## Contention 1 – The Periphery

In poignant testimony, Rehman's son, Zubair, described the day of the attack, the day before the Muslim holy day of Eid, as a "magical time filled with joy". He told lawmakers that the drone had appeared out of a bright blue sky, the colour of sky most beloved by his grandmother and himself, he said.

"As I helped my grandmother in the field, I could see and hear the drone hovering overhead, but I didn’t worry" he said. "Why would I worry? Neither my grandmother nor I were militants."

"When the drone fired the first time, the whole ground shook and black smoke rose up. The air smelled poisonous. We ran, but several minutes later the drone fired again. "

"People from the village came to our aid and took us to hospital. We spent the night in great agony in at the hospital and the next morning I was operated on. That is how we spent Eid."

Zubair said that fear over the drone attacks on his community have stopped children playing outside, and stopped them attending the few schools that exist. An expensive operation, needed to take the shrapnel out of his leg, was delayed and he was sent back to the village until his father could raise the money, he said.

“Now I prefer cloudy days when the drones don’t fly. When the sky brightens and becomes blue, the drones return and so does the fear. Children don’t play so often now, and have stopped going to school. Education isn’t possible as long as the drones circle overhead.”

According to Zubair, the fundraising took months.

His sister, Nabila, told lawmakers that she had been gathering okra with her brother and grandmother when she saw a drone and "I heard the dum dum noise."

"Everything was dark and I couldn't see anything. I heard a scream. I think it was my grandmother but I couldn't see her.

"All I could think of was running."

Rehman told lawmakers that he is seeking answers to why his mother was targeted. The strike has affected his wider family, who no longer visit because they fear the drones might kill them too.

In testimony that caused the translator to stop and begin to weep, he said: "Congressman Grayson, as a teacher, my job is to educate. But how do I teach something like this? How do I explain what I myself do not understand? How can I in good faith reassure the children that the drone will not come back and kill them, too, if I do not understand why it killed my mother and injured my children?"

He said that his mother was not the first innocent victim of drone strike, but that "dozens of people in my own tribe that I know are merely ordinary tribesman had been killed". He said that numerous families in his community and the surrounding area had lost loved ones, including women and children over the years.

"They have suffered just like I have. I wish they had such an opportunity as well to come tell you their story. Until they can, I speak on their behalf as well. Drones are not the answer."

Rehman said that although the Pakistani government accepted his claim and confirmed details, it said it was not responsible and he has had no compensation to help with the medical treatment for his children.

Rehman said: "In the end I would just like to ask the American public to treat us as equals. Make sure that your government gives us the same status of a human with basic rights as they do to their own citizens. We do not kill our cattle the way US is killing humans in Waziristan with drones. This indiscriminate killing has to end and justice must be delivered to those who have suffered at the hands of unjust."

Cited from The Guardian, “Drone strikes: tears in Congress as Pakistani family tells of mother's death,” 10/29/13

## Contention 2 – The Center

Alan Grayson (D-FL) organized an historic hearing on US drone strikes. It was the first time that drone strike victims told their stories to U.S. elected officials at a hearing. The Rehman family traveled halfway around the world from Pakistan to tell the story of their families loss; the killing of the families grandmother. Only five members of Congress bothered to show up. What does this show about the United States political leadership? It is shameful. Below are three articles describing the scene and the families ordeal. We need to help them change the hearts and minds of Americans especially our elected leadership. Please share this with the White House (http://www.whitehouse.gov/contact/write-or-call) and your representatives in Congress.

Cited from Popular Resistance, “Congress Disgraces United States Fails to Show for Drone Hearing,” 10/30/13

#### Although the Hearing is a Step in the Right Direction – It is Problematic that only 5 Policy Makers Showed Up – Status Quo Counter Terrorism Policy Making is based on “Expert” Opinion That Fails to Engage with the Communities Affected by these Policies – The 1AC is an Affirmation of these Communities

Ahmed 13 (Akbar Ahmed. Ibn Khaldun Chair of Islamic Studies @ American U, First Distinguished Chair of Middles East and Islamic Studies @ U.S. Naval Academy, Formal Political Agent at the South Waziristan Agency, Nonresident Senior Fellow at the Brookings Institute. *The Thistle and the Drone: How America’s War on Terror Became a Global War on Tribal Islam.* Washington D.C.: Brookings Institute Press, 2013. Print. Pg. 342)

Another paradox is that the experts, who have monopolized resources, media attention, and the ears of policymakers, are either blatantly incorrect or logi-cally absurd, and yet the general public relies on them for information, analysis, and guidance. According to the experts, for example, the tribes of Asir are the staunchest Wahhabis; Boko Haram is fighting for the imposition of sharia law; the Rohingya are Bengali and speak the Bengali language; and the Taliban are committed to cultivating poppy. In each and every case, as established in the preceding pages, the reality is contrary to what the experts have said. The Asir tribes are at the opposite end of the ideological spectrum to the Wahhabis and have been their victims ever since Asir became part of Wahhabi-dominated Saudi Arabia in the last century; Boko Haram has no cause to fight for sharia law as it already exists in their region; the Rohingya are not Bengali and have their own language; and the Taliban, far from wanting to cultivate poppy fields, actively target anything that they believe is not Islamic, which includes the use of drugs. The absurdity of what these experts have related in these examples—and many more are at hand—is almost tantamount to suggesting that the main reli-gion of Canada is Wahhabi Islam, Mexico is a country of Swedish immigrants, and the Quakers promote violence. The mistakes of the experts may be faintly amusing, but they are not harmless. Because their assessments and judgments influence policy, they have deadly consequences for the communities involved. They may lead to the interrogation, torture, or killing of innocent people. This is irresponsible and careless scholarship. Given the lack and level of information, the need to tell the stories of the people on the periphery, as has been done in this study, is imperative for any attempt to create a realistic picture of society.

#### The “War on Terrorism” is the Center’s War against the Periphery – Through Targeted Killings The US has disrupted the Balance that was Present between Pakistan’s Center and Periphery – US Counterterrorism Policy is Empowering the Pakistani Central Government to Wage its War Against the Tribal Communities Between the Borders of Pakistan and Afghanistan

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For Muslim societies on the periphery, the present phase of history, this age of globalization, begins with 9/11 and the intrusion, directly or indirectly, of the United States into their lands. The United States has thus slipped into the role of a global center in confrontation with the Muslim periphery throughout the world. It is difficult to predict how this phase will end, but easy to see its wide-spread turmoil and chaos. No longer isolated as they once were, Muslims on the periphery moved to the eye of a global storm as the United States, allying with the central government, hunted for al Qaeda and its associates in the periphery's communities. The United States scoured the world for "terrorists" as if they were a malignant tumor that needed to be removed surgically, not quite realizing the trauma the operation was creating for the body. The U.S. solution to terrorism was twofold: first, to capture or kill the "ter-rorists" through military operations as part of its war on terror; and second, to extend central government authority to the "ungoverned spaces" of the tribal periphery. To do so, it needed to link up with the central governments and adopt their policies toward the periphery, which included the use of torture. With the United States openly promoting torture "to keep America safe," other central governments were encouraged to do the same without compunction as the erst-while champion of human rights, the United States, had changed its position on the matter. In the newly minted war on terror, all Muslim tribal societies were now viewed as either infested with terrorists or offering a potential safe haven for them. Once America saw the specter of al Qaeda in any of these places, its com-mitment to the center knew no bounds. The same tribesmen it would have once supported in their genuine demands for democracy, human and civil rights, and dignity, were now targeted. Under the all-encompassing American metanarra-tive, no Muslim tribe, or even any Muslim community, was immune, as central governments were quick to use it to their benefit in the ongoing confrontation with their peripheries. Central governments cynically manipulated the United States in their suppression of the Muslim periphery. The entanglements with Muslim tribal communities on the periphery of many nations, both Muslim and non-Muslim, began soon after 9/11, and one by one they grew: the invasion of Afghanistan followed by Iraq, a military training mission in West Africa, a missile strike in the Kurdish region of Turkey, a unit of Special Forces in the Far East, and drones buzzing over the theaters of conflict where Muslim tribesmen lived. But America was not fighting an established army equipped with heavy artillery and tanks, an air force, or a navy. It was striking at individuals or small groups, attacking now a police station, now a bus stop, without pause. Bushfires had burst out around the world, and the harder the Americans hit the tribes, the harder the tribes hit back. Frustrated, angry, and exhausted after a decade of war, America continued to lash out as it was wont to do under threat. But it was not just taking a hammer to squash a mosquito; it was using bunker-busters. The lack of military and political objectives, the poorly thought out and exe-cuted tactics on the ground, and the shifting alliances of the U.S.-led campaign soon threw the periphery into anarchy. Few seemed to have any real idea of why the war they were involved in was really being fought, how long it would last, and who was allied to whom. America's chosen weapon in the war was the drone, its targets the tribes of Yemen, Somalia, and Turkey, and the Tausug tribes of the Philippines, not to mention those in Waziristan (as discussed in chapter 2) and Afghanistan. What was clear was that, imperceptibly and inexorably, America's war on terror had become a global war against tribal Islam.

#### The problem is not just the outcome of these deliberations – it is the process itself – Status Quo Deliberation privileges Americans who do NOT live under drones ABOVE the Pakistanis who do – we should shift the debate from the center to the Periphery

Gregory 2013 “Moving targets and violent geographies “ 1 Derek Gregory Peter Wall Institute for Advanced Studies University of British Columbia, Vancouver http://geographicalimaginations.files.wordpress.com/2012/07/derek-gregory-moving-targets-and-violent-geographies-final.pdf

It is here, too, that the ‘remote split’ that characterizes these operations is at its most insidious. In the United States public debate has fastened on the summary power of the President to authorize the assassination of American citizens and the threat to domestic privacy posed by surveillance drones; even those who probe the legal-administrative apparatus through which the Obama administration conducts its targeted killings focus attention on Washington, while those who investigate the practice of remote operations concentrate on air bases in the continental United States. These are all important issues, but we should be no less concerned at the ways in which drones have turned other lifeworlds into deathworlds. I understand why Roger Stahl complains that the media fascination with the lives of drone pilots artfully domesticates war, reinscribing the logic of the national security state and inviting the reader-viewer to move easily ‘from the kitchen to the cockpit’. 120 But the interdigit(al)isation of war and peace has a still wider geography. Here is photojournalist Noor Behram, who has spent years bravely documenting the effects of drone strikes on his native North Waziristan: "‘This was like any other day in Waziristan. Coming out of the house, witnessing a drone in the sky, getting along with our lives until it targets you. That day it was in the morning and I was at home playing with my children. I spotted the drone and started filming it with my camera and then I followed it...’ 1 21 " This needs an even wider-angle lens. As I have shown, it is a serious mistake to abstract drones from the history of bombing (indeed, the Pakistan Air Force also carries our air strikes in the Federally Administered Tribal Areas) or from the present grim reality of ground war. Drones have undoubtedly made a difference to the conduct of later modern war, and we desperately need to attend to what Elspeth van Veeren calls ‘the sensible politics of drone warfare’ – by ‘sensible’ she means, I think, acutely and insistently material 122 – but neither their genealogy nor their geography can be severed from the matrix of military and paramilitary violence of which they are but a part. And that matrix should remain the primary target of critical analysis and political action.

## Contention 3 – the Jirga

#### In order to understand the conflict taking place in the tribal regions of Pakistan, It is important to understand how governance in that region works – Although seeming lawless, the tribes govern themselves through a code known as Pukthunwali – This includes the Jirga as the primary mode of conflict resolution

Latif and Musarrat 12 (Abid Latif, Masters Phil Scholar in Department of Political Science @ The Islamia University of Bahawalpur, Dr. Razia Musarrat, Professor and Chairperson in Department of Political Science @ The Islamia U of Bahawalpur. “Socio-political issues of Fata, a historical And contemporary perspective,” 10/7/12. Online. DOI:10.5296/jpag.v2i4.3208)

2. Peculiarities of FATA FATA is administratively divided into seven political agencies, Khyber, Bajaur, North Waziristan, Mohmand, Orakzai, South Waziristan and Khurram. It also comprises of six frontier regions these are FR tank, FR Peshawar, FR Bannu, FR Kohat, FR D.I Khan and FR Lakki Marwat. FATA has a special status. During the time of independence, Quaid-e-Azam assured the tribal jirga that the Tribal area will enjoy the same status as that of before partition (Caroe, 1965, p.435). Presently this area has few peculiarities which are important to highlight before indulging into further discussion:- a. Constitution of Pakistan designates it as special area. b. Indirect administration through Maliks is enforced in FATA with the principle of collective responsibility. c. Pakistani courts have no jurisdiction in FATA area. d. Pakhtunwali is the law of the tribes based on tribal custom. e. FCR is the legal instrument for political agent to govern. f. Tribes identify themselves in tribes first rather than part of a territory. g. Political party act is not enforced in tribal area, however right of Adult franchise is lately granted. h. Lack of urban Amenities. i. Tribesman pays no taxes. j. Disputes are settled through Jirga. k. Tribal area is in asymmetrical relation with the rest of the country due to lack of advancement and necessary moderinizaiton (Khan,2008, pp.16-19). These peculiarities are actually the crucible where all the under currents of present day situation merges. These are the same off handed issues which Taliban exploit to their advantage. 2.1. Constitutional Status of FATA As per the tacit understanding with Quaid-e-Azam the status of tribal areas were kept unchanged in the constitution of 1956 (Constitution of Pakistan, 1956, p42)1. In Article 1 of the 1973 constitution of Pakistan, FATA is included as one of the territories of Pakistan; Article 246 stipulates same 13 Agencies and frontier regions that comprise the FATA. Same way again in the constitution of 1973 under article 247, central and provincial laws were barred to be applied to the tribal areas due to the peculiarity of its dynamics (Constitution of Pakistan, 1973, p.97). The constitution in article 246 excluded the tribal area from the domain of fundamental human rights. Articles 25 to 28 also exclude the area from the protection of law granted to every citizen. Under article 247 President was Chief Executive of the tribal areas along a different administrative system. Recently using the powers inferred by article 51(6) of the constitution, president of Pakistan extended the electoral system based on adult franchise to tribal area. The constitution of Pakistan is not evenly applied to the FATA. Giving right of adult franchise to people without introducing the political parties had created a chasm which Taliban exploited. This act has mitigated the influence of Malik as now, the youth has got the right to vote without any political training etc. More over the Carte blanche given to president on one hand and the sans presence of judicial blanket on the other has again vacated the political space for Taliban. Traditionally this was to be filled by malik, but due to killing of our 200 Maliks the institution has gone so weak that it is now enable to recuperate. 2.2. Pakhtunwali – The Tribal Magna Carta Pakhtunwali can be termed as the unwritten constitution of the tribal people. They are proud to be part of Pakhtunwali system. Although few people misuse this for financial gains during diputes (Nawaz, 2009, p.25). It actually manages the complete aspect of tribal life. It is based on different dogmas and principles; each principle is an independent unwritten law. The Pakhtunwali revolves around the constitution of Hujra and Jirga. Jirga being the vehicle of this tradition is the lynch pin of the complete system. There are numerous dogmas of Pakhtunwali, only relevant will be covered in this study, however it is important to first highlight the institution of Jirga. 3. Dispute Resolution Preferences Jirga is defined as an assembly of elders, it is the forum for a conflict resolution. In tribal areas now five type of Mechanism are available to the people:- a. Jirga b. Local Leaders. c. Court d. Mullah e. Taliban 4. How Jirga Work Whatever means are applied, Jirga is the most popular. It is of three types, the FCR Jirga, which is sponsored by government also known as Sarkari Jirga, Olasi Jirga (people), and the Loya (Grand Jirga). Jirga process usually covers the following stages:- a. Complaint is initiated and jirga is called. Elders can also take suo-motto notice. b. Members of jirga appointed. c. Announcing a Teega (ceasefire) in case of hostilities. d. Framing of charges. e. Taking a Waak (accreditation) from the side. f. Preliminary inquiry g. Initiation of argument h. Visit of sites etc if required. i. Conclusion and finding. j. Announcement of decision k. Right to appeal l. Execution (Khan, 2008, p.104) 5. Dogmas of Pakhtunwali:- It seems to be a very effective means to deliver justice. Taliban being part of the same culture and well conversant with Pakhtunwali, use the same to their benefit. The clauses, dogmas and principles of the tribal Magna Carta which are being misused needs elaboration to reach a synthesizing conclusion and a way forward. The percepts are:- a. Melmaste: It means the display, practice and accentuation of extreme hospitality. Every house has a hujra so that this vitual is diligently performed. Taliban and Al-Qaida fairly use this dogma while criss crossing the tribal areas (Shinwari, 2010, p.53) b. Nanawatay: It means asking for the mercy and forgiveness against any misdemeanor or crime. The wrong doer compensates the aggrieved party. The cattle, property and sometime Zanana (women) are taken in compensation. c. Badraga: Badraga means safe passage or demanding the safety of passage in lieu of a favor or money. In tribal culture if during Badraga harm occurs to someone than the complete tribe will take the revenge for that. The criminals from settled areas of Pakistan and even the terrorists once out of favor use badraga to cross territories (Khan,2008,p.109). d. Badal: Revenge is the corner stone of tranquility and maintenance of peace in tribal areas. It is a justice based on tit for tat principles. Whenever a drone attack takes place and collateral damage is done, the obscurantist of the area encourage the aggrieved party to invoke badal by joining their ranks. e. Baramtha: Kidnapping a person who has defaulted financially. This dogma is misused with the pretext to acquire monetary resources by Taliban. f. Ghariat: It is the Namoos and the display of courage for the prestige of family and tribe. g. Swara: Is the custom of giving the hand of the daughter or sister of the killer in marriage to the son or brother of the aggrieved party. h. Panah: It is protection or provision of safe house once a offender enters the hujra and asks for protection. Mullah Omer repeatedly quoted to his companions that how can he hand over Osama Bin Ladin to the infidels (Kuehn,2012, pp.77-82). These few pashtu clichés or the dogmas of Pakhtunwali are not invoked by Taliban through Jirgas, rather they exploit the spirit of those principles, as these are imbibed into the heart of every tribal person.

#### Thus: The United States Federal Government should affirm the opposition of the grand Jirga to the authority of the President of the United States to conduct legalized assassination in Pakistan.

#### The plan affirms the consensus of the grand Jirga in opposing US drone strikes in the FATA.

Frontier Post 12/22 ("Fata Jirga demands local government polls," 12/22/13 fata.thefrontierpost.com.pk/?p=298)

All FATA Political Alliance in Qabaili Jirga urged federal government to announce holding of local bodies elections like other provinces in tribal belt and also ensure the forthwith release of financial package worth Rs200 billion for reconstruction and rehabilitation. The demand came to the light after a Qabaili Jirga held on Saturday at Nishtar Hall Peshawar where tribal leaders of political and religious parties participated including Jammat-e-Islami, Awami National Party, Pakistan Muslim League-Nawaz, Pakistan Peoples Party, Jammiat Uleama-e-Islam Fazal, Qaumi Watan Party and Pakistan Muslim League-Qaid. Members from FATA Lawyers Forum, tribal students, civil society people, Journalists and others also participated in Jirga. A grand Jirga passed six points resolution and stressed government to seriously take measures regarding it. However few points passed by Jirga participants included establishment of peace and certainty in FATA and end military operation, federal government to initiate peace talks with Taliban and stop CIA operated drone attacks, Local bodies elections to be held in tribal regions like other parts of the country, a full fledge financial package of 200 Arab to be released for restoration of FATA, an amendment to be made in 247 section of constitution and President’s authority over FATA to be given to elected parliament. It further said restriction over journalism to be lifted and PEMRA laws should be extended to tribal belt, Political Agent to be held responsible to judiciary and legislature, judiciary and administration to be separated while high court judges instead of bureaucrats in FATA Tribunal to be appointed and session judge instead of Additional Political Agent to be nominated. Tribal leaders asked government to utilize natural resources of FATA and the revenue got by it should be invested in developmental projects in war torn areas of tribal regions. ANP leader Abdul Latif Afridi and former president of Peshawar Lawyers Association while addressing Jirga urged on the need for restoration of peace, stability and rehabilitation of tribal areas and to conduct LG polls live other parts of the country. During the war against terrorism, millions of tribesmen had been displaced from their hometowns and a financial package worth of Rs200 billion to be issued for rehabilitation and construction of them.

#### Only **our method** - a genuine affirmation of the periphery allows us to reform the way we deliberate with and about the periphery – The Status Quo represents a policy of exclusion – the 1AC opens the realm of deliberation to the voices of periphery – The Center’s Affirmation of the Jirga is a method to bridge the gap between the two

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An examination of the administration of tribal societies over time and across many societies confirms that intelligent and compassionate political officers were able to ensure justice and stability in tribal societies far more effectively than a military officer using force. There is a problem, however, with the full-blown revival of the "political agent," even if suitably adjusted to modern times. Most Muslims see the office as a relic of colonialism; the British, who created the post, view it as an embarrassing reminder of their imperial past to be consigned to the dustbin of history; and Americans, unaware of the musings of their own Found-ing Fathers, do not know what to make of it. Yet the idea is significant enough on the basis of our findings to persevere with its promotion. If my thesis is correct that the fierce contemporary violence stems from a mutation of the tribe's structure and code, a solution to the present impasse— that is, the manner in which the war on terror has evolved—surely needs to be sought in the same source. If the tribal code promotes the notion of revenge, then it just as surely advocates the resolution of conflict through a council of elders based on justice and tradition. Traditional tribal structures and the code of honor that emphasize tribal councils and efforts at reconciliation need to be revived and reconstructed. Those parts of tribal society that are currently in play, such as the imperative to take revenge, need to be firmly countered within the tribal frame. In that manner only can those promoting the bloodshed and anarchy be chal-lenged and marginalized by the community. The periphery, too, needs to draw on the vast resources in its legacy. In recent memory, for example, tribal societ-ies have produced leaders like Ghaffar Khan and his message of nonviolence—a message that he emphasized was rooted in his Islamic and tribal identity.72 It is well to ponder the fact that if the Pukhtun have produced the Tehrik-e-Taliban Pakistan, they have also given the world the Frontier Gandhi. These case studies have exposed the weakness of the center and the predica-ment of the periphery. The center has its legitimate needs and demands, and the periphery must express itself through its customs and traditions. Some accom-modation and give-and-take between the two is essential in order to avoid a breakdown in their relations. While the state must express its ideas of nation-hood by providing education and other benefits to its peoples, the leaders of the periphery need to encourage their followers to participate in the processes of change and take advantage of them. The state must understand that its compo-nents have different customs and traditions, and it needs to acknowledge them, granting the communities on the periphery the full rights and privileges enjoyed by its other citizens. It must understand and work with the segmentary lineage system, particularly with the elders forming the first pillar of the Waziristan model. Somalia took a positive step in this direction in August 2012 when, for the first time, its new parliament was selected by tribal elders and evenly represented the four major clans as well as minority groups in the country. This contrasted with the previous attempts at establishing a central government that relied on the authority of warlords. Hassan Sheikh Mohamud, a member of the Hawiye clan, was elected president by the parliament a month after its formation. Shortly thereafter, Fowsiyo Yusuf Haji Adan of the Isaaq clan was appointed as the first female foreign minister of the country. All administrative reforms and development need to be implemented within the tribal structure and code. Every time people from these tribal societies have been able to express their views, they have yearned for traditional tribal struc-tures to return.73 Only in this way will people be able to better their lives and give their children opportunities to connect the future with the past. These reforms must not aim to destroy local culture or to turn people into something that they are not. If the world is to move away from violence, wars, and stories of torture and tragedy, this is the alternative paradigm that needs to be explored. The process of bringing center and periphery closer together can be greatly facilitated by the United States, which is involved with both in different ways. The United States thus has a potentially vital role in helping these societies move toward democracy and promoting human rights, civil liberties, and education. Instead of pumping billions of dollars into missiles, guns, and torture instru-ments, American aid should emphasize education, teachers' training programs, health facilities, computers, conferences, and opportunities for tribesmen to develop their talents. This calls for a long-term and holistic strategy in order to defeat the forces of violence and anarchy and to convert America's war on terror into a drive toward a more peaceful, equitable, and just world—one envisioned by Americans like Dwight Eisenhower, John Kennedy, and Ronald Reagan. However good the intentions on both sides, there is still the matter of how each sees the other. Unfortunately, American perceptions of Muslim tribesmen and vice versa reflect little but contempt and disgust, as the American survey cited in chapter 1 illustrates. Although that survey gave insights into how Americans and Afghans saw each other, it is applicable to all situations where Americans interact with Muslim tribesmen in their tribal lands. This study can offer advice to both on how to behave if they want better relations. Americans need to stop endlessly "passing gas" in public, urinating on dead bodies, burning the Quran, and using foul language every time they speak, stop harassing women, and they must desist from killing civilians. Muslim tribesmen need to bathe from time to time, control their urge to only help their immediate clansmen, stop lying and thieving, and, in the case of Afghans, end the murder of those very comrades-in-arms who have provided them jobs, training, guns, and uniforms. In short, each position must appreciate the perception the other side has of it. This would provide insights into each other's societies, allowing both to make adjustments in dealing with each other. Without this adjustment, relations between the two will not improve. The suggestions on how to move forward come with a note of urgency. On careful analysis of the cases presented, it is not difficult to offer a prognosis of countries where unsympathetic central governments backed by the United States confront tribal communities on the periphery: disaster awaits. But the war on terror, itself triggered by 9/11, is not the only factor driving the world in this direction. There are two others: xenophobic ideas of racial identity that lie embedded in history and the more contemporary processes of globalization that have set out to "flatten" the world. The combined impact of these several factors on tribal societies is proving calamitous. Unless the nature of the war on terror changes its purpose and direc-tion, the future appears bleak. Perhaps lessons can be learned from one of the most tragic breakdowns between the government and a minority community the Holocaust that took place in Europe in the last century.

#### The Jirga will provide an Effective Method of Conflict Resolution – It will End the Cycles of Revenge

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"As already mentioned, the obligation to take revenge is also an integral part of the tribal code. For societies traditionally lacking the organs of civil government, such as police, courts of law, and a prison system, the collective demands for revenge help regulate behavior. An individual knows full well that any transgres-sion against another's honor calls for revenge against the transgressor and his family, subclan, or clan by the victim's family, subclan, or clan. It is therefore in the interest of the clan to ensure that none of its own members exceed the nor-mative boundaries of revenge. When serious wrongs do occur—such as murder, theft, or rape—revenge is taken to correct the wrong and restore honor and face. However, these acts often precipitate a cycle of revenge and counter-revenge between families and clans that can last for generations, as reflected in the saying "The Pukhtoon who took revenge after a hundred years said, I took it quickly."41 This emphasis on revenge accounts for the vital role that elders play in tribal society: they must attempt to mediate between rival parties and settle matters peacefully through methods such as blood compensation, which is paid by mem-bers of the family, subclan, or clan of the accused or through arranged marriages between rivals, often cousins, so as to turn them into allies. According to elder tribesmen, the aim of revenge in traditional society is to provide a measured response aimed at correcting an injustice and ensuring stability.

#### The affirmative is necessary to resist the imperial logics of Islamaphobia.

Maira 9 Sunaina, Professor of Asian American Studies at the University of California, Davis, "Good" and "Bad" Muslim Citizens: Feminists, Terrorists, and U.S. Orientalisms”, Feminist Studies35: no. 3, Fall, http://www.uccnrs.ucsb.edu/sites/www.uccnrs.ucsb.edu/files/publications/Maira.FeministStudies.2009.pdf

Given the FBI’s pattern of using informants to provoke Muslim Amer icans into declarations of dissent, the state seems to seek out and even foster the radical ideas that it then uses as examples of terrorist conspiracies. For example, FBI informants provided the plans and weapons for proposed attacks in the cases of the Fort Dix Five (five young Muslim men arrested in New Jersey in 2007) and of four men arrested in 2009 for plotting to attack a synagogue in New York.17 This is the strange irony at the heart of the War on Terror: the state needs “bad Muslims” in order to justify its assault on civil liberties, and if they are not visible, it must call them into public being to prove the threat to national security. This mechanism is based not just on entrapment but also on the twisted political logic embedded in a war that, by definition, needs terrorism. As Gayatri Spivak ob serves: “Something called terror is needed in order to declare a war on it–a war that extends from the curtailment of civil liberties to indefinite augmentation of military self-permission. Without the word terror, this range of things, alibied in the name of women, cannot be legitimized.”18 Increasingly, then, the only statements that Muslim Americans feel secure making to distance themselves from “bad” Muslims are denunciations of terrorism and insistence on Islam as a peace-loving religion. Salaita proposes an “ethics of refusal” of this “prerequisite to speaking” for Arabs and Muslims, given that invoking the specter of “terrorism” by denying it nevertheless reinscribes Orientalist notions of Muslim and Arab violence and evades discussions of political grievances and state-sponsored violence.19 Although some Muslim and Arab American spokes persons feel compelled to make public statements asserting good citizenship in response to the criminalization of their political views, I would extend Salaita’s call for an “ethics of refusal” to the broader issue of political resistance: there also needs to be an ethical defense of the collective right to express dissent, even “radical” or heretical ideas. Gender and Orientalism Performances of “good” and “bad” Muslim citizenship are heavily gendered and Orientalized. As Miriam Cooke observes, “Imperial logic genders and separates subject peoples so that the men are the Other and the women are civilizable.” The preoccupation in the United States with women in hijab, or presumably “oppressed” Muslim and Arab women, coexists with a desire to rescue them from their tradition in order to bring them into the nation. At the same time, there is a deep anxiety about Muslim and Arab men as potential terrorists and religious fanatics who are antithetical to Western liberal democracy and ultimately inassimilable. Examining recent controversies about Islam, immigration, and culture in Canada and Norway, Sherene H. Razack argues that the figure of the “imperilled Muslim woman,” who can be emancipated in the West and saved by Western feminists from “forced marriages, veiling practices, and female genital mutilation,” provides “a rationale for engaging in the surveillance and disciplining of the Muslim man and of Muslim communities.” The tightening of borders in Fortress Europe–and the U.S. garrison nation–is intertwined with moral panics about defending the modern, liberal, European/“Western” individual against the racialized figures of the “dangerous” Muslim man and the oppressed Muslim woman.20 The politics of rescue of Muslim women is also steeped in liberal concepts of individualism, autonomy, and choice that shape a binary and neo-Orientalist world view. A resurgent imperial feminism assumes that it is the United States or Western culture that must bring “freedom” to cer tain areas of the world, even if paradoxically via a military force– another case of white men (and white women) trying to save brown women from brown men. Missionary feminism has long produced a cultural discourse of saving Muslim women in different colonial encounters with terrorists or insurgents, ignoring the indigenous women’s movements and the complexities of race, nationalism, and class at work.21 For example, according to Marnia Lazreg, the French military in Algeria “found in the ideology of ‘women’s emancipation’ a weapon of choice” in their military strategy to counter the resistance of the National Liberation deemed beyond the pale),” making women a “Trojan horse” in their “pacification doctrine.” The French military produced radio shows targeting Algerian women and staged public “unveiling ceremonies of Algerian women” that involved a deceptive “battle of the veils” because rural Algerian women, who did not generally veil at the time, had to be first coerced into veiling in order to then be coerced into unveiling.22 These counterinsurgency strategies resemble current U.S. programs aimed at cultivating support for U.S. policies in Iraq and the Middle East, from Radio Sawa and the U.S. Middle East Television Network (Al Hurra, which means “free”) to U.S.-funded nongovernmental organizations (NGOs) for Iraqi women, some of which were founded by the U.S. administration before the war to justify the invasion of Iraq.23 The U.S. State Department has already recruited “moderate Muslim” feminists to testify to the freedom of religion in the United States through Web chats with audiences in Muslim-majority countries. These interventions involve the use of gen dered bodies and ideologies as well as assumptions about modernity, “progress,” and women’s rights, shaped by colonial and racial thinking. As Razack observes, contemporary imperial feminists are only con - cerned with the violence against Third World women associated with patriarchal traditions and not with “the violence of poor educational and job access or the dislocation and forced migration of large numbers of Muslims through war.” These material issues of globalization and imperialism trouble “culture talk” and raise questions about the role of the United States. Such imperial feminists show little sympathy for the Afghan (and now Pakistani) women and children bombed by the United States and U.S.-backed forces, for girls who were raped and murdered by U.S. soldiers in Iraq, or for Palestinian women who live under an illegal occupation funded and supported by the United States.24 The selective global focus of late-imperial feminism is embedded in a larger history of using the plight of other women as a foil for domestic U.S. debates about feminism and internal tensions within feminist movements. Sylvia Chan-Malik, for example, explores how preoccupation with the cause of Iranian women during the Islamic Revolution in the late 1970s allowed U.S. Second Wave liberal feminism to divert attention from the critiques of race and class being waged by Black and Third World feminists and to regenerate itself through staging a “global feminism.” Sim ilarly, Inderpal Grewal and Caren Kaplan argue that much liberal feminist discourse now universalizes a notion of global sisterhood under attack by Islamic fundamentalism, female genital mutilation, and “honor” killings. Clearly, complex questions of nationalism, imperialism, religion, secularism, race, and class underlie conflicts within U.S. feminisms that are signified by the tropes of the Arab and Muslim woman, as well as of the Arab and Muslim man. At the same time, Muslim and Arab American communities hold divergent views about how to respond to the War on Terror that also implicate Arab and Muslim femininities and masculinities.25

## Contention 4 – Role of the Ballot

#### Debating about the bureaucratic mechanisms frames the question of targeted killing only in terms of “civilians” versus “militants” – The Aff’s recentering the discussion on the experience of the people who live amid the strikes is the only way to ethically approach the violence enacted against them.

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In other words, the government says the basis of its actions is secret. HRW responds by demanding that the government hand over control of the drone attacks from the CIA to the military. (The assumption that the military will be more transparent is rather dubious.) Once the problem — and consequently, the solution that flows from it — is framed in these terms, it is the government’s secrecy on which the whole issue turns. The only question here is how many “civilians” versus “militants” are killed; that is, if we could just get the calculus right, there would be no further ethical or political questions. Such a position merely calls for the legalization of an illegal war. It is a sensibility of rules without a sense of principle. Rather than questioning from where we have come and where we are going, it simply asks that the trains run on time. Even as we debate the legal machinations, official leaks and governmental manipulations by which they are killed, the daily, material, precarious existence of the people living under the disquieting hum of American drones in Pakistan’s tribal areas rarely sits at the center of discussion. But what if it did? If, instead of the public secret, one begins with a prosthetic limb, a glass eye, and a funeral photo, the nightmare takes form, solidifies. There is Sadaullah before you or Karim Khan talking about the brother and son he lost, or S. Hussein offering you the funeral snapshot of his months-old niece, you know that the difference between being killed by an administration that lies about how many civilians it has killed and one that has simply “changed the definition” is exactly zero. This is not information that affects the lives at hand. It doesn’t really matter if you’re killed by a lie or a definition.

#### A Genuine Affirmation of Periphery is Key to Deconstruct the “Good” Muslim v “Bad” Muslim dichotomy that is Created by the Center – Key to Challenge Colonial Racism

Maira 9

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The War on Terror has produced two, largely dichotomous modes of expressing cultural citizenship for Muslim Americans after 9/11. These are what I call “good” and “bad” Muslim citizenship, drawing on Mahmood Mamdani’s book, Good Muslim, Bad Muslim: America, the Cold War, and the Roots of Terror.Mamdani observes that after 9/11, President Bush moved to distinguish between “good Muslims” and “bad Muslims.”. . . “[B]ad Muslims” were clearly responsible for terrorism. At the same time, the president seemed to assure Americans that “good Muslims” . . . would undoubtedly support “us” in a war against “them.” . . . But . . . unless proved to be “good,” every Muslim was presumed to be “bad.”4 Mamdani’s analysis distinguishes between “good” versus “bad” Muslims from the perspective of the state’s War on Terror but does not focus on the political responses of individual Muslims themselves, so I am extending his framework to the selves represented by Muslim Americans and the ways their political identities are interpreted in moral and gendered terms. These “good” and “bad” identities rework notions of “enemies” and “defenders of freedom” from the cold war era as part of the culture of the national security state.5 “Good citizenship” is performed by Muslim American individuals and organizations in a variety of ways, testifying loyalty to the nation and asserting belief in its democratic ideals, often through public testimonials that emphasize that Muslims are peaceful, loyal U.S. citizens. An “imperative patriotism” that deems dissent against state policies unpatriotic has long been used by the United States to suppress radical movements, such as the American Indian movement and the Black Panthers, which were considered enemies of “American values.” Although the hyperpatriotic nationalism of the post-9/11 moment has been widely acknowledged, Steven Salaita traces this imperative patriotism to the history of settler colonialism and the “need to create a juridical mentality that professes some sort of divine mandate to legitimize [the settlers’] presence on in - digenous land” by dividing chosen peoples from uncivilized savages.6 These foundational myths continue to underwrite discourses about barbarism and civilization that legitimate the occupation of Muslim and Arab nations and the regulation, surveillance, and torture of Muslim and Arab subjects. U.S. Orientalism has legitimated imperial interventions overseas that, unlike older European forms of colonialism, often rest on covert interventions, indirect control, and a discourse of benevolent em - pire that masks the internal exclusion and violence against native peoples, African Americans, and others.7

#### Now under the framework of the Pakhtunwali – we conclude with an open and unconditional invitation to join this Jirga – melmaste. If you Panah (accept our invitation to the jirga) we offer Nanawatay (apologies and forgiveness for any wrongdoing) to end bandal (cycles of revenge, mistrust and hostility)