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#### Targeted killing solves terrorism

Anderson 13 (Kenneth, Professor of International Law at American University, June 2013, “The Case for Drones,” Commentary, Vol. 135, No. 6, http://www.volokh.com/2013/05/22/the-case-for-drones/)

Targeted killing of high-value terrorist targets, by contrast, is the end result of a long, independent intelligence process. What the drone adds to that intelligence might be considerable, through its surveillance capabilities -- but much of the drone's contribution will be tactical, providing intelligence that assists in the planning and execution of the strike itself, in order to pick the moment when there might be the fewest civilian casualties.¶ Nonetheless, in conjunction with high-quality intelligence, drone warfare offers an unparalleled means to strike directly at terrorist organizations without needing a conventional or counterinsurgency approach to reach terrorist groups in their safe havens. It offers an offensive capability, rather than simply defensive measures, such as homeland security alone. Drone warfare offers a raiding strategy directly against the terrorists and their leadership.¶ If one believes, as many of the critics of drone warfare do, that the proper strategies of counterterrorism are essentially defensive -- including those that eschew the paradigm of armed conflict in favor of law enforcement and criminal law -- then the strategic virtue of an offensive capability against the terrorists themselves will seem small. But that has not been American policy since 9/11, not under the Bush administration, not under the Obama administration -- and not by the Congress of the United States, which has authorized hundreds of billions of dollars to fight the war on terror aggressively. The United States has used many offensive methods in the past dozen years: Regime change of states offering safe havens, counter-insurgency war, special operations, military and intelligence assistance to regimes battling our common enemies are examples of the methods that are just of military nature.¶ Drone warfare today is integrated with a much larger strategic counterterrorism target -- one in which, as in Afghanistan in the late 1990s, radical Islamist groups seize governance of whole populations and territories and provide not only safe haven, but also an honored central role to transnational terrorist groups. This is what current conflicts in Yemen and Mali threaten, in counterterrorism terms, and why the United States, along with France and even the UN, has moved to intervene militarily. Drone warfare is just one element of overall strategy, but it has a clear utility in disrupting terrorist leadership. It makes the planning and execution of complex plots difficult if only because it is hard to plan for years down the road if you have some reason to think you will be struck down by a drone but have no idea when. The unpredictability and terrifying anticipation of sudden attack, which terrorists have acknowledged in communications, have a significant impact on planning and organizational effectiveness.

#### Extinction

Hellman 8 (Martin E. Hellman, emeritus prof of engineering @ Stanford, “Risk Analysis of Nuclear Deterrence” SPRING 2008 THE BENT OF TAU BETA PI, <http://www.nuclearrisk.org/paper.pdf>)

The threat of nuclear terrorism looms much larger in the public’s mind than the threat of a full-scale nuclear war, yet this article focuses primarily on the latter. An explanation is therefore in order before proceeding. A terrorist attack involving a nuclear weapon would be a catastrophe of immense proportions: “A 10-kiloton bomb detonated at Grand Central Station on a typical work day would likely kill some half a million people, and inflict over a trillion dollars in direct economic damage. America and its way of life would be changed forever.” [Bunn 2003, pages viii-ix]. The likelihood of such an attack is also significant. Former Secretary of Defense William Perry has estimated the chance of a nuclear terrorist incident within the next decade to be roughly 50 percent [Bunn 2007, page 15]. David Albright, a former weapons inspector in Iraq, estimates those odds at less than one percent, but notes, “We would never accept a situation where the chance of a major nuclear accident like Chernobyl would be anywhere near 1% .... A nuclear terrorism attack is a low-probability event, but we can’t live in a world where it’s anything but extremely low-probability.” [Hegland 2005]. In a survey of 85 national security experts, Senator Richard Lugar found a median estimate of 20 percent for the “probability of an attack involving a nuclear explosion occurring somewhere in the world in the next 10 years,” with 79 percent of the respondents believing “it more likely to be carried out by terrorists” than by a government [Lugar 2005, pp. 14-15]. I support increased efforts to reduce the threat of nuclear terrorism, but that is not inconsistent with the approach of this article. Because terrorism is one of the potential trigger mechanisms for a full-scale nuclear war, the risk analyses proposed herein will include estimating the risk of nuclear terrorism as one component of the overall risk. If that risk, the overall risk, or both are found to be unacceptable, then the proposed remedies would be directed to reduce which- ever risk(s) warrant attention. Similar remarks apply to a number of other threats (e.g., nuclear war between the U.S. and China over Taiwan). his article would be incomplete if it only dealt with the threat of nuclear terrorism and neglected the threat of full- scale nuclear war. If both risks are unacceptable, an effort to reduce only the terrorist component would leave humanity in great peril. In fact, society’s almost total neglect of the threat of full-scale nuclear war makes studying that risk all the more important. The cosT of World War iii The danger associated with nuclear deterrence depends on both the cost of a failure and the failure rate.3 This section explores the cost of a failure of nuclear deterrence, and the next section is concerned with the failure rate. While other definitions are possible, this article defines a failure of deterrence to mean a full-scale exchange of all nuclear weapons available to the U.S. and Russia, an event that will be termed World War III. Approximately 20 million people died as a result of the first World War. World War II’s fatalities were double or triple that number—chaos prevented a more precise deter- mination. In both cases humanity recovered, and the world today bears few scars that attest to the horror of those two wars. Many people therefore implicitly believe that a third World War would be horrible but survivable, an extrapola- tion of the effects of the first two global wars. In that view, World War III, while horrible, is something that humanity may just have to face and from which it will then have to recover. In contrast, some of those most qualified to assess the situation hold a very different view. In a 1961 speech to a joint session of the Philippine Con- gress, General Douglas MacArthur, stated, “Global war has become a Frankenstein to destroy both sides. … If you lose, you are annihilated. If you win, you stand only to lose. No longer does it possess even the chance of the winner of a duel. It contains now only the germs of double suicide.” Former Secretary of Defense Robert McNamara ex- pressed a similar view: “If deterrence fails and conflict develops, the present U.S. and NATO strategy carries with it a high risk that Western civilization will be destroyed” [McNamara 1986, page 6]. More recently, George Shultz, William Perry, Henry Kissinger, and Sam Nunn4 echoed those concerns when they quoted President Reagan’s belief that nuclear weapons were “totally irrational, totally inhu- mane, good for nothing but killing, possibly destructive of life on earth and civilization.” [Shultz 2007] Official studies, while couched in less emotional terms, still convey the horrendous toll that World War III would exact: “The resulting deaths would be far beyond any precedent. Executive branch calculations show a range of U.S. deaths from 35 to 77 percent (i.e., 79-160 million dead) … a change in targeting could kill somewhere between 20 million and 30 million additional people on each side .... These calculations reflect only deaths during the first 30 days. Additional millions would be injured, and many would eventually die from lack of adequate medical care … millions of people might starve or freeze during the follow- ing winter, but it is not possible to estimate how many. … further millions … might eventually die of latent radiation effects.” [OTA 1979, page 8] This OTA report also noted the possibility of serious ecological damage [OTA 1979, page 9], a concern that as- sumed a new potentiality when the TTAPS report [TTAPS 1983] proposed that the ash and dust from so many nearly simultaneous nuclear explosions and their resultant fire- storms could usher in a nuclear winter that might erase homo sapiens from the face of the earth, much as many scientists now believe the K-T Extinction that wiped out the dinosaurs resulted from an impact winter caused by ash and dust from a large asteroid or comet striking Earth. The TTAPS report produced a heated debate, and there is still no scientific consensus on whether a nuclear winter would follow a full-scale nuclear war. Recent work [Robock 2007, Toon 2007] suggests that even a limited nuclear exchange or one between newer nuclear-weapon states, such as India and Pakistan, could have devastating long-lasting climatic consequences due to the large volumes of smoke that would be generated by fires in modern megacities. While it is uncertain how destructive World War III would be, prudence dictates that we apply the same engi- neering conservatism that saved the Golden Gate Bridge from collapsing on its 50th anniversary and assume that preventing World War III is a necessity—not an option.

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#### A. Interpretation – debate is a game that requires the aff to have a defense of the USFG increasing restrictions on the war powers authority of the President in one of the following: targeted killing, indefinite detention, offensive cyber operations, and introduction of US armed forces in hostilities

#### --‘resolved’ means to enact a policy by law.

Words and Phrases 64 (Permanent Edition)

Definition of the word “resolve,” given by Webster is “to express an opinion or determination by resolution or vote; as ‘it was resolved by the legislature;” It is of similar force to the word “enact,” which is defined by Bouvier as meaning “to establish by law”.

#### --“United States Federal Government should” means the debate is solely about the outcome of a policy established by governmental means

Ericson 3 (Jon M., Dean Emeritus of the College of Liberal Arts – California Polytechnic U., et al., The Debater’s Guide, Third Edition, p. 4)

The Proposition of Policy: Urging Future Action In policy propositions, each topic contains certain key elements, although they have slightly different functions from comparable elements of value-oriented propositions. 1. An agent doing the acting ---“The United States” in “The United States should adopt a policy of free trade.” Like the object of evaluation in a proposition of value, the agent is the subject of the sentence. 2. The verb should—the first part of a verb phrase that urges action. 3. An action verb to follow *should* in the *should*-verb combination. For example, should adopt here means to put a program or policy into action though governmental means. 4. A specification of directions or a limitation of the action desired. The phrase *free trade*, for example, gives direction and limits to the topic, which would, for example, eliminate consideration of increasing tariffs, discussing diplomatic recognition, or discussing interstate commerce. Propositions of policy deal with future action. Nothing has yet occurred. The entire debate is about whether something ought to occur. What you agree to do, then, when you accept the *affirmative side* in such a debate is to offer sufficient and compelling reasons for an audience to perform the future action that you propose.

#### Statutes require legislative action

Ballentine’s 10 (Ballentine’s Law Dictionary, “Act”, 2010, lexis)

1. Verb: To perform; to fulfill a function; to put forth energy; to move, as opposed to remaining at rest; to carry into effect a determination of the will. Holt v Middlebrook (CA4 Va) 214 F2d 187, 52 ALR2d 1043. To simulate; to perform on stage, screen or television. 2. Noun: A thing done or established; a part of a play or musical comedy; a deed or other written instrument evidencing a contract or an obligation. A statute; a bill which has been enacted by the legislature into a law, as distinguished from a bill which is in the form of a law presented to the legislature for enactment.

#### Judicial restrictions are imposed by courts

Kang 6 (Michael – Assistant Professor, Emory University School of Law, “De-Rigging Elections: Direct Democracy and the Future of Redistricting Reform”, 2006, 84 Wash. U. L. Rev. 667, lexis)

The Court's general reluctance to restrict partisan gerrymandering appeared motivated by a lack of judicial confidence. Judicial restriction of gerrymandering would draw courts, which are putatively nonpartisan and apolitical institutions, n39 into the untenable position of managing what is fundamentally a political exercise. Justice Kennedy emphasized the difficulty for courts of "acting without a legislature's expertise" and the unwelcome task of removing from the democratic process "one of the most significant acts a State can perform to ensure citizen participation in republican self-governance." n40 Indeed, challenges to gerrymanders demand more of courts than simply striking down excessively partisan plans. Today, judicial intervention against gerrymandering almost necessarily brings with it active judicial management of the redistricting process. A court that strikes down a redistricting plan, for whatever reason, n41 invariably is drawn into authorship of a new redistricting plan to replace it, or a close interaction with legislators working to formulate a new plan (or both). n42 Courts "become active players often placed in the uncomfortable role of determining winners and losers in redistricting, and, therefore, elections." n43 When courts have involved themselves in redistricting matters, namely in racial gerrymandering and one person, one vote cases, [\*675] the courts have drawn heavy criticism. n44 Even so, Justice Stevens predicted that "the present "failure of judicial will' will be replaced by stern condemnation of partisan gerrymandering." n45 Greater judicial direction of the redistricting process is a price that Justice Stevens and reformers seem happy to pay. They are more than willing to trade the costs of judicial entanglement for the perceived benefits of judicial oversight in redistricting. I further discuss the costs of this approach in Part III.

#### B. They don’t meet – Don’t have a judicial or statutory restriction of war powers

#### C. Reasons to prefer:

#### Debate games open up dialogue which fosters information processing – they open up infinite frameworks making the game impossible

Haghoj 8 – PhD, affiliated with Danish Research Centre on Education and Advanced Media Materials, asst prof @ the Institute of Education at the University of Bristol (Thorkild, 2008, "PLAYFUL KNOWLEDGE: An Explorative Study of Educational Gaming," PhD dissertation @ Institute of Literature, Media and Cultural Studies, University of Southern Denmark, http://static.sdu.dk/mediafiles/Files/Information\_til/Studerende\_ved\_SDU/Din\_uddannelse/phd\_hum/afhandlinger/2009/ThorkilHanghoej.pdf)

Debate games are often based on pre-designed scenarios that include descriptions of issues to be debated, educational goals, game goals, roles, rules, time frames etc. In this way, debate games differ from textbooks and everyday classroom instruction as debate scenarios allow teachers and students to actively imagine, interact and communicate within a domain-specific game space. However, instead of mystifying debate games as a “magic circle” (Huizinga, 1950), I will try to overcome the epistemological dichotomy between “gaming” and “teaching” that tends to dominate discussions of educational games. In short, educational gaming is a form of teaching. As mentioned, education and games represent two different semiotic domains that both embody the three faces of knowledge: assertions, modes of representation and social forms of organisation (Gee, 2003; Barth, 2002; cf. chapter 2). In order to understand the interplay between these different domains and their interrelated knowledge forms, I will draw attention to a central assumption in Bakhtin’s dialogical philosophy. According to Bakhtin, all forms of communication and culture are subject to centripetal and centrifugal forces (Bakhtin, 1981). A centripetal force is the drive to impose one version of the truth, while a centrifugal force involves a range of possible truths and interpretations. This means that any form of expression involves a duality of centripetal and centrifugal forces: “Every concrete utterance of a speaking subject serves as a point where centrifugal as well as centripetal forces are brought to bear” (Bakhtin, 1981: 272). If we take teaching as an example, it is always affected by centripetal and centrifugal forces in the on-going negotiation of “truths” between teachers and students. In the words of Bakhtin: “Truth is not born nor is it to be found inside the head of an individual person, it is born between people collectively searching for truth, in the process of their dialogic interaction” (Bakhtin, 1984a: 110). Similarly, the dialogical space of debate games also embodies centrifugal and centripetal forces. Thus, the election scenario of The Power Game involves centripetal elements that are mainly determined by the rules and outcomes of the game, i.e. the election is based on a limited time frame and a fixed voting procedure. Similarly, the open-ended goals, roles and resources represent centrifugal elements and create virtually endless possibilities for researching, preparing, 51 presenting, debating and evaluating a variety of key political issues. Consequently, the actual process of enacting a game scenario involves a complex negotiation between these centrifugal/centripetal forces that are inextricably linked with the teachers and students’ game activities. In this way, the enactment of The Power Game is a form of teaching that combines different pedagogical practices (i.e. group work, web quests, student presentations) and learning resources (i.e. websites, handouts, spoken language) within the interpretive frame of the election scenario. Obviously, tensions may arise if there is too much divergence between educational goals and game goals. This means that game facilitation requires a balance between focusing too narrowly on the rules or “facts” of a game (centripetal orientation) and a focusing too broadly on the contingent possibilities and interpretations of the game scenario (centrifugal orientation). For Bakhtin, the duality of centripetal/centrifugal forces often manifests itself as a dynamic between “monological” and “dialogical” forms of discourse. Bakhtin illustrates this point with the monological discourse of the Socrates/Plato dialogues in which the teacher never learns anything new from the students, despite Socrates’ ideological claims to the contrary (Bakhtin, 1984a). Thus, discourse becomes monologised when “someone who knows and possesses the truth instructs someone who is ignorant of it and in error”, where “a thought is either affirmed or repudiated” by the authority of the teacher (Bakhtin, 1984a: 81). In contrast to this, dialogical pedagogy fosters inclusive learning environments that are able to expand upon students’ existing knowledge and collaborative construction of “truths” (Dysthe, 1996). At this point, I should clarify that Bakhtin’s term “dialogic” is both a descriptive term (all utterances are per definition dialogic as they address other utterances as parts of a chain of communication) and a normative term as dialogue is an ideal to be worked for against the forces of “monologism” (Lillis, 2003: 197-8). In this project, I am mainly interested in describing the dialogical space of debate games. At the same time, I agree with Wegerif that “one of the goals of education, perhaps the most important goal, should be dialogue as an end in itself” (Wegerif, 2006: 61).

#### Debate over a controversial point of action creates argumentative stasis—that’s key to avoid a devolution of debate into competing truth claims, which destroys the decision-making benefits of the activity

Steinberg and Freeley 13 (David Director of Debate at U Miami, Former President of CEDA, officer, American Forensic Association and National Communication Association. Lecturer in Communication studies and rhetoric. Advisor to Miami Urban Debate League, Masters in Communication, and Austin, JD, Suffolk University, attorney who focuses on criminal, personal injury and civil rights law, *Argumentation and Debate*

*Critical Thinking for Reasoned Decision Making*, Thirteen Edition)

Debate is a means of settling differences, so there must be a controversy, a difference of opinion or a conflict of interest before there can be a debate. If everyone is in agreement on a feet or value or policy, there is no need or opportunity for debate; the matter can be settled by unanimous consent. Thus, for example, it would be pointless to attempt to debate "Resolved: That two plus two equals four,” because there is simply no controversy about this state­ment. Controversy is an essential prerequisite of debate. Where there is no clash of ideas, proposals, interests, or expressed positions of issues, there is no debate. Controversy invites decisive choice between competing positions. Debate cannot produce effective decisions without clear identification of a question or questions to be answered. For example, general argument may occur about the broad topic of illegal immigration. How many illegal immigrants live in the United States? What is the impact of illegal immigration and immigrants on our economy? What is their impact on our communities? Do they commit crimes? Do they take jobs from American workers? Do they pay taxes? Do they require social services? Is it a problem that some do not speak English? Is it the responsibility of employers to discourage illegal immigration by not hiring undocumented workers? Should they have the opportunity to gain citizenship? Does illegal immigration pose a security threat to our country? Do illegal immigrants do work that American workers are unwilling to do? Are their rights as workers and as human beings at risk due to their status? Are they abused by employers, law enforcement, housing, and businesses? How are their families impacted by their status? What is the moral and philosophical obligation of a nation state to maintain its borders? Should we build a wall on the Mexican border, establish a national identification card, or enforce existing laws against employers? Should we invite immigrants to become U.S. citizens? Surely you can think of many more concerns to be addressed by a conversation about the topic area of illegal immigration. Participation in this “debate” is likely to be emotional and intense. However, it is not likely to be productive or useful without focus on a particular question and identification of a line demarcating sides in the controversy. To be discussed and resolved effectively, controversies are best understood when seated clearly such that all parties to the debate share an understanding about the objec­tive of the debate. This enables focus on substantive and objectively identifiable issues facilitating comparison of competing argumentation leading to effective decisions. Vague understanding results in unfocused deliberation and poor deci­sions, general feelings of tension without opportunity for resolution, frustration, and emotional distress, as evidenced by the failure of the U.S. Congress to make substantial progress on the immigration debate. Of course, arguments may be presented without disagreement. For exam­ple, claims are presented and supported within speeches, editorials, and advertise­ments even without opposing or refutational response. Argumentation occurs in a range of settings from informal to formal, and may not call upon an audi­ence or judge to make a forced choice among competing claims. Informal dis­course occurs as conversation or panel discussion without demanding a decision about a dichotomous or yes/no question. However, by definition, debate requires "reasoned judgment on a proposition. The proposition is a statement about which competing advocates will offer alternative (pro or con) argumenta­tion calling upon their audience or adjudicator to decide. The proposition pro­vides focus for the discourse and guides the decision process. Even when a decision will be made through a process of compromise, it is important to iden­tify the beginning positions of competing advocates to begin negotiation and movement toward a center, or consensus position. It is frustrating and usually unproductive to attempt to make a decision when deciders are unclear as to what the decision is about. The proposition may be implicit in some applied debates (“Vote for me!”); however, when a vote or consequential decision is called for (as in the courtroom or in applied parliamentary debate) it is essential that the proposition be explicitly expressed (“the defendant is guilty!”). In aca­demic debate, the proposition provides essential guidance for the preparation of the debaters prior to the debate, the case building and discourse presented during the debate, and the decision to be made by the debate judge after the debate. Someone disturbed by the problem of a growing underclass of poorly educated, socially disenfranchised youths might observe, “Public schools are doing a terri­ble job! They' are overcrowded, and many teachers are poorly qualified in their subject areas. Even the best teachers can do little more than struggle to maintain order in their classrooms." That same concerned citizen, facing a complex range of issues, might arrive at an unhelpful decision, such as "We ought to do some­thing about this” or, worse, “It’s too complicated a problem to deal with." Groups of concerned citizens worried about the state of public education could join together to express their frustrations, anger, disillusionment, and emotions regarding the schools, but without a focus for their discussions, they could easily agree about the sorry state of education without finding points of clarity or potential solutions. A gripe session would follow. But if a precise question is posed—such as “What can be done to improve public education?”—then a more profitable area of discussion is opened up simply by placing a focus on the search for a concrete solution step. One or more judgments can be phrased in the form of debate propositions, motions for parliamentary debate, or bills for legislative assemblies, The statements "Resolved: That the federal government should implement a program of charter schools in at-risk communities” and “Resolved; That the state of Florida should adopt a school voucher program" more clearly identify specific ways of dealing with educational problems in a manageable form, suitable for debate. They provide specific policies to be investigated and aid discussants in identifying points of difference. This focus contributes to better and more informed decision making with the potential for better results. In aca­demic debate, it provides better depth of argumentation and enhanced opportu­nity for reaping the educational benefits of participation. In the next section, we will consider the challenge of framing the proposition for debate, and its role in the debate. To have a productive debate, which facilitates effective decision making by directing and placing limits on the decision to be made, the basis for argument should be clearly defined. If we merely talk about a topic, such as ‘"homeless­ness,” or “abortion,” Or “crime,” or “global warming,” we are likely to have an interesting discussion but not to establish a profitable basis for argument. For example, the statement “Resolved: That the pen is mightier than the sword” is debatable, yet by itself fails to provide much basis for dear argumen­tation. If we take this statement to mean *Iliad* the written word is more effec­tive than physical force for some purposes, we can identify a problem area: the comparative effectiveness of writing or physical force for a specific purpose, perhaps promoting positive social change. (Note that “loose” propositions, such as the example above, may be defined by their advocates in such a way as to facilitate a clear contrast of competing sides; through definitions and debate they “become” clearly understood statements even though they may not begin as such. There are formats for debate that often begin with this sort of proposition. However, in any debate, at some point, effective and meaningful discussion relies on identification of a clearly stated or understood proposition.) Back to the example of the written word versus physical force. Although we now have a general subject, we have not yet stated a problem. It is still too broad, too loosely worded to promote weII-organized argument. What sort of writing are we concerned with—poems, novels, government documents, web­site development, advertising, cyber-warfare, disinformation, or what? What does it mean to be “mightier" in this context? What kind of physical force is being compared—fists, dueling swords, bazookas, nuclear weapons, or what? A more specific question might be, “Would a mutual defense treaty or a visit by our fleet be more effective in assuring Laurania of our support in a certain crisis?” The basis for argument could be phrased in a debate proposition such as “Resolved: That the United States should enter into a mutual defense treaty with Laurania.” Negative advocates might oppose this proposition by arguing that fleet maneuvers would be a better solution. This is not to say that debates should completely avoid creative interpretation of the controversy by advo­cates, or that good debates cannot occur over competing interpretations of the controversy; in fact, these sorts of debates may be very engaging. The point is that debate is best facilitated by the guidance provided by focus on a particular point of difference, which will be outlined in the following discussion.

#### Simulated national security law debates preserve agency, enables activism, enhances decision-making, and avoids cooption – only legal deliberative action solves

Donohue 13 (Laura K. Donohue, Associate Professor of Law, Georgetown Law, 4/11, “National Security Law Pedagogy and the Role of Simulations”, http://jnslp.com/wp-content/uploads/2013/04/National-Security-Law-Pedagogy-and-the-Role-of-Simulations.pdf)

The concept of simulations as an aspect of higher education, or in the law school environment, is not new.164 Moot court, after all, is a form of simulation and one of the oldest teaching devices in the law. What is new, however, is the idea of designing a civilian national security course that takes advantage of the doctrinal and experiential components of law school education and integrates the experience through a multi-day simulation. In 2009, I taught the first module based on this design at Stanford Law, which I developed the following year into a full course at Georgetown Law. It has since gone through multiple iterations. The initial concept followed on the federal full-scale Top Official (“TopOff”) exercises, used to train government officials to respond to domestic crises.165 It adapted a Tabletop Exercise, designed with the help of exercise officials at DHS and FEMA, to the law school environment. The Tabletop used one storyline to push on specific legal questions, as students, assigned roles in the discussion, sat around a table and for six hours engaged with the material. The problem with the Tabletop Exercise was that it was too static, and the rigidity of the format left little room, or time, for student agency. Unlike the government’s TopOff exercises, which gave officials the opportunity to fully engage with the many different concerns that arise in the course of a national security crisis as well as the chance to deal with externalities, the Tabletop focused on specific legal issues, even as it controlled for external chaos. The opportunity to provide a more full experience for the students came with the creation of first a one-day, and then a multi-day simulation. The course design and simulation continues to evolve. It offers a model for achieving the pedagogical goals outlined above, in the process developing a rigorous training ground for the next generation of national security lawyers.166 A. Course Design The central idea in structuring the NSL Sim 2.0 course was to bridge the gap between theory and practice by conveying doctrinal material and creating an alternative reality in which students would be forced to act upon legal concerns.167 The exercise itself is a form of problem-based learning, wherein students are given both agency and responsibility for the results. Towards this end, the structure must be at once bounded (directed and focused on certain areas of the law and legal education) and flexible (responsive to student input and decisionmaking). Perhaps the most significant weakness in the use of any constructed universe is the problem of authenticity. Efforts to replicate reality will inevitably fall short. There is simply too much uncertainty, randomness, and complexity in the real world. One way to address this shortcoming, however, is through design and agency. The scenarios with which students grapple and the structural design of the simulation must reflect the national security realm, even as students themselves must make choices that carry consequences. Indeed, to some extent, student decisions themselves must drive the evolution of events within the simulation.168 Additionally, while authenticity matters, it is worth noting that at some level the fact that the incident does not take place in a real-world setting can be a great advantage. That is, the simulation creates an environment where students can make mistakes and learn from these mistakes – without what might otherwise be devastating consequences. It also allows instructors to develop multiple points of feedback to enrich student learning in a way that would be much more difficult to do in a regular practice setting. NSL Sim 2.0 takes as its starting point the national security pedagogical goals discussed above. It works backwards to then engineer a classroom, cyber, and physical/simulation experience to delve into each of these areas. As a substantive matter, the course focuses on the constitutional, statutory, and regulatory authorities in national security law, placing particular focus on the interstices between black letter law and areas where the field is either unsettled or in flux. A key aspect of the course design is that it retains both the doctrinal and experiential components of legal education. Divorcing simulations from the doctrinal environment risks falling short on the first and third national security pedagogical goals: (1) analytical skills and substantive knowledge, and (3) critical thought. A certain amount of both can be learned in the course of a simulation; however, the national security crisis environment is not well-suited to the more thoughtful and careful analytical discussion. What I am thus proposing is a course design in which doctrine is paired with the type of experiential learning more common in a clinical realm. The former precedes the latter, giving students the opportunity to develop depth and breadth prior to the exercise. In order to capture problems related to adaptation and evolution, addressing goal [1(d)], the simulation itself takes place over a multi-day period. Because of the intensity involved in national security matters (and conflicting demands on student time), the model makes use of a multi-user virtual environment. The use of such technology is critical to creating more powerful, immersive simulations.169 It also allows for continual interaction between the players. Multi-user virtual environments have the further advantage of helping to transform the traditional teaching culture, predominantly concerned with manipulating textual and symbolic knowledge, into a culture where students learn and can then be assessed on the basis of their participation in changing practices.170 I thus worked with the Information Technology group at Georgetown Law to build the cyber portal used for NSL Sim 2.0. The twin goals of adaptation and evolution require that students be given a significant amount of agency and responsibility for decisions taken in the course of the simulation. To further this aim, I constituted a Control Team, with six professors, four attorneys from practice, a media expert, six to eight former simulation students, and a number of technology experts. Four of the professors specialize in different areas of national security law and assume roles in the course of the exercise, with the aim of pushing students towards a deeper doctrinal understanding of shifting national security law authorities. One professor plays the role of President of the United States. The sixth professor focuses on questions of professional responsibility. The attorneys from practice help to build the simulation and then, along with all the professors, assume active roles during the simulation itself. Returning students assist in the execution of the play, further developing their understanding of national security law. Throughout the simulation, the Control Team is constantly reacting to student choices. When unexpected decisions are made, professors may choose to pursue the evolution of the story to accomplish the pedagogical aims, or they may choose to cut off play in that area (there are various devices for doing so, such as denying requests, sending materials to labs to be analyzed, drawing the players back into the main storylines, and leaking information to the media). A total immersion simulation involves a number of scenarios, as well as systemic noise, to give students experience in dealing with the second pedagogical goal: factual chaos and information overload. The driving aim here is to teach students how to manage information more effectively. Five to six storylines are thus developed, each with its own arc and evolution. To this are added multiple alterations of the situation, relating to background noise. Thus, unlike hypotheticals, doctrinal problems, single-experience exercises, or even Tabletop exercises, the goal is not to eliminate external conditions, but to embrace them as part of the challenge facing national security lawyers. The simulation itself is problem-based, giving players agency in driving the evolution of the experience – thus addressing goal [2(c)]. This requires a realtime response from the professor(s) overseeing the simulation, pairing bounded storylines with flexibility to emphasize different areas of the law and the students’ practical skills. Indeed, each storyline is based on a problem facing the government, to which players must then respond, generating in turn a set of new issues that must be addressed. The written and oral components of the simulation conform to the fourth pedagogical goal – the types of situations in which national security lawyers will find themselves. Particular emphasis is placed on nontraditional modes of communication, such as legal documents in advance of the crisis itself, meetings in the midst of breaking national security concerns, multiple informal interactions, media exchanges, telephone calls, Congressional testimony, and formal briefings to senior level officials in the course of the simulation as well as during the last class session. These oral components are paired with the preparation of formal legal instruments, such as applications to the Foreign Intelligence Surveillance Court, legal memos, applications for search warrants under Title III, and administrative subpoenas for NSLs. In addition, students are required to prepare a paper outlining their legal authorities prior to the simulation – and to deliver a 90 second oral briefing after the session. To replicate the high-stakes political environment at issue in goals (1) and (5), students are divided into political and legal roles and assigned to different (and competing) institutions: the White House, DoD, DHS, HHS, DOJ, DOS, Congress, state offices, nongovernmental organizations, and the media. This requires students to acknowledge and work within the broader Washington context, even as they are cognizant of the policy implications of their decisions. They must get used to working with policymakers and to representing one of many different considerations that decisionmakers take into account in the national security domain. Scenarios are selected with high consequence events in mind, to ensure that students recognize both the domestic and international dimensions of national security law. Further alterations to the simulation provide for the broader political context – for instance, whether it is an election year, which parties control different branches, and state and local issues in related but distinct areas. The media is given a particularly prominent role. One member of the Control Team runs an AP wire service, while two student players represent print and broadcast media, respectively. The Virtual News Network (“VNN”), which performs in the second capacity, runs continuously during the exercise, in the course of which players may at times be required to appear before the camera. This media component helps to emphasize the broader political context within which national security law is practiced. Both anticipated and unanticipated decisions give rise to ethical questions and matters related to the fifth goal: professional responsibility. The way in which such issues arise stems from simulation design as well as spontaneous interjections from both the Control Team and the participants in the simulation itself. As aforementioned, professors on the Control Team, and practicing attorneys who have previously gone through a simulation, focus on raising decision points that encourage students to consider ethical and professional considerations. Throughout the simulation good judgment and leadership play a key role, determining the players’ effectiveness, with the exercise itself hitting the aim of the integration of the various pedagogical goals. Finally, there are multiple layers of feedback that players receive prior to, during, and following the simulation to help them to gauge their effectiveness. The Socratic method in the course of doctrinal studies provides immediate assessment of the students’ grasp of the law. Written assignments focused on the contours of individual players’ authorities give professors an opportunity to assess students’ level of understanding prior to the simulation. And the simulation itself provides real-time feedback from both peers and professors. The Control Team provides data points for player reflection – for instance, the Control Team member playing President may make decisions based on player input, giving students an immediate impression of their level of persuasiveness, while another Control Team member may reject a FISC application as insufficient. The simulation goes beyond this, however, focusing on teaching students how to develop (6) opportunities for learning in the future. Student meetings with mentors in the field, which take place before the simulation, allow students to work out the institutional and political relationships and the manner in which law operates in practice, even as they learn how to develop mentoring relationships. (Prior to these meetings we have a class discussion about mentoring, professionalism, and feedback). Students, assigned to simulation teams about one quarter of the way through the course, receive peer feedback in the lead-up to the simulation and during the exercise itself. Following the simulation the Control Team and observers provide comments. Judges, who are senior members of the bar in the field of national security law, observe player interactions and provide additional debriefing. The simulation, moreover, is recorded through both the cyber portal and through VNN, allowing students to go back to assess their performance. Individual meetings with the professors teaching the course similarly follow the event. Finally, students end the course with a paper reflecting on their performance and the issues that arose in the course of the simulation, develop frameworks for analyzing uncertainty, tension with colleagues, mistakes, and successes in the future. B. Substantive Areas: Interstices and Threats As a substantive matter, NSL Sim 2.0 is designed to take account of areas of the law central to national security. It focuses on specific authorities that may be brought to bear in the course of a crisis. The decision of which areas to explore is made well in advance of the course. It is particularly helpful here to think about national security authorities on a continuum, as a way to impress upon students that there are shifting standards depending upon the type of threat faced. One course, for instance, might center on the interstices between crime, drugs, terrorism and war. Another might address the intersection of pandemic disease and biological weapons. A third could examine cybercrime and cyberterrorism. This is the most important determination, because the substance of the doctrinal portion of the course and the simulation follows from this decision. For a course focused on the interstices between pandemic disease and biological weapons, for instance, preliminary inquiry would lay out which authorities apply, where the courts have weighed in on the question, and what matters are unsettled. Relevant areas might include public health law, biological weapons provisions, federal quarantine and isolation authorities, habeas corpus and due process, military enforcement and posse comitatus, eminent domain and appropriation of land/property, takings, contact tracing, thermal imaging and surveillance, electronic tagging, vaccination, and intelligence-gathering. The critical areas can then be divided according to the dominant constitutional authority, statutory authorities, regulations, key cases, general rules, and constitutional questions. This, then, becomes a guide for the doctrinal part of the course, as well as the grounds on which the specific scenarios developed for the simulation are based. The authorities, simultaneously, are included in an electronic resource library and embedded in the cyber portal (the Digital Archives) to act as a closed universe of the legal authorities needed by the students in the course of the simulation. Professional responsibility in the national security realm and the institutional relationships of those tasked with responding to biological weapons and pandemic disease also come within the doctrinal part of the course. The simulation itself is based on five to six storylines reflecting the interstices between different areas of the law. The storylines are used to present a coherent, non-linear scenario that can adapt to student responses. Each scenario is mapped out in a three to seven page document, which is then checked with scientists, government officials, and area experts for consistency with how the scenario would likely unfold in real life. For the biological weapons and pandemic disease emphasis, for example, one narrative might relate to the presentation of a patient suspected of carrying yersinia pestis at a hospital in the United States. The document would map out a daily progression of the disease consistent with epidemiological patterns and the central actors in the story: perhaps a U.S. citizen, potential connections to an international terrorist organization, intelligence on the individual’s actions overseas, etc. The scenario would be designed specifically to stress the intersection of public health and counterterrorism/biological weapons threats, and the associated (shifting) authorities, thus requiring the disease initially to look like an innocent presentation (for example, by someone who has traveled from overseas), but then for the storyline to move into the second realm (awareness that this was in fact a concerted attack). A second storyline might relate to a different disease outbreak in another part of the country, with the aim of introducing the Stafford Act/Insurrection Act line and raising federalism concerns. The role of the military here and Title 10/Title 32 questions would similarly arise – with the storyline designed to raise these questions. A third storyline might simply be well developed noise in the system: reports of suspicious activity potentially linked to radioactive material, with the actors linked to nuclear material. A fourth storyline would focus perhaps on container security concerns overseas, progressing through newspaper reports, about containers showing up in local police precincts. State politics would constitute the fifth storyline, raising question of the political pressures on the state officials in the exercise. Here, ethnic concerns, student issues, economic conditions, and community policing concerns might become the focus. The sixth storyline could be further noise in the system – loosely based on current events at the time. In addition to the storylines, a certain amount of noise is injected into the system through press releases, weather updates, private communications, and the like. The five to six storylines, prepared by the Control Team in consultation with experts, become the basis for the preparation of scenario “injects:” i.e., newspaper articles, VNN broadcasts, reports from NGOs, private communications between officials, classified information, government leaks, etc., which, when put together, constitute a linear progression. These are all written and/or filmed prior to the exercise. The progression is then mapped in an hourly chart for the unfolding events over a multi-day period. All six scenarios are placed on the same chart, in six columns, giving the Control Team a birds-eye view of the progression. C. How It Works As for the nuts and bolts of the simulation itself, it traditionally begins outside of class, in the evening, on the grounds that national security crises often occur at inconvenient times and may well involve limited sleep and competing demands.171 Typically, a phone call from a Control Team member posing in a role integral to one of the main storylines, initiates play. Students at this point have been assigned dedicated simulation email addresses and provided access to the cyber portal. The portal itself gives each team the opportunity to converse in a “classified” domain with other team members, as well as access to a public AP wire and broadcast channel, carrying the latest news and on which press releases or (for the media roles) news stories can be posted. The complete universe of legal authorities required for the simulation is located on the cyber portal in the Digital Archives, as are forms required for some of the legal instruments (saving students the time of developing these from scratch in the course of play). Additional “classified” material – both general and SCI – has been provided to the relevant student teams. The Control Team has access to the complete site. For the next two (or three) days, outside of student initiatives (which, at their prompting, may include face-to-face meetings between the players), the entire simulation takes place through the cyber portal. The Control Team, immediately active, begins responding to player decisions as they become public (and occasionally, through monitoring the “classified” communications, before they are released). This time period provides a ramp-up to the third (or fourth) day of play, allowing for the adjustment of any substantive, student, or technology concerns, while setting the stage for the breaking crisis. The third (or fourth) day of play takes place entirely at Georgetown Law. A special room is constructed for meetings between the President and principals, in the form of either the National Security Council or the Homeland Security Council, with breakout rooms assigned to each of the agencies involved in the NSC process. Congress is provided with its own physical space, in which meetings, committee hearings and legislative drafting can take place. State government officials are allotted their own area, separate from the federal domain, with the Media placed between the three major interests. The Control Team is sequestered in a different area, to which students are not admitted. At each of the major areas, the cyber portal is publicly displayed on large flat panel screens, allowing for the streaming of video updates from the media, AP wire injects, articles from the students assigned to represent leading newspapers, and press releases. Students use their own laptop computers for team decisions and communication. As the storylines unfold, the Control Team takes on a variety of roles, such as that of the President, Vice President, President’s chief of staff, governor of a state, public health officials, and foreign dignitaries. Some of the roles are adopted on the fly, depending upon player responses and queries as the storylines progress. Judges, given full access to each player domain, determine how effectively the students accomplish the national security goals. The judges are themselves well-experienced in the practice of national security law, as well as in legal education. They thus can offer a unique perspective on the scenarios confronted by the students, the manner in which the simulation unfolded, and how the students performed in their various capacities. At the end of the day, the exercise terminates and an immediate hotwash is held, in which players are first debriefed on what occurred during the simulation. Because of the players’ divergent experiences and the different roles assigned to them, the students at this point are often unaware of the complete picture. The judges and formal observers then offer reflections on the simulation and determine which teams performed most effectively. Over the next few classes, more details about the simulation emerge, as students discuss it in more depth and consider limitations created by their knowledge or institutional position, questions that arose in regard to their grasp of the law, the types of decision-making processes that occurred, and the effectiveness of their – and other students’ – performances. Reflection papers, paired with oral briefings, focus on the substantive issues raised by the simulation and introduce the opportunity for students to reflect on how to create opportunities for learning in the future. The course then formally ends.172 Learning, however, continues beyond the temporal confines of the semester. Students who perform well and who would like to continue to participate in the simulations are invited back as members of the control team, giving them a chance to deepen their understanding of national security law. Following graduation, a few students who go in to the field are then invited to continue their affiliation as National Security Law fellows, becoming increasingly involved in the evolution of the exercise itself. This system of vertical integration helps to build a mentoring environment for the students while they are enrolled in law school and to create opportunities for learning and mentorship post-graduation. It helps to keep the exercise current and reflective of emerging national security concerns. And it builds a strong community of individuals with common interests. CONCLUSION The legal academy has, of late, been swept up in concern about the economic conditions that affect the placement of law school graduates. The image being conveyed, however, does not resonate in every legal field. It is particularly inapposite to the burgeoning opportunities presented to students in national security. That the conversation about legal education is taking place now should come as little surprise. Quite apart from economic concern is the traditional introspection that follows American military engagement. It makes sense: law overlaps substantially with political power, being at once both the expression of government authority and the effort to limit the same. The one-size fits all approach currently dominating the conversation in legal education, however, appears ill-suited to address the concerns raised in the current conversation. Instead of looking at law across the board, greater insight can be gleaned by looking at the specific demands of the different fields themselves. This does not mean that the goals identified will be exclusive to, for instance, national security law, but it does suggest there will be greater nuance in the discussion of the adequacy of the current pedagogical approach. With this approach in mind, I have here suggested six pedagogical goals for national security. For following graduation, students must be able to perform in each of the areas identified – (1) understanding the law as applied, (2) dealing with factual chaos and uncertainty, (3) obtaining critical distance, (4) developing nontraditional written and oral communication skills, (5) exhibiting leadership, integrity, and good judgment in a high-stakes, highly-charged environment, and (6) creating continued opportunities for self-learning. They also must learn how to integrate these different skills into one experience, to ensure that they will be most effective when they enter the field. The problem with the current structures in legal education is that they fall short, in important ways, from helping students to meet these goals. Doctrinal courses may incorporate a range of experiential learning components, such as hypotheticals, doctrinal problems, single exercises, extended or continuing exercises, and tabletop exercises. These are important classroom devices. The amount of time required for each varies, as does the object of the exercise itself. But where they fall short is in providing a more holistic approach to national security law which will allow for the maximum conveyance of required skills. Total immersion simulations, which have not yet been addressed in the secondary literature for civilian education in national security law, may provide an important way forward. Such simulations also cure shortcomings in other areas of experiential education, such as clinics and moot court. It is in an effort to address these concerns that I developed the simulation model above. NSL Sim 2.0 certainly is not the only solution, but it does provide a starting point for moving forward. The approach draws on the strengths of doctrinal courses and embeds a total immersion simulation within a course. It makes use of technology and physical space to engage students in a multi-day exercise, in which they are given agency and responsibility for their decision making, resulting in a steep learning curve. While further adaptation of this model is undoubtedly necessary, it suggests one potential direction for the years to come.

#### Only switch-side debate activates critique and enables for effective deliberation

Stevenson 9 (Ruth – PhD, senior lecturer and independent consultant – Graduate School of the Environment @ Centre for Alternative Technology, “Discourse, power, and energy conflicts: understanding Welsh renewable energy planning policy,” Environment and Planning C: Government and Policy, Volume 27, p. 512-526)

It could be argued that this result arose from the lack of expertise of the convenors of the TAN 8 in consensual decision making. Indeed, there is now more research and advice on popular participation in policy issues at a community level (eg Kaner et al, 1996; Ostrom, 1995; Paddison, 1999). However, for policy making the state remains the vehicle through which policy goals must be achieved (Rydin, 2003) and it is through the state that global issues such as climate change and sustainable development must be legislated for, and to some extent enacted. It is therefore through this structure that any consensual decision making must be tested. This research indicates that the policy process cannot actually overcome contradictions and conflict. Instead, **encompassing them may well be a more fruitful way forward than attempts at consensus.** Foucault reinforces the notion that the `field of power' can prove to be positive both for individuals and for the state by allowing both to act (Darier, 1996; Foucault, 1979). Rydin (2003) suggests that actors can be involved in policy making but through `deliberative' policy making rather than aiming for consensus: ``the key to success here is not consensus but building a position based on divergent positions'' (page 69). Deliberative policy making for Rydin involves: particular dialogic mechanisms such as speakers being explicit about their values, understandings, and activities: the need to move back and forth between memories (historical) and aspirations (future); moving between general and the particular; and the adoption of role taking (sometimes someone else's role). There is much to be trialed and tested in these deliberative models, however, a strong state is still required as part of the equation if we are to work in the interests of global equity, at least until the messages about climate change and sustainable development are strong enough to filter through to the local level. It is at the policy level that the usefulness of these various new techniques of deliberative policy making must be tested, and at the heart of this must be an understanding of the power rationalities at work in the process.

#### Effective decision-making outweighs – it’s the lynchpin of solving all existential global problems – being relevantly informed is key

Lundberg 10 (Christian O. Lundberg 10 Professor of Communications @ University of North Carolina, Chapel Hill, “Tradition of Debate in North Carolina” in Navigating Opportunity: Policy Debate in the 21st Century By Allan D. Louden, p311)

The second major problem with the critique that identifies a naivety in articulating debate and democracy is that it presumes that the primary pedagogical outcome of debate is speech capacities. But the democratic capacities built by debate are not limited to speech—as indicated earlier, **debate builds capacity for** critical thinking, analysis of public claims, informed decision making, and better public judgment. If the picture of modem political life that underwrites this critique of debate is a pessimistic view of increasingly labyrinthine and bureaucratic administrative politics, rapid scientific and technological change outpacing the capacities of the citizenry to comprehend them, and ever-expanding insular special-interest- and money-driven politics, it is a puzzling solution, at best, to argue that these conditions warrant giving up on debate. If democracy is open to rearticulation, it is open to rearticulation precisely because **as the challenges of modern political life proliferate, the citizenry's capacities can change**, which is one of the primary reasons that theorists of democracy such as Ocwey in The Public awl Its Problems place such a high premium on education (Dewey 1988,63, 154). Debate provides an indispensible form of education in the modem articulation of democracy because it **builds precisely the skills that allow the citizenry** to research and be informed about policy decisions that impact them, to son rhroueh and evaluate the evidence for and relative merits of arguments for and against a policy in an increasingly infonnation-rich environment, and to prioritize their time and political energies toward policies that matter the most to them. The merits of debate as a tool for building democratic capacity-building take on a special significance in the context of information literacy. John Larkin (2005, HO) argues that one of the primary failings of modern colleges and universities is that they have not changed curriculum to match with the challenges of a new information environment. This is a problem for the course of academic study in our current context, but perhaps more important, argues Larkin, for the future of a citizenry that will need to make evaluative choices against an increasingly complex and multimediatcd information environment (ibid-). Larkin's study tested the benefits of debate participation on information-literacy skills and concluded that in-class debate participants reported significantly higher self-efficacy ratings of their ability to navigate academic search databases and to effectively search and use other Web resources: To analyze the self-report ratings of the instructional and control group students, we first conducted a multivariate analysis of variance on all of the ratings, looking jointly at the effect of instmction/no instruction and debate topic . . . that it did not matter which topic students had been assigned . . . students in the Instnictional [debate) group were significantly more confident in their ability to access information and less likely to feel that they needed help to do so----These findings clearly indicate greater self-efficacy for online searching among students who participated in (debate).... These results constitute strong support for the effectiveness of the project on students' self-efficacy for online searching in the academic databases. There was an unintended effect, however: After doing ... the project, instructional group students also felt more confident than the other students in their ability to get good information from Yahoo and Google. It may be that the library research experience increased self-efficacy for any searching, not just in academic databases. (Larkin 2005, 144) Larkin's study substantiates Thomas Worthcn and Gaylcn Pack's (1992, 3) claim that debate in the college classroom plays a critical role in fostering the kind of problem-solving skills demanded by the increasingly rich media and information environment of modernity. Though their essay was written in 1992 on the cusp of the eventual explosion of the Internet as a medium, Worthcn and Pack's framing of the issue was prescient: the primary question facing today's student has changed from how to best research a topic to the crucial question of learning how to best evaluate which arguments to cite and rely upon from an easily accessible and veritable cornucopia of materials. There are, without a doubt, a number of important criticisms of employing debate as a model for democratic deliberation. But cumulatively, the evidence presented here warrants strong support for expanding debate practice in the classroom as a technology **for enhancing democratic deliberative capacities**. The unique combination of critical thinking skills, research and information processing skills, oral communication skills, and capacities for listening and thoughtful, open engagement with hotly contested issues argues for debate as a **crucial component of a rich and vital democratic life**. In-class debate practice both aids students in achieving the best goals of college and university education, and serves as an unmatched practice for creating thoughtful, engaged, open-minded and self-critical students who are open to the possibilities of **meaningful political engagement** and **new articulations of democratic life.** Expanding this practice is crucial, if only because the more we produce citizens that can actively and effectively engage the political process, the more likely we are to **produce revisions of democratic life** that are **necessary if democracy is not only to survive, but to thrive**. Democracy faces a myriad of challenges, including: domestic and international **issues of class, gender, and racial justice**; wholesale **environmental destruction** and the potential for **rapid climate change**; emerging **threats to international stability** in the form of terrorism, intervention and new possibilities for great power conflict; and increasing **challenges of rapid globalization** including an increasingly volatile global economic structure. More than any specific policy or proposal, an **informed and active citizenry that** deliberates with greater skil**l** and sensitivity provides one of the best hopes for responsive and effective democratic governance, and by extension, one of the last best hopes for dealing with the **existential challenges** to democracy [in an] increasingly complex world.

### 1NC

#### The 1ac functions as a criticism of the status quo US foreign policy creating a rhetoric that risks unraveling the current unipolar world

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Those contributing to the growing chorus of antihegemony and multipolarity may know they are playing a dangerous game, one that needs to be conducted with the utmost care, as French leaders did during the Cold War, lest the entire international system come crashing down around them. What they may not have adequately calculated, however, is the possibility that Americans will not respond as wisely as they generally did during the Cold War. Americans and their leaders should not take all this sophisticated whining about U.S. hegemony too seriously. They certainly should not take it more seriously than the whiners themselves do. But, of course, Americans are taking it seriously. In the United States these days, the lugubrious guilt trip of post-Vietnam liberalism is echoed even by conservatives, with William Buckley, Samuel Huntington, and James Schlesinger all decrying American "hubris," "arrogance," and "imperialism." Clinton administration officials, in between speeches exalting America as the "indispensable" nation, increasingly behave as if what is truly indispensable is the prior approval of China, France, and Russia for every military action. Moreover, at another level, there is a stirring of neo-isolationism in America today, a mood that nicely complements the view among many Europeans that America is meddling too much in everyone else's business and taking too little time to mind its own. The existence of the Soviet Union disciplined Americans and made them see that their enlightened self-interest lay in a relatively generous foreign policy. Today, that discipline is no longer present. In other words, foreign grumbling about American hegemony would be merely amusing, were it not for the very real possibility that too many Americans will forget —- even if most of the rest of the world does not —- just how important continued American dominance is to the preservation of a reasonable level of international security and prosperity. World leaders may want to keep this in mind when they pop the champagne corks in celebration of the next American humbling**.**

#### Withdrawal is bad – causes war

Brooks et al 13

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A core premise of deep engagement is that it prevents the emergence of a far more dangerous global security environment. For one thing, as noted above, the United States’ overseas presence gives it the leverage to restrain partners from taking provocative action. Perhaps more important, its core alliance commitments also deter states with aspirations to regional hegemony from contemplating expansion and make its partners more secure, reducing their incentive to adopt solutions to their security problems that threaten others and thus stoke security dilemmas. The contention that engaged U.S. power dampens the baleful effects of anarchy is consistent with influential variants of realist theory. Indeed, arguably the scariest portrayal of the war-prone world that would emerge absent the “American Pacifier” is provided in the works of John Mearsheimer, who forecasts dangerous multipolar regions replete with security competition, arms races, nuclear proliferation and associated preventive war temptations, regional rivalries, and even runs at regional hegemony and full-scale great power war. 72 How do retrenchment advocates, the bulk of whom are realists, discount this benefit? Their arguments are complicated, but two capture most of the variation: (1) U.S. security guarantees are not necessary to prevent dangerous rivalries and conflict in Eurasia; or (2) prevention of rivalry and conflict in Eurasia is not a U.S. interest. Each response is connected to a different theory or set of theories, which makes sense given that the whole debate hinges on a complex future counterfactual (what would happen to Eurasia’s security setting if the United States truly disengaged?). Although a certain answer is impossible, each of these responses is nonetheless a weaker argument for retrenchment than advocates acknowledge. The first response flows from defensive realism as well as other international relations theories that discount the conflict-generating potential of anarchy under contemporary conditions. 73 Defensive realists maintain that the high expected costs of territorial conquest, defense dominance, and an array of policies and practices that can be used credibly to signal benign intent, mean that Eurasia’s major states could manage regional multipolarity peacefully without the American pacifier. Retrenchment would be a bet on this scholarship, particularly in regions where the kinds of stabilizers that nonrealist theories point to—such as democratic governance or dense institutional linkages—are either absent or weakly present. There are three other major bodies of scholarship, however, that might give decisionmakers pause before making this bet. First is regional expertise. Needless to say, there is no consensus on the net security effects of U.S. withdrawal. Regarding each region, there are optimists and pessimists. Few experts expect a return of intense great power competition in a post-American Europe, but many doubt European governments will pay the political costs of increased EU defense cooperation and the budgetary costs of increasing military outlays. 74 The result might be a Europe that is incapable of securing itself from various threats that could be destabilizing within the region and beyond (e.g., a regional conflict akin to the 1990s Balkan wars), lacks capacity for global security missions in which U.S. leaders might want European participation, and is vulnerable to the influence of outside rising powers. What about the other parts of Eurasia where the United States has a substantial military presence? Regarding the Middle East, the balance begins to swing toward pessimists concerned that states currently backed by Washington— notably Israel, Egypt, and Saudi Arabia—might take actions upon U.S. retrenchment that would intensify security dilemmas. And concerning East Asia, pessimism regarding the region’s prospects without the American pacifier is pronounced. Arguably the principal concern expressed by area experts is that Japan and South Korea are likely to obtain a nuclear capacity and increase their military commitments, which could stoke a destabilizing reaction from China. It is notable that during the Cold War, both South Korea and Taiwan moved to obtain a nuclear weapons capacity and were only constrained from doing so by a still-engaged United States. 75 The second body of scholarship casting doubt on the bet on defensive realism’s sanguine portrayal is all of the research that undermines its conception of state preferences. Defensive realism’s optimism about what would happen if the United States retrenched is very much dependent on its particular—and highly restrictive—assumption about state preferences; once we relax this assumption, then much of its basis for optimism vanishes. Specifically, the prediction of post-American tranquility throughout Eurasia rests on the assumption that security is the only relevant state preference, with security defined narrowly in terms of protection from violent external attacks on the homeland. Under that assumption, the security problem is largely solved as soon as offense and defense are clearly distinguishable, and offense is extremely expensive relative to defense. Burgeoning research across the social and other sciences, however, undermines that core assumption: states have preferences not only for security but also for prestige, status, and other aims, and they engage in trade-offs among the various objectives. 76 In addition, they define security not just in terms of territorial protection but in view of many and varied milieu goals. It follows that even states that are relatively secure may nevertheless engage in highly competitive behavior. Empirical studies show that this is indeed sometimes the case. 77 In sum, a bet on a benign postretrenchment Eurasia is a bet that leaders of major countries will never allow these nonsecurity preferences to influence their strategic choices. To the degree that these bodies of scholarly knowledge have predictive leverage, U.S. retrenchment would result in a significant deterioration in the security environment in at least some of the world’s key regions. We have already mentioned the third, even more alarming body of scholarship. Offensive realism predicts that the withdrawal of the American pacifier will yield either a competitive regional multipolarity complete with associated insecurity, arms racing, crisis instability, nuclear proliferation, and the like, or bids for regional hegemony, which may be beyond the capacity of local great powers to contain (and which in any case would generate intensely competitive behavior, possibly including regional great power war). Hence it is unsurprising that retrenchment advocates are prone to focus on the second argument noted above: that avoiding wars and security dilemmas in the world’s core regions is not a U.S. national interest. Few doubt that the United States could survive the return of insecurity and conflict among Eurasian powers, but at what cost? Much of the work in this area has focused on the economic externalities of a renewed threat of insecurity and war, which we discuss below. Focusing on the pure security ramifications, there are two main reasons why decisionmakers may be rationally reluctant to run the retrenchment experiment. First, overall higher levels of conflict make the world a more dangerous place. Were Eurasia to return to higher levels of interstate military competition, one would see overall higher levels of military spending and innovation and a higher likelihood of competitive regional proxy wars and arming of client states—all of which would be concerning, in part because it would promote a faster diffusion of military power away from the United States. Greater regional insecurity could well feed proliferation cascades, as states such as Egypt, Japan, South Korea, Taiwan, and Saudi Arabia all might choose to create nuclear forces. 78 It is unlikely that proliferation decisions by any of these actors would be the end of the game: they would likely generate pressure locally for more proliferation. Following Kenneth Waltz, many retrenchment advocates are proliferation optimists, assuming that nuclear deterrence solves the security problem. 79 Usually carried out in dyadic terms, the debate over the stability of proliferation changes as the numbers go up. Proliferation optimism rests on assumptions of rationality and narrow security preferences. In social science, however, such assumptions are inevitably probabilistic. Optimists assume that most states are led by rational leaders, most will overcome organizational problems and resist the temptation to preempt before feared neighbors nuclearize, and most pursue only security and are risk averse. Confidence in such probabilistic assumptions declines if the world were to move from nine to twenty, thirty, or forty nuclear states. In addition, many of the other dangers noted by analysts who are concerned about the destabilizing effects of nuclear proliferation—including the risk of accidents and the prospects that some new nuclear powers will not have truly survivable forces—seem prone to go up as the number of nuclear powers grows. 80 Moreover, the risk of “unforeseen crisis dynamics” that could spin out of control is also higher as the number of nuclear powers increases. Finally, add to these concerns the enhanced danger of nuclear leakage, and a world with overall higher levels of security competition becomes yet more worrisome. The argument that maintaining Eurasian peace is not a U.S. interest faces a second problem. On widely accepted realist assumptions, acknowledging that U.S. engagement preserves peace dramatically narrows the difference between retrenchment and deep engagement. For many supporters of retrenchment, the optimal strategy for a power such as the United States, which has attained regional hegemony and is separated from other great powers by oceans, is offshore balancing: stay over the horizon and “pass the buck” to local powers to do the dangerous work of counterbalancing any local rising power. The United States should commit to onshore balancing only when local balancing is likely to fail and a great power appears to be a credible contender for regional hegemony, as in the cases of Germany, Japan, and the Soviet Union in the midtwentieth century. The problem is that China’s rise puts the possibility of its attaining regional hegemony on the table, at least in the medium to long term. As Mearsheimer notes, “The United States will have to play a key role in countering China, because its Asian neighbors are not strong enough to do it by themselves.” 81 Therefore, unless China’s rise stalls, “the United States is likely to act toward China similar to the way it behaved toward the Soviet Union during the Cold War.” 82 It follows that the United States should take no action that would compromise its capacity to move to onshore balancing in the future. It will need to maintain key alliance relationships in Asia as well as the formidably expensive military capacity to intervene there. The implication is to get out of Iraq and Afghanistan, reduce the presence in Europe, and pivot to Asia— just what the United States is doing. 83 In sum, the argument that U.S. security commitments are unnecessary for peace is countered by a lot of scholarship, including highly influential realist scholarship. In addition, the argument that Eurasian peace is unnecessary for U.S. security is weakened by the potential for a large number of nasty security consequences as well as the need to retain a latent onshore balancing capacity that dramatically reduces the savings retrenchment might bring. Moreover, switching between offshore and onshore balancing could well be difficult. Bringing together the thrust of many of the arguments discussed so far underlines the degree to which the case for retrenchment misses the underlying logic of the deep engagement strategy. By supplying reassurance, deterrence, and active management, the United States lowers security competition in the world’s key regions, thereby preventing the emergence of a hothouse atmosphere for growing new military capabilities. Alliance ties dissuade partners from ramping up and also provide leverage to prevent military transfers to potential rivals. On top of all this, the United States’ formidable military machine may deter entry by potential rivals. Current great power military expenditures as a percentage of GDP are at historical lows, and thus far other major powers have shied away from seeking to match top-end U.S. military capabilities. In addition, they have so far been careful to avoid attracting the “focused enmity” of the United States. 84 All of the world’s most modern militaries are U.S. allies (America’s alliance system of more than sixty countries now accounts for some 80 percent of global military spending), and the gap between the U.S. military capability and that of potential rivals is by many measures growing rather than shrinking. 85

#### The alternative is to reject the aff as a signal of commitment to US imperial resolve .Maintaining support for hegemony in academic institutions is key

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(John, Professor Political Science at the University of Chicago, International Security, Summer, p. 93)

The discussion of institutions up to now has a distinct academic flavor. However, the debate over whether institutions cause peace is not just a dispute about international relations theory; it also has significant real-world consequences. For example, the Clinton administration and many European policymakers publicly maintain that states should not worry about the balance of power – that is “old thinking,” they say – but should instead rely on institutions to protect them. This perspective makes sense only if there is evidence that institutions can get the job done. But so far, the evidence indicates that institutions do not provide a sound basis for building a stable post-Cold War world. Institutions failed to prevent or shut down the recent wars in Bosnia and Transcaucasia, and failed to stop the carnage in Rwanda; there is little reason to think that those same institutions would do better in the next trouble spot. The bottom line on institutions seems clear: despite all the rhetoric about their virtues, there is little evidence that they can alter state behavior and cause peace. States temporarily led astray by the false promise of institutional rhetoric eventually come to their senses and start worrying about the balance of power. Surely Bosnian policymakers now recognize their mistake in trusting institutions like the UN and the EC to pull their chestnuts out of the fir. In the meantime, however, a state that ignores the balance of power can suffer enormous damage. Thus, it would seem to make sense, from both a moral and a strategic perspective, for institutionalists to tone down their claims about the peace-causing effects of institutions until they have solid evidence to support their positions

## Case

### Util

#### Evaluate consequences – allowing violence for the sake of moral purity is evil

Isaac 2 (Jeffrey C., Professor of Political Science – Indiana-Bloomington, Director – Center for the Study of Democracy and Public Life, Ph.D. – Yale, Dissent Magazine, 49(2), “Ends, Means, and Politics”, Spring, Proquest)

As writers such as Niccolo Machiavelli, Max Weber, Reinhold Niebuhr, and Hannah Arendt have taught, an unyielding concern with moral goodness undercuts political responsibility. The concern may be morally laudable, reflecting a kind of personal integrity, but it suffers from three fatal flaws: (1) It fails to see that the purity of one’s intention does not ensure the achievement of what one intends. Abjuring violence or refusing to make common cause with morally compromised parties may seem like the right thing; but if such tactics entail impotence, then it is hard to view them as serving any moral good beyond the **clean conscience** of their supporters; (2) it fails to see that in a world of real violence and injustice, moral purity is not simply a form of powerlessness; it is often a form of complicity in injustice. This is why, from the standpoint of politics--as opposed to religion--pacifism is always a potentially immoral stand. In categorically repudiating violence, it refuses in principle to oppose certain violent injustices with any effect; and (3) it fails to see that politics is as much about **unintended consequences** as it is about intentions; it is the effects of action, rather than the motives of action, that is most significant. Just as the alignment with “good” may engender impotence, it is often the pursuit of “good” that generates evil. This is the lesson of communism in the twentieth century: it is not enough that one’s goals be sincere or idealistic; it is equally important, always, to ask about the effects of pursuing these goals and to judge these effects in pragmatic and historically contextualized ways. Moral absolutism inhibits this judgment. It alienates those who are not true believers. It promotes arrogance. And it undermines political effectiveness.

### No RC

#### **War isn’t a result of masculinist behavior – and the aff fails to adequately challenge militarism**

Lind 2005 (Michael, Executive Editor of the National Interest, “Of Arms and the Woman,” Jan 20, http://feminism.eserver.org/of-arms-and-the-woman.txt)

Though realist theory can survive, and perhaps even accommodate, many of the arguments of feminism with respect to collective conflict and state sovereignty, realism must reject the third aspect of the feminist criticism: the redefinition of security to mean social justice. From the Marxist left, feminists have picked up the argument that interstate violence is just one genre of "structural violence," which includes the economic oppression of lower classes by upper classes (Marxism) and the subordination of women to men by custom and by violence (feminism). But this notion merely disguises a change of subject as a change of approach. To say that mass rape by soldiers in wartime and wife-beating in societies at peace (excuse me, at "peace") are parts of the same phenomenon is to abandon any pretense of engaging in serious thinking about international relations. The result may be feminist theory, but it is not a theory of world politics. It is a theory of human society in general. When, as in "ecofeminism," the mistreatment of women by men in all societies, in peace and at war, is fused, as a subject of analysis, with the mistreatment of the ecosystem by humanity, one has a theory of everything, and a theory of everything is usually not very much. If you don't know where you are going, as the old saw has it, any road will get you there. Hence Enloe's decision to understand the Gulf war by beginning with the experiences of Filipina maids in Kuwait. "I might get back to George Bush, Fran�ois Mitterrand, King Fahd and Saddam Hussein eventually." Or maybe not. The results of combining an abandonment of the idea of international politics as something that can be understood by abstracting certain aspects of reality from the blooming, buzzing confusion of fact with an abandonment of a "positivist" effort to establish chains of causation are amply on display in The Morning After, as in the earlier Bananas, Beaches and Bases. These rambling exercises in free association have less in common with a monograph on a diplomatic or military subject than with the associative and politicized writings of, say, Adrienne Rich; they amount to a compendium of vignettes linked only by vague humanitarian sentiment and the writer's consciousness. Enloe is grandiose in her employment of "I": "I've become aware now of the ways in which men have used nationalism to silence women...." "Those like myself who believe that militarism is separable from masculinity are especially interested in conscription...." "For instance, I realize now that I know nothing--nothing--about Kurdish women." (Such personal observations, one must admit, are refreshing compared to sentences like these: "Sexual practice is one of the sites of masculinity's--and femininity's--daily construction. That construction is international. It has been so for generations." Or: "Thinking about militarism in this way reminds us that we all can be militarized, as girlfriends, fathers, factory workers or candidates.") Resolutely ignoring the world of high politics--dictators, presidents, chanceries, general staffs--Enloe devotes attention to various feminist political groupuscles far out of proportion to their actual significance in shaping events. Thus she dwells on a Serbian women's party that "called for respect for cultural diversity within Yugoslavia." She salutes Danish women for voting against Maastricht and Iranian women for working to depose the Shah. "Women Against Fundamentalism is a group formed in Britain by women who included Jews, Arab and Asian Muslims, Hindus, white and Afro-Caribbean Protestants and Irish Catholics. It was formed in 1989, in the turbulently gendered wake of the threats against Salman Rushdie's life...." "The first National Conference of Nicaraguan Women was held in January 1992...." This recurrent focus on little sisterhoods, mobilizing against "gendered" nation-states, multinational capitalism and racial and religious prejudice, owes a lot to the Marxist dream of a transnational fraternity of workers (in a new form, as a transnational sorority of feminists) and even more to the hope of early twentieth-century peace crusaders such as Jane Addams that the women of the world can unite and put an end to war and exploitation. Enloe tries to justify the attention paid to quite different groups of women in various countries with the claim that "no national movement can be militarized"--or demilitarized?--"without changing the ways in which femininity and masculinity infuse daily life." Even if "militarization," however defined, does result in certain kinds of gender relations, it does not follow that altering masculine and feminine roles will, in itself, do much to reverse the process. Something may, after all, be an effect without being a cause. Rejecting the feminist approach to international relations does not mean rejecting the subjects or the political values of feminist scholars. Differing notions of masculinity and femininity in different societies, the treatment of women and homosexuals of both sexes in the armed forces, the exploitation of prostitutes by American soldiers deployed abroad, the sexual division of labor both in advanced and developing countries: all of these are important topics that deserve the attention that Enloe awards them. She shows journalistic flair as well as scholarly insight in detailing what abstractions like the Caribbean Basin Initiative mean in the lives of women in particular Third World countries. Still, such case studies, however interesting, do not support the claim of feminist international relations theorists that theirs is a new and superior approach. One thing should be clear: commitment to a feminist political agenda need not entail commitment to a radical epistemological agenda. Ideas do not have genders, just as they do not have races or classes. In a century in which physics has been denounced as "Jewish" and biology denounced as "bourgeois," it should be embarrassing to denounce the study of international relations as "masculinist." Such a denunciation, of course, will not have serious consequences in politics, but it does violence to the life of the mind. The feminist enemies of empiricism would be well-advised to heed their own counsel and study war no more.

**Patriarchy doesn't explain war—peace is more common, and patriarchal structures cannot be treated as constants**

**Levy 98** [Jack, Prof. Pol. Sci. – Rutgers, Senior Associate – Saltzman Institute of War and Peace Studies, and Past President – International Studies Association, *Annual Review of Political Science*, “The Causes of War and the Conditions of Peace”, 1:139-165]

**Another exception to the focus on variations in war and peace can be found in some feminist theorizing about the outbreak of war, although most feminist work on war focuses on the consequences of war,** particularly for women, rather than on the outbreak of war (Elshtain 1987, Enloe 1990, Peterson 1992, Tickner 1992, Sylvester 1994). The argument is that the gendered nature of states, cultures, and the world system contributes to the persistence of war in world politics. This might provide an alternative (or supplement) to anarchy as an answer to the first question of why violence and war repeatedly occur in international politics, **although the fact that peace is more common than war makes it difficult to argue that patriarchy** (or anarchy) **causes war.** Theories of patriarchy might also help answer the second question of variations in war and peace, if they identified differences in the patriarchal structures and gender relations in different international and domestic political systems in different historical contexts, and if they incorporated these differences into empirically testable hypotheses about the outbreak of war. This is a promising research agenda, and one that has engaged some anthropologists. **Most** current **feminist thinking in political science about the outbreak of war, however, treats gendered systems and patriarchal structures in the same way that neorealists treat anarchy—as a constant—and consequently it** cannot explain variations in war and peace**.**

### Biopowa D

#### No impact to biopower

**Dickinson 4** (Dr. Edward Ross, Professor of History – University of Cincinnati, “Biopolitics, Fascism, Democracy: Some Reflections on Our Discourse About ‘Modernity’”, Central European History, 37(1), p. 18-19)

In an important programmatic statement of 1996 Geoff Eley celebrated the fact that Foucault’s ideas have “fundamentally directed attention away from institutionally centered conceptions of government and the state . . . and toward a dispersed and decentered notion of power and its ‘microphysics.’”48 The “broader, deeper, and less visible ideological consensus” on “technocratic reason and the ethical unboundedness of science” was the focus of his interest.49 But the “power-producing effects in Foucault’s ‘microphysical’ sense” (Eley) of the construction of social bureaucracies and social knowledge, of “an entire institutional apparatus and system of practice” ( Jean Quataert), simply do not explain Nazi policy.50 The destructive dynamic of Nazism was a product not so much of a particular modern set of ideas as of a particular modern political structure, one that could realize the disastrous potential of those ideas. What was critical was not the expansion of the instruments and disciplines of biopolitics, which occurred everywhere in Europe. Instead, it was the principles that guided how those instruments and disciplines were organized and used, and the external constraints on them. In National Socialism, biopolitics was shaped by a totalitarian conception of social management focused on the power and ubiquity of the völkisch state. In democratic societies, biopolitics has historically been **constrained** by a rights-based strategy of social management. This is a point to which I will return shortly. For now, the point is that what was decisive was actually politics at the level of the state. A comparative framework can help us to clarify this point. Other states passed compulsory sterilization laws in the 1930s — indeed, individual states in the United States had already begun doing so in 1907. Yet they **did not proceed** tothe next steps adopted by National Socialism — mass sterilization, mass “eugenic” abortion and murder of the “defective.” Individual figures in, for example, the U.S. did make such suggestions. But **neither** the **political structures** of democratic states **nor** their **legal and political principles** **permitted** such policies actually being enacted. Nor did the scale of forcible sterilization in other countries match that of the Nazi program. I do not mean to suggest that such programs were not horrible; but in a **democratic** political **context** they did not develop the dynamic of constant radicalization and escalation that characterized Nazi policies.

### BWB

#### Focusing on disrupting whiteness generates a black/white binary – that re-inscribes oppression

Harris 6 (Cheryl – Professor of Law, UCLA School of Law; Faculty Director, Critical Race Studies Program. B.A., Wellesley College; J.D., Northwestern University, “Review Essay: Whitewashing Race: Scapegoating Culture”, 2006, 94 Calif. L. Rev. 907, lexis)

I The Project A. About Method: Revisiting the Black/White Binary At the outset, Whitewashing Race makes a critical methodological choice to focus almost exclusively on racial subordination **as reflected by dichotomous constructions** of Blackness and Whiteness, a binary that has been called the Black/White paradigm. Legal scholars have critiqued this racial frame as one that tends to view **racial subordination solely through the experience of Blacks**, and consequently obscures the ways in which subordination **is experienced differently across racial groups**. Clearly racial formation - the processes by which racial categories come into being and are maintained n24 - varies across time, geography, and peoples. As the authors of Whitewashing Race openly acknowledge, in the United States "the color of race and racism has never been monochromatic," particularly as the contemporary racial landscape is complicated by changing racial demographics in which the Black population is decreasing and interracial couplings produce contested racial identities outside familiar categories (x). Nonetheless, the authors choose to articulate their critique of colorblindness through an analysis of Black/White inequality (x-xi). They justify this "Black and White" frame on two primary grounds (x). They first contend that their project responds to conservative racial politics that are largely articulated in Black and White terms. They note that Latinos and Asians, for example, appear in the dominant racial discourse primarily as disciplinary examples invoked in opposition to, and in condemnation of, Blacks (x). For example, Latinos, particularly immigrant workers, are lauded for their quiescence and hard work, in contrast to Black workers who are viewed as contentious and unmotivated. Asians are said to exhibit both a salutary work ethic and greater intellectual capabilities than Blacks. n25 Asian and Latino racial identities, while still subject to highly negative stereotypes, are nevertheless invoked to reinforce the story of Blacks' failure to assimilate. Asian and Latino racial experiences, then, are not engaged on their own terms, but are primarily mechanisms to reinforce Black inferiority and, by logical extension, the fact of White superiority. However, that the prevailing view of race is grounded in Black and White does not necessarily legitimate the authors' choice, particularly [\*916] where, as here, the crabbed, dominant conception of race is precisely what is being contested. The authors therefore offer a second, more substantive rationale for working through the Black/White paradigm: The Black/White binary persists as a feature of everyday life and is crucial to the commonsense understanding of racism... . Whiteness in the United States has never been simply a matter of skin color. Being White is also a measure, as Lani Guinier and Gerald Torres put it, "of one's social distance from Blackness." In other words, Whiteness in America has been ideologically constructed mostly to mean "not Black." The increasing numbers of Asians and Latinos in the United States and the development of a Black middle class have not changed this ideological construction of Whiteness... . [The] dichotomy [is] not between Black and White, but between Black and non Black (x-xi). n26 By explicitly focusing on Black/White inequality, the authors implicitly challenge the critique that the Black/White paradigm is a faulty description of racial hierarchies in the United States. n27 Their approach accepts that the Black/White paradigm may not accurately reflect racial demographics, because, in part, it does not seek to do so. Instead, it describes racial power. n28 Within the Black/White binary that undergirds prevailing social relations, "Black" and "White" signify ideological concepts and do not operate as phenotypic markers, nor even as racial categories in the sense of creating socially constructed communities. Rather, Black and White are relationally constructed. Whiteness is the position of relative privilege marked by the distance from Blackness; Blackness, on the other hand, is a legal and social construction of disadvantage and subordination marked by the distance from White privilege. n29 [\*917] This is not to say that "Yellow," "Red," and "Brown," are not also oppositionally positioned vis-a-vis Whiteness. Rather the point is that "Yellow," "Red," and "Brown," are **often explicitly situated within the racial frames of "Black" and "White**." Indeed, "Black" or "colored" have historically functioned within the law to include Chinese and Japanese immigrants, and others who have struggled to escape the chains of Blackness. n30 At the same time, "White" has expanded and contracted to both include and exclude Mexicans n31 and Arabs. n32 The real binary, then, is Black/not Black. n33 Thus, by focusing on Black/White inequality, Whitewashing Race does not uncritically affirm the Black/White paradigm that excludes or marginalizes the experiences of other racially subordinated groups, but instead self-consciously chooses to frame its analysis within this dominant view. That said, it becomes important to situate this work, and indeed to situate any work that focuses on a binary racial comparison, in the context [\*918] of its role in the racial dialogue. n34 Not all projects warrant condemnation for choosing to employ a Black/White analytic framework. On the other hand, it does not follow that any project that focuses on Black/White relations is immune from the criticism that this binary obscures rather than reveals current racial dynamics. How then do we tell the difference? In part, the answer must begin with an analysis of the purpose for which the comparison is being deployed. Here the project is to attack colorblindness, a reductionist view of race and racism that is intimately linked to asserting a relationship between racial inequality and social pathology, of which Black people are the paradigm case. n35 While racial subordination impacts all persons, and particularly all persons of color, the point the authors make is that, given the strength of the Black/not Black paradigm, it is crucial to focus on Blackness, precisely because it is materially and phenomenologically defined relative to White advantage. That said, the success of the bigger project - to expose the myth of colorblindness - **depends upon engagement** with other analyses of the experiences of Asians, Latinos, and indigenous peoples. To further expose the myth the authors seek to dislodge, these analyses should not only identify important commonalities and differences between groups, but should also clarify why everyone has a stake in eliminating racism. n36 Mapping the interlocking ways in which racial subordination functions both within and among groups remains central to shifting the national discourse about race and racism.

### Roll Tide

#### No risk of American exceptionalism

Robert J. Lifton 11, aff guy, 2011, Witness to an Extreme Century: A Memoir, p. 405-406

With all of the American angst during the first year or so of the Obama administration, one may readily forget the power of the historical moment of his election in 2008. BJ and I had a few friends in to watch the returns on the sleek television set in our living room, which we had purchased four years earlier for a similar gathering that had resulted in a roomful of despair and suspicion of fraud in relation to the Bush victory. But this time, in 2008, the television set did not betray us, and my reaction of not just joy but ecstasy, including tears, was hardly mine alone. What was special to me, though, was the quick realization that the outcome meant an end to the country's superpower syndrome. But was that the case? Only partly, it turns out. Certainly Obama and his administration have renounced the principle of American omnipotence in favor of more modest claims about our capacities and influence in the world. Apocalypticism and totalistic behavior have given way to something closer to Camus's "philosophy of limits" with an acceptance of ambiguity, nuance, and complexity. And most important, there has been a specific rejection of nuclearism and a call for abolition of the weapons.

Yet despite all that, the syndrome lingers in crucial areas that specifically connect with my work. Concerning nuclear abolition, Obama has not followed through with clear American policies, despite an impressive convocation of world leaders on the subject of nuclear danger. On revelations of torture, and more recently of illegitimate medical experiments in relation to torture, Obama has mostly tried to sidestep the issue and avoid legal culpability of those involved. Finally, his decision to send added troops to Afghanistan seems to me to be the stuff of war-making, and atrocity-producing, blunder. In all three cases there is a certain clinging to the very American omnipotence being renounced. I have found myself torn between joining a considerable segment of the left in a condemnation of shortcomings that perpetuate elements of the superpower syndrome, and an alternative inclination to defend Obama as an incremental reformer who needs more time.

I took the latter position in a series of discussions with Howard Zinn, who denounced Obama as "a Chicago politician" and a hypocrite. I still don't agree with that judgment but I am also willing to take a public stand of strong opposition to Obama policies on Afghanistan and on American torture and recently revealed experimentation. Yet I remain sensitive as well to the importance of supporting the Obama administration in the face of new waves of right-wing American totalism and potential violence in the backlash over the election of our first African-American president.

#### Regional powers are much worse

**Shaw, 2002**

(Martin Shaw, professor of international relations at University of Sussex, Uses and Abuses of Anti-Imperialism in the Global Era, 4-7-2002, http://www.martinshaw.org/empire.htm)

It is fashionable in some circles, among which we must clearly include the organizers of this conference, to argue that the global era is seeing 'a new imperialism' - that can be blamed for the problem of 'failed states' (probably among many others). Different contributors to this strand of thought name this imperialism in different ways, but novelty is clearly a critical issue. The logic of using the term imperialism is actually to establish continuity between contemporary forms of Western world power and older forms first so named by Marxist and other theorists a century ago. The last thing that critics of a new imperialism wish to allow is that Western power has changed sufficiently to invalidate the very application of this critical concept. Nor have many considered the possibility that **if the concept of imperialism has a relevance today, it applies to certain aggressive, authoritarian regimes of the non-Western world rather than to the contemporary West.** In this paper I fully accept that there is a concentration of much world power - economic, cultural, political and military - in the hands of Western elites. In my recent book, Theory of the Global State, I discuss the development of a 'global-Western state conglomerate' (Shaw 2000). I argue that 'global' ideas and institutions, whose significance characterizes the new political era that has opened with the end of the Cold War, depend largely - but not solely - on Western power. I hold no brief and intend no apology for official Western ideas and behaviour. And yet I propose that **the idea of a new imperialism is a profoundly misleading,** indeed ideological **concept that obscures the realities of power and** especially of **empire in the twenty-first century**. This notion is an obstacle to understanding the significance, extent and limits of contemporary Western power. **It simultaneously serves to obscure many real causes of oppression, suffering and struggle for transformation against the quasi-imperial power of many regional states**. I argue that in the global era, this separation has finally become critical. This is for two related reasons. On the one hand, Western power has moved into new territory, largely uncharted -- and I argue unchartable -- with the critical tools of anti-imperialism. On the other hand, the politics of empire remain all too real, in classic forms that recall both modern imperialism and earlier empires, in many non-Western states, and they are revived in many political struggles today. Thus **the concept of a 'new imperialism' fails to deal with both key post-imperial features of Western power and the quasi-imperial character of many non-Western states. The concept overstates Western power and understates the dangers posed by other, more authoritarian and imperial centres of power**. Politically **it identifies the West as the principal enemy of the world's people, when for many of them there are far more real and dangerous enemies closer to home**. I shall return to these political issues at the end of this paper.

#### Alternatives to hegemony are super bad

Jacoby 11 (Jeff – Boston Globe, graduate of George Washington University and the Boston University School of Law, “The world's best policeman”, 6/22, Washington Post, Factiva)

America may be the world's "indispensable nation," as Bill Clinton said in his second inaugural address, but most Americans, most of the time, are uncomfortable with the idea of US global hegemony. John Quincy Adams wrote long ago that America "goes not abroad in search of monsters to destroy." As the polls consistently suggest, that isolationist sentiment still resonates. But in Adams's day America was not the mightiest, wealthiest, and most influential nation on the face of the earth. Today it is. The United States is the world's only superpower, and if we shirk the role of global policeman, no one else will fill it. By nature Americans are not warmongering empire-builders; their uneasiness about dominating other countries reflects a national modesty that in many ways is admirable - and that belies the caricature of Uncle Sam as arrogant bully or "great Satan." Nevertheless, with great power come great responsibilities, and sometimes one of those responsibilities is to destroy monsters: to take down tyrants who victimize the innocent and flout the rules of civilization. If neighborhoods and cities need policing, it stands to reason the world does too. And just as local criminals thrive when cops look the other way, so do criminals on the world stage. Nazi Germany had conquered half of Europe and Japan was brutalizing much of Asia by the time America finally entered World War II. If America hadn't rescued Kuwait from Saddam Hussein in 1990, no one else would have, either. If America hadn't led NATO in halting Serbia's ethnic cleansing in Kosovo, no one else would have, either. If America hadn't faced down the Soviet Union during the long years of the Cold War, no one else would have, either - and hundreds of millions of human beings might still be trapped behind the Iron Curtain. There is no realistic alternative to America as the world's policeman. It clearly isn't a job the United Nations can do. Can an organization that makes no distinction between tyranny and democracy rein in the world's monsters? As the UN's bloody trail of failure from Bosnia to Somalia to Rwanda makes clear, UN "peacekeeping" offers no protection against predators. None of this is to say that America-as-Globocop is a perfect solution to the world's ills, nor that the United States hasn't made many grievous mistakes in its actions abroad. But as the historian Max Boot argues, "America's occasional missteps should not lead us to abdicate our indispensable role, any more than the NYPD should stop doing its vital work, simply because cops occasionally do the wrong thing. On balance, the NYPD still does far more good than harm, and so does the United States of America." To say that America must be the world's policeman is not to call for waging endless wars against all the world's bad actors. Police officers carry weapons, but they fire them only infrequently. The cops' main function is not to gun down criminals, but to suppress crime and reduce fear by patrolling the streets and maintaining a visible presence in the community. Similarly, a well-policed world is one with less combat, not more. The purpose of America's nuclear umbrella and its global network of military bases is not to foment war on all fronts, but to prevent it - **by deterring aggression, maintaining the flow of commerce, and upholding human rights**. We don't do it perfectly, not by a long shot. We don't always live up to our own standards, we sometimes confuse police work with social work, and we are often rewarded not with thanks but resentment. A policeman's lot is not a happy one. It is, however, essential. Our world needs a policeman. And whether most Americans like it or not, only their indispensable nation is fit for the job.

### No Solve

#### Personal change won’t do anything

McCormack 10 (Tara, Lecturer in International Politics at the University of Leicester and has a PhD in International Relations from the University of Westminster, *Critique, Security and Power: The political limits to emancipatory approaches*, page 137-138)

In chapter 7 I engaged with the human security framework and some of the problematic implications of ‘emancipatory’ security policy frameworks. In this chapter I argued that the shift away from the pluralist security framework and the elevation of cosmopolitan and emancipatory goals has served to **enforce international power inequalities** rather than lessen them. Weak or unstable states are subjected to greater international scrutiny and international institutions and other states have greater freedom to intervene, but the citizens of these states have no way of controlling or influencing these international institutions or powerful states. This shift away from the pluralist security framework has not challenged the status quo, which may help to explain why major international institutions and states can easily adopt a more cosmopolitan rhetoric in their security policies. As we have seen, the shift away from the pluralist security framework has entailed a shift towards a more openly hierarchical international system, in which states are differentiated according to, for example, their ability to provide human security for their citizens or their supposed democratic commitments. In this shift, the old pluralist international norms of (formal) international sovereign equality, non-intervention and ‘blindness’ to the content of a state are overturned. Instead, international institutions and states have more freedom to intervene in weak or unstable states in order to ‘protect’ and emancipate individuals globally. Critical and emancipatory security theorists argue that the goal of the emancipation of the individual means that security must be reconceptualised away from the state. As the domestic sphere is understood to be the sphere of insecurity and disorder, the international sphere represents greater emancipatory possibilities, as Tickner argues, ‘if security is to start with the individual, its ties to state sovereignty must be severed’ (1995: 189). For critical and emancipatory theorists there must be a shift towards a ‘cosmopolitan’ legal framework, for example Mary Kaldor (2001: 10), Martin Shaw (2003: 104) and Andrew Linklater (2005). For critical theorists, one of the fundamental problems with Realism is that it is unrealistic. Because it prioritises order and the existing status quo, Realism attempts to impose a particular security framework onto a complex world, ignoring the myriad threats to people emerging from their own governments and societies. Moreover, traditional international theory serves to obscure power relations and omits a study of why the system is as it is: [O]mitting myriad strands of power amounts to exaggerating the simplicity of the entire political system. Today’s conventional portrait of international politics thus too often ends up looking like a Superman comic strip, whereas it probably should resemble a Jackson Pollock. (Enloe, 2002 [1996]: 189) Yet as I have argued, contemporary critical security theorists seem to show a marked lack of engagement with their problematic (whether the international security context, or the Yugoslav break-up and wars). Without concrete engagement and analysis, however, the critical project is undermined and critical theory becomes nothing more than a **request that people behave in a nicer way** to each other. Furthermore, whilst contemporary critical security theorists argue that they present a more realistic image of the world, through exposing power relations, for example, their lack of concrete analysis of the problematic considered renders them actually **unable to engage** with existing power structures and the way in which power is being exercised in the contemporary international system. For critical and emancipatory theorists the central place of the values of the theorist mean that it cannot fulfil its promise to critically engage with contemporary power relations and emancipatory possibilities. Values must be joined with engagement with the material circumstances of the time.

### Drones aight

#### Casualties are way down and drones are far more precise than alternatives---our ev uses the best data

Cohen 13 (Michael Cohen, Fellow at the Century Foundation, 5/23/13, “Give President Obama a chance: there is a role for drones,” The Guardian, http://www.theguardian.com/commentisfree/2013/may/23/obama-drone-speech-use-justified)

Drone critics have a much different take. They are passionate in their conviction that US drones are indiscriminately killing and terrorizing civilians. The Guardian's own Glenn Greenwald argued recently that no "minimally rational person" can defend "Obama's drone kills on the ground that they are killing The Terrorists or that civilian deaths are rare". Conor Friedersdorf, an editor at the Atlantic and a vocal drone critic, wrote last year that liberals should not vote for President Obama's re-election because of the drone campaign, which he claimed "kills hundreds of innocents, including children," "terrorizes innocent Pakistanis on an almost daily basis" and "makes their lives into a nightmare worthy of dystopian novels". ¶ I disagree. Increasingly it appears that arguments like Friedersdorf makes are no longer sustainable (and there's real question if they ever were). Not only have drone strikes decreased, but so too have the number of civilians killed – and dramatically so. ¶ This conclusion comes not from Obama administration apologists but rather, Chris Woods, whose research has served as the empirical basis for the harshest attacks on the Obama Administration's drone policy. ¶ Woods heads the covert war program for the Bureau of Investigative Journalism (TBIJ), which maintains one of three major databases tabulating civilian casualties from US drone strikes. The others are the Long War Journal and the New America Foundation (full disclosure: I used to be a fellow there). While LWJ and NAJ estimate that drone strikes in Pakistan have killed somewhere between 140 and 300 civilians, TBIJ utilizes a far broader classification for civilians killed, resulting in estimates of somewhere between 411-884 civilians killed by drones in Pakistan. The wide range of numbers here speaks to the extraordinary challenge in tabulating civilian death rates. ¶ There is little local reporting done on the ground in northwest Pakistan, which is the epicenter of the US drone program. As a result data collection is reliant on Pakistani news reporting, which is also dependent on Pakistani intelligence, which has a vested interest in playing up the negative consequences of US drones. ¶ When I spoke with Woods last month, he said that a fairly clear pattern has emerged over the past year – far fewer civilians are dying from drones. "For those who are opposed to drone strikes," says Woods there is historical merit to the charge of significant civilian deaths, "but from a contemporary standpoint the numbers just aren't there." ¶ While Woods makes clear that one has to be "cautious" on any estimates of casualties, it's not just a numeric decline that is being seen, but rather it's a "proportionate decline". In other words, the percentage of civilians dying in drone strikes is also falling, which suggests to Woods that US drone operators are showing far greater care in trying to limit collateral damage. ¶ Woods estimates are supported by the aforementioned databases. In Pakistan, New America Foundation claims there have been no civilian deaths this year and only five last year; Long War Journal reported four deaths in 2012 and 11 so far in 2013; and TBIJ reports a range of 7-42 in 2012 and 0-4 in 2013. In addition, the drop in casualty figures is occurring not just in Pakistan but also in Yemen. ¶ These numbers are broadly consistent with what has been an under-reported decline in drone use overall. According to TBIJ, the number of drone strikes went from 128 in 2010 to 48 in 2012 and only 12 have occurred this year. These statistics are broadly consistent with LWJ and NAF's reporting. In Yemen, while drone attacks picked up in 2012, they have slowed dramatically this year. And in Somalia there has been no strike reported for more than a year. ¶ Ironically, these numbers are in line with the public statements of CIA director Brennan, and even more so with Senator Dianne Feinstein of California, chairman of the Select Intelligence Committee, who claimed in February that the numbers she has received from the Obama administration suggest that the typical number of victims per year from drone attacks is in "the single digits".¶ Part of the reason for these low counts is that the Obama administration has sought to minimize the number of civilian casualties through what can best be described as "creative bookkeeping". The administration counts all military-age males as possible combatants unless they have information (posthumously provided) that proves them innocent. Few have taken the White House's side on this issue (and for good reason) though some outside researchers concur with the administration's estimates.¶ Christine Fair, a professor at Georgetown University has long maintained that civilian deaths from drones in Pakistan are dramatically overstated. She argues that considering the alternatives of sending in the Pakistani military or using manned aircraft to flush out jihadists, drone strikes are a far more humane method of war-fighting.

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#### 3) Framework turns the case – only process-based deliberation and decision-making can create institutional war power reform

Koh 95 (Harold Hongju – Gerard C. and Bernice Latrobe Smith Professor of International Law and Director, Orville H. Schell, Jr. Center for International Human Rights, Yale Law School, “WAR AND RESPONSIBILITY: A SYMPOSIUM ON CONGRESS, THE PRESIDENT, AND THE AUTHORITY TO INITIATE HOSTILITIES: War and Responsibility in the Dole-Gingrich Congress”, 1995, 50 U. Miami L. Rev. 1, lexis)

 But there is a second, substantive critique of the legal process school, which has been put forward at this symposium and elsewhere by Professor Jules Lobel. Indeed, Lobel first sounded this theme in a prescient book review written half a decade ago. n32 Echoing Laurence Tribe's critique of Ely's process-based theory of judicial review, n33 Lobel argued that war powers scholars should focus not on process, but on substance. The problem with our foreign policymaking, he argued, has [\*8] not been our process of decisionmaking, but our substantive goals, which Lobel ultimately identified as extending American hegemony. Post-Vietnam efforts to reform our national security system have failed, he argued, because they sought to reform process without modifying these substantive goals. Thus, Lobel concluded, we cannot regain constitutionalism in foreign policy through procedural tinkering with legal rules; what we need instead is to mobilize popular movements to restrain America's hegemonic impulses. While I concede that process and substance cannot be entirely separated, I do not believe that we can work a fundamental transformation of the substance of foreign policymaking, when the process of making that policy is so fundamentally defective. In my view, a well-functioning process is the prerequisite to any kind of political agreement on substance. The goal of a constitutional process should not be to specify policy results, but to force the institutional players into a dialogue about which political ends they collectively seek and which they prefer to avoid. If interbranch dialogue occurs, it may produce a consensus for war (as occurred, for example during the Gulf War); but if no dialogue occurs, the Constitution mandates peace as the default position. The problem with our current process is that such institutional dialogue almost never occurs. As Ely's book points out, debates about war powers are rare, most debates are not "dialogue," but largely for show, and the branches almost never talk about our national goals regarding military intervention. Worst of all, as Ely shows, our current law, particularly the War Powers Resolution, lets them get away with it. A process-based view envisions a very different, three-step political procedure: one in which decisions to make war are preceded by intrabranch debate and deliberation, interbranch dialogue, and the creation and delineation of institutional precedent. Again, the exception that proves the rule was the debate over the congressional authorization of Operation Desert Storm, one of the few cases where judicial action helped force a dialogue about prior legislative approval before it was too late. n34 In that case, both the executive and legislative branches engaged in lengthy intrabranch deliberation before ultimately committing to war, an interbranch dialogue ensued that culminated in the congressional resolution authorizing use of force in Iraq, and the episode helped delineate an important institutional precedent which has served as a touchstone for subsequent deliberations. Regardless of what one thinks of the substance of the current Dole-Gingrich legislation, the process is at least working to the extent that after nearly two decades, Congress is once again proposing new framework legislation to govern war powers, which the [\*9] President may sign, veto, construe, or execute, and which the courts may end up interpreting. Even when the branches do not conduct direct dialogue, another lesson recent history has taught is that academic debate can force valuable "shadow dialogue" between private parties and the government, particularly when lawyers and academics challenge particular government legal interpretations. The debate over the correct interpretation of the Anti-Ballistic Missile Treaty was one famous recent example. n35 But the best recent illustration was the Clinton Administration's military incursion into Haiti in the fall of 1994, based on dubious legal authority. Instead of sending troops without justification, the Attorney General's lawyer, Walter Dellinger of the Office of Legal Counsel (and Duke Law School), put forward a legal explanation of the invasion of Haiti. That opinion letter responded to both public and congressional pressure and two joint letters from a group of law professors that had argued for the opposite position. n36 By sending the letter, the academics placed a burden of explanation upon the executive branch, forced internal debate within the legal circles of the executive branch, and prompted development of a nuanced governmental legal position, which not only clarified the precedential value of the episode for the future, but also made clear what legal claims the executive branch was not relying upon in Haiti (e.g., the claim that the President could commit troops abroad without congressional approval, based solely on United Nations Security Council authorization). n37 In sum, legal process is hardly irrelevant to politics in the war powers area. We simply cannot develop new substantive goals for our foreign policy without a better process, one that requires the active institutional participation of all three branches and that promotes the creation and internalization of legal norms. Far from being peripheral to politics, legal process can cabin politics. Properly designed process thus makes political actors accountable, by forcing them to live up to their constitutional responsibilities.

#### Fairness outweighs—debate is played for its own sake—fairness outweigh all other concerns.

Villa 96—Dana Villa Political Theory @ UC Santa Barbara [*Arendt and Heidegger: the Fate of the Political* p. 37]

If political action is to be valued for its own sake, then the content of political action must be politics “in the sense that political action is talk about politics.” The circularity of this formulation, given by George Kateb, is unavoidable. It helps if we use an analogy that Kateb proposes, the analogy between such a purely political politics and a game. “A game,” writes Kateb, “is not ‘about’ anything outside itself, it is its own sufficient world…the content of any game is itself.” What matters in a game is the play itself, and the **quality of this play** is **utterly** **dependent** upon the **willingness** and ability of the **players** to **enter the “world” of the game**. The Arendtian conception of politics is one in which the spirit animating the “play” (the sharing of words and deeds) comes **before all else**—before personal concerns, groups, interests, and even moral claims. If allowed to dominate the “game,” these elements detracts from the play and from the performance of action. A good game happens only when the players submit themselves to its spirit and **do not allow subjective or external motives to dictate the play**. A good game, like genuine politics, is played for its own sake.

#### Shaw says the devil is in the details – policy makers use tiny legal distinctions to perpetuate their policy – this proves only engaging legal structures can solve

Shaw ‘13 (Ian G. R. Shaw, Professor of Human Geography at the University of Glasgow, “Predator Empire: The Geopolitics of US Drone Warfare”, Geopolitics, DOI:10.1080/14650045.2012, 2013)

The Double Tap

The debate over whether or not drone strikes are a “success” is usually focused on their ability to target and eliminate “militants”. This technological enframing fails to consider what everyday life is like for the broader populations that live under the drones53**.** Two recent publications are noteworthy in this respect: a 2010 report headed by Christopher Rogers of CIVIC54, which interviewed over 160 Pakistani Civilians suffering direct losses from the U.S. strikes, and an extensive 2012 report released by The Stanford International Human Rights and Conflict Resolution Clinic and the Global Justice Clinic at the New York University School of Law 55, which interviewed 130 people, including victims, witnesses, and other experts. Both reports provide firsthand testimony by those civilian populations living on the fleshy side of the disposition matrix. Stanford and NYU’s report has four main findings. First, civilians are routinely killed, often in so-called “double tap” strikes that kill anyone that tends to the dead and wounded in the wake of an attack. The Bureau of Investigative Journalism claims that at least 50 civilians and “first responders” had been killed after they rushed to help victims of drone strikes56. One interviewee, Hayatullah Ayoub Khan, recounted a particularly harrowing experience57. A drone missile was fired at a car around 300 meters in front of him while driving. Hayatullah exited his vehicle and slowly approached the wreckage, cautious that he might be a victim of a follow-up strike. He walked close enough to the car to see a flailing arm inside. The injured occupant “yelled that he should leave immediately because another missile would likely strike”. Hayatullah did as instructed, returning to his car just as a second missile struck the survivor. The second finding from Stanford and NYU is that beyond direct physical and monetary damage, the constant hovering of drones has lead to a deeply entrenched psychological malaise amongst ci vilians. Many community members now shy away from social gatherings, including important tribal meetings and funerals, with some parents even electing to keep their children away from school. Third, there is scant evidence that the strikes have made the U.S. “safer”. The “evidence suggests that US strikes have facilitated recruitment to violent non-state armed groups, and motivated further violent attacks”58. Finally, the CIA’s program of targeted killings undermines respect for, and adherence to, international law and sets a dangerous precedent. The death of innocent people is a common theme among interviewees in both reports. CIVIC interviewed Guy Nawaz, a resident of North Waziristan who was watering his fields when he heard the screech and boom of a Hellfire: “I rushed to my house when I heard the blast. When I arrived I saw my house and my brother’s house completely destroyed and all at home were dead”59. Eleven of his family were killed, including his wife, two sons and two daughters, as well as his older brother, his wife and four children. He continued, “We were living a happy life and I didn’t have any links with the Taliban. My family members were innocent... I wonder, why was I victimized?”60 Safia lost her 30 year-old husband and 7 year-old son when a militant vehicle was struck by a drone as it passed her house. She said that “I hope the Taliban are all killed. But I hope the drone attacks are stopped immediately. They are not effective against the Taliban hideouts. USA and Pakistan should realize the fact that for the last 5-6 years the drone attacks have been taking place but no Taliban has left extremism or terrorism”61. Stories of emotional and psychological trauma were frequently recounted in both reports, with medical professionals diagnosing the “anticipatory anxiety” and “Post-Traumatic Stress Disorder” (PTSD) many civilians now suffer with. As Safdar Dawar, President of the Tribal Union of Journalists explains 62: If I am walking in the market, I have this fear that maybe the person walking next to me is going to be a target of the drone. If I’m shopping, I’m really careful and scared. If I’m standing on the road and there is a car parked next to me, I never know if that is going to be the target. Maybe they will target the car in front of me or behind me. Even in mosques, if we’re praying, we’re worried that maybe one person who is standing with us praying is wanted. So, wherever we are, we have this fear of drones. Both reports are an important challenge to the legitimization of drone warfare, especially in light of recent figures by a Washington Post-ABC News poll that found 83 percent of those Americans surveyed “approve” of the use of drones against suspected terrorists overseas63. The near-impossibility of travel to FATA by journalists and researchers outside or inside of Pakistan means that these reports give a rare glimpse of life on the ground. These shared stories of the women, children, and men of FATA “disturbs and disrupts the hegemonic foreign policy gaze”64, and refocuses the lens of the White House’s geographical imagination. Drone warfare in Pakistan, just like the “war on terror” more generally, is not a universal experience65: it is differentially distributed and violently uneven, split between suburban pilots that sit in air-conditioned trailers and scan video screens, adjusting their “soda straw” digital view of the world with a joystick, and the everyday experiences told by the people of FATA. While not wanting to overstate the case, these stories are important for rehumanising the abstract discourses of security strategy and the bureaucratic spaces of the disposition matrix. The Predator Empire The Biopolitics of the Predator Empire In this section I explore how “life” is the target for the Predator Empire. Although I do not want to downplay the role the American military plays in coordinating and performing violence across the globe, my focus is on the CIA’s drone wars because the evidence from the NSC and DSG suggests a diffuse (if by no means singular) drift towards the dronification of national security. So too does the National Counterterrorism Center’s disposition matrix and John Brennan’s “playbook”66 establish a permanent precedent for extrajudicial strikes that exist outside of Title 10 authorities67. This means that the CIA will in all likelihood remain heavily invested in targeted killings for decades to come, despite 9/11 Commission recommendations that paramilitary activities are transferred to the Department of Defense 68. The agency’s 2,000-strong Counterterrorist Center has transformed itself from an intelligence gathering machine to a major player in “kinetic operations”69. But who counts as a “target” is at times ambiguous. As I previously explored in the above NSS and NSC, there is a deliberate widening of the net surrounding who counts as an affiliate. If, as Dillon and Reid suggest, “The history of security is a history of the changing problematisation of what it is to be a political subject and politically subject”70, then the discursive baptism of the affiliate marks a new, if not unprecedented political subject. This is further complicated because affiliate are not always identifiable individuals such as an al-Qa’ida leader in North Waziristan. Instead, and as I will argue in the remainder of this section, affiliates can be threatening patterns of life that are coded, catalogued, and eliminated. As the name directly implies, targeted killings usually involve a known target. In February 2011, John Rizzo, the 63-year-old former General Counsel of the CIA, discussed the agency’s practice of targeted killings71. Analysts and ‘targeters’ located in the CIA’s Counterterrorism Center select individuals for “neutralization” based on intelligence reports. This report must then clear a team of lawyers before it signed off by the Counsel. But this isn’t always the normal bureaucratic practice. In the summer of 2008, former CIA Director Michael Hayden successfully lobbied President Bush to dispense with drone targeting constraints that were restricted to known individuals72: “For the first time the CIA no longer had to identify its target by name; now the ‘signature’ of a typical al Qaeda motorcade, or of a group entering a known al Qaeda safe house, was enough to authorize a strike”73. The devil here is in the detail. Unlike “personality strikes”, where the person’s identity is located on one of the CIA’s classified kill lists or the disposition matrix, a signature is constructed from observing and cataloguing a pattern of life—coding the behavior and geography of individuals; targeting their very lifeworld. This new targeting regime may have led to a rapid escalation of drone strikes and an increase of the number of people that were killed in Pakistan. Between 2004 and 2007 there were 10 drone attacks, but between the pivot year of 2008 and 2012, this figure leapt to 333 74. In Table 1, I have calculated the percentages of militant “leaders” killed in drone strikes in order to illustrate the decreasing number of high-level “commanders” that are subject to the CIA’s strikes. While this in itself does not prove that personality strikes have given way to signature killings, it does at least suggest the widening net of those subject to drone attacks in Pakistan. To illustrate how easily innocent civilians can get caught up in a signature strike, recall the 2010 CIVIC report once again. In one story, the Taliban visited the residence of a man named Daud Khan and demanded lunch. The father reluctantly consented, fearing reprisal if he refused the fighters: “The very next day our house was hit... My only son Khaliq was killed. I saw his body, completely burned”. In this case, it seems that Khan’s son had unwittingly become “affiliated” with the Taliban. Due to the unavoidable intermingling of such militants with the lives of ordinary people, it is likely that signature strikes could have killed many innocent people. According to the 2012 Stanford and NYU report, a signature strike probably place on March 17, 2011. The CIA fired at least two missiles into a large gathering—a jirga led by a decorated public servant—near a bus depot in the town of Datta Khel, North Waziristan. The U.S. insists that all were militants. And yet, the overwhelming evidence suggests that most of the 42 people killed were civilians 75. Of the four suspected Taliban militants identified by the Associated Press in this strike, only one has ever been identified by name. As a 2011 Washington Post report notes, “Independent information about who the CIA kills in signature strikes in Pakistan is scarce”76. Other officials in the U.S. State Department have complained that the classified criteria used by the CIA to construct a “signature” are too lax: “The joke was that when the CIA sees ‘three guys doing jumping jacks,’ the agency thinks it’s a terrorist training camp”77. Table 1 about here Table 2 about here Of course, drones continue to target known individuals on kill lists, performing a well-rehearsed “reduction of places and people to an abstract space”78, but at least since 2008 the Predator Empire has enforced a distinctive twist on a biopolitical logic based on targeting patterns of life. While there is much variation on what counts as biopolitics79, it was a term first coined by Michel Foucault in Society Must Be Defended: Lectures at the Collège de France80, a series that Chris Philo describes as the “decisive hinge” in Foucault’s “switch from being a critical historian of the body to being the critical historian of population”81. In classical theories of sovereignty, the sovereign can “either have people put to death or let them live’ 82, and its power over life “is exercised only when the sovereign can kill”83. This sovereign power became supplemented by a new “right to make live and let die”84 in the nineteenth-century. This transformation involved a shift from disciplinary technologies that targeted “man-as-body” (what Foucault calls an “anatomo-politics”) to regulatory mechanisms at the level of “man-as-species” (what Foucault calls a “biopolitics”). Biological processes such as fertility rates became political problems and sites of intervention, where the aim is was to “establish a sort of homeostasis”85 within the population which “consists in making live and letting die” and “achieving an overall equilibrium that protects the security of the whole from internal dangers”86. All of might be termed “State control of the biological”87. Dillon and Reid88 extend Foucault’s biopolitics of the population to a biopolitics of the molecular. They argue that as the life sciences changed over the last century, so too did the “bios” of biopolitics, becoming ever more processual, spontaneous, and based on codes (such as DNA). This “recombinant biopolitics” fed directly into the visions of Rumsfeld’s “Revolution in Military Affairs” to create a new organizing principle “concerned with surveillance and the accumulation and analysis of data concerning behaviour, the patterns which behaviour displays and the profiling of individuals within the population”89. Under this new metaphysics of power, in which “power/knowledge is very much more concerned to establish profiles, patterns and probabilities” 90, information is a weapon and securing territory is no longer viewed with the same importance as securing patterns of life. For Foucault, this means that dangerousness, what is to be secured, is no longer an actualized danger, but is located within behavioral potentialities. Or as Bruce Braun suggests, “Today, security’s principal answer to the problem of ‘unknown unknowns’ is the speculative act of pre-emption, which takes as its target potential rather than actual risks”91. Consequently, dangerous signatures or patterns of life are assessed on their very potential to become dangerous. In the tribal areas of Pakistan, for example, most people killed by U.S. drones have not been al-Qa’ida fighters. In fact, the number of al-Qa’ida militants eliminated has been just 8% under the Obama administration92. This means that a far greater number of people who played no part in the attacks of September 11, 2001 have been vaporized by Hellfire missiles. Former UN Special Rapporteur on extrajudicial, summary or arbitrary executions, Christof Heyns, went so far as to question whether “killings carried out in 2012 can be justified as in response to [events] in 2001”93. The presumptive “guilt” of many of those killed in Pakistan today is thus constructed around the so-called “immanent” threat they pose to the U.S. Homeland: a pre-emptive, future-oriented biopolitics that exists in an exceptional space outside of centuries of international humanitarian law. These Pakistani “affiliates”—which include the Pakistan Taliban and Haqqani Network members, are part of a much wider expansion of who count as affiliates in a globalizing drone war. The very condition that makes a biopolitics possible in the first place then—life—has become a force to be coded and secured. As Dillon describes it, “The biopolitics of security today is precisely this political emergency of emergence instituting a regime of exception grounded in the endless calibration of the infinite number of ways in which the very circulation of life threatens life rather than some existential friend/enemy distinction”94. The appearance of the affiliate in the NSS and NSC marks the emergence of a far more process-based, even epidemiological understanding of danger, where the “threat” is located in what individuals could become in the future, and security is defined as anticipating and eliminating the emergence of such danger. For Dillon, this erasure of the concept of “man” by targeting “life” means that “it is no longer adequate to judge lifelike bodies in terms of the essence of that existential otherness definite of the enemy alone, for every-body is a continuously emergent body-in-formation comprised of contingently adaptive rather than fixed properties”95. The “evental”96 nature of this “emergent emergency” helps explains the conditions surrounding the CIA’s shift in targeting practices from personality strikes to signature strikes and the changing object of national security from al-Qa’ida the organization to al-Qa’ida affiliates. In both cases the targets for the Predator Empire are not simply actualized forms of danger, but virtualized forms of emergence that may become threats in the future97. The Spatial Topology of the Predator Empire According to research by Nick Turse, the U.S. military operates 1,100 bases across the planet98. Many of these sites exist in shadow because they are used for paramilitary operations by Special Forces and the CIA. These bases range in size and location, but a recent and favored strategy of the U.S. military has been to construct skeletal “lily pads” that are scattered in remote outposts across the globe. Chalmers Johnson, author of the book Blowback, wrote back in 2004 that “[t]his vast network of American bases on every continent except Antarctica actually constitutes a new form of empire – an empire of bases with its own geography not likely to be taught in any high school geography class”99. While this “new form of empire” has been growing for decades, the proliferation of remotely piloted aircraft certainly marks a new phase in its evolution—the Predator Empire. Everywhere and nowhere, drones have become sovereign tools of life and death, where with “the lives and deaths of subjects become rights only as a result of the will of the sovereign”100. The Predator Empire is underpinned by an expanding geography of drone bases in and around the “areas of concern” mentioned in the NSS and NSC. There are now at least 60 bases used for U.S. military and CIA drones—from medium sized Predators and Reapers to experimental systems such as the “Sentinel” that was captured by Iran. As part of their surveillance of Iraq, Afghanistan, Pakistan, Somalia, Yemen, Libya, and Mali, U.S. drones have flown out of Saudi Arabia, Ethiopia, Djibouti, the Seychelles, Niger, and many more 101. These geographic locations are intended to develop overlapping circles of surveillance. The jewel in the crown in this new form of empire is Camp Lemonnier in Djibouti, which is sandwiched between Somalia and Yemen. This secretive 500-acre base is the first ever camp dedicated solely to tracking and eliminating al-Qa’ida and its “affiliates”102. Around 16 drones either take off or land every day at the base, which has its origins as an outpost in the French Foreign Legion. Activities at Camp Lemonnier increased in 2010 after 8 Predators were delivered, turning the camp into a fully-fledged drone base. The CIA first shipped its Predators to the camp in 2002 103, and it now acts in collaboration with the secretive Joint Special Operations Command. A total of 3,200 U.S. troops, civilians, and contractors are assigned to the camp where they “train foreign militaries, gather intelligence and dole out humanitarian aid across East Africa as part of a campaign to prevent extremists from taking root”104. In short, Camp Lemonnier is the concrete symbol of a Predator Empire no longer bound to Pakistan or Afghanistan, and expanding across the Africa. But despite this concrete presence, the CIA’s fleet of secret drones has little interest in securing “territory” in the traditional sense, seeking instead to secure and eliminate patterns of life that threaten. In Security, Territory, Population105 Foucault details how biopower is not exercised across territory per se 106, but through spaces of circulation or a “milieu” of human and nonhuman multiplicities that constitute life-in-the-making. Similarly he wrote that the last domain of biopolitics is “control over relations between the human race, or human beings insofar as they are a species, insofar as they are living beings, and their environment, the milieu in which they live”107. Here, Foucault refers to both natural and manmade environments, where mastery of the environment is translated into mastery of the population. Sloterdijk goes so far as to state that “The 20th century will be remembered as the period whose decisive idea consisted in targeting not the body of the enemy, but his environment”108. Indeed, securing the atmosphere has continually transformed understandings of space, power, and sovereignty 109. The question is therefore how is the environment a biopolitical target for the Predator Empire? How is the environment understood and controlled? Unlike forms of environmental intervention that leave a gigantic “footprint” in the soil of the earth, such as the counterinsurgency pursued in Iraq, the Predator Empire pursues a different kind of spatial biopolitics; a virtual intervention where what is captured is not “hearts and minds” but endless streams of information that are broadcast back to the Homeland. This suggests that the direction of power is not just an outward projection—as with the geographic expansionism that traditionally defines “American power projection” across the globe. Rather, it also suggests an inward power collection: defined here as the power to incorporate, to bring closer. The drone continues to transform U.S. biopower by bringing distant “areas of concern” such as the tribal areas of Pakistan into the gaze of pilots, targeters, and analysts in Creetch Air Force Base in Nevada. This power to make the faraway intimate is “a non-symmetrical power topology which sometimes coincides with a geographically materialized power topology and sometimes does not”110. Predators “fold” space with an unparalleled level of aeromobility, reducing the importance that geographic distance and obstacles have in separating “there” from “here”. This power topology is not strictly exercised across space then, but rather, it is the capacity to crumple an environment by digitizing it. As Allen states, “The use of real-time technologies to create a simultaneous presence in a diversity of settings is, for instance, just one way in which relations of presence and absence may be reconfigured so that the gap between ‘here and there’ is bridged relationally, and distance itself is no longer understood simply as a metric”111. The 2012 DSG makes it clear that physical boots on the ground are not part of the strategic environment of the future. The Predator Empire therefore marks the continuing evolution from a reliance on a topographic, ground-intensive empire to a topological, aerial empire. Airpower and aeromobilities has always been a central tenet of U.S. military strategy of course. As Adey summarizes, “From the air raids of the Blitz to the newest unmanned reconnaissance aircraft, aeromobilities provide both promise and possibility, as well as dread, terror, destruction and death’112. And while it is undeniable that the CIA’s ghost war requires an expanding network of drone bases, such a Droneworld is not the end point of power—it is the architecture for the coding, cataloging, and eliminating of life in “real time”, on a scale that is historically unprecedented. It is within the unique topological spatiality of the Predator Empire that targeting killings become ever more decentralized across the planet, even as the power to take life is centralized in the hands of the executive branch of government. When Obama stated that “We will not apologize for our way of life, nor will we waver in its defense” in his inaugural address, he appealed to a biopolitics that is the hallmark of our geopolitical condition. The distinctiveness and coherence of “friend” and “enemy” has seemingly melted away into more amorphous patterns of life that are located across Pakistan, Yemen, Somalia, and North Africa. Although Foucault goes to create lengths detailing how biological life is included in politics, and how technologies exist “to control the series of random events that can occur in a living mass”113, he also asks how ‘is it possible for a political power to kill, to call for deaths, to demand deaths, to give the order to kill...? 114 He answers quite specifically with racism as “the precondition for exercising the right to kill”115. Certainly, the Pashtun residents in the tribal areas of Pakistan are caught in a net of violent colonial language116 and laws117 inherited from the British Raj. But such violence must constantly be performed and is thus reliant on the technologies and spatialities of state power 118. The civilians living and dying in Pakistan, whose families and friends were interviewed in the 2010 CIVIC report and the 2012 Stanford and New York University report, are exposed to an unaccountable surveillance apparatus that scrutinizes their patterns of life from thousands of miles away. Their vulnerability is inseparable from the topological spatial power of the Predator Empire.

### Topical Version – 2NC

#### A topical version of the aff would solve most of their offense—law is capable of radical change

Lobel 7 (Orly Lobel, University of San Diego Assistant Professor of Law, 2007, The Paradox of Extralegal Activism: Critical Legal Consciousness and Transformative Politics,” 120 HARV. L. REV. 937, http://www.harvardlawreview.org/media/pdf/lobel.pdf)

V. RESTORING CRITICAL OPTIMISM IN THE LEGAL FIELD

“La critique est aisée; l’art difficile.”

A critique of cooptation often takes an uneasy path. Critique has always been and remains not simply an intellectual exercise but a political and moral act. The question we must constantly pose is how critical accounts of social reform models contribute to our ability to produce scholarship and action that will be constructive. To critique the ability of law to produce social change is inevitably to raise the question of alternatives. In and of itself, the exploration of the limits of law and the search for new possibilities is an insightful field of inquiry. However, the contemporary message that emerges from critical legal consciousness analysis has often resulted in the distortion of the critical arguments themselves. This distortion denies the potential of legal change in order to illuminate what has yet to be achieved or even imagined. Most importantly, cooptation analysis is not unique to legal reform but can be extended to any process of social action and engagement. When claims of legal cooptation are compared to possible alternative forms of activism, the false necessity embedded in the contemporary story emerges — a story that privileges informal extralegal forms as transformative while assuming that a conservative tilt exists in formal legal paths. In the triangular conundrum of “law and social change,” law is regularly the first to be questioned, deconstructed, and then critically dismissed. The other two components of the equation — social and change — are often presumed to be immutable and unambiguous. Understanding the limits of legal change reveals the dangers of absolute reliance on one system and the need, in any effort for social reform, to contextualize the discourse, to avoid evasive, open-ended slogans, and to develop greater sensitivity to indirect effects and multiple courses of action. **Despite its weaknesses, however, law is an** optimistic discipline. It operates both in the present and in the future. Order without law is often the privilege of the strong. Marginalized groups have used legal reform precisely because they lacked power. Despite limitations, these groups have often successfully secured their interests through legislative and judicial victories. **Rather than experiencing a** disabling disenchantment **with the legal system, we can learn from both the** successes and failures of past models, **with the aim of** constantly redefining the boundaries of legal reform **and making visible law’s broad reach**.

#### Limits outweigh – they’re the vital access point for any theory impact – its key to fairness – huge research burdens mean we can’t prepare to compete – and its key to education – big topics cause hyper-generics, lack of clash, and shallow debate – and it destroys participation

Rowland 84 (Robert C., Debate Coach – Baylor University, “Topic Selection in Debate”, American Forensics in Perspective, Ed. Parson, p. 53-54)

The first major problem identified by the work group as relating to topic selection is the decline in participation in the National Debate Tournament (NDT) policy debate. As Boman notes: There is a growing dissatisfaction with academic debate that utilizes a policy proposition. Programs which are oriented toward debating the national policy debate proposition, so-called “NDT” programs, are diminishing in scope and size.4 This decline in policy debate is tied, many in the work group believe, to excessively broad topics. The most obvious characteristic of some recent policy debate topics is extreme breath. A resolution calling for regulation of land use literally and figuratively covers a lot of ground. Naitonal debate topics have not always been so broad. Before the late 1960s the topic often specified a particular policy change.5 The move from narrow to broad topics has had, according to some, the effect of limiting the number of students who participate in policy debate. First, the breadth of the topics has all but destroyed novice debate. Paul Gaske argues that because the stock issues of policy debate are clearly defined, it is superior to value debate as a means of introducing students to the debate process.6 Despite this advantage of policy debate, Gaske belives that NDT debate is not the best vehicle for teaching beginners. The problem is that broad policy topics terrify novice debaters, especially those who lack high school debate experience. They are unable to cope with the breadth of the topic and experience “negophobia,”7 the fear of debating negative. As a consequence, the educational advantages associated with teaching novices through policy debate are lost: “Yet all of these benefits fly out the window as rookies in their formative stage quickly experience humiliation at being caugh without evidence or substantive awareness of the issues that confront them at a tournament.”8 The ultimate result is that fewer novices participate in NDT, thus lessening the educational value of the activity and limiting the number of debaters or eventually participate in more advanced divisions of policy debate. In addition to noting the effect on novices, participants argued that broad topics also discourage experienced debaters from continued participation in policy debate. Here, the claim is that it takes so much times and effort to be competitive on a broad topic that students who are concerned with doing more than just debate are forced out of the activity.9 Gaske notes, that “broad topics discourage participation because of insufficient time to do requisite research.”10 The final effect may be that entire programs either cease functioning or shift to value debate as a way to avoid unreasonable research burdens. Boman supports this point: “It is this expanding necessity of evidence, and thereby research, which has created a competitive imbalance between institutions that participate in academic debate.”11 In this view, it is the competitive imbalance resulting from the use of broad topics that has led some small schools to cancel their programs.

### A2: Norms Bad – Gendered

#### Neutral norms based in the value of objectivity aren’t inherently gendered – they can be mobilized for bad motives but they can also be mobilized for progressive ideals

**Charney ’96** (David, Associate Prof. English @ Penn State, College Composition and Communication, “Empiricism is not a four-letter word”, 47:4, JSTOR)

The most important charge against science may well be that it is implicated in injustice, both in its internal practices and in its effects on society. Critics making such sweeping generalizations about science often exhibit their own propensity to dehumanize the Other, imputing bad motives to any- one who uses experimental and other quantitative methods. They claim that objectivist research reproduces the material and social conditions in which it occurs, a position that both assumes inequity and precludes re- form. Some assert that scientists know exactly what evils they perpetrate; others see them as oblivious or callous dupes of industrialists and bureau- crats. This position criticizes science for its "instrumentalism," a charge that David Shumway identifies in Berlin's critique of cognitive rhetoric. More recently, Blyler associates "functionalist" research of workplace communication with conservativism, bias toward management, and valu- ing of profit over employee welfare (294). And Flynn claims that beliefs in the objectivity of the scientist and the neutrality of scientific inves- tigation serve the interests of those in positions of authority and power, usu- ally white males, and serve to exclude those in marginalized positions. Identification by women or by feminized fields with the sciences and social sciences, therefore, may necessitate association with discourses that ignore issues of concern to those in marginalized positions and that arise out of epis- temologies antithetical to their needs and interests. (358) Key to the charge of injustice is the idea that objective methods are sex- ist. For Blyler, Flynn, and Lay, feminism is consistent only with subjective, qualitative, narrative, ethnographic research because of the "inherent sex- ism" of science (Blyler 289). Lay claims not only that feminist critiques have " expose[d] the scientific positivist and androcentric bases for scientif- ic objectivity" (349), but that "feminist traits are inherent in contemporary ethnographic methodology" in their narrative, impressionistic accounts of lived experience (360). Dombrowski claims that "the privileging of scien- tific knowledge in our society is not neutral or innocent because it dispriv- ileges other sorts of 'knowledge' such as intuitions, traditions, and personal experience." Flynn says that "feminist critiques of the sciences and social sciences suggest as well that these fields may be especially inap- propriate or dangerous models for feminized fields, that is fields in which women are disproportionately represented" (358)-notably composition. Some who seek to represent the feminist position on science merely re- peat old charges second-hand, ignoring both genuine efforts at reform and the range of feminist positions. Flynn's representation actually borders on the irresponsible: she attributes a litany of feminist objections to quantita- tive methods to Toby Jayaratne and Abigail Stewart (359), ignoring their explicit intention to reject such critiques as counter-productive, essentialist, and largely unsupported by the evidence. In fact, Jayaratne and Stewart's goal was to "emphasize the value of quantitative methods as effective tools to support feminist goals and feminist ideologies" (85). Along with feminist sociologist Barbara Risman, psychologists Letitia Peplau and Eva Conrad, and others, they deny that methods can be inherently misogynist or an- drocentric. These feminists point out that sexism and other injustices have often been most effectively exposed by quantitative studies that provide stronger evidence of the prevalence of a problem and its trends than can individual testimony. They warn that feminist attacks may perpetuate the under-representation of women by discouraging them from entering sci- entific fields or using experimental methods. They regret the doctrinaire attitudes of some feminists, citing a prominent feminist sociologist whose survey research on wife abuse was rejected by a feminist journal on the grounds that quantitative methods are "inherently patriarchal" and "could contribute no feminist insights" (Peplau and Conrad, 380). Porter makes the complementary point. Scientific collaborations have historically transcended political, religious, racial, and national bound- aries. While conceding that the record is spotty on the inclusion of wom- en, he notes that "the net effect of the modern emphasis on quantification has probably been to open up professional cultures to women and ethnic outsiders," (76) by creating alternative entrance standards that diminish the power of exclusionary and elitist networks of clubs and informal con- tacts. By bringing both criteria and results into the open, scientific meth- ods tend to expand the circle of professionals to include those not previously considered eligible. For example, Philip Kitcher describes how Darwin, by soliciting reliable reports from plant and animal breeders, bee- keepers, and pigeon fanciers, paved the way for the wide-spread adoption of evolutionary theory in agriculture (34). Further, the impersonality of scientific discourse arguably fosters greater acceptance of work by women. For instance, using initials rather than first names in reference lists reduces the effect of biases against women (Paludi and Strayer). The more general charge of injustice is that scientific approaches in the lab or in the workplace serve the interests of oppressive power structures (Blyler 294; Flynn 358). Some critics assume that scientific methods work-that scientists really can manipulate the world sufficiently to make it come out the way they or their masters would like. But the assumption of efficacy is not necessary to radical critique. Hostility toward science is possibly strongest among hyper-constructivist anti-realists, who deny that science works and reduce it to an extravagant and expensive fantasy, a construction of the scientists themselves. How could scientists manage to attract so much power and prestige in and out of the academy unless they are directly involved in political domination? Responding to this charge requires a detailed dissociation of indeterminism from irrationality.

## K

### Struct Vio

#### Structural violence is an obscure metaphor. Its use cannot lead to positive changes because it conflates distinct and generally unrelated problems of violence and poverty.

**Boulding ’77** (Kenneth, Faculty – U. Colorado Boulder, Former Pres. American Economic Association, Society for General Systems Research, and American Association for the Advancement of Science, Journal of Peace Research, “Twelve Friendly Quarrels with Johan Galtung”, 14:1, JSTOR)

Finally, we come to the great Galtung metaphors of 'structural violence' 'and 'posi- tive peace'. They are metaphors rather than models, and for that very reason are suspect. Metaphors always imply models and meta- phors have much more persuasive power than models do, for models tend to be the preserve of the specialist. But when a meta- phor implies a bad model it can be very dangerous, for it is both persuasive and wrong. The metaphor of structural violence I would argue falls right into this category. The metaphor is that poverty, deprivation, ill health, low expectations of life, a condi- tion in which more than half the human race lives, is 'like' a thug beating up the victim and 'taking his money away from him in the street, or it is 'like' a conqueror stealing the land of the people and reducing them to slavery. The implication is that poverty and its associated ills are the fault of the thug or the conqueror and the solution is to do away with thugs and conquerors. While there is some truth in the metaphor, in the modern world at least there is not very much. Vio- lence, whether of the streets and the home, or of the guerilla, of the police, or of the armed forces, is a **very different phenome- non from poverty**. **The processes which create and sustain poverty are not at all like the processes which create and sustain violence**, although like everything else in 'the world, everything is somewhat related to every- thing else. There is a very real problem of the struc- tures which lead to violence, but unfortu- nately Galitung's metaphor of structural vio- lence as he has used it has diverted atten- tion from this problem. Violence in the be- havioral sense, that is, somebody actually doing damage to somebody else and trying to make them worse off, is a 'threshold' phenomenon, rather like the boiling over of a pot. The temperature under a pot can rise for a long time without its boiling over, but at some 'threshold boiling over will take place. The study of the structures which un- derlie violence are a very important and much neglected part of peace research and indeed of social science in general. Thresh- old phenomena like violence are difficult to study because they represent 'breaks' in the systenm rather than uniformities. Violence, whether between persons or organizations, occurs when the 'strain' on a system is too great for its 'strength'. The metaphor here is that violence is like what happens when we break a piece of chalk. Strength and strain, however, especially in social systems, are so interwoven historically that it is very difficult to separate them. The diminution of violence involves two possible strategies, or a mixture of the two; one is Ithe increase in the strength of the sys- tem, 'the other is the diminution of the strain. The strength of systems involves habit, cul- ture, taboos, and sanctions, all these 'things which enable a system to stand lincreasing strain without breaking down into violence. The strains on the system 'are largely dy- namic in character, such as arms races, mu- tually stimulated hostility, changes in rela- tive economic position or political power, which are often hard to identify. Conflicts of interest 'are only part 'of the strain on a sys- tem, and not always the most important part. It is very hard for people ito know their in- terests, and misperceptions of 'interest take place mainly through the dynamic processes, not through the structural ones. It is only perceptions of interest which affect people's behavior, not the 'real' interests, whatever these may be, and the gap between percep- ti'on and reality can be very large and re- sistant to change. However, what Galitung calls structural violence (which has been defined 'by one un- kind commenltator as anything that Galitung doesn't like) was originally defined as any unnecessarily low expectation of life, on that assumption that anybody who dies before the allotted span has been killed, however unintentionally and unknowingly, by some- body else. The concept has been expanded to include all 'the problems of poverty, desti- tution, deprivation, and misery. These are enormously real and are a very high priority for research and action, but they belong to systems which are only peripherally related to 'the structures whi'ch produce violence. This is not to say that the cultures of vio- lence and the cultures of poverty are not sometimes related, though not all poverty cultures are cultures of violence, and cer- tainly not all cultures of violence are pover- ty cultures. But **the dynamics lof poverty and the success or failure to rise out of it are of a complexity far beyond anything which the metaphor of structural violence can offer**. While **the metaphor of structural violence** performed a service in calling attention to a problem, it **may have done a disservice in preventing us from finding the answer**.

### Heg Solves Oppression – 2AC

#### US hegemony prevents global oppression and prevents more war than it causes – all their impacts assume occasional missteps

Jacoby 11 (Jeff – Boston Globe, graduate of George Washington University and the Boston University School of Law, “The world's best policeman”, 6/22, Washington Post, Factiva)

America may be the world's "indispensable nation," as Bill Clinton said in his second inaugural address, but most Americans, most of the time, are uncomfortable with the idea of US global hegemony. John Quincy Adams wrote long ago that America "goes not abroad in search of monsters to destroy." As the polls consistently suggest, that isolationist sentiment still resonates. But in Adams's day America was not the mightiest, wealthiest, and most influential nation on the face of the earth. Today it is. The United States is the world's only superpower, and if we shirk the role of global policeman, no one else will fill it. By nature Americans are not warmongering empire-builders; their uneasiness about dominating other countries reflects a national modesty that in many ways is admirable - and that belies the caricature of Uncle Sam as arrogant bully or "great Satan." Nevertheless, with great power come great responsibilities, and sometimes one of those responsibilities is to destroy monsters: to take down tyrants who victimize the innocent and flout the rules of civilization. If neighborhoods and cities need policing, it stands to reason the world does too. And just as local criminals thrive when cops look the other way, so do criminals on the world stage. Nazi Germany had conquered half of Europe and Japan was brutalizing much of Asia by the time America finally entered World War II. If America hadn't rescued Kuwait from Saddam Hussein in 1990, no one else would have, either. If America hadn't led NATO in halting Serbia's ethnic cleansing in Kosovo, no one else would have, either. If America hadn't faced down the Soviet Union during the long years of the Cold War, no one else would have, either - and hundreds of millions of human beings might still be trapped behind the Iron Curtain. There is no realistic alternative to America as the world's policeman. It clearly isn't a job the United Nations can do. Can an organization that makes no distinction between tyranny and democracy rein in the world's monsters? As the UN's bloody trail of failure from Bosnia to Somalia to Rwanda makes clear, UN "peacekeeping" offers no protection against predators. None of this is to say that America-as-Globocop is a perfect solution to the world's ills, nor that the United States hasn't made many grievous mistakes in its actions abroad. But as the historian Max Boot argues, "America's occasional missteps should not lead us to abdicate our indispensable role, any more than the NYPD should stop doing its vital work, simply because cops occasionally do the wrong thing. On balance, the NYPD still does far more good than harm, and so does the United States of America." To say that America must be the world's policeman is not to call for waging endless wars against all the world's bad actors. Police officers carry weapons, but they fire them only infrequently. The cops' main function is not to gun down criminals, but to suppress crime and reduce fear by patrolling the streets and maintaining a visible presence in the community. Similarly, a well-policed world is one with less combat, not more. The purpose of America's nuclear umbrella and its global network of military bases is not to foment war on all fronts, but to prevent it - **by deterring aggression, maintaining the flow of commerce, and upholding human rights**. We don't do it perfectly, not by a long shot. We don't always live up to our own standards, we sometimes confuse police work with social work, and we are often rewarded not with thanks but resentment. A policeman's lot is not a happy one. It is, however, essential. Our world needs a policeman. And whether most Americans like it or not, only their indispensable nation is fit for the job.

## Case

### Moral Absolutism Bad – 2NC

#### -- Extend consequences – pure morality is evil – the Aff allows the violence of every consequence of the plan for the sake of personal purity and good intentions – this is tunnel vision and complicity with evil that turns the case – that’s Isaac

#### -- The Aff is moral evasion – consequentialism is best

Nielson 9 (Kai, Professor of Philosophy – University of Calgary, Ethics: The Big Questions, Ed. Sterba, p. 189-190)

In so treating the fat man‑not just to further the public good but to prevent the certain death of a whole group of people (that is to prevent an even greater evil than his being killed in this way)‑the claims of justice are not overriden either, for each individual involved, if he is reasonably correct, should realize that if he were so stuck rather than the fat man, he should in such situations be blasted out. Thus, there is no question of being unfair. Surely **we must choose between evils** here, but is there anything more reasonable, more morally appropriate, than choosing the lesser evil when doing or allowing some evil cannot be avoided? That is, where there is no avoiding both and where our actions can determine whether a greater or lesser evil obtains, should we not plainly always opt for the lesser evil? And is it not obviously a greater evil that all those other innocent people should suffer and die than that the fat man should suffer and die? Blowing up the fat man is indeed monstrous. But letting him remain stuck while the whole group drowns is still more monstrous. The consequentialist is on strong moral ground here, and, if his reflective moral convictions do not square either with certain unrehearsed or with certain reflective particular moral convictions of human beings, so much the worse for such commonsense moral convictions. One could even usefully and relevantly adapt herethough for a quite different purpose‑an argument of Donagan’s. Consequentialism of the kind I have been arguing for provides so persuasive “a theoretical basis for common morality that when it contradicts some moral intuition, it is natural to suspect that intuition, not theory, is corrupt.” Given the comprehensiveness, plausibility, and overall rationality of consequentialism, it is not unreasonable to override even a deeply felt moral conviction if it does not square with such a theory, though, if it made no sense or overrode the bulk of or even a great many of our considered moral convictions, that would be another matter indeed. Anticonsequentialists often point to the inhumanity of people who will sanction such killing of the innocent, but cannot the **compliment be returned** by speaking of the **even greater** inhumanity, conjoined with **evasiveness**, of those who will allow even more death and far greater misery and then excuse themselves on the ground that they did not intend the death and misery but merely forbore to prevent it? In such a context, such reasoning and such forbearing to prevent seems to me to constitute a **moral evasion**. I say it is evasive because rather than steeling himself to do what in normal circumstances would be a horrible and vile act but in this circumstance is a harsh moral necessity, he [it] allows, when he has the power to prevent it, a situation which is still **many times worse**. He tries to keep his ‘moral purity’ and [to] avoid ‘dirty hands’ at the price of **utter moral** **failure** and what Kierkegaard called ‘double‑mindedness.’ It is understandable that people should act in this morally evasive way but this does not make it right.

#### -- Extinction mandates consequentialism

#### **Bok 88** (Sissela, Professor of Philosophy – Brandeis College, Applied Ethics and Ethical Theory, Ed. Rosenthal and Shehadi, p. 202-203)

The same argument can be made for Kant’s other formulations of the Categorical Imperative: “So act as to use humanity, both in your own person and in the person of every other, always at the same time as an end, never simply as a means”; and “So act as if you were always through actions a law-making member in a universal Kingdom of Ends.” No one with a concern for humanity could consistently will to risk eliminating humanity in the person of himself and every other or to risk the death of all members in a universal Kingdom of Ends for the sake of justice. To risk their collective death for the sake of following one’s conscience would be, as Rawls said, “irrational, crazy.” And to say that one did not intend such a catastrophe, but that one merely failed to stop other persons from bringing it about would be beside the point when the end of the world was at stake.For although it is true that we cannot be held responsible for most of the wrongs that others commit, the Latin maxim presents a case where we would have to take such a responsibility seriously—perhaps to the point of deceiving, bribing, even killing an innocent person, in order that the world not perish.

### Plan Fails

#### Alternative fails – critical theory has no mechanism to translate theory into practice

**Jones 99** (Richard Wyn, Lecturer in the Department of International Politics – University of Wales, Security, Strategy, and Critical Theory, CIAO, http://www.ciaonet.org/book/wynjones/wynjones06.html)

Because emancipatory political practice is central to the claims of critical theory, one might expect that proponents of a critical approach to the study of international relations would be reflexive about the relationship between theory and practice. Yet their thinking on this issue thus far does not seem to have progressed much beyond **grandiose statements of intent**. There have been no systematic considerations of how critical international theory can help generate, support, or sustain emancipatory politics beyond the seminar room or conference hotel. Robert Cox, for example, has described the task of critical theorists as providing “a guide to strategic action for bringing about an alternative order” (R. Cox 1981: 130). Although he has also gone on to identify possible agents for change and has outlined the nature and structure of some feasible alternative orders, he has not explicitly indicated whom he regards as the addressee of critical theory (i.e., who is being guided) and thus how the theory can hope to become a part of the political process (see R. Cox 1981, 1983, 1996). Similarly, Andrew Linklater has argued that “a critical theory of international relations must regard the practical project of extending community beyond the nation–state as its most important problem” (Linklater 1990b: 171). However, he has little to say about the role of theory in the realization of this “practical project.” Indeed, his main point is to suggest that the role of critical theory “is not to offer instructions on how to act but to reveal the existence of unrealised possibilities” (Linklater 1990b: 172). But the question still remains, reveal to whom? Is the audience enlightened politicians? Particular social classes? Particular social movements? Or particular (and presumably particularized) communities? In light of Linklater’s primary concern with emancipation, one might expect more guidance as to whom he believes might do the emancipating and how critical theory can impinge upon the emancipatory process. There is, likewise, little enlightenment to be gleaned from Mark Hoffman’s otherwise important contribution. He argues that critical international theory seeks not simply to reproduce society via description, but to understand society and change it. It is both descriptive and constructive in its theoretical intent: it is both an intellectual and a social act. It is not merely an expression of the concrete realities of the historical situation, but also a force for change within those conditions. (M. Hoffman 1987: 233) Despite this very ambitious declaration, once again, Hoffman gives no suggestion as to how this “force for change” should be operationalized and what concrete role critical theorizing might play in changing society. Thus, although the critical international theorists’ critique of the role that more conventional approaches to the study of world politics play in reproducing the contemporary world order may be persuasive, their account of the relationship between their own work and emancipatory political practice is unconvincing. Given the centrality of practice to the claims of critical theory, this is a very significant weakness. Without some plausible account of the **mechanisms** by which they hope to aid in the achievement of their emancipatory goals, proponents of critical international theory are hardly in a position to justify the assertion that “it represents the next stage in the development of International Relations theory” (M. Hoffman 1987: 244). Indeed, without a more convincing conceptualization of the theory–practice nexus, one can argue that critical international theory, by its own terms, has no way of redeeming some of its central epistemological and methodological claims and thus that it is a **fatally flawed** enterprise.

### Strikes Best

#### Tech advances and tighter rules of engagement are substantially reducing civilian casualties---alternatives to drones are worse

Brooks 13 (Rosa Brooks, Professor of Law, Georgetown University Law Center and Bernard L. Schwartz Senior Fellow, New America Foundation, 4/23/13, “The Constitutional and Counterterrorism Implications of Targeted Killing,” <http://www.judiciary.senate.gov/pdf/04-23-13BrooksTestimony.pdf>)

\*We do not endorse gendered language

First, critics often assert that US drone strikes are morally wrong because the kill innocent civilians. This is undoubtedly both true and tragic -- but it is not really an argument against drone strikes as such. War kills innocent civilians, period. But the best available evidence suggests that US drone strikes kill civilians at no higher a rate, and almost certainly at a lower rate, than most other common means of warfare. ¶ Much of the time, the use of drones actually permits far greater precision in targeting than most traditional manned aircraft. Today's unmanned aerial vehicles (UAVs) can carry very small bombs that do less widespread damage, and UAVs have no human pilot whose fatigue might limit flight time. Their low profile and relative fuel efficiency combines with this to permit them to spend more time on target than any manned aircraft. Equipped with imaging technologies that enable operators even thousands of miles away to see details as fine as individual faces, modern drone technologies allow their operators to distinguish between civilians and combatants far more effectively than most other weapons systems.¶ That does not mean civilians never get killed in drone strikes. Inevitably, they do, although the covert nature of most US strikes and the contested environment in which they occur makes it impossible to get precise data on civilian deaths. This lack of transparency inevitably fuels rumors and misinformation. However, several credible organizations have sought to track and analyze deaths due to US drone strikes. The British Bureau of Investigative Journalism analyzed examined reports by "government, military and intelligence officials, and by credible media, academic and other sources," for instance, and came up with a range, suggesting that the 344 known drone strikes in Pakistan between 2004 and 2012 killed between 2,562 and 3,325 people, of whom between 474 and 881 were likely civilians.1 (The numbers for Yemen and Somalia are more difficult to obtain.) The New America Foundation, with which I am affiliated, came up with slightly lower numbers, estimating that US drone strikes killed somewhere between 1,873 and 3,171 people overall in Pakistan, of whom between 282 and 459 were civilians. 2¶ Whether drones strikes cause "a lot" or "relatively few" civilian casualties depends what we regard as the right point of comparison. Should we compare the civilian deaths caused by drone strikes to the civilian deaths caused by large-scale armed conflicts? One study by the International Committee for the Red Cross found that on average, 10 civilians died for every combatant killed during the armed conflicts of the 20th century.3 For the Iraq War, estimates vary widely; different studies place the ratio of civilian deaths to combatant deaths anywhere between 10 to 1 and 2 to 1.4¶ The most meaningful point of comparison for drones is probably manned aircraft. It's extraordinarily difficult to get solid numbers here, but one analysis published in the Small Wars Journal suggested that in 2007 the ratio of civilian to combatant deaths due to coalition air attacks in Afghanistan may have been as high as 15 to 1.5 More recent UN figures suggest a far lower rate, with as few as one civilian killed for every ten airstrikes in Afghanistan.6 But drone strikes have also gotten far less lethal for civilians in the last few years: the New America Foundation concludes that only three to nine civilians were killed during 72 U.S. drone strikes in Pakistan in 2011, and the 2012 numbers were also low.7 In part, this is due to technological advances over the last decade, but it's also due to far more stringent rules for when drones can release weapons.¶ Few details are known about the precise targeting procedures followed by either US armed forces or the Central Intelligence Agency with regard to drone strikes. The Obama Administration is reportedly finalizing a targeted killing “playbook,”8 outlining in great detail the procedures and substantive criteria to be applied. I believe an unclassified version of this should be should be made public, as it may help to diminish concerns reckless or negligent targeting decisions. Even in the absence of specific details, however, I believe we can have confidence in the commitment of both military and intelligence personnel to avoiding civilian casualties to the greatest extent possible. The Obama Administration has stated that it regards both the military and the CIA as bound by the law of war when force is used for the purpose of targeted killing. 9 (I will discuss the applicable law of war principles in section IV of this statement). What is more, the military is bound by the Uniform Code of Military Justice. ¶ Concern about civilian casualties is appropriate, and our targeting decisions, however thoughtfully made, are only as good as our intelligence—and only as wise as our overall strategy. Nevertheless, there is no evidence supporting the view that drone strikes cause disproportionate civilian casualties relative to other commonly used means or methods of warfare. On the contrary, the evidence suggests that if the number of civilian casualties is our metric, drone strikes do a better job of discriminating between civilians and combatants than close air support or other tactics that receive less attention.

#### Civilian casualties are way down because of tech improvements

Rushforth 12 (Elinor June Rushforth, J.D. candidate, University of Arizona, James E. Rogers College of Law, Class of 2013, Fall 2012, “NOTE: THERE'S AN APP FOR THAT: IMPLICATIONS OF ARMED DRONE ATTACKS AND PERSONALITY STRIKES BY THE UNITED STATES AGAINST NON-CITIZENS, 2004-2012,” Arizona Journal of International and Comparative Law, 29 Ariz. J. Int'l & Comp. Law 623, p. lexis)

Third, proponents of drone use also argue that this technology can "ensure both that the best intelligence is available for planning operations, and that civilian casualties are minimized in carrying out such operations." n183 This is by far the most complex argument (made by both critics and proponents of the program) regarding drone efficacy and collateral damage. Because most civilian casualty reports are based on media and informant reports, the difficulty of defining an allegedly lawful target and a civilian becomes paramount. n184 Officials maintain that the drones' ability to linger above a target for days and observe a "pattern of life," means that the pilot or operator can study their target, identify civilians in the area, and, if necessary, change the plan. n185 According to the New America Foundation, whose study is based on media sources, the civilian casualty estimate since 2004 is approximately twenty percent and in 2012, approximately ten percent. n186 The military and CIA share the opinion that though it is highly improbable that no civilians have been killed, "our coverage has improved so much since the beginning of this program, it really defies logic that now we would start missing all these alleged noncombatant casualties." n187