## 1AC

### Terrorism

#### Accountability constrains executive drone overuse – drones key to counterterrorism but overuse is counterproductive

Farley 12 (Benjamin R. Farley, JD from Emory University School of Law, former Editor-in-Chief of the Emory International Law Review, “Drones and Democracy: Missing Out on Accountability?” August 2012, 54 S. Tex. L. Rev. 385, http://works.bepress.com/cgi/viewcontent.cgi?article=1003&context=benjamin\_farley //nimo)

Effective accountability mechanisms constrain policymakers’ freedom¶ to choose to use¶ force by increasing the costs of use-of-force decisions and imposing barrier¶ s on reaching use-of-¶ force decisions. The accountability mechanisms here discussed, when effecti¶ ve, reduce the¶ likelihood of resorting to force (1) through the threat of electoral sanctioning¶ , which carries with¶ it a demand that political leaders explain their resort to force; (2) by li¶ miting policymakers to¶ choosing force only in the manners authorized by the legislature; and (3) by r¶ equiring¶ policymakers to adhere to both domestic and international law when resorting to force—¶ and¶ demanding that their justifications for uses of force satisfy both domestic a¶ nd international law.¶ When these accountability mechanisms are ineffective, the barriers to using¶ force are lowered¶ and the use of force becomes more likely.¶ Use-of-force decisions that avoid accountability are problematic for both functi¶ onal and¶ normative reasons. Functionally, accountability avoidance yields increased r¶ isk-taking and¶ increases the likelihood of policy failure. The constraints imposed by political¶ , supervisory, fiscal, and legal accountability “make[] leaders reluctant to engage in f¶ oolhardy military¶ expeditions. . . . If the caution about military adventure is translated into general r¶ isk-aversion¶ when it comes to unnecessary military engagements, then there will likely¶ be a distributional¶ effect on the success rates of [democracies].”¶ 159¶ Indeed, this result is predicted by the structural¶ explanation of the democratic peace. It also explains why policies that rely¶ on covert action—¶ action that is necessarily less constrained by accountability mechanism¶ s¶ 160¶ —carry an increased¶ risk of failure.¶ 161¶ Thus, although accountability avoidance seductively holds out the prospect of¶ flexibility and freedom of action for policymakers, it may ultimately pr¶ ove counterproductive.¶ In fact, policy failure associated with the over-reliance on force—due at le¶ ast in part to¶ lowered barriers from drone-enabled accountability avoidance—may be occurring a¶ lready.¶ Airstrikes are deeply unpopular in both Yemen¶ 162¶ and Pakistan¶ 163¶ and, although the strikes have¶ proved critical to degrading al Qaeda and associated forces in Pakistan, increa¶ sed uses of force¶ may be contributing to instability, the spread of militancy, and the failure of¶ U.S. policy¶ objectives there.¶ 164¶ Similarly, the success of drone strikes in Pakistan must be balanced against ¶ the costs associated with the increasingly contentious U.S.–Pakistani rela¶ tionship, which is¶ attributable—at least in part¶ 165¶ —to the number and intensity of drone strikes. These costs include¶ undermining the civilian Pakistani government and contributing to the closure of Pakis¶ tan to¶ NATO supplies transiting to Afghanistan,¶ 166¶ forcing the U.S. and NATO to rely instead on¶ several repressive Central Asian states.¶ 167¶ Arguably the damage to U.S.–Pakistan relations and¶ the destabilizing influence of U.S. operations in Yemen would be mitigated by fewer s¶ uch¶ operations—and there would be fewer U.S. operations in both Pakistan and Yemen if U.S.¶ policymakers were more constrained by use-of-force accountability mechan¶ isms. From a normative perspective, the freedom of action that accountability avoidance¶ facilitates represents the de facto concentration of authority to use for¶ ce in the executive branch.¶ While some argue that such concentration of authority is necessary or even prag¶ matic in the¶ current international environment,¶ 168¶ it is anathema to the U.S. constitutional system. Indeed, the¶ founding generation’s fear of foolhardy military adventurism is one reason for t¶ he Constitution’s¶ diffusion of use-of-force authority between the Congress and the President.¶ 169¶ That generation¶ recognized that a President vested with an unconstrained ability to go to war is mor¶ e likely to¶ lead the nation into war.

#### Broadly defined “imminent threat” ensure blowback and retaliation

Guiora 13 (Amos N. Guiora, Professor of Law, S.J. Quinney College of Law, University of Utah, 2013, “Targeted Killing: When Proportionality Gets All Out of Proportion,” http://ssrn.com/abstract=2230686 //nimo)

Morality in armed conflict is not a mere mantra: it imposes significant demands on the nation state that must adhere to limits and considerations beyond simply killing “the other side.” For better or worse, drone warfare of today will become the norm of tomorrow. Multiply the number of attacks conducted regularly in the present and you have the operational reality of future warfare. It is important to recall that drone policy is effective on two distinct levels: it takes the fight to terrorists directly involved, either in past or future attacks, and serves as a powerful deterrent for those considering involvement in terrorist activity.53 However, its importance and effectiveness must not hinder critical conversation, particularly with respect to defining imminence and legitimate target. The overly broad definition, “flexible” in the Obama Administration’s words,54 raises profound concerns regarding how imminence is applied. That concern is concrete for the practical import of Brennan’s phrasing is a dramatic broadening of the definition of legitimate target. It is also important to recall that operators—military, CIA or private contractors—are responsible for implementing executive branch guidelines and directives.55 For that very reason, the approach articulated by Brennan on behalf of the administration is troubling.¶ This approach, while theoretically appealing, fails on a number of levels. First, it undermines and does a profound injustice to the military and security personnel tasked with operationalizing defense of the state, particularly commanders and officers. When senior leadership deliberately obfuscates policy to create wiggle room and plausible deniability, junior commanders (those at the tip of the spear, in essence) have no framework to guide their operational choices.56 The results can be disastrous, as the example of Abu Ghraib shows all too well.57 Second, it gravely endangers the civilian population. What is done in the collective American name poses danger both to our safety, because of the possibility of blow-back attacks in response to a drone attack that caused significant collateral damage, and to our values, because the policy is loosely articulated and problematically implemented.58 Third, the approach completely undermines our commitment to law and morality that defines a nation predicated on the rule of law. If everyone who constitutes “them” is automatically a legitimate target, then careful analysis of threats, imminence, proportionality, credibility, reliability, and other factors become meaningless. Self-defense becomes a mantra that justifies all action, regardless of method or procedure.¶ Accordingly, the increasing reliance on modern technology must raise a warning flag. Drone warfare is conducted using modern technology with the explicit assumption that the technology of the future is more sophisticated, more complex, and more lethal. Its sophistication and complexity, however, must not be viewed as a holy grail. While armed conflict involves the killing of individuals, the relevant questions must remain who, why, how, and when. Seductive methods must not lead us to reflexively conclude that we can charge ahead. Indeed, the more sophisticated the mechanism, the more questions we must ask. Capability cannot substitute for process and technology cannot substitute for analysis.¶ V. Conclusion¶ The state’s right to engage in pre-emptive self-defense must be subject to powerful restraints and conditions. A measured, cautious approach to targeted killing reflects the understanding that the state has the absolute, but not unlimited, right and obligation to protect its civilian population.¶ Targeted killing is a legal, legitimate, and effective form of active self-defense provided that it is conducted in accordance with international law, morality, and a narrow definition of legitimate target. Self-defense, according to international law, is subject to limits; otherwise, administration officials would not press for flexibility in defining imminent. The call for a flexible conception of imminence is a deeply troubling manifestation of a “slippery slope;” it opens the door to operational counterterrorism not conducted in accordance with international law or principles of morality. Therefore, analyzing the reliability of intelligence, assessing the threat posed, and determining whether the identified target is a legitimate target facilitates lawful, moral, and effective targeted killing.¶ Expansiveness and flexibility are at odds with a measured approach to targeted killing precisely because they eliminate our sense of what is proportional, in the broadest sense of the term. Flexibility with regard to imminence and threat-perception means that the identification of legitimate targets, the true essence of moral operational counterterrorism, becomes looser and less precise. In turn, broader notions of legitimate target and the right of self-defense introduce greater flexibility with regard to collateral damage— resulting in a wider understanding of who constitutes collateral damage and how much collateral damage is justified in the course of targeting a particular threat. Flexibility and the absence of criteria, process, and procedure result in notions of proportionality—which would normally guide decision making and operations— that are out of proportion. In the high-stakes world of operational counterterrorism, there is no room for imprecision and casual definitions; the risks, to innocent civilians on both sides and to our fundamental values, are just too high.

#### Unaccountability in drone strikes *strengthens* AQAP and destabilizes Yemen

Manning 12 (Jacqueline Manning, Senior Editor of International Affairs Review, December 9, 2012, “Free to Kill: How a Lack of Accountability in America’s Drone Campaign Threatens U.S. Efforts in Yemen,” http://www.iar-gwu.org/node/450 //nimo)

Earlier this year White House counter-terrorism advisor, John Brennan, named al-Qaeda in the Arabian Peninsula (AQAP) in Yemen the greatest threat to the U.S. Since 2009, the Obama administration has carried out an estimated 28 drone strikes and 13 air strikes targeting AQAP in Yemen, while the Yemeni Government has carried out 17 strikes, and another five strikes cannot be definitively attributed to either state . There is an ongoing debate over the effectiveness of targeted killings by drone strikes in the fight against al-Qaeda. However, what is clear is that the secrecy and unaccountability with which these drone strike are being carried out are undermining U.S. efforts in Yemen.¶ The drone campaign in Yemen is widely criticized by human rights activists, the local population and even the United Nations for its resulting civilian casualties. It is also credited with fostering animosity towards the U.S. and swaying public sentiment in Yemen in favor of AQAP. The long-term effects, as detailed by a 2012 report by the Center for Civilians in Conflict, seem to be particularly devastating. The resulting loss of life, disability, or loss of property of a bread-winner can have long-term impacts, not just on an individual, but on an entire family of dependents.¶ The effectiveness of drone technology in killing al-Qaeda militants, however, cannot be denied. Targeted killings by drone strikes have eliminated several key AQAP members such as Anwar al-Awlaki, Samir Khan, Abdul Mun’im Salim al Fatahani, and Fahd al-Quso . Advocates of the counterterrorism strategy point out that it is much less costly in terms of human lives and money than other military operations.¶ While there are strong arguments on both sides of the drone debate, both proponents and critics of targeted killings of AQAP operatives by drones agree that transparency and accountability are needed.¶ Authorizing the CIA to carry out signature strikes is of particular concern. In signature strikes, instead of targeting individual Al Qaeda leaders, the CIA targets locations without knowing the precise identity of the individuals targeted as long as the locations are linked to a “signature” or pattern of behavior by Al Qaeda officials observed over time. This arbitrary method of targeting often results in avoidable human casualties.¶ Secrecy surrounding the campaign often means that victims and families of victims receive no acknowledgement of their losses, much less compensation. There are also huge disparities in the reported number of deaths. In addition, according to The New York Times, Obama administration officials define “militants” as “all military-age males in a strike zone...unless there is explicit intelligence posthumously proving them innocent” This definition leads to a lack of accountability for those casualties and inflames anti-American sentiment.¶ In a report submitted to the UN Human Rights Council, Ben Emmerson, special rapporteur on the promotion and protection of human rights while countering terrorism, asserted that, "Human rights abuses have all too often contributed to the grievances which cause people to make the wrong choices and to resort to terrorism….human rights compliant counter-terrorism measures help to prevent the recruitment of individuals to acts of terrorism." There is now statistical evidence that supports this claim. A 2010 opinion poll conducted by the New America Foundation in the Federally Administered Tribal Areas (FATA) of Pakistan, where U.S. drone strikes have been carried out on a much larger scale, shows an overwhelming opposition to U.S. drone strikes coupled with a majority support for suicide attacks on U.S. forces under some circumstances.¶ It is clear that the drone debate is not simply a matter of morality and human rights; it is also a matter of ineffective tactics. At a minimum the U.S. must implement a policy of transparency and accountability in the use of drones. Signature strikes take unacceptable risks with innocent lives. Targets must be identified more responsibly, and risks of civilian casualties should be minimized. When civilian casualties do occur, the United States must not only acknowledge them, but also pay amends to families of the victims.

#### AQAP will attack Israel

NCAFP 10 (National Committee on American Foreign Policy, “Global Terrorism: The U.S. Challenge and Response” September 27, 2010, http://ncafp.org/cms/wp-content/uploads/2011/08/Global-Terrorism-Report-Bklt.pdf)

A participant, alluding to the overarching terrorist agenda of eliminating the Great Satan, asked where history is reflected in that objective. A presenter answered by describing the mission of Al Qaeda in the Arabian Peninsula—Al Qaeda in Yemen. The video that the group released when it was formed in 2009 was titled “In Defense of Jerusalem” or “In Search of Jerusalem.” In his judgment, the terrorists believe that Israel is an offshoot of the United States and that the United States is an extension of Israel. Consequently the elimination of one mandates the elimination of the other. He added that Al Qaeda in the Arabian Peninsula (AQAP) maintains that terrorist attacks against U.S. forces will ignite an extensive jihad and in that process will circle back to Jerusalem. Accordingly the presenter thinks that it is likely that AQAP will target Israel directly.

#### Triggers the Samson option and extinction

Morgan 9 (Dennis Ray Morgan, Hankuk University of Foreign Studies, Futures, Vol. 41 Issue 10, December 2009, pp. 683-693)

Years later, in 1982, at the height of the Cold War, Jonathon Schell, in a very stark and horrific portrait, depicted sweeping, bleak global scenarios of total nuclear destruction. Schell’s work, The Fate of the Earth [8] represents one of the gravest warnings to humankind ever given. The possibility of complete annihilation of humankind is not out of the question as long as these death bombs exist as symbols of national power. As Schell relates, the power of destruction is now not just thousands of times as that of Hiroshima and Nagasaki; now it stands at more than one and a half million times as powerful, more than fifty times enough to wipe out all of human civilization and much of the rest of life along with it [8]. In Crucial Questions about the Future, Allen Tough cites that Schell’s monumental work, which ‘‘eradicated the ignorance and denial in many of us,’’ was confirmed by ‘‘subsequent scientific work on nuclear winter and other possible effects: humans really could be completely devastated. Our human species really could become extinct.’’ [9]. Tough estimated the chance of human self-destruction due to nuclear war as one in ten. He comments that few daredevils or high rollers would take such a risk with so much at stake, and yet ‘‘human civilization is remarkably casual about its high risk of dying out completely if it continues on its present path for another 40 years’’ [9]. What a precarious foundation of power the world rests upon. The basis of much of the military power in the developed world is nuclear. It is the reigning symbol of global power, the basis, – albeit, unspoken or else barely whispered – by which powerful countries subtly assert aggressive intentions and ambitions for hegemony, though masked by ‘‘diplomacy’’ and ‘‘negotiations,’’ and yet this basis is not as stable as most believe it to be. In a remarkable website on nuclear war, Carol Moore asks the question ‘‘Is Nuclear War Inevitable??’’ [10].4 In Section 1, Moore points out what most terrorists obviously already know about the nuclear tensions between powerful countries. No doubt, they’ve figured out that the best way to escalate these tensions into nuclear war is to set off a nuclear exchange. As Moore points out, all that militant terrorists would have to do is get their hands on one small nuclear bomb and explode it on either Moscow or Israel. Because of the Russian ‘‘dead hand’’ system, ‘‘where regional nuclear commanders would be given full powers should Moscow be destroyed,’’ it is likely that any attack would be blamed on the United States’’ [10]. Israeli leaders and Zionist supporters have, ¶ likewise, stated for years that if Israel were to suffer a nuclear attack, whether from terrorists or a nation state, it would retaliate with the suicidal ‘‘Samson option’’ against all major Muslim cities in the Middle East. Furthermore, the Israeli Samson option would also include attacks on Russia and even ‘‘anti-Semitic’’ European cities [10]. In that case, of course, Russia would retaliate, and the U.S. would then retaliate against Russia. China would probably be involved as well, as thousands, if not tens of thousands, of nuclear warheads, many of them much more powerful than those used at Hiroshima and Nagasaki, would rain upon most of the major cities in the Northern Hemisphere. Afterwards, for years to come, massive radioactive clouds would drift throughout the Earth in the nuclear fallout, bringing death or else radiation disease that would be genetically transmitted to future generations in a nuclear winter that could last as long as a 100 years, taking a savage toll upon the environment and fragile ecosphere as well. And what many people fail to realize is what a precarious, hair-trigger basis the nuclear web rests on. Any accident, mistaken communication, false signal or ‘‘lone wolf’ act of sabotage or treason could, in a matter of a few minutes, unleash the use of nuclear weapons, and once a weapon is used, then the likelihood of a rapid escalation of nuclear attacks is quite high while the likelihood of a limited nuclear war is actually less probable since each country would act under the ‘‘use them or lose them’’ strategy and psychology; restraint by one power would be interpreted as a weakness by the other, which could be exploited as a window of opportunity to ‘‘win’’ the war. In otherwords, once Pandora’s Box is opened, it will spread quickly, as it will be the signal for permission for anyone to use them. Moore compares swift nuclear escalation to a room full of people embarrassed to cough. Once one does, however, ‘‘everyone else feels free to do so. The bottom line is that as long as large nation states use internal and external war to keep their disparate factions glued together and to satisfy elites’ needs for power and plunder, these nations will attempt to obtain, keep, and inevitably use nuclear weapons. And as long as large nations oppress groups who seek selfdetermination, some of those groups will look for any means to fight their oppressors’’ [10]. In other words, as long as war and aggression are backed up by the implicit threat of nuclear arms, it is only a matter of time before the escalation of violent conflict leads to the actual use of nuclear weapons, and once even just one is used, it is very likely thatmany, if not all, will be used, leading to horrific scenarios of global death and the destruction of much of human civilization while condemning a mutant human remnant, if there is such a remnant, to a life of unimaginable misery and suffering in a nuclear winter.

#### Independently, Yemen instability destabilizes Saudi Arabia and the region

Abosaq 12 (Colonel Hassan Abosaq, United States Army War College, 28-02-2012, “The Implications of Unstable Yemen on Saudi Arabia,” //nimo)

If Yemen’s problems are not attended to and it becomes a failed state, then it can bring the whole Gulf system crashing down. The spillover effect of the Yemeni instability will have negative impacts on Saudi Arabia and the Gulf Region. An unstable Yemen will lead to an unstable Arabian Gulf, which will have disastrous effects on the region’s security and the oil supplies which will impact the global economy. Instability in Yemen will have great implications for Saudi Arabia in particular. Hundreds of thousands will cross the border into Saudi Arabia which will include AQAP affiliates, criminals, and refugees. Piracy will increase in the Gulf of Aden impacting the trade lines and the oil shipments which will have a great impact on Saudi Arabia’s economy. AQAP and affiliates will have a safe haven from which to train, recruit and launch attack. The increase of refugees in Saudi Arabia will affect the demographics and economy of Saudi Arabia. So, as we can see, instability in Yemen will have great implications on the Saudi society, economy, and security and therefore Saudi Arabia needs to act in its own best interest to ensure that Yemen avoids becoming a failed state.

#### Middle East war

**Copley ’02** (Gregory, Editor – GIS, Defense and Foreign Affairs Daily, 5-22, Lexis)

Nonetheless, Saudi Arabia's problems have become the problems of virtually the entire Muslim ummah (nation), and are perhaps the real core of the schism between Western and Muslim societies. The danger exists that the Saudi leadership could still collapse in the near future and the integrity of the Saudi State could come into question. The problems in Saudi Arabia -- decades in the making -- are at the geopolitical heart of Islam, thus affecting most of the Muslim world and the relationship between Islamic societies and the West. The phenomena of Osama bin Laden's worldwide terrorism network, the radical Islamist anti-state activities under Sudan's Dr Hassan al-Turabi, the related and parallel evolution of the Taliban in Afghanistan, the direction of the Chechen rebellion, and so on, all owe much to the evolving problems in Saudi Arabia as well as to the radical clerics in Iran. Not even Saudi Arabia's leadership has acknowledged the extent of the crisis, although privately many leading Saudi princes have admitted the prospect of an imminent collapse of the House of Sa'ud. Saudi Arabia's problems have an immediate bearing on whether major war occurs between Israel and its neighbors, and whether Saudi Arabia survives with its present form of government. They are therefore critical to the global economy and global strategic stability.

#### Drone overuse destabilizes Pakistani government

Boyle 13 (Michael J. Boyle, Assistant Professor of Political Science at La Salle University, “The costs and consequences of drone warfare,” International Affairs 89: 1 (2013) 1–29, http://www.chathamhouse.org/sites/default/files/public/International%20Affairs/2013/89\_1/89\_1Boyle.pdf //nimo)

The escalation of drone strikes in Pakistan to its current tempo—one every few¶ days—directly contradicts the long-term American strategic goal of boosting the¶ capacity and legitimacy of the government in Islamabad. Drone attacks are more¶ than just temporary incidents that erase all traces of an enemy. They have lasting¶ political effects that can weaken existing governments, undermine their legiti¶ -¶ macy and add to the ranks of their enemies. These political effects come about¶ because drones provide a powerful signal to the population of a targeted state that¶ the perpetrator considers the sovereignty of their government to be¶ negligible. The popular perception that a government is powerless to stop drone attacks on its¶ territory can be crippling to the incumbent regime, and can embolden its domestic¶ rivals to challenge it through violence. Such continual violations of the territo¶ -¶ rial integrity of a state also have direct consequences for the legitimacy of its¶ government. Following a meeting with General David Petraeus, Pakistani Presi¶ -¶ dent Asif Ali Zardari described the political costs of drones succinctly, saying that¶ ‘continuing drone attacks on our country, which result in loss of precious lives¶ or property, are counterproductive and difficult to explain by a democratically¶ elected government. It is creating a credibility gap.’¶ 75¶ Similarly, the Pakistani High¶ Commissioner to London Wajid Shamsul Hasan said in August 2012 that¶ what has been the whole outcome of these drone attacks is that you have directly or¶ indirectly contributed to destabilizing or undermining the democratic government.¶ Because people really make fun of the democratic government—when you pass a resolu¶ -¶ tion against drone attacks in the parliament and nothing happens. The Americans don’t¶ listen to you, and they continue to violate your territory.¶ 76¶ The appearance of powerlessness in the face of drones is corrosive to the appear¶ -¶ ance of competence and legitimacy of the Pakistani government. The growing¶ perception that the Pakistani civilian government is unable to stop drone attacks is¶ particularly dangerous in a context where 87 per cent of all Pakistanis are dissatis¶ -¶ fied with the direction of the country and where the military, which has launched¶ coups before, remains a popular force.¶ 77

#### Instability causes loose nukes and conflict with India

O’Hanlon 5 (Michael O’Hanlon, PhD, Senior Fellow in Foreign Policy Studies and The Sydney Stein, Jr. Chair at the Brookings Institution, “Dealing with the Collapse of a Nuclear-Armed State,” The Princeton Project Papers, 2005, http://www.princeton.edu/~ppns/papers/ohanlon.pdf //nimo)

Were Pakistan to collapse, it is unclear what the United States and like-minded states would or should¶ do. As with North Korea, it is highly unlikely that “surgical strikes” to destroy the nuclear weapons¶ could be conducted before extremists could make a grab at them. The United States probably would¶ not know their location – at a minimum, scores of sites controlled by Special Forces or elite Army units¶ would be presumed candidates – and no Pakistani government would likely help external forces with¶ targeting information. The chances of learning the locations would probably be greater than in the¶ North Korean case, given the greater openness of Pakistani society and its ties with the outside world;¶ but U.S.-Pakistani military cooperation, cut off for a decade in the 1990s, is still quite modest, and¶ the likelihood that Washington would be provided such information or otherwise obtain it should be¶ considered small. If a surgical strike, series of surgical strikes, or¶ commando-style raids were not possible, the only¶ option would be to try to restore order before¶ the weapons could be taken by extremists and¶ transferred to terrorists. The United States and¶ other outside powers might, for example, respond¶ to a request by the Pakistani government to help¶ restore order. Given the embarrassment associated¶ with requesting such outside help, the Pakistani¶ government might delay asking until quite late, thus complicating an already challenging operation.¶ If the international community could act fast enough, it might help defeat an insurrection. Another¶ option would be to protect Pakistan’s borders, therefore making it harder to sneak nuclear weapons out¶ of the country, while only providing technical support to the Pakistani armed forces as they tried to¶ quell the insurrection. Given the enormous stakes, the United States would literally have to do anything¶ it could to prevent nuclear weapons from getting into the wrong hands.¶ India would, of course, have a strong incentive to ensure the security of Pakistan’s nuclear weapons.¶ It also would have the advantage of proximity; it could undoubtedly mount a large response within a¶ week, but its role would be complicated to say the least. In the case of a dissolved Pakistani state, India¶ likely would not hesitate to intervene; however, in the more probable scenario in which Pakistan were¶ fraying but not yet collapsed, India’s intervention could unify Pakistan’s factions against the invader,¶ even leading to the deliberate use of Pakistani weapons against India. In such a scenario, with Pakistan’s¶ territorial integrity and sovereignty on the line and its weapons put into a “use or lose” state by the¶ approach of the Indian Army, nuclear dangers have long been considered to run very high.

#### Extinction

Chaffin 11 (Greg Chaffin, Research Assistant at Foreign Policy in Focus, July 8, 2011, “Reorienting U.S. Security Strategy in South Asia,” online: http://www.fpif.org/articles/reorienting\_us\_security\_strategy\_in\_south\_asia)

The greatest threat to regional security (although curiously not at the top of most lists of U.S. regional concerns) is the possibility that increased India-Pakistan tension will erupt into all-out war that could quickly escalate into a nuclear exchange. Indeed, in just the past two decades, the two neighbors have come perilously close to war on several occasions. India and Pakistan remain the most likely belligerents in the world to engage in nuclear war.¶ Due to an Indian preponderance of conventional forces, Pakistan would have a strong incentive to use its nuclear arsenal very early on before a routing of its military installations and weaker conventional forces. In the event of conflict, Pakistan’s only chance of survival would be the early use of its nuclear arsenal to inflict unacceptable damage to Indian military and (much more likely) civilian targets. By raising the stakes to unacceptable levels, Pakistan would hope that India would step away from the brink. However, it is equally likely that India would respond in kind, with escalation ensuing. Neither state possesses tactical nuclear weapons, but both possess scores of city-sized bombs like those used on Hiroshima and Nagasaki.¶ Furthermore, as more damage was inflicted (or as the result of a decapitating strike), command and control elements would be disabled, leaving individual commanders to respond in an environment increasingly clouded by the fog of war and decreasing the likelihood that either government (what would be left of them) would be able to guarantee that their forces would follow a negotiated settlement or phased reduction in hostilities. As a result any such conflict would likely continue to escalate until one side incurred an unacceptable or wholly debilitating level of injury or exhausted its nuclear arsenal.¶ A nuclear conflict in the subcontinent would have disastrous effects on the world as a whole. In a January 2010 paper published in Scientific American, climatology professors Alan Robock and Owen Brian Toon forecast the global repercussions of a regional nuclear war. Their results are strikingly similar to those of studies conducted in 1980 that conclude that a nuclear war between the United States and the Soviet Union would result in a catastrophic and prolonged nuclear winter, which could very well place the survival of the human race in jeopardy. In their study, Robock and Toon use computer models to simulate the effect of a nuclear exchange between India and Pakistan in which each were to use roughly half their existing arsenals (50 apiece). Since Indian and Pakistani nuclear devices are strategic rather than tactical, the likely targets would be major population centers. Owing to the population densities of urban centers in both nations, the number of direct casualties could climb as high as 20 million.¶ The fallout of such an exchange would not merely be limited to the immediate area. First, the detonation of a large number of nuclear devices would propel as much as seven million metric tons of ash, soot, smoke, and debris as high as the lower stratosphere. Owing to their small size (less than a tenth of a micron) and a lack of precipitation at this altitude, ash particles would remain aloft for as long as a decade, during which time the world would remain perpetually overcast. Furthermore, these particles would soak up heat from the sun, generating intense heat in the upper atmosphere that would severely damage the earth’s ozone layer. The inability of sunlight to penetrate through the smoke and dust would lead to global cooling by as much as 2.3 degrees Fahrenheit. This shift in global temperature would lead to more drought, worldwide food shortages, and widespread political upheaval.

### Norms

#### Drone war coming absent accountability – reform *now* key to norms shifting and confidence building

Ingersoll and Kelley 13 (Geoffrey Ingersoll, Michael Kelley, Business Insider, Jan. 9, 2013, “America Is Setting A Dangerous Precedent For The Drone Age,” http://www.businessinsider.com/america-is-setting-a-dangerous-precedent-for-the-drone-age-2013-1#ixzz2oH9x2FTE //nimo)

The decisions America makes today regarding drone policy could come back to haunt it sooner than later.¶ Micah Zenko of the Council of Foreign Relations makes this argument in a new report:¶ A major risk is that of proliferation. Over the next decade, the U.S. near-monopoly on drone strikes will erode as more countries develop and hone this capability. In this uncharted territory, U.S. policy provides a powerful precedent for other states and nonstate actors that will increasingly deploy drones with potentially dangerous ramifications.¶ Jim Michaels of USA Today reports that 75 countries, including Iran and China, have developed or acquired drone technology in the wake of America's prolific program. ¶ The situation places the U.S. in a possibly very brief window of leadership — and transparency is the key first step to this leadership.¶ U.S. policy is to consider "all military-age males in a strike zone as combatants ... unless there is explicit intelligence posthumously proving them innocent." America targets these individuals using a "disposition matrix" that serves to keep track of the ever-evolving procedures and legal justifications for placing suspects on the U.S. "kill list."¶ And the Obama administration refuses to reveal its methods or justifications for bombing a target, indicated by a recent ruling to deny a FOIA request regarding the targeted killing of the 16-year-old American-born son of former Al-Qaeda propagandist Anwar al-Awlaki.¶ From Judge Colleen McMahon's opinion: ¶ I find myself stuck in a paradoxical situation in which I cannot solve a problem because of contradictory constraints and rules - a veritable Catch-22. I can find no way around the thicket of laws and precedents that effectively allow the Executive Branch of our Government to proclaim as perfectly lawful certain actions that seem on their face incompatible with our Constitution and laws, while keeping the reasons for their conclusion a secret.¶ So the U.S. has the benefit of the doubt, even when it carries out "signature strikes" in which the identities of those killed on the ground is unknown and the decision to strike hinges upon recognition of certain undisclosed behaviors and tendencies.¶ That's a powerful precedent.¶ Imagine China conducting strikes inside Japan, or its own borders (e.g. Tibet) while using the current administration's same opaque, one-size fits all statement that each strike only happens after "rigorous standards and process of review" — essentially, "nevermind the evidence, trust us."¶ That wouldn't fly, but right now America is not in a very strong position to criticize such a situation. That's why, as Zenko argues, the U.S. must reform its policies or risk losing its moral and strategic advantage.¶ A few months ago, the election spurred Obama to codify its rules and regulations regarding drone strikes because "there was concern that the levers might no longer be in our hands," one anonymous official told Scott Shane of the New York Times.¶ Well that time is approaching, and it won't be a Mitt Romney or Marco Rubio in control. It'll be North Korea's Kim Jung Un, China's Hu Jintao, or Iran's Ahmed Ahmadinejad.¶ Which means that it may be time to show the drone "playbook" so extrajudicial killings don't become a blindly accepted aspect of international foreign policy.¶ [UPDATE 10:19 p.m.] As Daphne Eviatar, Senior Counsel in Human Rights First's Law and Security Program, noted last week in Reuters, laying out U.S. policy "would be a brave and principled move on Obama’s part. It would also go a long way toward developing global confidence that, despite past mistakes, Washington is waging its fight against terrorism in accordance with the rule of law."

#### Unrestricted drone strikes make great power war inevitable – traditional checks *don’t apply*

Posner 13 (Eric Posner, professor at the University of Chicago Law School, May 15 2013, Slate, “The Killer Robot War Is Coming,” http://www.slate.com/articles/news\_and\_politics/view\_from\_chicago/2013/05/drone\_warfare\_and\_spying\_we\_need\_new\_laws.html //nimo)

Drones have existed for decades, but in recent years they have become ubiquitous. Some people celebrate drones as an effective and humane weapon because they can be used with precision to slay enemies and spare civilians, and argue that they pose no special risks that cannot be handled by existing law. Indeed, drones, far more than any other weapon, enable governments to comply with international humanitarian law by avoiding civilian casualties when attacking enemies. Drone defenders also mocked Rand Paul for demanding that the Obama administration declare whether it believed that it could kill people with drones on American territory. Existing law permits the police to shoot criminals who pose an imminent threat to others; if police can gun down hostage takers and rampaging shooters, why can’t they drone them down too?¶ While there is much to be said in favor of these arguments, drone technology poses a paradox that its defenders have not confronted. Because drones are cheap, effective, riskless for their operators, and adept at minimizing civilian casualties, governments may be tempted to use them too frequently.¶ Indeed, a panic has already arisen that the government will use drones to place the public under surveillance. Many municipalities have passed laws prohibiting such spying even though it has not yet taken place. Why can’t we just assume that existing privacy laws and constitutional rights are sufficient to prevent abuses?¶ To see why, consider U.S. v. Jones, a 2012 case in which the Supreme Court held that the police must get a search warrant before attaching a GPS tracking device to a car, because the physical attachment of the device trespassed on property rights. Justice Samuel Alito argued that this protection was insufficient, because the government could still spy on people from the air. While piloted aircraft are too expensive to use routinely, drones are not, or will not be. One might argue that if the police can observe and follow you in public without obtaining a search warrant, they should be able to do the same thing with drones. But when the cost of surveillance declines, more surveillance takes place. If police face manpower limits, then they will spy only when strong suspicions justify the intrusion on targets’ privacy. If police can launch limitless drones, then we may fear that police will be tempted to shadow ordinary people without good reason.¶ Similarly, we may be comfortable with giving the president authority to use military force on his own when he must put soldiers into harm’s way, knowing that he will not risk lives lightly. Presidents have learned through hard experience that the public will not tolerate even a handful of casualties if it does not believe that the mission is justified. But when drones eliminate the risk of casualties, the president is more likely to launch wars too often.¶ The same problem arises internationally. The international laws that predate drones assume that military intervention across borders risks significant casualties. Since that check normally kept the peace, international law could give a lot of leeway for using military force to chase down terrorists. But if the risk of casualties disappears, then nations might too eagerly attack, resulting in blowback and retaliation. Ironically, the reduced threat to civilians in tactical operations could wind up destabilizing relationships between countries, including even major powers like the United States and China, making the long-term threat to human life much greater.¶ These three scenarios illustrate the same lesson: that law and technology work in tandem. When technological barriers limit the risk of government abuse, legal restrictions on governmental action can be looser. When those technological barriers fall, legal restrictions may need to be tightened.

#### Drone conflicts *erode deterrence* and escalate to nuclear war

Boyle 13 (Michael J. Boyle, Assistant Professor of Political Science at La Salle University, “The costs and consequences of drone warfare,” International Affairs 89: 1 (2013) 1–29, http://www.chathamhouse.org/sites/default/files/public/International%20Affairs/2013/89\_1/89\_1Boyle.pdf //nimo)

A second consequence of the spread of drones is that many of the traditional¶ concepts which have underwritten stability in the international system will be¶ radically reshaped by drone technology. For example, much of the stability¶ among the Great Powers in the international system is driven by deterrence,¶ specifically nuclear deterrence.¶ 135¶ Deterrence operates with informal rules of the¶ game and tacit bargains that govern what states, particularly those holding nuclear¶ weapons, may and may not do to one another.¶ 136¶ While it is widely understood¶ that nuclear-capable states will conduct aerial surveillance and spy on one another,¶ overt military confrontations between nuclear powers are rare because they are¶ assumed to be costly and prone to escalation. One open question is whether these¶ states will exercise the same level of restraint with drone surveillance, which is¶ unmanned, low cost, and possibly deniable. States may be more willing to engage¶ in drone overflights which test the resolve of their rivals, or engage in ‘salami¶ tactics’ to see what kind of drone-led incursion, if any, will motivate a response.¶ 137¶ This may have been Hezbollah’s logic in sending a drone into Israeli airspace in¶ October 2012, possibly to relay information on Israel’s nuclear capabilities.¶ 138¶ After¶ the incursion, both Hezbollah and Iran boasted that the drone incident demon¶ -¶ strated their military capabilities.¶ 139¶ One could imagine two rival states—for¶ example, India and Pakistan—deploying drones to test each other’s capability¶ and resolve, with untold consequences if such a probe were misinterpreted by¶ the other as an attack. As drones get physically smaller and more precise, and as¶ they develop a greater flying range, the temptation to use them to spy on a rival’s¶ nuclear programme or military installations might prove too strong to resist. If¶ this were to happen, drones might gradually erode the deterrent relationships that¶ exist between nuclear powers, thus magnifying the risks of a spiral of conflict¶ between them.

#### Only the US can act to set norms – now is key – continued use undermines norms on *ALL* violence

Whibley 13 (James Whibley received a M.A. in International Relations from Victoria University of Wellington, February 6th, 2013, Georgetown Journal of Int’l Affairs, “The Proliferation of Drone Warfare: The Weakening of Norms and International Precedent,” http://journal.georgetown.edu/2013/02/06/the-proliferation-of-drone-warfare-the-weakening-of-norms-and-international-precedent-by-james-whibley/ //nimo)

While drone advocates such as Max Boot argue that other countries are unlikely to follow any precedents about drone use established by America, power has an undeniable effect in establishing which norms are respected or enforced. America used its power in the international system after World War 2 to embed norms about human rights and liberal political organization, not only in allies, but in former adversaries and the international system as a whole. Likewise, the literature on rule-oriented constructivism presents a powerful case that norms have set precedents on the appropriate war-fighting and deterrence policies when using weapons of mass destruction and the practices of colonialism and human intervention. Therefore, drones advocates must consider the possible unintended consequences of lending legitimacy to the unrestricted use of drones. However, with the Obama administration only now beginning to formulate rules about using drones and seemingly uninterested in restraining its current practices, the US may miss an opportunity to entrench international norms about drone operations.¶ If countries begin to follow the precedent set by the US, there is also the risk of weakening pre-existing international norms about the use of violence. In the summer 2000 issue of International Security, Ward Thomas warned that, while the long-standing norm against assassination has always been less applicable to terrorist groups, the targeting of terrorists is, “likely to undermine the norm as a whole and erode the barriers to the use of assassination in other circumstances.” Such an occurrence would represent a deleterious unintended consequence to an already inhumane international system, justifying greater scrutiny of the drone program.¶ Realism cautions scholars not to expect ethical behaviour in international politics. Yet, the widespread use of drones by recent administrations with little accountability and the lack of any normative framework about their deployment on the battlefield could come to be seen as a serious strategic error and moral failing. If the Obama administration was nervous about leaving an amorphous drone policy to a possible Romney Presidency, then surely China or Russia possessing such a program would be terrifying.

#### Unrestricted drone use causes Armenia-Azerbaijan war absent norms

Clayton 12 (Nicholas Clayton, Worked in several publications, including the Washington Times the Asia Times and Washington Diplomat. He is currently the senior editor of Kanal PIK TV's English Service (a Russian-language channel), October 23, 2012, “Drone violence along Armenian-Azerbaijani border could lead to war,” http://www.globalpost.com/dispatch/news/regions/europe/121022/drone-violence-along-armenian-azerbaijani-border-could-lead-war //nimo)

Drone violence along Armenian-Azerbaijani border could lead to war Armenia and Azerbaijan could soon be at war if drone proliferation on both sides of the border continues.¶ YEREVAN, Armenia — In a region where a fragile peace holds over three frozen conflicts, the nations of the South Caucasus are buzzing with drones they use to probe one another’s defenses and spy on disputed territories.¶ The region is also host to strategic oil and gas pipelines and a tangled web of alliances and precious resources that observers say threaten to quickly escalate the border skirmishes and airspace violations to a wider regional conflict triggered by Armenia and Azerbaijan that could potentially pull in Israel, Russia and Iran.¶ To some extent, these countries are already being pulled towards conflict. Last September, Armenia shot down an Israeli-made Azerbaijani drone over Nagorno-Karabakh and the government claims that drones have been spotted ahead of recent incursions by Azerbaijani troops into Armenian-held territory.¶ Richard Giragosian, director of the Regional Studies Center in Yerevan, said in a briefing that attacks this summer showed that Azerbaijan is eager to “play with its new toys” and its forces showed “impressive tactical and operational improvement.” ¶ The International Crisis Group warned that as the tit-for-tat incidents become more deadly, “there is a growing risk that the increasing frontline tensions could lead to an accidental war.” More from GlobalPost: How Russia and Georgia's 'little war' started a drone arms race¶ With this in mind, the UN and the Organization for Security and Co-operation in Europe (OSCE) have long imposed a non-binding arms embargo on both countries, and both are under a de facto arms ban from the United States. But, according to the Stockholm International Peace Research Institute (SIPRI), this has not stopped Israel and Russia from selling to them. ¶ After fighting a bloody war in the early 1990s over the disputed territory of Nagorno-Karabakh, Armenia and Azerbaijan have been locked in a stalemate with an oft-violated ceasefire holding a tenuous peace between them. ¶ And drones are the latest addition to the battlefield. In March, Azerbaijan signed a $1.6 billion arms deal with Israel, which consisted largely of advanced drones and an air defense system. Through this and other deals, Azerbaijan is currently amassing a squadron of over 100 drones from all three of Israel’s top defense manufacturers. ¶ Armenia, meanwhile, employs only a small number of domestically produced models.¶ Intelligence gathering is just one use for drones, which are also used to spot targets for artillery, and, if armed, strike targets themselves.¶ Armenian and Azerbaijani forces routinely snipe and engage one another along the front, each typically blaming the other for violating the ceasefire. At least 60 people have been killed in ceasefire violations in the last two years, and the Brussels-based International Crisis Group claimed in a report published in February 2011 that the sporadic violence has claimed hundreds of lives.¶ “Each (Armenia and Azerbaijan) is apparently using the clashes and the threat of a new war to pressure its opponent at the negotiations table, while also preparing for the possibility of a full-scale conflict in the event of a complete breakdown in the peace talks,” the report said.¶ Alexander Iskandaryan, director of the Caucasus Institute in the Armenian capital, Yerevan, said that the arms buildup on both sides makes the situation more dangerous but also said that the clashes are calculated actions, with higher death tolls becoming a negotiating tactic.¶ “This isn’t Somalia or Afghanistan. These aren’t independent units. The Armenian, Azerbaijani and Karabakh armed forces have a rigid chain of command so it’s not a question of a sergeant or a lieutenant randomly giving the order to open fire. These are absolutely synchronized political attacks,” Iskandaryan said.¶ More from GlobalPost: Israel grapples with blowback from booming drone industry¶ The deadliest recent uptick in violence along the Armenian-Azerbaijani border and the line of contact around Karabakh came in early June as US Secretary of State Hillary Clinton was on a visit to the region. While death tolls varied, at least two dozen soldiers were killed or wounded in a series of shootouts along the front. ¶ The year before, at least four Armenian soldiers were killed in an alleged border incursion by Azerbaijani troops one day after a peace summit between the Armenian, Azerbaijani and Russian presidents in St. Petersburg, Russia.¶ “No one slept for two or three days [during the June skirmishes],” said Grush Agbaryan, the mayor of the border village of Voskepar for a total of 27 years off and on over the past three decades. “Everyone is now saying that the war is coming. We know that it could start at any moment."¶ Azerbaijan refused to issue accreditation to GlobalPost’s correspondent to enter the country to report on the shootings and Azerbaijan’s military modernization.¶ Flush with cash from energy exports, Azerbaijan has increased its annual defense budget from an estimated $160 million in 2003 to $3.6 billion in 2012. SIPRI said in a report that largely as a result of its blockbuster drone deal with Israel, Azerbaijan’s defense budget jumped 88 percent this year — the biggest military spending increase in the world.¶ Israel has long used arms deals to gain strategic leverage over its rivals in the region. Although difficult to confirm, many security analysts believe Israel’s deals with Russia have played heavily into Moscow’s suspension of a series of contracts with Iran and Syria that would have provided them with more advanced air defense systems and fighter jets.¶ Stephen Blank, a research professor at the United States Army War College, said that preventing arms supplies to Syria and Iran — particularly Russian S-300 air defense systems — has been among Israel’s top goals with the deals.¶ “There’s always a quid pro quo,” Blank said. “Nobody sells arms just for cash.”¶ In Azerbaijan in particular, Israel has traded its highly demanded drone technology for intelligence arrangements and covert footholds against Iran. In a January 2009 US diplomatic cable released by WikiLeaks, a US diplomat reported that in a closed-door conversation, Azerbaijani President Ilham Aliyev compared his country’s relationship with Israel to an iceberg — nine-tenths of it is below the surface.¶ More from GlobalPost: Are Iran's drones coordinating attacks in Syria?¶ Although the Jewish state and Azerbaijan, a conservative Muslim country, may seem like an odd couple, the cable asserts, “Each country finds it easy to identify with the other’s geopolitical difficulties, and both rank Iran as an existential security threat.” Quarrels between Azerbaijan and Iran run the gamut of territorial, religious and geo-political disputes and Tehran has repeatedly threatened to “destroy” the country over its support for secular governance and NATO integration.¶ In the end, “Israel’s main goal is to preserve Azerbaijan as an ally against Iran, a platform for reconnaissance of that country and as a market for military hardware,” the diplomatic cable reads.¶ But, while these ties had indeed remained below the surface for most of the past decade, a series of leaks this year exposed the extent of their cooperation as Israel ramped up its covert war with the Islamic Republic.¶ In February, the Times of London quoted a source the publication said was an active Mossad agent in Azerbaijan as saying the country was “ground zero for intelligence work.” This came amid accusations from Tehran that Azerbaijan had aided Israeli agents in assassinating an Iranian nuclear scientist in January. Then, just as Baku had begun to cool tensions with the Islamic Republic, Foreign Policy magazine published an article citing Washington intelligence officials who claimed that Israel had signed agreements to use Azerbaijani airfields as a part of a potential bombing campaign against Iran’s nuclear sites.¶ Baku strongly denied the claims, but in September, Azerbaijani officials and military sources told Reuters that the country would figure in Israel’s contingencies for a potential attack against Iran.¶ "Israel has a problem in that if it is going to bomb Iran, its nuclear sites, it lacks refueling," Rasim Musabayov, a member of the Azerbiajani parliamentary foreign relations committee told Reuters. “I think their plan includes some use of Azerbaijan access. We have (bases) fully equipped with modern navigation, anti-aircraft defenses and personnel trained by Americans and if necessary they can be used without any preparations."¶ He went on to say that the drones Israel sold to Azerbaijan allow it to “indirectly watch what's happening in Iran.” ¶ More from GlobalPost: Despite modern facade, Azerbaijan guilty of rights abuses¶ According to SIPRI, Azerbaijan had acquired about 30 drones from Israeli firms Aeronautics Ltd. and Elbit Systems by the end of 2011, including at least 25 medium-sized Hermes-450 and Aerostar drones.¶ In October 2011, Azerbaijan signed a deal to license and domestically produce an additional 60 Aerostar and Orbiter 2M drones. Its most recent purchase from Israel Aeronautics Industries (IAI) in March reportedly included 10 high altitude Heron-TP drones — the most advanced Israeli drone in service — according to Oxford Analytica.¶ Collectively, these purchases have netted Azerbaijan 50 or more drones that are similar in class, size and capabilities to American Predator and Reaper-type drones, which are the workhorses of the United States’ campaign of drone strikes in Pakistan and Yemen. ¶ Although Israel may have sold the drones to Azerbaijan with Iran in mind, Baku has said publicly that it intends to use its new hardware to retake territory it lost to Armenia. So far, Azerbaijan’s drone fleet is not armed, but industry experts say the models it employs could carry munitions and be programmed to strike targets.¶ Drones are a tempting tool to use in frozen conflicts, because, while their presence raises tensions, international law remains vague at best on the legality of using them. In 2008, several Georgian drones were shot down over its rebel region of Abkhazia. A UN investigation found that at least one of the drones was downed by a fighter jet from Russia, which maintained a peacekeeping presence in the territory. While it was ruled that Russia violated the terms of the ceasefire by entering aircraft into the conflict zone, Georgia also violated the ceasefire for sending the drone on a “military operation” into the conflict zone. ¶ The incident spiked tensions between Russia and Georgia, both of which saw it as evidence the other was preparing to attack. Three months later, they fought a brief, but destructive war that killed hundreds.¶ The legality of drones in Nagorno-Karabakh is even less clear because the conflict was stopped in 1994 by a simple ceasefire that halted hostilities but did not stipulate a withdrawal of military forces from the area. Furthermore, analysts believe that all-out war between Armenia and Azerbaijan would be longer and more difficult to contain than the five-day Russian-Georgian conflict.¶ While Russia was able to quickly rout the Georgian army with a much superior force, analysts say that Armenia and Azerbaijan are much more evenly matched and therefore the conflict would be prolonged and costly in lives and resources. ¶ Blank said that renewed war would be “a very catastrophic event” with “a recipe for a very quick escalation to the international level.” Armenia is militarily allied with Russia and hosts a base of 5,000 Russian troops on its territory. After the summer’s border clashes, Russia announced it was stepping up its patrols of Armenian airspace by 20 percent.¶ Iran also supports Armenia and has important business ties in the country, which analysts say Tehran uses as a “proxy” to circumvent international sanctions.¶ Blank said Israel has made a risky move by supplying Azerbaijan with drones and other high tech equipment, given the tenuous balance of power between the heavily fortified Armenian positions and the more numerous and technologically superior Azerbaijani forces. If ignited, he said, “[an Armenian-Azerbaijani war] will not be small. That’s the one thing I’m sure of.”

#### Nuclear war – *most* probable great power war

Blank 2k (Stephen J. Blank, PhD, served as the Strategic Studies Institute’s expert on the Soviet bloc and the post-Soviet world since 1989, prior to that he was Associate Professor of Soviet Studies at the Center for Aerospace Doctrine, Research, and Education, Maxwell Air Force Base, June 2000, “U.S. MILITARY ENGAGEMENT WITH TRANSCAUCASIA AND CENTRAL ASIA,” //nimo)

Washington’s burgeoning military-political-economic involvement seeks, inter alia, to demonstrate the U.S. ability to project military power even into this region or for that matter, into Ukraine where NATO recently held exercises that clearly originated as an anti-Russian scenario. Secretary of Defense William Cohen has discussed strengthening U.S.-Azerbaijani military cooperation and even training the Azerbaijani army, certainly alarming Armenia and Russia.69 And Washington is also training Georgia’s new Coast Guard. 70 However, Washington’s well-known ambivalence about committing force to Third World ethnopolitical conflicts suggests that U.S. military power will not be easily committed to saving its economic investment. But this ambivalence about committing forces and the dangerous situation, where Turkey is allied to Azerbaijan and Armenia is bound to Russia, create the potential for wider and more protracted regional conflicts among local forces. In that connection, Azerbaijan and Georgia’s growing efforts to secure NATO’s lasting involvement in the region, coupled with Russia’s determination to exclude other rivals, foster a polarization along very traditional lines.71¶ In 1993 Moscow even threatened World War III to deter Turkish intervention on behalf of Azerbaijan. Yet the new Russo-Armenian Treaty and Azeri-Turkish treaty suggest that Russia and Turkey could be dragged into a confrontation to rescue their allies from defeat. 72 Thus many of the conditions for conventional war or protracted ethnic conflict in which third parties intervene are present in the Transcaucasus. For example, many Third World conflicts generated by local structural factors have a great potential for unintended escalation. Big powers often feel obliged to rescue their lesser proteges and proxies. One or another big power may fail to grasp the other side’s stakes since interests here are not as clear as in Europe. Hence commitments involving the use of nuclear weapons to prevent a client’s defeat are not as well established or apparent. Clarity about the nature of the threat could prevent the kind of rapid and almost uncontrolled escalation we saw in 1993 when Turkish noises about intervening on behalf of Azerbaijan led Russian leaders to threaten a nuclear war in that case.73¶ Precisely because Turkey is a NATO ally, Russian nuclear threats could trigger a potential nuclear blow (not a small possibility given the erratic nature of Russia’s declared nuclear strategies). The real threat of a Russian nuclear strike against Turkey to defend Moscow’s interests and forces in the Transcaucasus makes the danger of major war there higher than almost everywhere else. As Richard Betts has observed,¶ The greatest danger lies in areas where (1) the potential for serious instability is high; (2) both superpowers perceive vital interests; (3) neither recognizes that the other’s perceived interest or commitment is as great as its own; (4) both have the capability to inject conventional forces; and, (5) neither has willing proxies capable of settling the situation.74¶ Russian perceptions of the Transcaspian’s criticality to its interests is tied to its continuing efforts to perpetuate and extend the vast disproportion in power it possesses relative to other CIS states. This power and resource disproportion between Russia and the smaller states of the Transcaspian region means that no natural equilibrium is possible there. Russia neither can be restrained nor will it accept restraint by any local institution or power in its pursuit of unilateral advantage and reintegration. 75¶ The only restraints it now accepts are the objective ones that limit its faltering economic and military power and that preclude its easy attainment of regional hegemony. And even the perceptions of waning power are difficult to accept and translate into Russian policy. In many cases, Russia still has not truly or fully accepted how limited its capabilities for securing its vital interests are. 76 While this hardly means that Russia can succeed at will regionally, it does mean that for any regional balance, either on energy or other major security issues, to be realized, someone else must lend power to the smaller Caspian littoral states to anchor that balance. Whoever effects that balance must be willing to play a protracted and potentially even military role in the region for a long time and risk the kind of conflict which Betts described. There is little to suggest that the United States can or will play this role, yet that is what we are now attempting to do. This suggests that ultimately its bluff can be called. That is, Russia could sabotage many if not all of the forthcoming energy projects by relatively simple and tested means and there is not much we could do absent a strong and lasting regional commitment.

### Plan

#### The United States federal government should restrict the President's war powers authority to declare immunity from judicial review by establishing a cause of action allowing civil suits brought against the United States by those unlawfully injured by targeted killing operations, their heirs, or their estates.

### Solvency

#### Plan ensures compliance with laws of war and creates legal norms

Hafetz 13 (Jonathan Hafetz, Associate Professor of Law, Seton Hall University School of Law, 03/08/2013, “Reviewing Drones,” http://www.huffingtonpost.com/jonathan-hafetz/reviewing-drones\_b\_2815671.html //nimo)

The better course is to ensure meaningful review after the fact. To this end, Congress should authorize federal damages suits by the immediate family members of individuals killed in drone strikes.¶ Such ex post review would serve two main functions: providing judicial scrutiny of the underlying legal basis for targeted killings and affording victims a remedy. It would also give judges more leeway to evaluate the facts without fear that an error on their part might leave a dangerous terrorist at large.¶ For review to be meaningful, judges must not be restricted to deciding whether there is enough evidence in a particular case, as they would likely be under a FISA model. They must also be able to examine the government's legal arguments and, to paraphrase the great Supreme Court chief justice John Marshall, "to say what the law is" on targeted killings.¶ Judicial review through a civil action can achieve that goal. It can thus help resolve the difficult questions raised by the Justice Department white paper, including the permissible scope of the armed conflict with al Qaeda and the legality of the government's broad definition of an "imminent" threat.¶ Judges must also be able to afford a remedy to victims. Mistakes happen and, as a recent report by Columbia Law School and the Center for Civilians in Conflict suggests, they happen more than the U.S. government wants to acknowledge.¶ Errors are not merely devastating for family members and their communities. They also increase radicalization in the affected region and beyond. Drone strikes -- if unchecked -- could ultimately create more terrorists than they eliminate.¶ Courts should thus be able to review lethal strikes to determine whether they are consistent with the Constitution and with the 2001 Authorization for Use of Military Force, which requires that such uses of force be consistent with the international laws of war. If a drone strike satisfies these requirements, the suit should be dismissed.

#### Cause of action creates a deterrent effect and mitigates negative impacts of judicial reviews

Vladeck 13 (Stephen I. Vladeck, Professor of Law and Associate Dean for Scholarship, American University Washington College of Law, February 27, 2013, “DRONES AND THE WAR ON TERROR: WHEN CAN THE U.S. TARGET ALLEGED AMERICAN TERRORISTS OVERSEAS?” http://www.lawfareblog.com/wp-content/uploads/2013/02/Vladeck-02272013.pdf //nimo)

At first blush, it may seem like many of these issues would be equally salient ¶ in the context of after-the-fact damages suits. But as long as such a regime was ¶ designed carefully and conscientiously, I believe that virtually all of these concerns ¶ could be mitigated. ¶ ¶ For starters, retrospective review doesn’t raise anywhere near the same ¶ concerns with regard to adversity or judicial competence. With respect to adversity, ¶ presumably those who are targeted in an individual strike could be represented as ¶ plaintiffs in a post-hoc proceeding, whether through their next friend or their heirs. ¶ And as long as they could state a viable claim for relief, it’s difficult to see any pure ¶ Article III problem with such a suit for retrospective relief. ¶ ¶ As for competence, judges routinely review whether government officers ¶ acted in lawful self-defense under exigent circumstances (this is exactly what the ¶ Supreme Court’s 1985 decision in Tennessee v. Garner20 contemplates, after all). ¶ And if the Guantánamo litigation of the past five years has shown nothing else, it ¶ demonstrates that judges are also more than competent to resolve not just whether ¶ individual terrorism suspects are who the government says they are (and thus ¶ members of al Qaeda or one of its affiliates), but to do so using highly classified ¶ information in a manner that balances—albeit not always ideally—the ¶ government’s interest in secrecy with the detainee’s ability to contest the evidence ¶ against him.21 Just as Guantánamo detainees are represented in their habeas ¶ proceedings by security-cleared counsel who must comply with court-imposed ¶ protective orders and security procedures,22 so too, the subjects of targeted killing ¶ operations could have their estates represented by security-cleared counsel, who ¶ would be in a far better position to challenge the government’s evidence and to offer ¶ potentially exculpatory evidence / arguments of their own. And although the ¶ Guantánamo procedures have been developed by courts on an ad hoc basis (a ¶ process that has itself been criticized by some jurists),23 Congress might also look to ¶ provisions it enacted in 1996 in creating the little-known Alien Terrorist Removal ¶ Court, especially 8 U.S.C. § 1534,24 as a model for such proceedings ¶ ¶ More to the point, it should also follow that courts would be far more able as ¶ a practical matter to review the relevant questions in these cases after the fact. ¶ Although the pure membership question can probably be decided in the abstract, it ¶ should stand to reason that the imminence and infeasibility-of-capture issues will ¶ be much easier to assess in hindsight—removed from the pressures of the moment ¶ and with the benefit of the dispassionate distance that judicial review provides. To ¶ similar effect, whether the government used excessive force in relation to the object ¶ of the attack is also something that can only reasonably be assessed post hoc. ¶ ¶ In addition to the substantive questions, it will also be much easier for courts ¶ to review the government’s own internal procedures after they are employed, ¶ especially if the government itself is already conducting after-action reviews that ¶ could be made part of the (classified) record in such cases. Indeed, the government’s ¶ own analysis could, in many cases, go a long way toward proving the lawfulness vel ¶ non of an individual strike. ¶ ¶ As I mentioned before, there would still be a host of legal doctrines that ¶ would likely get in the way of such suits. Just to name a few, there is the present ¶ (albeit, in my view, unjustified) hostility to judicially inferred causes of actions ¶ under Bivens; the state secrets privilege; ¶ and sovereign and official immunity ¶ doctrines. But I am a firm believer that, except where the President himself is ¶ concerned (where there’s a stronger argument that immunity is constitutionally ¶ grounded),25 each of these concerns can be overcome by statute—as at least some of ¶ them arguably have been in the context of the express damages actions provided for ¶ under FISA.26 So long as Congress creates an express cause of action for nominal ¶ damages, and so long as the statute both (1) expressly overrides state secrets and ¶ immunity doctrines; and (2) replaces them with carefully considered procedures for ¶ balancing the secrecy concerns that would arise in many—if not most—of these ¶ cases, these legal issues would be vitiated. Moreover, any concerns about exposing ¶ to liability government officers who acted in good faith and within the scope of their ¶ employment can be ameliorated by following the model of the Westfall Act, and ¶ substituting the United States as the proper defendant in any suit arising out of ¶ such an operation.27 ¶ ¶ Perhaps counterintuitively, I also believe that after-the-fact judicial review ¶ wouldn’t raise anywhere near the same prudential concerns as those noted above. ¶ Leaving aside how much less pressure judges would be under in such cases, it’s also ¶ generally true that damages regimes don’t have nearly the same validating effect on ¶ government action that ex ante approval does. Otherwise, one would expect to have¶ seen a dramatic upsurge in lethal actions by law enforcement officers after each ¶ judicial decision refusing to impose individual liability arising out of a prior use of ¶ deadly force. So far as I know, no such evidence exists. ¶ ¶ Of course, damages actions aren’t a perfect solution here. It’s obvious, but ¶ should be said anyway, that in a case in which the government does act unlawfully, ¶ no amount of damages will make the victim (or his heirs) whole. It’s also inevitable ¶ that, like much of the Guantánamo litigation, most of these suits would be resolved ¶ under extraordinary secrecy, and so there would be far less public accountability for ¶ targeted killings than, ideally, we might want. Some might also object to this ¶ proposal as being unnecessary—that, given existing criminal laws and executive ¶ orders, there is already a sufficiently clear prohibition on unlawful strikes to render ¶ any such damages regime unnecessarily superfluous. ¶ ¶ At least as to this last objection, it bears emphasizing that the existing laws ¶ depend entirely upon the beneficence of the Executive Branch, since they assume ¶ both that the government will (1) willfully disclose details of unlawful operations ¶ rather than cover them up; and (2) prosecute its own in cases in which they cross ¶ the line. Given both prior practice and unconfirmed contemporary reports of ¶ targeted killing operations that appear to raise serious legality issues, such as ¶ “signature strikes,” it doesn’t seem too much of a stretch to doubt that these ¶ remedies will prove sufficient. ¶ ¶ In addition, there are two enormous upsides to damages actions that, in my ¶ mind, make them a least-worst solution—even if they are deeply, fundamentally ¶ flawed: ¶ ¶ First, if nothing else, the specter of damages, even nominal damages, should ¶ have a deterrent effect on future government officers, such that, if a targeted killing ¶ operation ever was carried out in a way that violated the relevant legal rules, there ¶ would be liability—and, as importantly, precedent—such that the next government ¶ official in a similar context might think twice, and might make sure that he’s that ¶ much more convinced that the individual in question is who the government claims, ¶ and that there’s no alternative to the use of lethal force. ¶ ¶ Second, at least where the targets of such force are U.S. citizens, I believe ¶ that there is a non-frivolous argument that the Constitution may even compel at¶ least some form of judicial process.28 Compared to the alternatives, nominal ¶ damages actions litigated under carefully circumscribed rules of secrecy may be the ¶ only way to balance all of the relevant private, government, and legal interests at ¶ stake in such cases. ¶ ¶ \* \* \* ¶ ¶ In his concurrence in the Supreme Court’s famous decision in the Steel ¶ Seizure case, Justice Frankfurter suggested that “The accretion of dangerous power ¶ does not come in a day. It does come, however slowly, from the generative force of ¶ unchecked disregard of the restrictions that fence in even the most disinterested ¶ assertion of authority.”29 It seems to me, Mr. Chairman, that targeted killing ¶ operations by the Executive Branch present the legislature with two realistic ¶ choices: Congress could accept with minimal scrutiny the Executive Branch’s claims ¶ that these operations are carried out lawfully and with every relevant procedural ¶ safeguard to maximize their accuracy—and thereby open the door to the “unchecked ¶ disregard” of which Justice Frankfurter warned. Or Congress could require the ¶ government to defend those assertions in individual cases before a neutral ¶ magistrate invested with the independence guaranteed by the Constitution’s salary ¶ and tenure protections. So long as the government’s interests in secrecy are ¶ adequately protected in such proceedings, and so long as these operations really are ¶ consistent with the Constitution and laws of the United States, what does the ¶ government have to hide?

#### Post hoc review *restrains* executive control and signals global law compliance

Holman 13 (Kwame Holman at PBS, citing Rosa Brooks, Prof of Law at Georgetown University Law Center, April 26, 2013, “Congress Begins to Weigh In On Drone Strikes Policy,” http://www.pbs.org/newshour/rundown/2013/04/congress-begins-to-weigh-in-on-drone-strikes-policy.html //nimo)

While some experts have argued for court oversight of drone strikes before they're carried out, Brooks sides with those who say that would be unwieldy and unworkable.¶ Brooks says however an administration that knows its strikes could face court review after the fact -- with possible damages assessed -- would be more responsible and careful about who it strikes and why.¶ "If Congress were to create a statutory cause of action for damages for those who had been killed in abusive or mistaken drone strikes, you would have a court that would review such strikes after the fact. [That would] create a pretty good mechanism that would frankly keep the executive branch as honest as we hope it is already and as we hope it will continue to be into administrations to come," Brooks said.¶ "It would be one of the approaches that would go a very long way toward reassuring both U.S. citizens and the world more generally that our policies are in compliance with rule of law norms."

#### Judicial oversight necessary to ensure compliance with law

Plaw 7 (Avery Plaw, Assistant Professor of Political Science at the University of Massachusetts at Dartmouth, Theoria, December 2007, “Terminating Terror: The Legality, Ethics and Effectiveness of Targeting Terrorists,” jstor //nimo)

To summarize, the general policy of targeting terrorists appears to be defensible in principle in terms of legality, morality and effective- ness. However, some specific targetings have been indefensible and should be prevented from recurring. Critics focus on the indefensible cases and insist that these are best prevented by condemning the gen- eral policy. States which target terrorists and their defenders have insisted that self-defense provides a blanket justification for targeting operations. The result has been a stalemate over terrorist targeting harmful to both the prosecution of the war on terror and the credibil- ity of international law. Yet neither advocates nor critics of targeting appear to have a viable strategy for resolving the impasse. A final issue which urgently demands attention, therefore, is whether there are any plausible prospects for a coherent and principled political compromise over the issue of targeting terrorists.¶ Conclusion: the Possibility of Principled Compromise¶ This final section offers a brief case that there is room for a principled compromise between critics and advocates of targeting terrorists. The argument is by example—a short illustration of one promising possi- bility. It will not satisfy everyone, but I suggest that it has the poten- tial to resolve the most compelling concerns on both sides.¶ The most telling issues raised by critics of targeting fall into three categories: (1) the imperative need to establish that targets are com- batants; (2) the need in attacking combatants to respect the estab- lished laws of war; and (3) the overwhelming imperative to avoid civilian casualties. The first issue seems to demand an authoritative judicial determination that could only be answered by a competent court. The second issue requires the openly avowed and consistent implementation of targeting according to standards accepted in inter- national law—a requirement whose fulfillment would best be assured through judicial oversight. The third issue calls for independent eval- uation of operations to assure that standards of civilian protection are robustly upheld, a role that could be effectively performed by a court.

#### Obama will comply with court decisions

Vladeck 9 (Stephen I. Vladeck, American University Washington College of Law, 3/1/2009, University Of Richmond Law Review, “The Long War, the Federal Courts, and the Necessity / Legality Paradox,” //nimo)

Moreover, even if one believes that suspensions are unreviewa- ble, there is a critical difference between the Suspension Clause and the issue here: at least with regard to the former, there is a colorable claim that the Constitution itself ousts the courts from reviewing whether there is a “Case[ ] of Rebellion or Invasion [where] the public Safety may require” suspension––and even then, only for the duration of the suspension.179 In contrast, Jack- son’s argument sounds purely in pragmatism—courts should not review whether military necessity exists because such review will lead either to the courts affirming an unlawful policy, or to the potential that the political branches will simply ignore a judicial decision invalidating such a policy.180 Like Jackson before him, Wittes seems to believe that the threat to liberty posed by judicial deference in that situation pales in comparison to the threat posed by judicial review.¶ The problem is that such a belief is based on a series of as- sumptions that Wittes does not attempt to prove. First, he as- sumes that the executive branch would ignore a judicial decision invalidating action that might be justified by military necessi- ty.181 While Jackson may arguably have had credible reason to fear such conduct (given his experience with both the Gold Clause Cases182 and the “switch in time”),183 a lot has changed in the past six-and-a-half decades, to the point where I, at least, cannot im- agine a contemporary President possessing the political capital to squarely refuse to comply with a Supreme Court decision. But perhaps I am naïve.184

## 2AC

### 2AC – Terror

#### Relying on the heuristic of scenario planning is best – it allows us to cope with impossibly complex systems and use that complexity to our advantage

Gorka et al 12 (Dr. Sebastian L. V., Director of the Homeland Defense Fellows Program at the College of International Security Affairs, National Defense University, teaches Irregular Warfare and US National Security at NDU and Georgetown, et al., Spring 2012, “The Complexity Trap,” Parameters, <http://www.carlisle.army.mil/USAWC/parameters/Articles/2012spring/Gallagher_Geltzer_Gorka.pdf>)

Once we abandon complexity and begin to talk of prioritization, diffusion of power, and speed of change, we start to see that there is a deep irony in the complexity trap. Proclaiming complexity to be the bedrock principle of today’s approach to strategy indicates a failure to understand that the very essence of strategy is that it allows us to cope with complexity—or at least good strategy does. Strategy is a commitment to a particular course of action, a heuristic blade that allows us to cut through large amounts of data with an overriding vision of how to connect certain available means with certain desired ends. **By winnowing the essential from the extraneous, such heuristics often outperform more complicated approaches to complex** (or even allegedly “wicked”) **problems that end up being computationally intractable**. **The more complex the system, the more important it is to rely on heuristics to deal with it**. Whether through the use of heuristics or otherwise, **the ability to peer through seemingly impenetrable complexity and to identify underlying patterns and trends is richly rewarded when others remain confused or intimidated by the apparent inscrutability of it all**—especially when that ability is coupled with a recognition that **small changes can have a big impact when amplified throughout an interconnected system**. If complexity, whether real or perceived, is truly the defining characteristic of the current strategic environment, then we should be witnessing a corresponding renaissance in grand strategy design and longterm strategic planning. 40 Not so, unfortunately—or at least not yet. More to the point, **because strategy copes with complexity, complexity actually rewards truly strategic actors**. Those who are prepared, organized, and rich in physical and human capital can exploit complexity to secure their interests. For example, **international regime complexity enables “chessboard politics**” whereby strategic actors can shop among forums for the best international venue to promote their policy preferences or can use cross-institutional political strategies to achieve a desired outcome. 41 Due to its high concentration of technical and legal expertise, the United States is ideally suited to exploit this complexity and to thrive in an age of chessboard politics. 42 The first step is replacing the current reactive worship of complexity with proactive prioritization. To escape the complexity trap, let us dare to decide—that is, let us strategize.

### 2AC – K

#### Threats aren’t arbitrary – can’t throw out security

Knudsen 1Olav. F. Knudsen, Prof @ Södertörn Univ College, ‘1 [Security Dialogue 32.3, “Post-Copenhagen Security Studies: Desecuritizing  Securitization,” p. 360]

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

#### Terrorist threats are real – only by honing our fear of terror can we reduce the violence

Seymour 8 (JJ, writer @ Self Help Recordings, 10/10/8,

http://ezinearticles.com/?Fear-of-Terrorism---How-to-Overcome-Terrorism-Fear-For-Good&id=1574000)

Fear of terrorism is a serious matter in the post-9/11 world. As more and more political powers develop powerful nuclear weapons, and as large-scale war becomes more and more impracticable, military conflict--more and more often--takes the form of brief, violent attacks on civilians and infrastructure. Indeed, panic and fear are implied by the very word, "terrorism." The aim of a terrorist attack is to overwhelm a country's population with terror, and thus achieve one's organization's political aims. Thus, it is unsurprising that many people who live in countries that have suffered from recent terrorist attacks have developed a real phobia of being unexpectedly shot at, bombed, or taken hostage by various rogue military groups. Even people who live far from the major centers of terrorist activity have become paranoid, to the extent that their phobia interferes with their ability to lead normal lives.A Complex TerrorWhether you live near or far from previous terrorist activity, the fear of terrorist political acts entails many complicated emotions. That feeling of dread we experience when we hear the news of yet another attack is a potent cocktail of guilt, anger, confusion, and helplessness. When we listen to news of tragedy, we often regret how ignorant we are of what is going on elsewhere in the world. No matter how frequently we read the news, and from how many different sources (on the Internet and elsewhere), it's never frequently enough; our sources are never reliable enough.So Many QuestionsWe wonder, isn't there anything we can do? Would these attacks have been prevented if only we got involved in politics, if we knew more? Should we enter the world of politics or high finance, become major political players? Should we hide out in the desert, and live off canned food? Are we just so much sheep for the slaughter? Is it better to just bury our heads in the sand, to tune out these dire reports? The closer we live to the attacks, the more intense these feelings become.Take Control Of Your Fear Of Terrorism To be sure, terrorism poses a major world problem. The problem is at once political, economic, philosophical, and practical. So far, it's a problem without any obvious answers. However, perhaps the first step to grappling with this complex problem is to take control of your fear. Does the stuff you hear on the news put you into a state of unthinking panic? Well, how do you think those German citizens felt, when they voted a man named Adolf Hitler into power? To be an empowered citizen, you need to take control of your fear--and the best way to do this is with hypnotherapy and NLP.

Their kritik creates a false dichotomy between total rejection and oppression—their “all or nothing” alternative dooms coalitions and closes off space for political activism

Krishna ’93 [Sankaran, Dept. of Polit. Sci., Alternatives, 1993]

The dichotomous choice presented in this excerpt is straightforward: one either indulges in total critique, delegitimizing all sovereign truths, or one is committed to “nostalgic”, essential unities that have become obsolete and have been the grounds for all our oppressions. In offering this dichotomous choice, Der Derian replicates a move made by Chaloupka in his equally dismissive critique of the more mainstream nuclear oppression, the Nuclear freeze movement of the early 1980s, that according to him, was operating along obsolete lines emphasizing “facts” and “realities” while a “postmodern” President Reagan easily outflanked them through an illusory Star Wars program. (See KN: chapter 4)Chaloupka centers this difference between his own supposedly total critique of all sovereign truths (which he describes as nuclear criticism in an echo of literary criticism) and the more partial (and issue-based) criticism of what he calls “nuclear opposition” or “antinuclearists” at the very outset of his book. (KN: xvi) Once again, the unhappy choice forced upon the reader is to join Chaloupka in his total critique of sovereign truths or be trapped in obsolete essentialisms.This leads to a disastrous politics, pitting groups that have the most in common (and need to unite on some basis to be effective) against each other. Both Chaloupka and Der Derian thus reserve their most trenchant critique for political groups that should, in any analysis, be regarded as the closest to them in terms of an oppositional politics and their desired futures. Instead of finding ways to live with these differences and to (if fleetingly) coalesce against the New Right, this fratricidal critique is politically suicidal. It obliterates the space for a political activism based on provisional and contingent coalitions, for uniting behind a common cause even as one recognizes that the coalition is comprised of groups that have very differing (and possibly unresolvable) views of reality.¶ Moreover, it fails to consider the possibility that there may have been other, more compelling reasons for the “failure” of the Nuclear Freedom movement or anti-Gulf War movement. Like many a worthwhile cause in our times, they failed to garner sufficient support to influence state policy. The response to that need not be a totalizing critique that delegitimizes all narratives.The blackmail inherent in the choice offered by Der Derian and Chaloupka, between total critique and “ineffective” partial critique, ought to be transparent. Among other things, it effectively militates against the construction of provisional or strategic essentialisms in our attempts to create space for an activist politics. In the next section, I focus more widely on the genre of critical international theory and its impact on such an activist politics

#### Do not fall for the utopian dream of unlimited freedom – alternative empirically results in tyranny and genocide – Pol Pot proves.

Richard Barbrook, coordinator of the Hypermedia Research Centre at the University of Westminster, 8/27/1998, http://amsterdam.nettime.org/Lists-Archives/nettime-l-9808/msg00091.html, accessed 3/3/03

Deleuze and Guattari enthusiastically joined this attack against the concept of historical progress. For them, the 'deterritorialisation' of urban society was the solution to the contradiction between participatory democracy and revolutionary elitism haunting the New Left. If the centralised city could be broken down into 'molecular rhizomes', direct democracy and the gift economy would reappear as people formed themselves into small nomadic bands. According to Deleuze and Guattari, anarcho-communism was not the 'end of history': the material result of a long epoch of social development. On the contrary, the liberation of desire from semiotic oppression was a perpetual promise: an ethical stance which could be equally lived by nomads in ancient times or social movements in the present. With enough intensity of effort, anyone could overcome their hierarchical brainwashing to become a fully-liberated individual: the holy fool.<21> Yet, as the experience of Frequence Libre proved, this rhetoric of unlimited freedom contained a deep desire for ideological control by the New Left vanguard. While the nomadic fantasies of A Thousand Plateaus were being composed, one revolutionary movement actually did carry out Deleuze and Guattari's dream of destroying the city. Led by a vanguard of Paris-educated intellectuals, the Khmer Rouge overthrew an oppressive regime installed by the Americans. Rejecting the 'grand narrative' of economic progress, Pol Pot and his organisation instead tried to construct a rural utopia. However, when the economy subsequently imploded, the regime embarked on ever more ferocious purges until the country was rescued by an invasion by neighbouring Vietnam. Deleuze and Guattari had claimed that the destruction of the city would create direct democracy and libidinal ecstasy. Instead, the application of such anti-modernism in practice resulted in tyranny and genocide. The 'line of flight' from Stalin had led to Pol Pot.

#### The invocation of community as the end goal of their political strategy is disastrous - grounding their approach in the rhetoric of community merely ensures that diverse perspectives are confined within the confines of a gated community of sameness. Reject their discourse of community.

Pottie-Sherman 2008

[Yolande, A thesis submitted to the Department of Geography In conformity for the requirements for the degree of Master of Arts Queen’s University Kingston, Ontario, Canada MORAL PANIC OVER MERIT-BASED IMMIGRATION POLICY: TALENT FOR CITIZENSHIP AND THE AMERICAN DREAM (June, 2008)]

Throughout the Senate debates on immigration, the family unit was constructed as the essence of community, on the local scale as well as that of the broader “American” community. In particular, Senators Menendez and Obama repeatedly invoked the concept of community and the importance of family to social stability:  I always thought a mother or father, son or daughter, brother or sister was not a chain: I thought that was a circle of strength. It is a circle of strength within our community. It is a sense of what our society is all about, regardless or what altar you worship at, what creed you believe in. I thought, when I heard the speeches of family values on the floor, that this was a circle of strength and dignity and the very essence of what is essential for our communities to grow and prosper. (Menendez, 24 May 2007: S6600) Iris Marion Young (1995) argues that the concept of community is **homogenizing**; communities imply the existence of an all-encompassing “we” and sameness that **forces a multiplicity of identities** to come together–but under the banner of the **dominating identity**, writing that rarely do those who invoke an ideal of community as an alternative to capitalist patriarchal society ask what it presupposes or implies, or what it means concretely to institute a society that embodies community.” (Young 1995: 234) Communities are necessarily **defined around the terms of the dominant group** and therefore **marginalize difference**. Young maintains that the term community **must be done away** with in order for justice concerning difference to prevail, and we must think of places as being heterogeneous and made of multiple entities with “porous borders.” Along these lines, selecting based on upholding the existing community structure can be viewed as a disguised way of selecting those who are “just like us.” In the context of the U.S. immigration debate, this discourse must be placed against a backdrop of growing nativist sentiment in the country. Furthermore, as Harvey (1996) argues, Young’s concept of community, as a “dark and repugnant presence,” crucially informs any discussion of place (311). Her conception sees place as a “closed terrain of social control that becomes extremely hard to break (or break out of) once it achieves its particular permanence” (312). Young argues for a shift from the “ideal of face-to-face community” to that of an “unoppressive city” characterized by its **“openness to unassimilated otherness”** (312). Although Harvey argues that her theory is “naively specific” in terms of the material urban process, he maintains that her prescription, the celebration of difference and diversity with some overarching unity–is of interest. It seeks to build upon these positive experiences of city life in which differences of all sorts are embodied, negotiated, and tolerated. (Harvey 1996: 312)

**Alt’s conception of community destroys the value to life**

Norris 2000

[Jean-Luc Nancy and the Myth of the Common Andrew Norris Constellations Volume 7, No 2, 2000.]

Nancy argues that what we share with the Nazis is the assumption that politics and community can be understood in terms of a shared substantive identity that must be expressed or put to work. On his account, our civilization has misunderstood what community is, and has replaced the thinking of being-in-common with that of an essence of community. His central aim as a political philosopher is to attack those models of communion that would deny our ecstatic loss of ourselves by positing an essence that is immanent within us or nature, an essence we must set to work. Such a thinking – the thinking of community as essence – is in effect the closure of the political because it assigns to community a common being, whereas community is a matter of something quite different, namely existence in so far as it is in common without letting itself be absorbed into a common substance. Being in common means no longer having, in any form, in any empirical or ideal place, such a substantial identity, and sharing this “lack of identity.” This is what philosophy calls “finitude.”17 Our finitude is our inability to contain either the world or ourselves. It is our inability to be absolutely self-sufficient. As being-in-common we are cast into a condition of plurality. And such a condition is by definition one characterized by difference. Finitude does not mean that we are noninfinite – like small, insignificant beings within a grand, universal, continuous being – but it means that we are infinitely finite, infinitely exposed to . . . the otherness of our own “being” (or that being is exposed in us to its own otherness).18 Because being-in-common “contains” difference, it is not self-identical. On Nancy’s account, the ontology of the individual is always already that of what he terms “compearance.” This is the mutually constitutive transitivity that paradoxically traverses interiority and exteriority. Ecstatically outside ourselves, we are exposed to one another, and in this mutual exposure we share an infinite lack of infinite identity. To put it as baldly as possible, what we have in common is precisely not a shared identity, but rather the “fact” that we are different from one another. Because we share this difference, we are in relation to one another. “Being” is thus properly understood as Mit-da-sein, “as relational, as nonabsoluteness and, if you will, as community.”19 Community ontologically precedes the individual. But as an individual I am not simply “thrown” into a world that assigns me various social roles and duties. Roles and duties are after all things than we predicate of a subject, and in so predicating we identify that subject. Nancy’s “compearance” is more radical than this. He argues that our basic ontological condition is to be open to what he calls “communication” with one another. As one would at this point expect, communication here is not to be understood in instrumental terms as the transfer of information from one subject to another.20 Communication is instead the openness to and difference from one another that makes such transfer possible: “Speech – including silence – is not a means of communication but communication itself, an exposure.”21 Consider the phrase, “being-in-common.” On Nancy’s account, existence is found in neither the “being” nor the “common,” but in the preposition, “in.” “As it becomes necessary to deconstruct all philosophical wordings of ‘community’ . . . all that is left to start thinking afresh is the in (which I had also called the ‘inoperative’).” 22 Or again: “The ‘mit’ [in Mit-da-sein] does not even qualify the ‘Dasein,’ but . . . constitutes it essentially.”23 Or yet again: “freedom withdraws being and gives relation.”24 The phrase “being-in-common” (like “inoperative community”) thus refers us to the “in” as the community that provides the actual ontology of the individual. The basis of individuation is community: to be there with others. And the essence of community is plurality, not identity: that “we” are different from one another. (Indeed, on this account the identity of either the individual or the group is a deceptive abstraction.) This difference is something we share, something that makes possible our sharing. Hence, the true community is the communauté désoeuvrée: the idle or empty community. This community is empty because it contains no subjects; idle, because lacks an essence that can be produced and put to work.

#### Lack of state authority means endless war among factions

Woodward 99 Dr. Susan L. Woodward, Senior Fellow at the Brookings Institution in Washington, served as Head, Analysis and Assessment Unit, Office of the Special Representative of the Secretary General, UNPROFOR, in 1994, and was associate professor of political science at Yale University prior to joining Brookings Naval War College Review, 00281484, Spring 99, Vol. 52, Issue 2 “Failed states” Academic Search Premier

The loss of a state's monopoly on authority to legislate, tax, enforce, and restrict the right to bear arms creates a situation of relative balance in resources, especially arms, and in access to finances for war. Examples are regional control over trade routes and customs posts, as can be seen in Bosnia, and over mineral resources, as in Angola today. (The Angolan case shows that where there are such resources, lucrative financial offers are likely to appear from international businesses who have no scruples about dealing with warlords and who do not condition their payments on certain behavior and reforms, as do the United States and international organizations.) Contrary to the stabilizing effects of balance-of-power interstate relations, the most likely result of this anarchic balance of resources (particularly military ones) domestically is unending war of attrition.[ [7](http://web.ebscohost.com/ehost/detail?vid=3&hid=13&sid=54f20012-08e1-4c38-892a-3ce935be2595%40sessionmgr13&bdata=JnNpdGU9ZWhvc3QtbGl2ZQ%3d%3d#bib7)] The equilibrium result--a negative equilibrium, in economists' terms--is "stable anarchy," in which "all resources would be spent in fighting rather than production." There may be temporary cessations of fighting, but only as battlefield stalemates; internal actors cannot on their own end the fight. ¶ This relative balance also creates layer upon layer of security dilemmas. A spiraling dynamic of mutual fear continues to feed such wars once they begin.[ [8](http://web.ebscohost.com/ehost/detail?vid=3&hid=13&sid=54f20012-08e1-4c38-892a-3ce935be2595%40sessionmgr13&bdata=JnNpdGU9ZWhvc3QtbGl2ZQ%3d%3d#bib8)] To understand the disintegration of Yugoslavia or the Bosnian war, for example, one must recognize that once the federal state lost its authority, each group pressed for its own national fights and claimed to be at risk of exploitation and even extirpation by other groups in the same dissolving state; it became critical that each group was a numerical minority and perceived itself as acting only in defensive ways. Interventions that attempt to remain impartial, delivering food and shelter to all civilians but not intervening politically to stop the spiraling dynamic, thus are likely to perpetuate these perceptions and the stalemate; those that do intervene politically, taking one side but not going to war in support of that side (and thereby resolving the battlefield situation) also perpetuate the conflict, by demonstrating to the other sides that they are indeed endangered and that they cannot safely disarm, psychologically or physically.

### 2AC – CP

#### 3. We should not avoid words; we should redefine them -- Words are not the problem; it's the meaning some attach to the word – we can redefine heirs

Fairman 10

Christopher M. Fairman is a professor at the Moritz College of Law at Ohio State University

The Washington Post February 14, 2010 **:** Saying it is hurtful. Banning it is worse.

I sympathize with the effort, but I won't be making that pledge. It's not that I've come to praise the word "retard"; I just don't think we should bury it. **If the history of offensive terms in America shows anything, it is that words themselves are not the culprit; the meaning we attach to them is, and such meanings change dramatically over time and across communities**. The term "mentally retarded" was itself introduced by the medical establishment in the 20th century to supplant other terms that had been deemed offensive. Similarly, the words "gay" and "queer" and even the N-word can be insulting, friendly, identifying or academic in different contexts.¶ **The varied and evolving uses of such words ultimately render self-censorship campaigns unnecessary. And restricting speech of any kind comes with a potential price -- needlessly institutionalized taboos**, government censorship or abridged freedom of expression -- **that we should be wary of paying**.

#### 6. Obsession with words finds offense where none is intended

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While the N-word endures as an insult, it is so stigmatized that its use is no longer tolerated in public discourse. This is a positive step for us all, of course, but its containment does not come without costs. As **Harvard law professor Randall Kennedy described** in his 2002 book on the subject, stigmatizing **the word has elicited new problems, including an overeagerness to detect insult where none is intended and the use of excessively harsh punishment against those who use the word wrongly. I've coined a term for overzealous or extreme responses to insulting words: "word fetish."** Those under the influence of word fetish aren't content to refrain from using a certain word; they are set on eradicating any use by others. A classic example was the plight of David Howard, a white employee in the D.C. mayor's office in 1999. Howard told staff members that because of budget cuts, he would have to be "niggardly" with available funds. Wrongly believing "niggardly" was a variation of the N-word, black subordinates lobbied for his resignation. Howard ultimately resigned after public protests, though he was soon reinstated. If the campaign against "retard" is successful, an identical risk of word fetish exists. (Imagine that Emanuel had spoken of "retarding the opposition" -- would that be unacceptable?)

#### 8. It is better to use words and redefine them. If we avoid the words, they retain their harmful meaning.

DeStigter et al 03

Todd DeStigter, Anna K. Kurtz, Christopher Oscarson Source: English Education, Vol. 35, No. 3 (Apr., 2003), pp. 244-248 Book Talk: Revising the Discourse of Hate http://www.jstor.org/pss/40173146

However, **Butler also argues that the daily, repeated use of words opens a space for another, more empowering kind of performance.** **This alternative performance, Butler insists, can be "the occasion for something we might still call agency, the repetition of an original subordination for another purpose, one whose future is partially open" (p. 38). To think of words as hav-ing an "open" future is to recognize that their authority lies less in their historical than in their present uses; it is to acknowledge that people can revise the meaning of words even as we repeat them; it is to embrace the notion that the instability of words opens the possibility that we can use them to ( reconstruct a more humane future for ourselves and others. Be-cause words can be revised,** **Butler contends that it would be counterproductive simply to stop using terms that we would deem injurious or oppressive. For when we choose not to use offensive words under any circumstance, we preserve their existing meanings as well as their power to injure**. If as teachers, for instance, we were simply to forbid the use of speech that is hurtful to LGBT students we would be effectively denying the fact that such language still exists. **To ignore words in this way, Butler insists, won't make them go away. Butler thus suggests that we actually use these words in thuughtful conversation in which we work through the injuries they cause (p. 102). Indeed, Butler insists that if we are to reclaim the power that oppressive speech robs from us, we must use, confront, and interrogate terms** like "queer." We must ask how such terms affect both the speaker and the sub-ject, what the purpose of their use is, and how their meaning can be altered to empower those whom they name. Thus, as Butler helps us see, language is violence, but only if we allow it to be. **She encourages us to believe that words can take on new meanings**- ones which forbid stasis, challenge our habits, and open the possibility that teachers and students might be able to create spaces for learning in which everyone feels safe.