain a face-saving capacity to produce a very limited amount of nuclear fuel while allaying fears in the United States and Israel that it could race for a bomb. The surprising progress has come so suddenly that a senior American diplomat described this week's developments as "head spinning." So what happens next? The consensus among many foreign policy observers is that developments in Syria and Iran are linked in ways that may or may not be helpful to the United States. Max Fisher explained well yesterday that President Obama's pragmatism "has sent exactly the right signals to Iran, particularly at this very sensitive moment." Obama has been consistently clear, even if some members of his administration were not, that his big overriding goal is for Syrian leader Bashar al-Assad to stop using chemical weapons. First he was going to do that with strikes, meant to coerce Assad. Then, in response to the Russian proposal, Obama signaled he would back off the strikes if Assad gave up his chemical weapons, which is exactly what Obama has always said he wants. He's been consistent as well as flexible, which gave Assad big incentives to cooperate when he might have otherwise dug in his heels. There are some awfully significant -- and promising -- parallels here with the U.S. standoff with Iran. Obama has been clear that he wants Iran to give up its rogue uranium-enrichment program and submit to the kind of rigorous inspections that would guarantee that its nuclear program is peaceful. He's also been clear that the United States is using severe economic sanctions to coerce Tehran to cooperate and that it would use military force if necessary. The implicit (and sometimes explicit) message to Iran has been: If you abandon your enrichment program, we'll make it worth your while by easing off. Here's where the parallel with Syria is really important: Iranian leaders distrust the United States deeply and fear that Obama would betray them by not holding up his end of the bargain. That's been a major hurdle to any U.S.-Iran nuclear deal. But seeing Assad's deal with Obama work out (so far) sends the message to Iran that it can trust the United States. It also sends the message that making concessions to the United States can pay off. Iran's supreme leader has been talking a lot lately about flexibility and diplomacy toward the West. So it's an ideal moment for Obama to be demonstrating flexibility and diplomacy toward the Middle East.

#### Congressional/judicial control of targeted killing destroys war-fighting credibility

Issacharoff ‘13

Samuel Issacharoff, Reiss Professor of Constitutional Law, New York University School of Law. and Richard H. Pildes, Sudler Family Professor of Constitutional Law, New York University School of Law; CoDirector, NYU Program on Law and Security, “Drones and the Dilemma of Modern Warfare,” PUBLIC LAW & LEGAL THEORY RESEARCH PAPER SERIES WORKING PAPER NO. 13-34 Star Chamber=politicized secret court from 15th century England, symbol of abuse

Procedural Safeguards As with all use of lethal force, there must be procedures in place to maximize the likelihood of correct identification and minimize risk to innocents. In the absence of formal legal processes, sophisticated institutional entities engaged in repeated, sensitive actions – including the military – will gravitate toward their own **internal analogues** to legal process, even without the compulsion or shadow of formal judicial review. This is the role of bureaucratic legalism63 in developing sustained institutional practices, even with the dim shadow of unclear legal commands. These forms of self-regulation are generated by programmatic needs to enable the entity’s own aims to be accomplished effectively; at times, that necessity will share an overlapping converge with humanitarian concerns to generate internal protocols or process-like protections that minimize the use of force and its collateral consequences, in contexts in which the use of force itself is otherwise justified. But because these process-oriented protections are not codified in statute or reflected in judicial decisions, they typically are too invisible **to draw the eye of constitutional law scholars** who survey these issues from much higher levels of generality. In theory, such review procedures could be fashioned alternatively as a matter of **judicial review** (perhaps following warrant requirements or the security sensitivities of the FISA court), or accountability **to legislative oversight** (using the processes of select committee reporting), or the institutionalization of friction points within the executive branch (as with review by multiple agencies). Each could serve as a check on the development of unilateral excesses by the executive. And, presumably, each could guarantee that internal processes were adhered to and that there be accountability for wanton error. The centrality of dynamic targeting in the active theaters such as the border areas between Afghanistan and Pakistan **make it** difficult **to** integrate **legislative or judicial review mechanisms**. Conceivably, the decision to place an individual on a list for targeting could be a moment for review outside the boundaries of the executive branch, but even this has its drawback. Any court engaged in the ex parte review of the decision to execute someone outside the formal mechanisms of crime and punishment risks appearing as a modern variant of the Star Chamber.64 Similarly, there are difficulties in forcing a polarized Congress as a whole to assume collective responsibility for decisions of life and death and the incentives have turned out to not to be well aligned to get a subset of Congress, such as the intelligence committees, to play this role effectively.65

#### Israeli perception of a nuclear armed Iran makes a strike inevitable – that causes a regional war which escalates

Malin 7/1/13, Executive Director of the Project on Managing the Atom Harvard, and Eiran, asst prof international relations at the Haifa University in Israel, (Martin, and Ehud, affiliate of the middle east negotiation initiative at the program on negotiation, Harvard Law School, former assistant to the Foreign Policy Advisor to Israel’s Prime Minister, “The Sum of all Fears: Israel’s Perception of a Nuclear-Armed Iran”, <http://live.belfercenter.org/files/thesumofallfears.pdf>)

Thucydides’ ancient logic still governs: uncertainty (over Iran’s nuclear intentions) and the fear this inspires (in Israel) increases the risk of another war (in the Middle East). Even if Israel’s response to the Iranian nuclear program does not lead the region into a war, Israel’s fears will be crucial in shaping Middle Eastern politics and will help to determine the stability of the region in the years ahead. The U.S. public has been hearing about Israeli fears of a nuclear Iran for several years. It is understandable if most Americans discount this drama as part of the background noise of international affairs a constant feature of international reporting in which the story remains the same, and the dire predictions never pan out. But it is important to pay attention to Israeli concerns about Iran for several reasons. First, Israel not only has a particular view of the threat posed by the military dimension of the Iranian nuclear program, it also has an independent means of taking action to alleviate its fears. Although Israel is less capable than the United States, if Israel were to launch strikes on Iran to set back the nuclear program, the effects would ripple across the region and beyond. Meir Dagan, former head of Israel’s external intelligence agency, the Mossad, warned a number of times that an Israeli attack on Iran would ‘‘ignite a regional war.’’1 Second, Israel’s anxieties over Iran could produce a series of defensive moves and escalating responses which spiral out of control in a manner that neither side intends. As the history of war and conflict in the Middle East from the June 1967 Six-Day War to the November 2012 round of violence between Israel and the Gaza-based Hamas reminds us, the Middle East is a tinderbox where a few sparks could all too easily ignite a major conflagration. Finally, as President Obama’s March 2013 visit to Israel demonstrated, Israel’s fears of Iran have become an inescapable and urgent concern for U.S. policy in the Middle East. Given the U.S.—Israeli friendship, President Obama will need to pay close attention to these sensitivities toward Iran. A clear understanding of Israeli perceptions of Iran will remain essential to U.S. policy toward Tehran. Israel’s fear of an Iran armed with a nuclear weapon takes at least four distinct forms, with a diverse set of sources: fear of annihilation, fear of a more difficult security environment, socioeconomic fears, and fear of a challenge to Israel’s founding ideological principles. Israelis generally frame these distinct fears as cumulative, not separate. The four layers of threat perception explain why most Israelis are willing to support their leaders’ harsh line towards Iran. However, as we show below, the various fears also hold contradictions that explain internal Israeli divisions over the required response to Iran, such as the tension between Prime Minister Netanyahu and his security establishment. Any attempt to unpack Israel’s framing of, and response to, the Iranian nuclear challenge should therefore begin with an analysis of these different fears.

# Case

## Drone prolif

#### Modeling fails – different cultures and resources

Jeremy Rabkin 13, Professor of Law at the George Mason School of Law. Model, Resource, or Outlier? What Effect Has the U.S. Constitution Had on the Recently Adopted Constitutions of Other Nations?, 29 May 2013, www.heritage.org/research/lecture/2013/05/model-resource-or-outlier-what-effect-has-the-us-constitution-had-on-the-recently-adopted-constitutions-of-other-nations

Even when people are not ambivalent in their desire to embrace American practices, they may not have the wherewithal to do so, given their own resources. That is true even for constitutional arrangements. You might think it is enviable to have an old, well-established constitution, but that doesn’t mean you can just grab it off the shelf and enjoy it in your new democracy. You might think it is enviable to have a broad respect for free debate and tolerance of difference, but that doesn’t mean you can wave a wand and supply it to your own population. We can’t think of most constitutional practices as techniques or technologies which can be imported into different cultures as easily as cell phones or Internet connections.

Modeling isn’t reverse-causal – [US posture is an excuse after the fact, not the cause]

Stanley Foundation 8 – “A New Look at No First Use,” April 4, 2008, online: http://www.stanleyfoundation.org/publications/pdb/NoFirstUsePDB708.pdf

That said, conference participants were divided as to how, and how much, a NFU doctrine would affect nuclear-weapons-use norms and the nuclear weapons calculus of other states. The link between US declaratory policy and the strategic decisions of other nations is not always so clear. Iran, North Korea, and other countries have often protested US nuclear policy, citing these “nuclear threats” as a justification for their own arms programs. But conference participants generally agreed that Iran’s nuclear program is more likely a response to current US conventional superiority, and before now to Iraq’s nuclear program in the Saddam Hussein years. Indeed, the North Korean, Indian, and Pakistani nuclear weapons programs all accelerated during the 1990s, when the United States was moving to delegitimize nuclear weapons. Nevertheless, adopting NFU would at the very least deprive other states of one argument for their arsenals.

#### No Indo-Pak war

Mutti 9— Master’s degree in International Studies with a focus on South Asia, U Washington. BA in History, Knox College. over a decade of expertise covering on South Asia geopolitics, Contributing Editor to Demockracy journal (James, 1/5, Mumbai Misperceptions: War is Not Imminent, http://demockracy.com/four-reasons-why-the-mumbai-attacks-wont-result-in-a-nuclear-war/)

Fearful of imminent war, the media has indulged in frantic hand wringing about Indian and Pakistani nuclear arsenals and renewed fears about the Indian subcontinent being “the most dangerous place on earth.” As an observer of the subcontinent for over a decade, I am optimistic that war will not be the end result of this event. As horrifying as the Mumbai attacks were, they are not likely to drive India and Pakistan into an armed international conflict. The media frenzy over an imminent nuclear war seems the result of the media being superficially knowledgeable about the history of Indian-Pakistani relations, of feeling compelled to follow the most sensationalistic story, and being recently brainwashed into thinking that the only way to respond to a major terrorist attack was the American way – a war. Here are four reasons why the Mumbai attacks will not result in a war: 1. For both countries, a war would be a disaster. India has been successfully building stronger relations with the rest of the world over the last decade. It has occasionally engaged in military muscle-flexing (abetted by a Bush administration eager to promote India as a counterweight to China and Pakistan), but it has much more aggressively promoted itself as an emerging economic powerhouse and a moral, democratic alternative to less savory authoritarian regimes. Attacking a fledgling democratic Pakistan would not improve India’s reputation in anybody’s eyes. The restraint Manmohan Singh’s government has exercised following the attacks indicates a desire to avoid rash and potentially regrettable actions. It is also perhaps a recognition that military attacks will never end terrorism. Pakistan, on the other hand, couldn’t possibly win a war against India, and Pakistan’s military defeat would surely lead to the downfall of the new democratic government. The military would regain control, and Islamic militants would surely make a grab for power – an outcome neither India nor Pakistan want. Pakistani president Asif Ali Zardari has shown that this is not the path he wants his country to go down. He has forcefully spoken out against terrorist groups operating in Pakistan and has ordered military attacks against LeT camps. Key members of LeT and other terrorist groups have been arrested. One can hope that this is only the beginning, despite the unenviable military and political difficulties in doing so. 2. Since the last major India-Pakistan clash in 1999, both countries have made concrete efforts to create people-to-people connections and to improve economic relations. Bus and train services between the countries have resumed for the first time in decades along with an easing of the issuing of visas to cross the border. India-Pakistan cricket matches have resumed, and India has granted Pakistan “most favored nation” trading status. The Mumbai attacks will undoubtedly strain relations, yet it is hard to believe that both sides would throw away this recent progress. With the removal of Pervez Musharraf and the election of a democratic government (though a shaky, relatively weak one), both the Indian government and the Pakistani government have political motivations to ease tensions and to proceed with efforts to improve relations. There are also growing efforts to recognize and build upon the many cultural ties between the populations of India and Pakistan and a decreasing sense of animosity between the countries. 3. Both countries also face difficult internal problems that present more of a threat to their stability and security than does the opposite country. If they are wise, the governments of both countries will work more towards addressing these internal threats than the less dangerous external ones. The most significant problems facing Pakistan today do not revolve around the unresolved situation in Kashmir or a military threat posed by India. The more significant threat to Pakistan comes from within. While LeT has focused its firepower on India instead of the Pakistani state, other militant Islamic outfits have not. Groups based in the tribal regions bordering Afghanistan have orchestrated frequent deadly suicide bombings and clashes with the Pakistani military, including the attack that killed ex-Prime Minister Benazir Bhutto in 2007. The battle that the Pakistani government faces now is not against its traditional enemy India, but against militants bent on destroying the Pakistani state and creating a Taliban-style regime in Pakistan. In order to deal with this threat, it must strengthen the structures of a democratic, inclusive political system that can also address domestic problems and inequalities. On the other hand, the threat of Pakistani based terrorists to India is significant. However, suicide bombings and attacks are also carried out by Indian Islamic militants, and vast swaths of rural India are under the de facto control of the Maoist guerrillas known as the Naxalites. Hindu fundamentalists pose a serious threat to the safety of many Muslim and Christian Indians and to the idea of India as a diverse, secular, democratic society. Separatist insurgencies in Kashmir and in parts of the northeast have dragged on for years. And like Pakistan, India faces significant challenges in addressing sharp social and economic inequalities. Additionally, Indian political parties, especially the ruling Congress Party and others that rely on the support of India’s massive Muslim population to win elections, are certainly wary about inflaming public opinion against Pakistan (and Muslims). This fear could lead the investigation into the Mumbai attacks to fizzle out with no resolution, as many other such inquiries have. 4. The international attention to this attack – somewhat difficult to explain in my opinion given the general complacency and utter apathy in much of the western world about previous terrorist attacks in places like India, Pakistan, and Indonesia – is a final obstacle to an armed conflict. Not only does it put both countries under a microscope in terms of how they respond to the terrible events, it also means that they will feel international pressure to resolve the situation without resorting to war. India and Pakistan have been warned by the US, Russia, and others not to let the situation end in war. India has been actively recruiting Pakistan’s closest allies – China and Saudi Arabia – to pressure Pakistan to act against militants, and the US has been in the forefront of pressing Pakistan for action. Iran too has expressed solidarity with India in the face of the attacks and is using its regional influence to bring more diplomatic pressure on Pakistan.

#### War won’t go nuclear

Enders 2 (Jan 30, David, Michigan Daily, “Experts say nuclear war still unlikely,” http://www.michigandaily.com/content/experts-say-nuclear-war-still-unlikely)

**\* Ashutosh Varshney – Professor of Political Science and South Asia expert at the University of Michigan**

**\* Paul Huth – Professor of International Conflict and Security Affairs at the University of Maryland**

**\* Kenneth Lieberthal – Professor of Political Science at the University of Michigan. Former special assistant to President Clinton at the National Security Council**

University political science Prof. Ashutosh Varshney becomes animated when asked about the likelihood of nuclear war between India and Pakistan.¶ "Odds are close to zero," Varshney said forcefully, standing up to pace a little bit in his office. "The assumption that India and Pakistan cannot manage their nuclear arsenals as well as the U.S.S.R. and U.S. or Russia and China concedes less to the intellect of leaders in both India and Pakistan than would be warranted."¶ The worlds two youngest nuclear powers first tested weapons in 1998, sparking fear of subcontinental nuclear war a fear Varshney finds ridiculous.¶ "The decision makers are aware of what nuclear weapons are, even if the masses are not," he said.¶ "Watching the evening news, CNN, I think they have vastly overstated the threat of nuclear war," political science Prof. Paul Huth said.¶ Varshney added that there are numerous factors working against the possibility of nuclear war.¶ "India is committed to a no-first-strike policy," Varshney said. "It is virtually impossible for Pakistan to go for a first strike, because the retaliation would be gravely dangerous."¶ Political science Prof. Kenneth Lieberthal, a former special assistant to President Clinton at the National Security Council, agreed. "Usually a country that is in the position that Pakistan is in would not shift to a level that would ensure their total destruction," Lieberthal said, making note of India"s considerably larger nuclear arsenal.¶ "American intervention is another reason not to expect nuclear war," Varshney said. "If anything has happened since September 11, it is that the command control system has strengthened. The trigger is in very safe hands."

#### Not even close to extinction

Khan 9 [Shamsur Rabb, Newstrack India, Price of an Indo-Pak War, Newstrack India, 1/20, http://www.newstrackindia.com/newsdetails/62680]

Let us turn to unprecedented casualty in case of a nuclear conflict: Natural Resources Defence Council (NRDC), the New York based global think tank, in its report, “The Consequences of Nuclear Conflict between India and Pakistan” has calculated the human costs of an Indo-Pak nuclear conflict. As per NRDC estimates, both countries have a total of 50 to 75 nuclear weapons. Depicting a nuclear war Scenario (10 bombs on 10 South Asian cities), it says that attack on 10 major cities – 5 each in India and Pakistan – would result in a combined death toll of 2,862,581, with 1,506,859 severely injured and 3,382,978 slightly injured. On Indian side, death toll is estimated at 1,690,702, while 892,459 and 2,021,106 would be severely and slightly injured respectively. On Pakistan side, a total of 1,171,879 people would die, while, 614,400 and 1,361,872 are to be severely and slightly injured. In another scenario (24 Ground Bursts), NRDC calculated the consequences of 24 nuclear explosions detonated on the ground – unlike the Hiroshima airburst – resulting in significant amounts of lethal radioactive fallout, which is far more severe nuclear exchange between India and Pakistan. The report was first appeared in the January 14, 2002, issue of Newsweek (A Face-Off with Nuclear Stakes). Contrary to ground burst, exploding a nuclear bomb above the ground does not produce fallout. For example, can we imagine the consequences of ground burst if the “Little Boy” detonated by the US above Hiroshima at an altitude of 1,900 feet could kill 70,000 people in the immediate effect with some 200,000 died up to 1950? NRDC calculated that 22.1 million people in India and Pakistan would be exposed to lethal radiation doses of 600 roentgen equivalents in man or REM (a large amount of radiation) or more in the first two days of the attack. In addition, about 8 million people would receive a radiation dose of 100 to 600 REM causing severe radiation sickness and potentially death. In all, as many as 30 million people of both countries would be eliminated by nuclear war. Besides fallout, blast and fire would cause substantial destruction within roughly a mile-and-a-half of the bomb craters. However, even after such a devastating annihilation of population, about 99 percent of the population in India and 93 percent of the population in Pakistan would survive the second scenario and their respective military forces would still be intact to continue the conflict. In short, there is nothing to gain from a war, just plenty to lose. Albeit loss of human life would be immense it would not be large enough to result in extinction of Indo-Pak populations or even prevent continuation of a military conflict. Thus, the consequences, though horrific, are not strong enough to rule out Indo-Pak conflict in future. Had size of the Indo-Pak nuclear arsenals equal to those of the US and Russia, a complete annihilation of entire population of the Indian sub-continent would have been possible.

#### Multiple checks prevent Executive overreach --- their impact is a myth

John Yoo 9, Emanuel S. Heller Professor of Law @ UC-Berkeley Law, visiting scholar @ the American Enterprise Institute, former Fulbright Distinguished Chair in Law @ the University of Trento, served as a deputy assistant attorney general in the Office of Legal Council at the U.S. Department of Justice between 2001 and 2003, received his J.D. from Yale and his undergraduate degree from Harvard, “Crisis and Command,” E-Book

A second lesson of this book is that the notion of an unchecked executive, wielding dictatorial powers to plunge the nation into disaster, is a myth born of Vietnam and Watergate. Congresses have always possessed ample ability to stalemate and check an executive run amok. Congress regularly ignores executive proposals for legislation, rejects nominees, and overrides vetoes. It can use its power over legislation, funding, and oversight to exercise significant control over the administrative state. There would be no agencies, no delegated powers, and no rule-making without Congress's basic decisions to create the federal bureaucracy. It can use these authorities even at the zenith of presidential power: foreign affairs. Congress can cut off war funding, shrink the military, stop economic aid, and block treaties. It used its sole control of the purse to limit the Mexican-American War and to end the Vietnam conflict, for example.

#### Authoritarian states don’t follow norms — their “US justifies others” arg is naive

John O. McGinnis 7, Professor of Law, Northwestern University School of Law. \*\* Ilya Somin \*\* Assistant Professor of Law, George Mason University School of Law. GLOBAL CONSTITUTIONALISM: GLOBAL INFLUENCE ON U.S. JURISPRUDENCE: Should International Law Be Part of Our Law? 59 Stan. L. Rev. 1175

The second benefit to foreigners of distinctive U.S. legal norms is information. The costs and benefits of our norms will be visible for all to see. n268 Particularly in an era of increased empirical social science testing, over time we will be able to analyze and identify the effects of differences in norms between the United States and other nations. n269 Such diversity benefits foreigners as foreign nations can decide to adopt our good norms and avoid our bad ones.

The only noteworthy counterargument is the claim that U.S. norms will have more harmful effects than those of raw international law, yet other nations will still copy them. But both parts of this proposition seem doubtful. First, U.S. law emerges from a democratic process that creates a likelihood that it will cause less harm than rules that emerge from the nondemocratic processes [\*1235] that create international law. Second, other democratic nations can use their own political processes to screen out American norms that might cause harm if copied.

Of course, many nations remain authoritarian. n270 But our norms are not likely to have much influence on their choice of norms. Authoritarian states are likely to select norms that serve the interests of those in power, regardless of the norms we adopt. It is true that sometimes they might cite our norms as cover for their decisions. But the crucial word here is "cover." They would have adopted the same rules, anyway. The cover may bamboozle some and thus be counted a cost. But this would seem marginal compared to the harm of allowing raw international law to trump domestic law.

## Terrorism

#### Alternatives to drones are worse for credibility---and even eliminating them’s not enough to solve

Amitai Etzioni 12, senior advisor to the Carter White House; taught at Columbia University, Harvard and The University of California at Berkeley; and is a university professor and professor of international relations at The George Washington University, 4/2/12, “In Defense of Drones,” http://nationalinterest.org/commentary/defense-drones-6715

Rohde acknowledges that we are dealing with people who make and plant bombs and train suicide bombers, and people who otherwise could not be reached. He reminds us that those we are going after, in the case of Pakistan, are in "the remote tribal areas, which is basically this Taliban safe haven, where they retreat from Afghanistan, and rest and train and recoup. So the only way the United States can sort of pressure the Taliban once they cross the border into Pakistan are these drone strikes.” Well put, but hardly a reason we should not order more drones rather than stand them down.

Why are drones so bad? Mr. Rohde, who was kidnapped by the Taliban and held by them for seven months, a period during which drones were buzzing above his head, tells us that the drones are "haunting.” He found that once the drones were widely used, "the Taliban did not gather in large groups for trainings. . . . And so they're very nervous. . . . They don't move in large convoys. So it definitely slows them down.” I can understand those who argue that we must find a political solution to the conflicts and that military means alone will not suppress the Taliban nor prevent the area from serving as a staging ground for the next 9/11. But as long as fight we must, what exactly is wrong with slowing down our adversaries, making them nervous and preventing them from training in large groups?

In addition, Rohde argues that drones are bad for public relations. He says that "in every country that they're carried out, they are seen as this sort of oppressive American weapon. They attract tremendous public attention and they also fuel tremendous resentment." True enough, but in nations in which the United States uses no drones, it is much resented—in Egypt, for instance. Muslims have many reasons to resent Washington, including its support of Israel and of autocrats in the Middle East, torture of prisoners in Abu Ghraib, the burning of Korans, the collateral damage of bombers other than drones—and above all, American attempts to much change their ways of life.

Moreover, few things agitate Muslims around the world, polls show, more than the presence of American troops—which would have to be used if drones were parked. This was recently highlighted when the Libyan rebels welcomed American and other NATO forces’ bombardment of the Qaddafi forces, even after, in some cases, the rebels suffered casualties as a result of friendly fire—but they strongly opposed any foreign boots on their ground. Drones are alienating, but not more so, and often less, than other things we must do if we are going to fight terrorists and those who harbor them.

#### There’s no impact to anti-drones backlash

Stephen Holmes 13, the Walter E. Meyer Professor of Law, New York University School of Law, July 2013, “What’s in it for Obama?,” The London Review of Books, <http://www.lrb.co.uk/v35/n14/stephen-holmes/whats-in-it-for-obama>

This is the crux of the problem. We stand at the beginning of the Drone Age and the genie is not going to climb back into the bottle. The chances that this way of war will, over time, reduce the amount of random violence in the world are essentially nil. Obama’s drone policy has set an ominous precedent, and not only for future residents of the White House. It promises, over the long term, to engender more violence than it prevents because it excites no public backlash. That, for the permanent national security apparatus that has deftly moulded the worldview of a novice president, is its irresistible allure. It doesn’t provoke significant protest even on the part of people who condemn hit-jobs done with sticky bombs, radioactive isotopes or a bullet between the eyes – in the style of Mossad or Putin’s FSB. That America appears to be laidback about drones has made it possible for the CIA to resume the assassination programme it was compelled to shut down in the 1970s without, this time, awakening any politically significant outrage. It has also allowed the Pentagon to wage a war against which antiwar forces are apparently unable to rally even modest public support.

### No motivation for nuclear terror Francis J. Gavin 10, Professor of International Affairs and Director of the Robert S. Strauss Center for International Security and Law, Lyndon B. Johnson School of Public Affairs, University of Texas at Austin, “Same As It Ever Was,” International Security, Vol. 34, No. 3 (Winter 2009/10), pp. 7–37

A recent study contends that al-Qaida’s interest in acquiring and using nuclear weapons may be overstated. Anne Stenersen, a terrorism expert, claims that “looking at statements and activities at various levels within the al-Qaida network, it becomes clear that the network’s interest in using unconventional means is in fact much lower than commonly thought.”55 She further states that “CBRN [chemical, biological, radiological, and nuclear] weapons do not play a central part in al-Qaida’s strategy.”56 In the 1990s, members of al-Qaida debated whether to obtain a nuclear device. Those in favor sought the weapons primarily to deter a U.S. attack on al-Qaida’s bases in Afghanistan. This assessment reveals an organization at odds with that laid out by nuclear alarmists of terrorists obsessed with using nuclear weapons against the United States regardless of the consequences. Stenersen asserts, “Although there have been various reports stating that al-Qaida attempted to buy nuclear material in the nineties, and possibly recruited skilled scientists, it appears that al-Qaida central have not dedicated a lot of time or effort to developing a high-end CBRN capability. . . . Al-Qaida central never had a coherent strategy to obtain CBRN: instead, its members were divided on the issue, and there was an awareness that militarily effective weapons were extremely difficult to obtain.” 57 Most terrorist groups “assess nuclear terrorism through the lens of their political goals and may judge that it does not advance their interests.”58 As Frost has written, “The risk of nuclear terrorism, especially true nuclear terrorism employing bombs powered by nuclear fission, is overstated, and that popular wisdom on the topic is significantly flawed.”59

#### American hypocrisy in the Middle East destroys credibility

Neil Macdonald 9/5/13, Senior Washington Correspondent for CBC News, “Obama's indecision on Syria strains U.S. credibility: Neil Macdonald,” http://www.cbc.ca/news/world/story/2013/09/04/f-vp-obama-congress-syria-missile-strike-neil-macdonald.html

In fact, “red lines” are old hat in the Middle East. They are constantly being set, violated and moved. The term was popular there before it ever entered the American lexicon.¶ But in a region where people remember the betrayal of the Sykes-Picot agreement as though it was yesterday (Great Britain and France secretly carved up the Middle East between them after World War One), and regard the Crusades as though they happened last week, it is the long history of American and other Western actions that burdens the U.S.¶ Americans might move on after a week or so; the rest of the world doesn’t.¶ Take chemical weapons. Obama and Kerry are boiling righteously about their use in Syria, but Washington was considerably less outraged just a few decades ago.¶ There is ample evidence America supplied Saddam Hussein with the precursors for the chemical weapons he used in battle against Iran in the 1980s. Even when he turned them on his own citizens, and the U.S. Senate was finally persuaded to pass economic sanctions, the House of Representatives stopped them dead.¶ The Reagan administration, which propped up tyrants throughout the region, opposed taking any action.¶ “I always found it ironic,” Rep. Chris Van Hollen said last week, “that the United States went to war on false pretenses that Saddam Hussein had chemical weapons and weapons of mass destruction in 2003, when he did not have them, but failed to take any action in 1988 when he actually used them.”¶ One suspects Iraqis felt that irony, too. Certainly they remember George H.W. Bush telling them to rise up after the first Gulf War, before leaving them to Saddam’s tender mercies.¶ Going back much further, there is still debate over whether British colonial authorities deployed chemical weapons as part of the wholesale slaughter its air force carried out to suppress Iraqi uprisings after the First World War.¶ Certainly Winston Churchill was keen. "I am strongly in favour of using poisoned gas against uncivilised tribes . . . [to] spread a lively terror,” wrote the great man.¶ Empty declarations¶ In any event, does anyone think the average Syrian distinguishes between the rape and torture and bombs and bullets Assad’s executioners have used to dispatch their wives and husbands and children, and the sarin gas he’s alleged to have dropped in the suburbs of Damascus last month?¶ It’s just as likely they recall George W. Bush’s empty inaugural declarations in 2005 about protecting the oppressed of the world from dictators. And of course, Barack Obama’s words as he went to war against Muammar Ghaddafi two and a half years ago: “As President, I refused to wait for the images of slaughter and mass graves before taking action.”¶ More than 100,000 Syrian corpses later, Obama has done nothing.¶ Yes, the White House did announce in June that as a result of earlier chemical weapons attacks by Assad, it was authorizing the CIA to arm the Syrian rebels. But as of today, those arms remain undelivered.¶ More than two years ago, Obama and his officials began declaring that Assad must go. Now, fearing who might come next, “regime change” in Syria is out, and “containment” is in. Any military strikes will somehow be limited to deterring use of chemical weapons without influencing the outcome of the civil war — as though such a thing is possible.¶ In Egypt, the United States is now backing and financially supporting the military junta that removed a democratically elected president from office and massacred his supporters. Because American law forbids the provision of financial aid to any government installed by a coup, Obama has simply chosen not to call it a coup.¶ The list goes on. And on.

#### Groupthink theory is wrong

Anthony Hempell 4, User Experience Consulting Senior Information Architect, “Groupthink: An introduction to Janis' theory of concurrence-seeking tendencies in group work., <http://www.anthonyhempell.com/papers/groupthink/>, March 3

In the thirty years since Janis first proposed the groupthink model, there is still little agreement as to the validity of the model in assessing decision-making behaviour (Park, 2000). Janis' theory is often criticized because it does not present a framework that is suitable for empirical testing; instead, the evidence for groupthink comes from largely qualitative, historical or archival methods (Sunstein, 2003). Some critics go so far as to say that Janis's work relies on "anecdote, casual observation, and intuitive appeal rather than rigorous research" (Esser, 1998, cited in Sunstein, 2003, p.142). While some studies have shown support for the groupthink model, the support tends to be mixed or conditional (Esser, 1998); some studies have revealed that a closed leadership style and external threats (in particular, time pressure) promote groupthink and defective decision making (Neck & Moorhead, 1995, cited by Choi & Kim, 1999); the effect of group cohesiveness is still inconclusive (Mullen, Anthony, Salas & Driskel, 1994, cited by Choi & Kim, 1999). Janis's model tends to be supported by studies that employ a qualitative case-study approach as opposed to experimental research, which tends to either partially support or not support Janis's thesis (Park, 2000). The lack of success in experimental validation of groupthink may be due to difficulties in operationalizing and conceptualizing it as a testable variable (Hogg & Hains, 1998; Park, 2000). Some researchers have criticized Janis for categorically denouncing groupthink as a negative phenomenon (Longley & Pruitt, 1980, cited in Choi & Kim, 1999). Sniezek (1992) argues that there are instances where concurrence-seeking may promote group performance. When used to explain behaviour in a practical setting, groupthink has been frames as a detrimental group process; the result of this has been that many corporate training programs have created strategies for avoiding groupthink in the workplace (Quinn, Faerman, Thompson & McGrath, 1990, cited in Choi & Kim, 1999). Another criticism of groupthink is that Janis overestimates the link between the decision-making process and the outcome (McCauley, 1989; Tetlock, Peterson, McGuire, Chang & Feld, 1992; cited in Choi & Kim, 1999). Tetlock et al argue that there are many other factors between the decision process and the outcome. The outcome of any decision-making process, they argue, will only have a certain probability of success due to various environmental factors (such as luck). A large-scale study researching decision-making in seven major American corporations concluded that decision-making worked best when following a sound information processing method; however these groups also showed signs of groupthink, in that they had strong leadership which attempted to persuade others in the group that they were right (Peterson et al, 1998, cited in Sunstein, 2003). Esser (1998) found that groupthink characteristics were correlated with failures; however cohesiveness did not appear to be a factor: groups consisting of strangers, friends, or various levels of previous experience together did not appear to effect decision-making ability. Janis' claims of insulation of groups and groups led by autocratic leaders did show that these attributes were indicative of groupthink symptoms. Moorhead & Montanari conducted a study where they concluded that groupthink symptoms had no significant effect on group performance, and that "the relationship between groupthink-induced decision defects and outcomes were not as strong as Janis suggests" (Moorhead & Montanari, 1986, p. 399; cited by Choi & Kim, 1999).

#### No groupthink—executives are fragmented and pluralistic—Congress links harder

Posner and Vermeule, 7 – \*Kirkland and Ellis Professor of Law at the University of Chicago Law School AND \*\*professor at Harvard Law School (Eric and Adrian, Terror in the Balance: Security, Liberty, and the Courts p. 46-47)

The idea that Congress will, on net, weed out bad policies rests on an institutional comparison. The president is elected by a national constituency on a winner-take-all basis (barring the remote chance that the Electoral College will matter), whereas Congress is a summation of local constituencies and thus affords more voice to political and racial minorities. At the level of political psychology, decisionmaking within the executive is prone to group polarization and other forms of groupthink or irrational panic,51 whereas the internal diversity of legislative deliberation checks these forces. At the level of political structure, Congress contains internal veto gates and chokepoints—consider the committee system and the fi libuster rule—that provide minorities an opportunity to block harmful policies, whereas executive decisionmaking is relatively centralized and unitary.

The contrast is drawn too sharply, because in practice the executive is a they, not an it. Presidential oversight is incapable of fully unifying executive branch policies, which means that disagreement flourishes within the executive as well, dampening panic and groupthink and providing minorities with political redoubts.52 Where a national majority is internally divided, the structure of presidential politics creates chokepoints that can give racial or ideological minorities disproportionate influence, just as the legislative process does. Consider the influence of Arab Americans in Michigan, often a swing state in presidential elections.

It is not obvious, then, that statutory authorization makes any difference at all. One possibility is that a large national majority dominates both Congress and the presidency and enacts panicky policies, oppresses minorities, or increases security in ways that have ratchet effects that are costly to reverse. If this is the case, a requirement of statutory authorization does not help. Another possibility is that there are internal institutional checks, within both the executive branch and Congress, on the adoption of panicky or oppressive policies and that democratic minorities have real infl uence in both arenas. If this is the case, then a requirement of authorization is not necessary and does no good. Authorization only makes a difference in the unlikely case where the executive is thoroughly panicky, or oppressively majoritarian, while Congress resists the stampede toward bad policies and safeguards the interests of oppressed minorities.

Even if that condition obtains, however, the argument for authorization goes wrong by failing to consider both sides of the normative ledger. As for majoritarian oppression, the multiplicity of veto gates within Congress may allow minorities to block harmful discrimination, but it also allows minorities to block policies and laws which, although targeted, are nonetheless good. As for panic and irrationality, if Congress is more deliberative, one result will be to prevent groupthink and slow down stampedes toward bad policies, but another result will be to delay necessary emergency measures and slow down stampedes toward good policies. Proponents of the authorization requirement sometimes assume that quick action, even panicky action, always produces bad policies. But there is no necessary connection between these two things; expedited action is sometimes good, and panicky crowds can stampede either in the wrong direction or in the right direction. Slowing down the adoption of new policies through congressional oversight retards the adoption not only of bad policies, but also of good policies that need to be adopted quickly if they are to be effective.

#### Informal checks on groupthink are sufficient

Kennedy, 12 [ Copyright (c) 2012 Gould School of Law Southern California Interdisciplinary Law Journal Spring, 2012 Southern California Interdisciplinary Law Journal 21 S. Cal. Interdis. L.J. 633 LENGTH: 23138 words NOTE: THE HIJACKING OF FOREIGN POLICY DECISION MAKING: GROUPTHINK AND PRESIDENTIAL POWER IN THE POST-9/11 WORLD NAME: Brandon Kennedy\* BIO: \* Class of 2012, University of Southern California Gould School of Law; M.A. Regional Studies: Middle East 2009, Harvard Graduate School of Arts and Sciences; B.A. Government 2009, Harvard University.]¶ Neither the president nor the decision-making group members implement "hybrid" checks; the checks do, however, originate in the executive branch and directly affect the president and the group members. Hybrid checks relate to the bureaucratic machine and typically address the structural faults within the executive branch that can affect the core decision-making group. Although the president and his or her advisers constitute the insiders of the decision-making group, they ultimately belong [\*676] to a larger organization - the executive branch - and thereby become part of the bureaucratic machine.¶ 1. Inter-Agency Process¶ The "inter-agency process" check involves getting approval for, or opinions about, a proposed decision from other agencies. n252 The inter-agency process is particularly common for national security and foreign policy decisions. n253 "Occasionally, it will operate at a higher level in principals' committees involving Cabinet-level or sub-Cabinet people and their deputies," thus directly checking the decision-making group members. n254¶ 2. Intra-Agency Process¶ Another similar check is the "intra-agency process," in which the circulation of proposed decisions within the agency empowers dissidents and harnesses a diversity of thinking. n255 If nothing else, the process catches errors, or at least increases the odds of avoiding them, given the number of people who must review or approve a document or decision within the agency. n256¶ 3. Agency or Lawyer Culture¶ The culture of a particular agency - the institutional self-awareness of its professionalism - provides another check. n257 "Lawyer culture" - which places high value on competency and adherence to rules and laws - resides at the core of agency culture; n258 its "nay-saying" objectivity "is especially important in the small inner circle of presidential decision making to counter the tendency towards groupthink and a vulnerability to sycophancy." n259¶ [\*677] ¶ 4. Public Humiliation¶ A final check in this category is the "public humiliation" check. n260 This check only comes into play when the previous three have failed, and involves the threat to ""go public' by leaking embarrassing information or publicly resigning."

#### No WMD terrorism – lack of desire and capability – empirically the threat is overblown

Mueller ’11. John Mueller, Professor and Woody Hayes Chair of National Security Studies, Mershon Center for International Security Studies and Department of Political Science, “The Truth About al Qaeda”, 8/2/2011, <http://www.foreignaffairs.com/articles/68012/john-mueller/the-truth-about-al-qaeda?page=show>, CMR

The chief lesson of 9/11 should have been that small bands of terrorists, using simple methods, can exploit loopholes in existing security systems. But instead, many preferred to engage in massive extrapolation: If 19 men could hijack four airplanes simultaneously, the thinking went, then surely al Qaeda would soon make an atomic bomb. As a misguided Turkish proverb holds, "If your enemy be an ant, imagine him to be an elephant." The new information unearthed in Osama bin Laden's hideout in Abbottabad, Pakistan, suggests that the United States has been doing so for a full decade. Whatever al Qaeda's threatening rhetoric and occasional nuclear fantasies, its potential as a menace, particularly as an atomic one, has been much inflated. The public has now endured a decade of dire warnings about the imminence of a terrorist atomic attack. In 2004, the former CIA spook Michael Scheuer proclaimed on television's 60 Minutes that it was "probably a near thing," and in 2007, the physicist Richard Garwin assessed the likelihood of a nuclear explosion in an American or a European city by terrorism or other means in the next ten years to be 87 percent. By 2008, Defense Secretary Robert Gates mused that what keeps every senior government leader awake at night is "the thought of a terrorist ending up with a weapon of mass destruction, especially nuclear." Few, it seems, found much solace in the fact that an al Qaeda computer seized in Afghanistan in 2001 indicated that the group's budget for research on weapons of mass destruction (almost all of it focused on primitive chemical weapons work) was some $2,000 to $4,000. In the wake of the killing of Osama bin Laden, officials now have more al Qaeda computers, which reportedly contain a wealth of information about the workings of the organization in the intervening decade. A multi-agency task force has completed its assessment, and according to first reports, it has found that al Qaeda members have primarily been engaged in dodging drone strikes and complaining about how cash-strapped they are. Some reports suggest they've also been looking at quite a bit of pornography. The full story is not out yet, but it seems breathtakingly unlikely that the miserable little group has had the time or inclination, let alone the money, to set up and staff a uranium-seizing operation, as well as a fancy, super-high-tech facility to fabricate a bomb. It is a process that requires trusting corrupted foreign collaborators and other criminals, obtaining and transporting highly guarded material, setting up a machine shop staffed with top scientists and technicians, and rolling the heavy, cumbersome, and untested finished product into position to be detonated by a skilled crew, all the while attracting no attention from outsiders. The documents also reveal that after fleeing Afghanistan, bin Laden maintained what one member of the task force calls an "obsession" with attacking the United States again, even though 9/11 was in many ways a disaster for the group. It led to a worldwide loss of support, a major attack on it and on its Taliban hosts, and a decade of furious and dedicated harassment. And indeed, bin Laden did repeatedly and publicly threaten an attack on the United States. He assured Americans in 2002 that "the youth of Islam are preparing things that will fill your hearts with fear"; and in 2006, he declared that his group had been able "to breach your security measures" and that "operations are under preparation, and you will see them on your own ground once they are finished." Al Qaeda's animated spokesman, Adam Gadahn, proclaimed in 2004 that "the streets of America shall run red with blood" and that "the next wave of attacks may come at any moment." The obsessive desire notwithstanding, such fulminations have clearly lacked substance. Although hundreds of millions of people enter the United States legally every year, and countless others illegally, no true al Qaeda cell has been found in the country since 9/11 and exceedingly few people have been uncovered who even have any sort of "link" to the organization. The closest effort at an al Qaeda operation within the country was a decidedly nonnuclear one by an Afghan-American, Najibullah Zazi, in 2009. Outraged at the U.S.-led war on his home country, Zazi attempted to join the Taliban but was persuaded by al Qaeda operatives in Pakistan to set off some bombs in the United States instead. Under surveillance from the start, he was soon arrested, and, however "radicalized," he has been talking to investigators ever since, turning traitor to his former colleagues. Whatever training Zazi received was inadequate; he repeatedly and desperately sought further instruction from his overseas instructors by phone. At one point, he purchased bomb material with a stolen credit card, guaranteeing that the purchase would attract attention and that security video recordings would be scrutinized. Apparently, his handlers were so strapped that they could not even advance him a bit of cash to purchase some hydrogen peroxide for making a bomb. For al Qaeda, then, the operation was a failure in every way -- except for the ego boost it got by inspiring the usual dire litany about the group's supposedly existential challenge to the United States, to the civilized world, to the modern state system. Indeed, no Muslim extremist has succeeded in detonating even a simple bomb in the United States in the last ten years, and except for the attacks on the London Underground in 2005, neither has any in the United Kingdom. It seems wildly unlikely that al Qaeda is remotely ready to go nuclear. Outside of war zones, the amount of killing carried out by al Qaeda and al Qaeda linkees, maybes, and wannabes throughout the entire world since 9/11 stands at perhaps a few hundred per year. That's a few hundred too many, of course, but it scarcely presents an existential, or elephantine, threat. And the likelihood that an American will be killed by a terrorist of any ilk stands at one in 3.5 million per year, even with 9/11 included.

# 2NC

# K

# 2NC – Overview

1. **The critique outweighs and turns the case – this is all our Eckhardt 90 evidence.**
	1. **Magnitude – 20 times as many people die from structural violence caused by imperialism as from visible acts of war itself.**
	2. **Timeframe and probability – This is an on-going genocide happening right now**
	3. **Critique turns the case because there’s never enough imperial territory for everyone. That makes violence inevitable, the alt solves the root cause while they merely apply a band-aid.**
2. **Imperialism destroys value to life by breaking down society psychologically and colonizing the mind**

**Thiong’o 86** (Ngugi wa Thiong’o – Distinguished Professor of University of California, Irvine. “Decolonising the Mind: The Politics of Language in African Literature”. 1986.)

The oppressed and the exploited of the earth maintain their defiance: liberty from theft. But the biggest weapon wielded and actually daily unleashed by imperialism against that collective defiance is the cultural bomb. The effect of a cultural bomb is to annihilate a people’s belief in their names, in their languages, in their environment, in their heritage of struggle, in their unity, in their capacities and ultimately in themselves. It makes them see their past as one wasteland of non-achievement and it makes them want to distance themselves from that wasteland. It makes them want to identify with that which is furthest removed from themselves; for instance, with other peoples’ languages rather than their own. It makes them identify with that which is decadent and reactionary, all those forces which would stop their own springs of life. It even plants serious doubts about the moral rightness of struggle./ Possibilities of triumph or victory are seen as remote, ridiculous dreams. **The intended results are** despair, despondency and **a collective death-wish**. Amidst this wasteland which it has created, imperialism presents itself as the cure and demands that the dependant sing hymns of praise with the constant refrain: ‘Theft is holy’. Indeed, this refrain sums up the new creed of the neo-colonial bourgeoisie in many ‘independent’ African states.

1. Epistemology first – it determines the truths we can seek in the first place

Singer 89 (Joseph William, Associate Professor Boston University of Law, “Should Lawyers Care About Philosophy?” book review, Duke Law Journal, Vol 1989:1752)

**Spelman argues that the categories and forms of discourse we use,** the assumptions with which we approach the world, and the modes of analysis we employ have important consequences in channeling our attention in particular directions. The paradigms we adopt affect what we see and how we interpret it. They determine **to a large extent**, who we listen to and what we make of what we hear. They determine what questions we ask and the kinds of answers we seek. Investigation into such matters is important, **according to Spelman**, because the seemingly neutral and innocuous assumptions with which we approach the world may blot from our view facts we ourselves would consider to be important. **In this way**, we may unconsciously recreate or express forms of hierarchy that we intended to criticize. Self-reflection about such matters may enable us to ferret out / for ways in which our approaches to problems of illegitimate power relations reinforce those very relations. Good intentions do not immunize against the illegitimate exercise of power. **In fact**, a great impetus to the exercise of power is the inability to recognize that one is exercising it; when this happens, one need not worry about whether power is being used wisely. One goal of philosophic inquiry, therefore is to understand concretely where privilege lodges in our thought.

# 2NC – Perm

1. **Group the perms – they don’t get them, this is a debate about epistemology, their assumptions about the world are an intrinsic part of the 1AC, means any perm is severance which makes the aff a moving target and is a voter.**
2. **Perms can’t solve – that’s our** McLaren and Kincheloe 5 alt evidence. Any ideology which does not directly address the needs of the oppressed will be co-opted by government and corporate agents as part of their epistemic weaponry.
3. **Even if the aff is net-less imperialistic, it only serves to prop up a broken system. It’s no better than an alcoholic swearing off dark liquor.**
4. **The perm is just a tool to trick the public into believing real reforms are being made. This is especially harmful in academic contexts because of past co-option and proves the need for a rethinking by itself.**

Kennedy and Lucas in 5 (Liam and Scott, Dir. of the Clinton Institute for American Studies and dir. Of Center for US foreign policy, American Quarterly, Enduring Freedom: Public Diplomacy and U.S. Foreign Policy, 57(2), p. 310-311)

“Public diplomacy—which consists of systematic efforts to communicate not with foreign governments but with the people themselves—has a central role to play in the task of making the world safer for the just interests of the United States, its citizens, and its allies.”5 In the last few years, U.S. public diplomacy has undergone intensive reorganization and retooling as it takes on a more prominent propaganda role in the efforts to win the “hearts and minds” of foreign publics. This is not a new role, for the emergent ideas and activities of public diplomacy as the “soft power” wing of American foreign policy have notable historical prefigurations in U.S. international relations. In this essay we situate the history of the cold war paradigm of U.S. public diplomacy within the broader framework of “political warfare” that combines overt and covert forms of information management.6 However, there are distinctive features to the “new public diplomacy” within both domestic and international contexts of the contemporary American imperium. It operates in a conflicted space of power and value that is a crucial theater of strategic operations for the renewal of American hegemony within a transformed global order. We consider the relation of this new diplomacy to the broader pursuit of political warfare by the state in its efforts to transform material preponderance (in terms of financial, military, and information capital) into effective political outcomes across the globe. In a post-9/11 context, we argue, public diplomacy functions not simply as a tool of national security, but also as a component of U.S. efforts to manage the emerging formation of a neoliberal empire. The term “public diplomacy” was coined by academics at Tufts University in the mid-1960s to “describe the whole range of communications, information, and propaganda” under control of the U.S. government.7 As the term came into vogue, it effectively glossed (through the implication of both “public” and diplomatic intent) the political valence of both its invention and object of study through emphasis on its role as “an applied transnational science of human behaviour.”8 The origin of the term is a valuable reminder that academic knowledge production has itself been caught up in the historical foundations and contemporary conduct of U.S. public diplomacy, with the American university a long-established laboratory for the study of public opinion and of cross-cultural knowledge in service of the state.9 American studies, of course, has had a particularly dramatic entanglement with public diplomacy and the cold war contest for “hearts and minds,” and legacies of that entanglement still haunt the field imaginary today.10 We do not intend to directly revisit that history here, but we do contend that the current regeneration of public diplomacy by the U.S. government is an important topic for critical study by American studies scholars, in particular as they negotiate the “internationalization” of their field in the context of post- and transnational impulses, now conditioned by the new configurations of U.S. imperialism. In this essay we posit a need to retheorize the modes and meanings of public diplomacy in order to reconsider the ways in which the power of the American state is manifested in its operations beyond its national borders, and to examine the conditions of knowledge-formation and critical thinking shaped by the operations of this power. At issue is not so much the way in which American studies has been shaped internationally through diplomatic patronage (though this remains an important and underexamined issue) but rather the articulation of field identities in the expanding networks of international and transnational political cultures.

# 2NC – FW

1. Our interpretation is that the role of the ballot is to question the epistemological foundations of empire. The plan doesn’t occur but the logic that supports knowledge-production within debate does. This is best

A. Ground –They should defend the entirety of the 1AC, not just select parts. It’s a question of the plan action as well as the advantages and epistemology that justifies it. The neg burden is only to prove that voting aff is undesirable.

B. Education – Imperialism critques radically transform our understanding of what it means to be political. Education cannot be reduced to mere policy action, it requires a direct understanding of the people laws are meant to target.

C. Predictability – They chose the 1AC. Links prove predictability, and any arbitrary interpretation about what we can and cannot defend is the most unpredictable.

1. **Prefer education to fairness: rules are created to re-enforce status quo power and privilege**

Delgado 92 (Law Prof at U. of Colorado, 1992 [Richard, “Shadowboxing: An Essay On Power,” In Cornell Law Review, May)

The debate on objective and subjective standards touches on these issues of world-making and the social construction of reality. Powerful actors, such as tobacco companies and male dates, want objective standards applied to them simply because these standards always, and already, reflect them and their culture. These actors have been in power; their subjectivity long ago was deemed "objective" and imposed on the world. n36 Now their ideas about meaning, action, and fairness are built into our culture, into our view of malefemale, doctor-patient, and manufacturer-consumer relations. It is no surprise, then, that judgment under an "objective" (or reasonable person) standard generally will favor the stronger party. This, however, is not always the case: Rules that too predictably and reliably favored the strong would be declared unprincipled. The stronger actor must be able to see his favorite principles as fair and [\*819] just -- ones that a reasonable society would rely upon in contested situations. n39 He must be able to depict the current standards as integral to justice, freedom, fairness, and administrability -- to everything short of the American Way itself (and maybe even that, since societies that regulate these relationships more closely are paternalistic, and verge on (shhh!) socialism).

1. **Understanding the oppression of imperialism is key for scholarly discussions**

Sachs ’03 [Aaron Sachs, “The Ultimate "Other": Post-Colonialism and Alexander Von Humboldt's Ecological Relationship with Nature”, History and Theory, December 2003, <http://www.jstor.org/stable/3590683>]

There is no denying the value of the post-colonial critique and its relevance to all studies of travel and the environment. Post-colonialism, at its best, means recuperating the objects of the traveler's gaze. In a world so profoundly shaped-damaged, I would argue-by colonialism and imperialism, it is imperative that scholars focus on celebrating the colonized, on hearing the voices of "others." We must understand all the ways in which Western civilization has come to depend directly on forms of domination. Indeed, it makes perfect sense, as David Spurr has noted in The Rhetoric of Empire (1993), that "works once studied primarily as expressions of traditionally Western ideals are now also read as evidence of the manner in which such ideals have served in the historical process of colonization."16

# Case

#### No WMD terrorism – lack of desire and capability – empirically the threat is overblown

Mueller ’11. John Mueller, Professor and Woody Hayes Chair of National Security Studies, Mershon Center for International Security Studies and Department of Political Science, “The Truth About al Qaeda”, 8/2/2011, <http://www.foreignaffairs.com/articles/68012/john-mueller/the-truth-about-al-qaeda?page=show>, CMR

The chief lesson of 9/11 should have been that small bands of terrorists, using simple methods, can exploit loopholes in existing security systems. But instead, many preferred to engage in massive extrapolation: If 19 men could hijack four airplanes simultaneously, the thinking went, then surely al Qaeda would soon make an atomic bomb. As a misguided Turkish proverb holds, "If your enemy be an ant, imagine him to be an elephant." The new information unearthed in Osama bin Laden's hideout in Abbottabad, Pakistan, suggests that the United States has been doing so for a full decade. Whatever al Qaeda's threatening rhetoric and occasional nuclear fantasies, its potential as a menace, particularly as an atomic one, has been much inflated. The public has now endured a decade of dire warnings about the imminence of a terrorist atomic attack. In 2004, the former CIA spook Michael Scheuer proclaimed on television's 60 Minutes that it was "probably a near thing," and in 2007, the physicist Richard Garwin assessed the likelihood of a nuclear explosion in an American or a European city by terrorism or other means in the next ten years to be 87 percent. By 2008, Defense Secretary Robert Gates mused that what keeps every senior government leader awake at night is "the thought of a terrorist ending up with a weapon of mass destruction, especially nuclear." Few, it seems, found much solace in the fact that an al Qaeda computer seized in Afghanistan in 2001 indicated that the group's budget for research on weapons of mass destruction (almost all of it focused on primitive chemical weapons work) was some $2,000 to $4,000. In the wake of the killing of Osama bin Laden, officials now have more al Qaeda computers, which reportedly contain a wealth of information about the workings of the organization in the intervening decade. A multi-agency task force has completed its assessment, and according to first reports, it has found that al Qaeda members have primarily been engaged in dodging drone strikes and complaining about how cash-strapped they are. Some reports suggest they've also been looking at quite a bit of pornography. The full story is not out yet, but it seems breathtakingly unlikely that the miserable little group has had the time or inclination, let alone the money, to set up and staff a uranium-seizing operation, as well as a fancy, super-high-tech facility to fabricate a bomb. It is a process that requires trusting corrupted foreign collaborators and other criminals, obtaining and transporting highly guarded material, setting up a machine shop staffed with top scientists and technicians, and rolling the heavy, cumbersome, and untested finished product into position to be detonated by a skilled crew, all the while attracting no attention from outsiders. The documents also reveal that after fleeing Afghanistan, bin Laden maintained what one member of the task force calls an "obsession" with attacking the United States again, even though 9/11 was in many ways a disaster for the group. It led to a worldwide loss of support, a major attack on it and on its Taliban hosts, and a decade of furious and dedicated harassment. And indeed, bin Laden did repeatedly and publicly threaten an attack on the United States. He assured Americans in 2002 that "the youth of Islam are preparing things that will fill your hearts with fear"; and in 2006, he declared that his group had been able "to breach your security measures" and that "operations are under preparation, and you will see them on your own ground once they are finished." Al Qaeda's animated spokesman, Adam Gadahn, proclaimed in 2004 that "the streets of America shall run red with blood" and that "the next wave of attacks may come at any moment." 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# 1NR

## 2NC Overview

**Obama has the credibility to convince Iran to stop trying to build the bomb, but the plan looks like a rebuke and convinces Iran he’s weak. That kills negotiations, leads to an Israeli strike, and escalates to World War III.**

**Disad outweighs and turns case:**

1. **Probability and timeframe – strikes are coming before the end of the year**

Serwer ’13, (Daniel Serwer is a professor at Johns Hopkins’ School of Advanced International Studies and a scholar at the Middle East Institute. Will this be the year that Israel goes to war with Iran?, <http://blogs.reuters.com/great-debate/2013/01/03/will-this-be-the-year-that-israel-goes-to-war-with-iran/>)

Israel did not bomb Iran last year. Why should it happen this year? Because it did not happen last year. The Iranians are proceeding apace with their nuclear program. The Americans are determined to stop them. Sanctions are biting, but the diplomatic process produced nothing visible in 2012. Knowledgeable observers believe there is no “zone of possible agreement.” Both the United States and Iran may believe that they have viable alternatives to a negotiated agreement. While Israel has signaled that its “red line” (no nuclear weapons capability) won’t be reached before mid-2013, it seems likely it will be reached before the end of the year. President Barack Obama has refused to specify his red line, but he has made it amply clear that he prefers intensified sanctions and eventual military action to a nuclear Iran that needs to be contained and provides incentives for other countries to go nuclear. If and when he takes the decision for war, there is little doubt about a bipartisan majority in Congress supporting the effort.

1. **Magnitude – the Middle East is a tinderbox, any war will rapidly escalate and go global. That’s our Malin 13 evidence.**

**Ignore their restraint arguments – Israel is driven by pessimism and fear**

**Byman, 11** – Professor in the Security Studies Program at Georgetown University and the Research Director of the Saban Center for Middle East Policy at Brookings (Daniel, Summer. “Israel’s Pessimistic View of the Arab Spring.” The Washington Quarterly 34:3, pp 123-126. http://www.twq.com/11summer/docs/11summer\_byman.pdf)

Americans took heart as they watched Egyptian demonstrators rally in Tahrir Square and topple the regime of Hosni Mubarak in a peaceful revolution. Next door in Israel, however, the mood was somber: “When some people in the West see what’s happening in Egypt, they see Europe 1989,” an Israeli official remarked. “We see it as Tehran 1979.” Political leaders vied to see who could be the most pessimistic, with Israeli Prime Minister Benjamin Netanyahu publicly warning that it was even possible that “Egypt will go in the direction of Iran,” with the new Cairo government becoming even more dictatorial and lashing out abroad. As he pointed out in remarks to the Knesset, “They too had demonstrations; multitudes filled the town squares. But, of course it progressed in a different way.” As unrest spread from Egypt to Bahrain, Jordan, Syria, and Yemen, the gloom seemed to deepen. These apocalyptic predictions and Israel’s doom-and-gloom mentality are easy, too easy, to dismiss. Israelis are always hyper-sensitive to their security. Indeed, their reaction to the spread of democracy so close to their borders seems churlish, as does their tendency to look on the dark side when so many of their Arab neighbors now have hopes for a better life. But dismissing Israeli concerns would be a mistake. Some of Israel’s fears are valid, and others that are less so will still drive Israeli policies. The new regimes and the chaotic regional situation pose security challenges to the Jewish state. These challenges, and the Israeli reactions to them, are likely to worsen the crisis in Gaza and make the prospects for peace between the Israelis and Palestinians even more remote. The new revolutions also have the potential to complicate the U.S.–Israel relationship further and make it harder for the United States to benefit from the Arab Spring.

## uq

#### The discourse creates homogenous identities of “us” vs. “the other”

Talbot 08 (Steven, Defence Science and Technology Organisation, Sociological Research Online 13(1)17 'Us' and 'Them': Terrorism, Conflict and (O)ther Discursive Formations, <http://www.socresonline.org.uk/13/1/17.html>)

Sociology of the enemy examines the social process of constructing enemies, and within the context of identity politics and negotiation, creating Others for advantageous reasons. Politicians, other charismatic leaders, social elites, and the military alike, are in prime positions to construct particular representations of the enemy. In turn, these representations are also influenced by a host of other actors (academics and intellectuals, advisors), and array of sources and representations at their disposal. The proliferation of these representations through the internet, media reports, government documents, books, articles, and film has led to an expansion of an enemy discourse (as part of a deliberate and incidental public diplomacy3), assisting the articulation of a dualistic collective moral righteousness which attempts to legitimate the destruction of the Other (Aho, 1994; cited in Cerulo 1997; Berry, 2006; Hansen, 2004). Orientalist and occidentalist inspired representations of ‘enemies’ can be seen at work within the current terrorism discourse. The Australian and US national security ideology for example frames the terrorism discourse within a system of representations that defines Australian and US national identities through their reference to the Un-Australian, Un-American, Un-Western Other, usually confined to a Muslim/Islamic centre located in the Middle East, but also extending by association to Muslim/Islamist global diasporas./ Similarly, representations of the Un-Eastern, Un-Muslim or Non-Islamic Other are employed by some Islamic fundamentalist groups to assert their identity and cause. Both parties construct an enemy that reflect and fuel ideological strains within the American/Australian body politic and Islamist terrorist networks (Grondin, 2004, pp.15-16). The use of dichotomous logic in these representations fails to account for degrees of ‘Otherness’ and ‘Usness,’ or diversity, within both populations. In this sense, the homogenising effects of such a discourse fails to acknowledge an ‘other – Other,’ namely, a more moderate Muslim population located within an Islamic centre and its periphery. Similarly, distinctions can be drawn between an Australian ‘Us’ and her United States counterpart. In either case, the discursive construction of a homogenous West and ‘Rest’ has the effect of silencing dissenting voices residing within both camps.

## Link

The squo gives the president necessarily flexibility that the plan eviscerates

John Bennett, Defense News, 5/24/13, White House Quietly Shifts Armed Drone Program from CIA to DoD, www.defensenews.com/article/20130524/DEFREG02/305240010/White-House-Quietly-Shifts-Armed-Drone-Program-from-CIA-DoD

That official, however — by calling it “a preference” that the military take the lead role — provided important wiggle room and signaled the CIA is not out of the targeted-killing business for good. To that end, a former senior CIA official told Defense News earlier this week following a not-for-attribution event in Washington that Obama and his senior national security advisers have wanted for some time to return the CIA to its core missions. “Do you want the nation’s top espionage agency conducting a paramilitary mission or performing espionage?” the former senior official asked rhetorically. “The agency, since 9/11, and it’s understandable, has gotten away from its core missions. A lot of the collection and analysis really is now used for targeting.” The former senior official predicted the revamped drone program will give the president important legal flexibility.

Turning his hand for effect as if turning the dial of a safe or adjusting a thermostat, the former senior CIA official concluded: “What you want is a dial, not a switch.”

## Impacts

**Israel is just waiting for a justification to strike**

**McGreal,** 2/17/**’12** (Christ, The Guardian staff writer, 2/17, “US officials believe Iran sanctions will fail, making military action likely”, <http://www.guardian.co.uk/world/2012/feb/17/us-officials-iran-sanctions-military-action>, JD)

**If Obama were to conclude that there is no choice but to attack Iran, he is unlikely to order it before the presidential election in November unless there is an urgent reason to do so. The question is whether the Israelis will hold back that long.** Earlier this month, the US defence secretary, Leon Panetta, told the Washington Post that he thought the window for an Israeli attack on Iran is between April and June. But other official analysts working on Iran have identified what one described as a "sweet spot", where the mix of diplomacy, political timetables and practical issues come together to suggest that if Israel launches a unilateral assault it is more likely in September or October, although they describe that as a "best guess". However, the Americans are uncertain as to whether Israel is serious about using force if sanctions fail or has ratcheted up threats primarily in order to pressure the US and Europeans in to stronger action. For its part, the US is keen to ensure that Tehran does not misinterpret a commitment to giving sanctions a chance to work as a lack of willingness to use force as a last resort. American officials are resigned to the fact that the US will be seen in much of the world as a partner in any Israeli assault on Iran – whether or not Washington approved of it. The administration will then have to decide whether to, in the parlance of the US military, "pile on", by using its much greater firepower to finish what Israel starts. "The sanctions are there to pressure Iran and reassure Israel that we are taking this issue seriously," said one official. "The focus is on demonstrating to Israel that this has a chance of working. Israel is sceptical but appreciates the effort. It is willing to give it a go, but how long will it wait?" Colin Kahl, who was US deputy assistant secretary of defence for the Middle East until December, said: "With the European oil embargo and US sanctions on the central bank, the Israelis probably have to give some time now to let those crippling sanctions play out. "If you look at the calendar, it doesn't make much sense that the Israelis would jump the gun. They probably need to provide a decent interval for those sanctions to be perceived as failing, because they care about whether an Israeli strike would be seen as philosophically legitimate; that is, as only having happened after other options were exhausted. So I think that will push them a little further into 2012." The White House is working hard to keep alive the prospect that sanctions will deliver a diplomatic solution. It has pressed the Israeli prime minister, Binyamin Netanyahu, to quieten the belligerent chatter from his own cabinet about an attack on Iran. The chairman of the US joint chiefs of staff, general Martin Dempsey, was dispatched to Jerusalem last month to talk up the effect of sanctions and to press, unsuccessfully, for a commitment that Israel will not launch a unilateral attack against Iran. Dennis Ross, Obama's former envoy for the Middle East and Iran, this week said that sanctions may be pushing Tehran toward negotiations.

**1 – The strikes succeeding is irrelevant – Iran would still respond with conventional forces, and its allies in other nations would ensure escalation.**

**2 –Iran’s facilities are too deep underground and scattered**

**Saikal,** 1/3/**12** – Professor of Political Science and Director of the Centre for Arab and Islamic Studies at Australian National University (Amin, “US and Israel run out of options against Iran.” Sydney Morning Herald. http://www.smh.com.au/opinion/politics/us-and-israel-run-out-of-options-against-iran-20120102-1pi8q.html)

The only option left is surgical air strikes against Iranian nuclear and military installations. However, this could also prove to be ineffective and very costly. Most Iranian nuclear installations are buried deep underground and scattered across the country, where neither bunker busters nor massive bombardments could produce anything more than a delay in the country's nuclear program. Iranian retaliation with its soft and hard power could easily turn the whole region into an inferno.

**3 – Israeli bombers aren’t good enough**

**The Economist 9-14-13** (How to cope with an Iranian bomb, [http://www.economist.com/news/books-and-arts/21586282-hawkish-analyst-argues-against-military-action-how-cope-iranian-bomb)](http://www.economist.com/news/books-and-arts/21586282-hawkish-analyst-argues-against-military-action-how-cope-iranian-bomb%29)

Many people conclude that only the threat of military action can hold Iran back, and that despite the costs and the risks, an attack, they say, would be better than allowing Iran to arm itself. Mr Pollack disagrees. His worst outcome would be a solo Israeli raid. Israeli bombers have neither the range, nor refuelling capacity, nor ordnance to mount large, sustained raids on Iran’s nuclear facilities. An attack would cause turmoil in the Middle East and probably set Iran back by only a year or two; it might fail even to penetrate the enrichment plant deep inside a mountain at Fordow, near the holy city of Qom.

**1 – Extend Malin 13 – history proves Israeli wars in the Middle East rapid spiral out of control.**

**2 – Strikes would be perceived as Jewish vs. Muslim, that draws in other countries and causes extinction**

**Ivashov 7** – vice-president of the Academy on geopolitical affairs (General Leonid, 4/9. “Iran: the Threat of a Nuclear War.” http://www.globalresearch.ca/index.php?context=va&aid=5309)

What might cause the force major event of the required scale? Everything seems to indicate that Israel will be sacrificed. Its involvement in a war with Iran - especially in a nuclear war - is bound to trigger a global catastrophe. The statehoods of Israel and Iran are based on the countries' official religions. A military conflict between Israel and Iran will immediately evolve into a religious one, a conflict between Judaism and Islam. Due to the presence of numerous Jewish and Muslim populations in the developed countries, this would make a global bloodbath inevitable. All of the active forces of most of the countries of the world would end up fighting, with almost no room for neutrality left. Judging by the increasingly massive acquisitions of the residential housing for the Israeli citizens, especially in Russia and Ukraine, a lot of people already have an idea of what the future holds. However, it is hard to imagine a quiet heaven where one might hide from the coming doom. Forecasts of the territorial distribution of the fighting, the quantities and the efficiency of the armaments involved, the profound character of the underlying roots of the conflict and the severity of the religious strife all leave no doubt that this clash will be in all respects much more nightmarish than WWII.

**3 – Iranian deterrence and Hamas/Hezbollah ensure escalation**

Russell 09 (James A. Russell, managing editor of Strategic Insights, the quarterly ejournal published by the Center for Contemporary Conflict at the Naval Postgraduate School, Spring 2009, Strategic Stability Reconsidered: Prospects for Escalation and Nuclear War in the Middle East, Security Studies Center)

Iran’s response to what would initially start as a sustained stand-off bombardment (Desert Fox Heavy) could take a number of different forms that might lead to escalation by the United States and Israel, surrounding states, and non-state actors. Once the strikes commenced, it is difficult to imagine Iran remaining in a Saddam-like quiescent mode and hunkering down to wait out the attacks. Iranian leaders have unequivocally stated that any attack on its nuclear sites will result in a wider war81 – a war that could involve regional states on both sides as well as non-state actors like Hamas and Hezbollah. While a wider regional war need not lead to escalation and nuclear use by either Israel or the United States, wartime circumstances and domestic political pressures could combine to shape decision-making in ways that present nuclear use as an option to achieve military and political objectives. For both the United States and Israel, Iranian or proxy use of chemical, biological or radiological weapons represent the most serious potential escalation triggers. For Israel, a sustained conventional bombardment of its urban centers by Hezbollah rockets in Southern Lebanon could also trigger an escalation spiral.