# 2AC

### Drones

Drones policy is shrouded in secrecy – debate is impossible because of the lack of transparency – instead of assessing the information selectively leaked by the government, focus should be on the production of knowledge behind policy.

Toth, ’13 [Kate Toth, London School of Economics, Dissertation; “REMOTE-CONTROLLED WAR: IMPLICATIONS OF THE DISTANCING OF STATE-SPONSORED VIOLENCE ON AMERICAN DEMOCRACY”; Apr 27, 2013; http://www.academia.edu/3125323/REMOTE-CONTROLLED\_WAR\_IMPLICATIONS\_OF\_THE\_DISTANCING\_OF\_STATE-SPONSORED\_VIOLENCE\_ON\_AMERICAN\_DEMOCRACY]

With regard to drones, what the public knows has been released through leaks to the press that were likely approved by the President (Engelhardt, 2012). Though the government now claims the right to assassinate Americans along with foreigners through the drone program, “informed public debate and judicial oversight” are impossible because “its drone program is so secret [the government] can't even admit to its existence” (Freed Wessler, 2012). That is, except via leaks that allow Obama to craft a politically advantageous narrative (Friedersdorf, 2012a). Meanwhile, the use of drones has exploded domestically, and again, “citizens lack a basic right to know who is operating the drones circling their houses, what information is being collected and how it will be used” (ABC News, 2012). The Bush administration politicized science (Beck, 1992) by notoriously editing reports on climate change and pressuring scientists (Coglianese, 2009). This is instructive for the current debate as it exhibits that one cannot simply assess the information released, but examine this knowledge within a political context, harking back to Foucault’s (1997) production of knowledge. Writing about the covert drone strikes, Friedersdorf (2012b) in The Atlantic asked, “in what sense would we be living in a representative democracy if neither the bulk of Congress nor the people” are told about the strikes? One of the lingering questions raised from this debate is, how different is it if we were told the bare minimum of facts via leaks, so still preventing effective debate, versus being told nothing at all? When President Obama took office, in the memo outlining his “Transparency and Open Government” initiative, it was written that transparency will “ensure the public trust and establish a system of transparency, public participation, and collaboration” and that this transparency will “strengthen our democracy” (White House, 2009). This is what Obama believes transparency has the power to achieve, and it falls in line with the access to information that Diamond and Morlino (2004) highlight as key to accountability in democracy. President Obama’s track record is, perhaps, an example of not striking the right balance between what, and how much, to release. However, given that many of the steps he has taken, both in terms of transparency of existing programs and secrecy regarding proliferation of new programs such as drones, it does not seem likely that this is unintentional. Transparency relies on a strong civil society to use the information effectively, or press for it to be released (Etzioni, 2010); perhaps this lack of accountability is also indicative of the weakness of current American civil society and media.

The meaning given to the word “terrorist” causes catastrophe – recognizing the instability of the construct solves cycle of enemy creation

Whitbeck 2 (John V. International Lawyer from Saudi Arabia, " "Terrorism": The World Itself Is Dangerous," <http://www.wrmea.com/component/content/article/237/4063-qterrorismq-the-world-itself-is-dangerous.html>)

The greatest threat to world peace and civil society today is clearly "terrorism" - not the behavior to which the word is applied but the word itself. Since the word "terrorism" (like the behavior to which the word is applied) can never be eradicated, it is imperative to expose it for what it is - a word. For years, people have recited (often with a wry smile) the truisms that "One man's terrorist is another man's freedom fighter" and that "Terrorism, like beauty, is in the eye of the beholder." However, with the world's sole superpower declaring an open-ended, worldwide "war on terrorism," proclaiming that this "war" has only just begun and promising to persevere until "victory," the notorious subjectivity of this word is no longer a joke. It is no accident that there is no agreed definition of "terrorism," since the word is so subjective as to be devoid of any inherent meaning. At the same time, however, the word is extremely dangerous because many people tend to believe that it does have meaning. Furthermore, many others use and abuse the word by applying it to whatever they hate as a way of avoiding rational thought and discussion and excusing their own illegal and immoral behavior. There is no shortage of precise verbal formulations for the diverse acts to which the word "terrorism" is often applied. "Mass murder," "assassination," "arson" and "sabotage" are available (to all of which the phrase "politically motivated" can be added if appropriate). However, such precise formulations do not carry the overwhelming, demonizing and thought-deadening impact of the word "terrorism," which is, of course, precisely the charm of the word for its more cynical and unprincipled users and abusers. If someone commits "politically motivated mass murder," people might be curious as to the cause or grievances which inspired such a crime, but no cause or grievance can justify (or even explain) "terrorism", which all right-thinking people must agree is the ultimate evil. Crimes such as "murder," "arson" and "sabotage," as well as assorted gradations of them, are already on the statute books, rendering specific criminal legislation for "terrorism" as such both unnecessary and undesirable. Creating distinct crimes and punishments for "terrorist" offenses injects a wholly subjective element into criminal law, which, to be fair and to be seen to be fair, should be based rigorously on what a person has done, not why he did it (let alone who he is or to whom he did it). A crime labeled "terrorism" is almost always punished more severely than the same act to which the label "terrorism" is not attached. Thus, killing to advance a cause in which one deeply believes is deemed more reprehensible than killing because one dislikes the victim or wants to steal his property. One can understand why those in power might consider the former motivation more dangerous. The moral and ethical balance between the two motivations (if one believes that motivation should make any difference at all in the punishment for the crime) is less clear. Any dispassionate analysis of the use of the word "terrorism" also reveals that the choice to use or not to use the word is frequently based not on the act itself but on who is doing it to whom. Prior to the withdrawal of Israel's occupation forces from southern Lebanon, French Prime Minister Lionel Jospin, on a visit to the region, used a press conference to publicly denounce as "terrorist acts" attacks by Hezbollah fighters against Israeli occupation forces within Lebanon. Mr. Jospin seemed genuinely surprised when, the next day, Palestinians showered him with stones as he left a meeting with President Yasser Arafat in Ramallah. He should not have been surprised. Mr. Jospin would never have dreamed of characterizing as "terrorist acts" attacks by French resistance fighters against German occupation forces in France during the Second World War. Such fighters are France's greatest heroes. Yet, objectively, there is no distinction between the two resistance struggles. The only distinction is who is resisting whom - a distinction blindingly clear to an Arab or Muslim audience. Mr. Jospin, a fundamentally decent man, surely did not intend to give a demonstration of racism and bigotry at his press conference. For someone raised in the West, where anti-Arab racism is the only socially acceptable form of racism (indeed, where it is almost obligatory at the highest levels of society), where Islamophobia is a deeply entrenched historical and social phenomenon and where anti-Arab and anti-Muslim propaganda is relentless and rarely questioned, it just came naturally. Arabs and Muslims are acutely aware of the widespread Western (and particularly American) tendency to view them as less than fully human - or at least not as human beings entitled to basic human rights. Enthusiastic Western (and particularly American) approval of the transformation of the Arab land of Palestine into the Jewish state of Israel (necessarily requiring the dispossession and dispersal of the indigenous Palestinian population) and Western (and particularly American) indifference to the sanctions-induced premature deaths of over half a million Iraqi children under the age of five (characterized by former Secretary of State Madeleine Albright, without eliciting any discernible outrage in the United States, as a "price worth paying" for America's Iraq policy) cannot otherwise be explained. No one who believes that Arabs are human beings could approve of the former or be indifferent to the latter. Holding both views simultaneously is logically and intellectually impossible. Arab and Muslim awareness of their dehumanization in Western eyes - an obvious factor in enflaming the deep sense of humiliation and the white-hot hatred which produced both the September 11 attacks and the discreet but pervasive sense of satisfaction among Arabs and Muslims that someone had finally hit back - can only be further enflamed by the West's almost exclusive use of the demonizing term "terrorism", particularly since September 11, to refer to causes deemed just by most Arabs and Muslims. Even when the adjective "Islamic" is omitted, it seems to be implied and understood. Americans in particular should not fool themselves about the true Arab and Muslim reaction to the September 11 attacks and the reason for that reaction. On January 30, 2002, the Arab News, Saudi Arabia's leading English-language newspaper, published the following report on an interview given to the New York Times by Saudi Arabia's Director of Intelligence, Prince Nawaf bin Abdul-Aziz Al-Saud: "Prince Nawaf acknowledged that the vast majority of Saudi young adults felt sympathy for the cause of Osama bin Laden after September 11. . . A classified U.S. report taken from a survey of educated Saudis between the ages of 25 and 41 in mid-October concluded that 95 percent of them supported bin Laden's cause. . . He attributed the support to people's feelings against the U.S., largely because of its unflinching support of Israel." Wars are waged against countries and people, not against religions or subjective epithets, but a "war on terrorism" whose targets are almost exclusively Muslim can readily be perceived by those so targeted and demonized, with potentially catastrophic results, as not simply a war against Muslims but a "war against Islam." A "war on terrorism" which brands virtually all efforts by Arabs and Muslims to right deeply felt wrongs as not just illegitimate but criminal, and which treats Arabs and Muslims generally as inherently suspect of "terrorist" intent and as unworthy of basic human rights, is virtually guaranteed to produce more and worse instances of precisely what this "war" is ostensibly intended to eradicate. Most acts to which the word "terrorism" is applied (at least in the West) are tactics of the weak, usually (although not always) against the strong. Such acts are not a tactic of choice but of last resort. To cite one prominent example, the Palestinians would certainly prefer to be able to fight for their freedom from a never-ending occupation by "respectable" means, using F-16's, Apache attack helicopters and laser-guided missiles such as those the United States provides to Israel. If the United States provided such weapons to Palestine as well, the problem of suicide bombers would be solved. Until it does, or at least until the Palestinians can see some genuine and credible hope for a decent future, no one should be surprised or shocked that Palestinians use the "delivery systems" available to them - their own bodies. Genuine hope for something better than a life worse than death is the only cure for the despair which inspires such gruesome violence.

Al Qaeda does not exist as a unique entity – it is an umbrella term for anyone the US considers as an enemy.

Corrigan 13 (Edward Corrigan, human rights and international lawyer from Ontario, to shed more light on the issue of the US and al-Qaeda interrelations., <http://www.presstv.com/detail/2013/08/07/317696/alqaeda-threat-ploy-to-silence-americans/>)

What follows is an approximate transcription of the interview. Press TV: Now, it seems, from the statement of the White House press secretary, that anybody whose ideology is against the US or is perceived as a threat, is categorically regarded as al-Qaeda. Corrigan: That is a correct observation, but the other issue is that it really is a phantom; something that does not exist. Al-Qaeda means the database. There is no organization, there is no hierarchy and there is no membership card, there is no oath. So al-Qaeda as an organization, in a conventional sense, does not exist but anybody that the Americans have a grievance with or somebody who has a grievance with the United States is all put under this umbrella and they say this is al-Qaeda or its affiliates, okay? At the very best, it is a very, very loose, nebulous organization; not organization but maybe some contacts between Islamic groups and groups that have national grievances against the United States for some reason or another. But the anger that has been expressed in existence with the massive killing by the drone strikes of innocent civilians, the massive intervention into internal affairs of other countries and blowing up people without, really, a just cause;..., just under the mere premise that we suspect that they may be opposed to us, which is the worst of the Nazis and the Stalinists and any other sort of totalitarian country would do just to get away with people that they want to kill, or even people they just think may be a threat. But thinking somebody is a threat and somebody being an actual threat is totally different and of course especially when you have the United States deciding in a unilateral manner who is a threat and everybody, of course if they kill, happens to be a threat and a few civilians, they say, are collateral damage, but there is massive killings of innocent civilians. But this whole thing is really a pretext; I agree with, I guess, one of your previous speakers where they said this is just a pretext used to support the NSA program. Right now there is a massive effort on the part of the Congress to curtail the NSA. Germany for example has cut off its agreement with the United States and Britain over the spying scandal. You earlier addressed the fact that a number of South American countries; Bolivians and others have also strongly protested this, ok? But the anger to the United States is because of their drone program; is because of this massive spying, it is because of killing of the civilians, intervention into other countries rights and the whole thing because of the political pressure to curtail the NSA. It is miraculous, all of a sudden a threat comes up, you know, the al-Qaeda is on the run, we are destroying it, but all of a sudden they close all of the embassies. This is really a pretext used to try to silence the mounting opposition to the United States to these massive illegal spying programs.

### 2AC War Fighting

Presidents empirically proven to fail at war planning – hasty decision-making leads to unintended conflicts.

Griffin, ’12 [Stephen M. Griffin is a Rutledge C. Clement, Jr. Professor in Constitutional Law at Tulane University Law School, served as a Bigelow Fellow at the University of Chicago and research instructor in law at New York University, received the Sumter Marks Award in recognition of his publications; “The Tragic Pattern of the War Power: Presidential Decisions for War since 1945”; 2012]

This is an essential pillar of the reasoning of enthusiasts of unilateral presidential decisionmaking in foreign affairs. Because of the military legacy of the Cold War, presidents today not only have the ability to make swift decisions, but to actually have them visited rapidly on the enemy. There is also little doubt that Yoo’s somewhat Napoleonic portrayal of presidential decisionmaking is part of the cultural legacy of the Cold War. It was certainly promoted in the early Cold War by presidents themselves as well as their congressional supporters.216 As a comparison of the relative ability of the executive and legislative branches to make speedy decisions, Hamilton’s argument is certainly plausible as far as it goes, but in the kind of government we have had since the Cold War began, it does not take us very far. Swift decisionmaking has little to do with a presidential decision to initiate the kind of war that has occupied us here. Wars involving the potential of thousands of American casualties, millions of foreign casualties, and the expenditure of hundreds of billions of dollars are usually not based on off-the-cuff decisions. Korea (especially taking into consideration the decision to cross the 38th parallel), Vietnam and the 1991 Gulf War were enormous undertakings and required layers of complex interagency decisionmaking, not a single swift move. Indeed, these considerations were part of what made it necessary in 1947 to establish the NSC to coordinate policy within the executive branch. During the Cold War and after, the pre-Pearl Harbor constitutional order was identified with isolationism and no one thought a return to that policy after 1945 was realistic. But while it is relevant to ask if there was an alternative, there is no escaping the ineluctable reality that the post-1945 order was a tragedy waiting to happen. That order was inconsistent with the historical meaning of the Constitution and the original constitutional order remained relevant to making decisions for war. Whether the post-1945 order was necessary or not, it introduced deep tensions into the American system of governance. The case studies presented above show that the interagency process taking place inside the executive branch was not an adequate substitute for the constitutionally mandated interbranch process. The inability of the executive branch to deliberate and make effective decisions on its own manifested itself in surprising ways. The executive branch has repeatedly failed to engage in effective war planning. With respect to Korea, Truman had to cope with the novelty of limited war and the fact that he would have been criticized by Republicans if he had ordered MacArthur to stop at the 38th parallel to restore the status quo ante. Nonetheless, it was his decision alone to unite the peninsula, a decision made essentially on the fly. In turn, that caused China to intervene. Korea then became a conflict of unanticipated scope that ended in stalemate and ruined Truman’s last years in office. True to his initial decision to intervene, Truman did not share responsibility with Congress and so Congress escaped both a valuable learning experience and the blame for the war. In addition, the case studies show that there is considerable evidence that the executive branch has had problems determining on war aims. President George H. W. Bush studiously avoided consulting Congress during the crucial period of decision in fall 1990 when it became possible to contemplate turning Operation Desert Shield into Desert Storm. This meant that he did not have to resolve on a unified set of war aims that would have been a necessary part of convincing Congress to authorize the war. Like Truman, Bush waited until it was too late to convince Congress and the public that the war had a point beyond forcing Iraq out of Kuwait. Thus the war had no substantial implications for policy and could not even help Bush remain in office. Not submitting the war to a timely congressional decision that Bush would have respected turned out not only to be counterproductive in terms of policy, but contrary to Bush’s political interests. Similarly, President George W. Bush failed to clarify what the war in Afghanistan was for beyond the removal of al Qaeda from Afghan territory. Partly as a consequence, the war became an endless struggle against the Taliban in both Afghanistan and Pakistan that is still ongoing as of 2012. It is striking that the executive, often represented by presidentialists as the branch that is most decisive and expert on matters of war, could consistently both fail to deliberate and fail to reach agreement on its goals in going to war. This suggests strongly that the pressures to shirk hard choices are too great to be overcome by one branch working alone.

War powers’ expertism uniquely fails AND is supercharged by secret information – aff prevents serial policy failure.

Rana, ’11 [Aziz Rana received his A.B. summa cum laude from Harvard College and his J.D. from Yale Law School. He also earned a Ph.D. in political science at Harvard, where his dissertation was awarded the university's Charles Sumner Prize. He was an Oscar M. Ruebhausen Fellow in Law at Yale; “Who Decides on Security?”; 8/11/11; Cornell Law Library; <http://scholarship.law.cornell.edu/clsops_papers/87/>]

Despite such democratic concerns, a large part of what makes today’s dominant security concept so compelling are two purportedly objective sociological claims about the nature of modern threat. As these claims undergird the current security concept, by way of a conclusion I would like to assess them more directly and, in the process, indicate what they suggest about the prospects for any future reform. The first claim is that global interdependence means that the U.S. faces near continuous threats from abroad. Just as Pearl Harbor presented a physical attack on the homeland justifying a revised framework, the American position in the world since has been one of permanent insecurity in the face of new, equally objective dangers. Although today these threats no longer come from menacing totalitarian regimes like Nazi Germany or the Soviet Union, they nonetheless create of world of chaos and instability in which American domestic peace is imperiled by decentralized terrorists and aggressive rogue states. Second, and relatedly, the objective complexity of modern threats makes it impossible for ordinary citizens to comprehend fully the causes and likely consequences of existing dangers. Thus, the best response is the further entrenchment of Herring’s national security state, with the U.S. permanently mobilized militarily to gather intelligence and to combat enemies wherever they strike – at home or abroad. Accordingly, modern legal and political institutions that privilege executive authority and insulated decisionmaking are simply the necessary consequence of these externally generated crises. Regardless of these trade-offs, the security benefits of an empowered presidency (one armed with countless secret and public agencies as well as with a truly global military footprint)188 greatly outweigh the costs. Yet, although these sociological views have become commonplace, the conclusions that Americans should draw about security requirements are not nearly as clear cut as the conventional wisdom assumes. In particular, a closer examination of contemporary arguments about endemic danger suggests that such claims are not objective empirical judgments but rather are socially complex and politically infused interpretations. Indeed, the openness of existing circumstances to multiple interpretations of threat implies that the presumptive need for secrecy and centralization is not self-evident. And as underscored by high profile failures in expert assessment, claims to security expertise are themselves riddled with ideological presuppositions and subjective biases. All this indicates that the gulf between elite knowledge and lay incomprehension in matters of security may be far less extensive than is ordinarily thought. It also means that the question of who decides – and with it the issue of how democratic or insular our institutions should be – remains open as well. Clearly technological changes, from airpower to biological and chemical weapons, have shifted the nature of America’s position in the world and its potential vulnerability. As has been widely remarked for nearly a century, the oceans alone cannot guarantee our permanent safety. Yet, in truth they never fully ensured domestic tranquility. The nineteenth century was one of near continuous violence, especially with indigenous communities fighting to protect their territory from expansionist settlers. But even if technological shifts make doomsday scenarios more chilling than those faced by Hamilton, Jefferson, or Taney, the mere existence of these scenarios tells us little about their likelihood or how best to address them. Indeed, these latter security judgments are inevitably permeated with subjective political assessments, assessments that carry with them preexisting ideological points of view – such as regarding how much risk constitutional societies should accept or how interventionist states should be in foreign policy. In fact, from its emergence in the 1930s and 1940s, supporters of the modern security concept have – at times unwittingly – reaffirmed the political rather than purely objective nature of interpreting external threats. In particular, commentators have repeatedly noted the link between the idea of insecurity and America’s post-World War II position of global primacy, one which today has only expanded following the Cold War. In 1961, none other than Senator James William Fulbright declared, in terms reminiscent of Herring and Frankfurter, that security imperatives meant that “our basic constitutional machinery, admirably suited to the needs of a remote agrarian republic in the 18th century,” was no longer “adequate” for the “20th- century nation.” For Fulbright, the driving impetus behind the need to jettison antiquated constitutional practices was the importance of sustaining the country’s “preeminen[ce] in political and military power.” Fulbright held that greater executive action and war-making capacities were essential precisely because the United States found itself “burdened with all the enormous responsibilities that accompany such power.”192 According to Fulbright, the United States had both a right and a duty to suppress those forms of chaos and disorder that existed at the edges of American authority. Thus, rather than being purely objective, the American condition of permanent danger was itself deeply tied to political calculations about the importance of global primacy. What generated the condition of continual crisis was not only technological change, but also the belief that the United States’ own ‘national security’ rested on the successful projection of power into the internal affairs of foreign states. The key point is that regardless of whether one agrees with such an underlying project, the value of this project is ultimately an open political question. This suggests that whether distant crises should be viewed as generating insecurity at home is similarly as much an interpretative judgment as an empirically verifiable conclusion. To appreciate the open nature of security determinations, one need only look at the presentation of terrorism as a principal and overriding danger facing the country. According to the State Department’s Annual Country Reports on Terrorism, in 2009 “[t]here were just 25 U.S. noncombatant fatalities from terrorism worldwide” (sixteen abroad and nine at home).194 While the fear of a terrorist attack is a legitimate concern, these numbers – which have been consistent in recent years – place the gravity of the threat in perspective. Rather than a condition of endemic danger – requiring everincreasing secrecy and centralization – such facts are perfectly consistent with a reading that Americans do not face an existential crisis (one presumably comparable to Pearl Harbor) and actually enjoy relative security. Indeed, the disconnect between numbers and resources expended, especially in a time of profound economic insecurity, highlights the political choice of policymakers and citizens to persist in interpreting foreign events through a World War II and early Cold War lens of permanent threat. In fact, the continuous alteration of basic constitutional values to fit ‘national security’ aims highlights just how entrenched Herring’s old vision of security as pre-political and foundational has become, regardless of whether other interpretations of the present moment may be equally compelling. It also underscores a telling and often ignored point about the nature of modern security expertise, particularly as reproduced by the United States’ massive intelligence infrastructure. To the extent that political assumptions – like the centrality of global primacy or the view that instability abroad necessarily implicates security at home – shape the interpretative approach of executive officials, what passes as objective security expertise is itself intertwined with contested claims about how to view external actors and their motivations. This means that while modern conditions may well be complex, the conclusions of the presumed experts may not be systematically less liable to subjective bias than judgments made by ordinary citizens based on publicly available information. It further underscores that the question of who decides cannot be foreclosed in advance by simply asserting deference to elite knowledge. If anything, one can argue that the presumptive gulf between elite awareness and suspect mass opinion has generated its own very dramatic political and legal pathologies. In recent years, the country has witnessed a variety of security crises built on the basic failure of ‘expertise.’ 195 At present, part of what obscures this fact is the very culture of secret information sustained by the modern security concept. Today, it is commonplace for government officials to leak security material about terrorism or external threat to newspapers as a method of shaping the public debate. These ‘open’ secrets allow greater public access to elite information and embody a central and routine instrument for incorporating mass voice into state decision-making. But this mode of popular involvement comes at a key cost. Secret information is generally treated as worthy of a higher status than information already present in the public realm – the shared collective information through which ordinary citizens reach conclusions about emergency and defense. Yet, oftentimes, as with the lead up to the Iraq War in 2003, although the actual content of this secret information is flawed, its status as secret masks these problems and allows policymakers to cloak their positions in added authority. This reality highlights the importance of approaching security information with far greater collective skepticism; it also means that security judgments may be more ‘Hobbesian’ – marked fundamentally by epistemological uncertainty as opposed to verifiable fact – than policymakers admit.

Nuclear fear is mobilized to preemptively intervene in countries – causes 1NC impacts and turns the case

Masco, ‘8 (Joseph, ““Survival Is Your Business”: Engineering Ruins and Affect in Nuclear America” Cultural Anthropology, May 2008. Vol. 23, Issue 2)

Facing clear evidence of peril, we cannot wait for the final proof, the smoking gun that could come in the form of a mushroom cloud.¶ President George W. Bush, address to the nation on Iraq on October 7, 2002 ¶ Be prepared to be bombed. Be prepared to go back to the Stone Age.¶ President Musharraf of Pakistan, reporting on a message delivered to him from the U.S. State Department immediately after 9/11¶ Reclaiming the emotional history of the atomic bomb is crucial today, as nuclear fear has been amplified to enable a variety of political projects at precisely the moment American memory of the bomb has become impossibly blurred. In the United States, nuclear fear has recently been used to justify preemptive war and unlimited domestic surveillance, a worldwide system of secret prisons, and the practices of rendition, torture, and assassination. But what today do Americans actually know or remember about the bomb? We live not in the ruins produced by Soviet ICBMs but, rather, in the emotional ruins of the Cold War as an intellectual and social project. The half-century-long project to install and articulate the nation through contemplating its violent end has colonized the present. The terrorist attacks on New York and Washington, D. C, in 2001 may have produced a political consensus that "the Cold War is over" and a formal declaration of a counterterrorism project.23 But American reactions to those attacks were structured by a multigenerational state project to harness the fear of mass death to divergent political and military industrial agendas.¶ By evoking the image of the mushroom cloud to enable the invasion of Iraq, Bush appealed directly to citizens' nuclear fear, a cultural product of the very Cold War nuclear standoff he formally disavowed in inaugurating the new counterterrorist state. The mushroom-cloud imagery, as well as the totalizing immediacy of the threat in his presentation, worked to redeploy a cultural memory of apocalyptic nuclear threat (established during the four decades of the Soviet- American nuclear arms race) as part of the new "war on terror." The new color-coded terrorist warning system (first proposed by Project East River in 1952 to deal with Soviet bombers), as well as the more recent transformation of shampoo bottles on planes into a totalizing threat by the Homeland Security Administration, are official efforts to install and regulate fear in everyday life.24 In this regard, the "war on terror" has been conducted largely as an emotional management campaign in the United States, using the tropes and logics developed during the early Cold War to enable a new kind of U.S. geopolitical project. The "war on terror" redirects but also reiterates the American assumptions about mass violence and democracy I have explored in this essay.¶ If the September 11, 2001, attacks on New York and Washington, D. C, felt strangely familiar to many U.S. citizens, it was because American society has been imaginatively rehearsing the destruction of these cities for over three generations: in the civil defense campaigns of the early and late Cold War, as well as the Hollywood blockbusters of the 1990s, which destroyed these cities each summer with increasing nuance and detail. The genealogy of this form of entertainment is traumatic, it goes back to the specific way in which the United States entered the nuclear age with the atomic bombings of Hiroshima and Nagasaki, and the specific propaganda campaigns informing nuclear threat throughout the Cold War. Indeed, the ease with which the September 11, 2001, attacks were nationalized as part of a nuclear discourse by the Bush administration has much to do with this legacy (see Kaplan 2003). Not coincidentally, the two graphic measures of nuclear blast damage most frequently used during the Cold War were the Pentagon and the New York City skyline (cf. Eden 2004). Figures 8 and 9, for example, are taken from the U.S. Atomic Energy Commission campaign to document the size of the first U.S. hydrogen bomb test from 1952. Fourteen true-to-scale versions of the Pentagon (identified by the AEC as the largest building in the world) are placed inside the blast crater (the former Elugelab Island) to document its size, while the New York skyline is used to demonstrate the vast horizontal and vertical scope of the detonation. The events of 9/11 were easily nationalized and transformed into a nuclear discourse precisely because our security culture has imagined and rehearsed attacks on Washington and New York for generations, and because the specific symbols in the attacks (the Pentagon and the tallest building in the New York sky line) were also used by the nuclear state for three generations as part of its emotional management strategy.///// The Bush administration, in other words, mobilized a well-established logic of nuclear attack to pursue its policy objectives, translating discrete, nonnuclear threats into the emotional equivalent of the Cold War nuclear crisis.¶ For a nation that constructs itself via discourses of ruination, it should not be a surprise to see the exportation of ruins on a global scale.///////

### 2AC FW MAIN

### ---2AC Decisionmaking

#### There’s no brightline to their decisionmaking impacts – you can’t quantify one’s ability to make decisions based solely on plan-focus debate.

Plan-focus teaches flawed decisionmaking – the government is a bad role-model.

Hafner, ‘7 [Ferdinand Hafner, Lieutenant Commander, United States Navy; “COGNITIVE BIASES AND STRUCTURAL FAILURES IN UNITED STATES FOREIGN POLICY: EXPLAINING DECISION-MAKING DISSONANCE IN PHASE IV POLICY AND PLANS FOR IRAQ”; NAVAL POSTGRADUATE SCHOOL December 2007]

B. ORGANIZATIONAL PROCESS In this model, foreign policy decisions are not based on the most optimal solution to achieve national interests. Instead, they are based on the most optimal outcome for the organization. Structural features of organizations are the variables that explain decision making and resultant organizational options to address policy issues. These features consist of rules, standard operating procedures, roles, and organizational relationships. Standard operating procedures, for example, explain whether decisions are made in a hierarchical or flat organizational system. Standard operating procedures also explain how routine processes such as information processing and communications influence decision making. Allison states that rules and “parochial priorities such as group pressures and the tenure of individuals,” also impact the decision-making process.21 The most important structural feature of organizations is authority and control, conceptualized as leadership functions, which influence organization roles and relationships. It is human action that affects changes to all other structural features influencing the decision-making process.22 Leaders hold the power to make and influence decisions through their control over the subordinates that produce policy options from within the unit.23 Organizations are social systems, with defined rules of behavior and relationships predicated on one’s position in the organization and its environment. The national security system is one example of a social system. Leaders, particularly in hierarchical and centralized decision-making systems, affect the behavior of organizations and decision outputs because of the strong role of positional authority over units and individuals. There is a pecking order of who reports to whom, who gives direction, and who takes direction.24 The career civil servants who are subordinate to their politically appointed leaders play an important role because of their indirect connection to the president through their unit leader and their ability to produce decision outputs that can directly impact presidential decisions.25 The organizational perspective also explains how various applications of leadership functions change the decision-making dynamic. The traditional approach views foreign policy decisions as organizational outputs requiring presidential action. The president may delegate decisional authority to subordinate leaders, however, empowering them to make foreign policy decisions that address national interests. Organization leaders, by virtue of their role or title, may also command considerable influence on the decision-making process so that foreign policy decisions have already been made by an organization’s leader instead of as a policy option influencing the president’s decision.28 Whether it is a unit output requiring presidential decisions or delegated authority and control to a unit, organizations and the decision makers that lead them, not the state, are the decisional units.29 C. BUREAUCRATIC POLITICS According to this perspective, it is unrealistic to believe that the formulation of foreign policy and national security decisions occur without the influence of bureaucracies and individual agendas. Peter Gourevitch states that decisions are derived from ideas, and for an idea to win approval it must “acquire power.”30 The process by which an idea wins approval in the form of a decision and course of action entails a competition against other agendas. Ideas are influenced by both human and resource constraints, and it is these various forms of power that are captured under the concept of the bureaucratic politics paradigm. For example, Gourevitch states that bureaucratic competition requires “the support of various power rivals: money (budgets), arms, or institutions.”31 Institutions and individuals compete to perpetuate organization or group ideas that result in decisions favoring political goals. Graham Allison and Morton Halperin characterize decision making in bureaucracies as the “pulling and hauling” that occurs between various power brokers as the struggle to have agendas (ideas) acquire political power; it is the power required to win presidential approval for a course of action over other choices.32 Unlike the rational actor model, decisions and courses of action are not rational choices that are agreed on by decision makers and influenced by purposeful behavior between states. Allison and Halperin argue that foreign policy is and can be influenced by threats from the international system, but national security decisions are influenced by differences, not rational choices, between “domestic, organizational, and personal interests.”33 Bureaucratic politics and foreign policy outcomes are interdependent. In the bureaucratic politics perspective, positional power plays a significant role in how agendas get carried out as presidential decisions. For example, the Secretary of Defense, in general, wields more power than the Secretary of State. This is not to say that individuals with positional power can monopolize the decision-making process. No one individual can always win, and bureaucratic politics is a give-and-take process, where decisions are based on compromise, relinquishing certain aspects of one’s own personal position to achieve buy-in and approval from the larger group (bureaucracy) involved in the formulation of policy and decision making.34 Individuals do have their own ideas of foreign policy outcomes, but achieving a decision requires building consensus and negotiating comprises that result in a bargaining outcome. The process is neither an individual nor a unitary action. Gourevitch states that “majorities have to be built, coalitions constructed, and legitimating arguments developed.”35 Decision making in the bureaucratic politics paradigm, is a political or government action, not an individual action. D. INDIVIDUAL LEVEL: COGNITIVE DISSONANCE Robert Jervis states that “it is impossible to explain crucial foreign policy decisions without reference to policy makers’ beliefs about the world and the motives of the actors in it.”36 An individual level of analysis approach to national decision making explains how state leaders use beliefs and images from their past and the present-day environment to make future decisions. The study of decision making through cognitive psychology explains how the use of cognitive shortcuts distorts a rational decisionmaking process. Alexander George states that individuals develop, over time, “beliefs, images, and social constructs about their physical and social environment.”37 Individuals display a natural tendency to frame decisions based on data that resonates with one’s environment. The potential consequence is marginalizing factual information, impeding the consideration of rational policy objectives. The reliance by individuals on personal belief systems and images of their environment is the tendency of the mind to make order out of new information, consistent with known beliefs.38 As a result, personal beliefs can affect the quality of foreign policy when they dominate the policy process by limiting the consideration of multiple courses of action.

### ---AT Role Playing

#### Role playing leads to political monologue – supports oppressive structures and eliminates agency to question power.

Smith, ‘97 (Steve, University of Wales, Professor and Pro-Vice Chancellor of the University, University of Wales, Aberystwyth “Power and Truth, A Reply to William Wallace,” Review of International Studies, Vol. 23, No. 4 (Oct., 1997), p. 513, NAP)

Those academics who do get involved in talking truth to power must accept that in so doing they must adopt the agenda of those to whom they are talking. They will be involved in problem-solving, and thereby must accept the 'givens' of the policy debate. Policy-makers see certain things as givens; therefore if you write about them in order to influence the policy debate, you tend to have to write as if they are given as well. For academics such 'givens' are rarely seen as such. This has extremely important political and intellectual consequences since it questions the very notion of talking 'truth' to power. It is more a case of accepting the policy agenda of those to whom one is talking and then giving them a series of alternative ways of proceeding. I see no connection between this and speaking 'truth to power'. I can also admit the tendency to make what one says acceptable to those 'listening', so as to ensure that one is indeed 'listened to'. But more importantly, why should academics take the policy agenda of governments as the starting point? Why do we privilege that starting point rather than the needs and wants of the have-nots in our society or in the global political system? Indeed, maybe speaking 'truth to power' is itself a very political act, albeit in the name of academic neutrality, an act that supports the existing division of resources in the world. This situation is made all the worse once the possibility arises of getting funding from policy-making bodies, however much the individual academic wants to maintain the independence of his or her research. In my view, academics need a critical distance from which to look at the activities of governments. Perhaps the greatest form of isolation and self-righteousness is to accept the policy-makers' view of the world as the starting point, so that the academic sees the world as the policy-maker sees it. Where would questions of gender, famine, and racism fit into that world-view? Yet aren't these every bit as 'political' and 'international' as the traditional agenda? This seems to me to take us very far indeed from the idea of 'speaking truth to power'; the danger must be of telling the powerful what they want to hear and of working within their world-view. Of course, academics spend much time trying to avoid these dangers, and Wallace himself cannot be accused of simply adopting the agenda of the powerful, but surely he would admit that these dangers are profound and very difficult to avoid, especially if one wants to have influence and prestige within the policy-making community. My objection is really to those who pretend that any of this has anything to do with truth and academic objectivity.

### ---2AC T Version - Rana

#### Solely procedural solutions backfire and teach unrealistic advocacy.

Rana, ’11 [Aziz Rana received his A.B. summa cum laude from Harvard College and his J.D. from Yale Law School. He also earned a Ph.D. in political science at Harvard, where his dissertation was awarded the university's Charles Sumner Prize. He was an Oscar M. Ruebhausen Fellow in Law at Yale; “Who Decides on Security?”; 8/11/11; Cornell Law Library; <http://scholarship.law.cornell.edu/clsops_papers/87/>]

Widespread concerns with the government’s security infrastructure are by no means a new phenomenon. In fact, such voices are part of a sixty-year history of reform aimed at limiting state (particularly presidential) discretion and preventing likely abuses. What is remarkable about these reform efforts is that, every generation, critics articulate the same basic anxieties and present virtually identical procedural solutions. These procedural solutions focus on enhancing the institutional strength of both Congress and the courts to rein in the unitary executive. They either promote new statutory schemes that codify legislative responsibilities or call for greater court activism. As early as the 1940s, Clinton Rossiter argued that only a clearly established legal framework in which Congress enjoyed the power to declare and terminate states of emergency would prevent executive tyranny and rights violations in times of crisis. After the Iran-Contra scandal, Harold Koh, now State Department Legal Adviser, once more raised this approach, calling for passage of a National Security Charter that explicitly enumerated the powers of both the executive and the legislature, promoting greater balance between the branches and explicit constraints on government action. More recently, Bruce Ackerman has defended the need for an “emergency constitution” premised on congressional oversight and procedurally specified practices. As for increased judicial vigilance, Arthur Schlesinger argued nearly forty years ago, in his seminal book The Imperial Presidency (1973), that the courts “had to reclaim their own dignity and meet their own responsibilities” by abandoning deference and by offering a meaningful check to the political branches. Today, Lawrence Tribe and Patrick Gudridge once more imagine that, by providing a powerful voice of dissent, the courts can play a critical role in balancing the branches. They write that adjudication can “generate[]—even if largely (or, at times, only) in eloquent and cogently reasoned dissent—an apt language for potent criticism.” The hope – returned to by constitutional scholars for decades – has been that by creating clear legal guidelines for security matters and by increasing the role of the legislative and judicial branches, government abuse can be stemmed. Yet despite this reformist belief, presidential and military prerogatives continue to expand even when the courts or Congress intervene. Indeed, the ultimate result has primarily been to entrench further the system of discretion and centralization. In the case of congressional legislation (from the 200 standby statutes on the books to the post September 11 and Iraq War Authorizations for the Use of Military Force to the Detainee Treatment Act and the Military Commissions Acts), this has often entailed Congress self-consciously playing the role of junior partner – buttressing executive practices by providing its own constitutional imprimatur to them. Thus, rather than rolling back security practices, greater congressional involvement has tended to further strengthen and internalize emergency norms within the ordinary operation of politics. As just one example, the USA PATRIOT Act, while no doubt controversial, has been renewed by Congress a remarkable ten consecutive times without any meaningful curtailments. Such realities underscore the dominant drift of security arrangements, a drift unhindered by scholarly suggestions and reform initiatives. Indeed, if anything, today’s scholarship finds itself mired in an argumentative loop, re-presenting inadequate remedies and seemingly incapable of recognizing past failures. What explains both the persistent expansion of the federal government’s security framework as well as the inability of civil libertarian solutions to curb this expansion? In this article I argue that the current reform debate ignores the broader ideological context that shapes how the balance between liberty and security is struck. In particular, the very meaning of security has not remained static but rather has changed dramatically since World War II and the beginning of the Cold War. This shift has principally concerned the basic question of who decides on issues of war and emergency. And as the following pages explore, at the center of this shift has been a transformation in legal and political judgments about the capacity of citizens to make informed and knowledgeable decisions in security domains. Yet, while underlying assumptions about popular knowledge – its strengths and limitations – have played a key role in shaping security practices in each era of American constitutional history, this role has not been explored in any sustained way in the scholarly literature.

### ---Conformity Turn

#### Their framework forces conformity, devaluing alternative rhetorical perspectives.

Secomb 2K (Linnell, a lecturer in Gender Studies at the University of Sydney “Fractured Community” Hypatia – Volume 15 Number 2 Spring 2000 pg. 138-139

This reformulated universalist model of community would be founded on "a moral conversation in which the capacity to reverse perspectives, that is, the willingness to reason from the others' point of view, and the sensitivity to hear their voice is paramount" (1992, 8). Benhabib argues that this model does not assume that consensus can be reached but that a "reasonable agreement" can be achieved. This formulation of community on the basis of a conversation in which perspectives can be reversed, also implies a new understanding of identity and alterity. Instead of the generalized other, Benhabib argues that ethics, politics, and community must engage with the concrete or particular other. A theory that only engages with the generalized other sees the other as a replica of the self. In order to overcome this reductive assimilation of alterity, Benhabib formulates a universalist community which recognizes the concrete other and which allows us to view others as unique individuals (1992, 10). Benhabib's critique of universalist liberal theory and her formulation of an alternative conversational model of community are useful and illuminating. However, I suggest that her vision still assumes the desirability of commonality and agreement, which, I argue, ultimately destroy difference. Her vision of a community of conversing alterities assumes sufficient similarity between alterities [End Page 138] so that each can adopt the point of view of the other and, through this means, reach a "reasonable agreement." She assumes the necessity of a common goal for the community that would be the outcome of the "reasonable agreement." Benhabib's community, then, while attempting to enable difference and diversity, continues to assume a commonality of purpose within community and implies a subjectivity that would ultimately collapse back into sameness. Moreover, Benhabib's formulation of community, while rejecting the fantasy of consensus, nevertheless privileges communication, conversation, and agreement. This privileging of communication assumes that all can participate in the rational conversation irrespective of difference. Yet this assumes rational interlocutors, and rationality has tended, both in theory and practice, to exclude many groups and individuals, including: women, who are deemed emotional and corporeal rather than rational; non-liberal cultures and individuals who are understood [sic] as intolerant and irrational; and minoritarian groups who do not adopt the authoritative discourses necessary for rational exchanges. In addition, this ideal of communication fails to acknowledge the indeterminacy and multiplicity of meaning in all speech and writing. It assumes a singular, coherent, and transparent content. Yet, as Gayatri Spivak writes: "the verbal text is constituted by concealment as much as revelation. . . . [T]he concealment is itself a revelation and visa versa" (Spivak 1976, xlvi). For Spivak, Jacques Derrida, and other deconstructionists, all communication involves contradiction, inconsistency, and heterogeneity. Derrida's concept of différance indicates the inevitable deferral and displacement of any final coherent meaning. The apparently rigorous and irreducible oppositions that structure language, Derrida contends, are a fiction. These mutually exclusive dichotomies turn out to be interrelated and interdependent: their meanings and associations, multiple and ambiguous (Derrida 1973, 1976). While Benhabib's objective is clearly to allow all groups within a community to participate in this rational conversation, her formulation fails to recognize either that language is as much structured by miscommunication as by communication, or that many groups are silenced or speak in different discourses that are unintelligible to the majority. Minority groups and discourses are frequently ignored or excluded from political discussion and decision-making because they do not adopt the dominant modes of authoritative and rational conversation that assume homogeneity and transparency.

# 1AR

#### Drone secrecy is the norm of the Obama administration – May’s disclosure of information was calibrated to avoid public scrutiny.

Shah, ‘8/13 [Naureen Shah is an advocacy adviser at Amnesty International USA and author of several studies on the impact of US drone strikes; “Obama Has Not Delivered on May’s Promise of Transparency on Drones”; August 17, 2013; <http://www.alternet.org/civil-liberties/obama-has-not-delivered-mays-promise-transparency-drones?paging=off>

The past two weeks have seen an escalation in drone strikes more dramatic than any since 2009. The media estimate that more than 37 people have died in a series of strikes in Yemen. The US government has refused to officially acknowledge the strikes surge or reports of potentially unlawful deaths – just as it did, for years, refuse to confirm reports of the more than 300 drone strikes in Pakistan. On drones, secrecy is business as usual – and it carries on. Earlier this summer, however, there was hope for a different way forward. In late May, the White House released more information about US drone strikes than it ever had before. Following a major address on national security by President Obama, the government pledged to keep sharing "as much information as possible". In fact, since May, the White House has not officially released any new information on drone strikes (though leaks still abound). While NSA surveillance has taken center-stage, the government's policy of secrecy and obfuscation on drones persists, too. Past critics of the drone program – ranging from Senator Rand Paul (Republican, Kentucky) to Senator Ron Wyden (Democrat, Oregon) – should take notice. It is time to renew and expand the demand for answers about who is being killed. Instead of acknowledging the new strikes and describing a coherent policy and legal approach, the government has again chosen to selectively disclose information that raises more questions than it answers. Thus, an unattributed leak to the New York Times on Monday served up a major policy change in the form of a morsel, with little elaboration, that a recent terrorist threat has "expanded the scope of people we could go after". So, the question of whom the United States believes it can kill in drone strikes remains, as it ever was, full of unknowns. A handful of bullet-points on the government's "policy standards" for using lethal force, which the White House released in May concurrently with the president's national security speech, initially appeared to provide some guidance. But it expressly does not apply in "extraordinary circumstances", and since the embassy closures of earlier this month could be interpreted as providing such justification, the memorandum may not be relevant to the latest spate of strikes in Yemen. The White House could clarify this issue; better yet, it could move beyond conveniently malleable policy standards and describe how the government applies existing international law. Instead, the White House has again chosen to operate secretly and under rules of its own creation, which may permit killing individuals under a concept of "imminence" (of threat) that departs radically from all conventional interpretations of the law. Even more damning is that, in the absence of any commitment to investigating credible allegations of unlawful deaths, the United States appears indifferent to the question of who is actually dying in drone strikes. President Obama admitted in May that four US citizens had been killed, three of whom – including 16-year-old Abdulrahman Aal-Awlaki – he admitted were not intended targets. But the president did not define the identities of the more than 4,000 other people killed, or specifically address reports that a significant number of the dead – in assessments varying between 400 and nearly 1,000, according to the Bureau of Investigative Journalism – were civilians. When the president acknowledges four deaths of US citizens, but not 4,000 deaths of non-Americans, he signals to the world a callous and discriminatory disregard for human life. Perhaps only a fraction of these 4,000 deaths were unlawful. But acknowledging and investigating these deaths is a matter of dignity and justice – for the survivors of strikes, their communities and their countrymen. When deaths are found to be unlawful, victims' families and survivors have a right to reparation. Refusing to investigate deaths is a matter of disrespect both for international law and for the public's right to know the full truth. Many critics, before President Obama's May address, feared that foreign governments would follow the US to lead and conduct secret drone strikes without regard for international law. They should still be concerned about the precedent the US government is setting: refusing to investigate or be held accountable for wrongful deaths. The risk now is not just that the late May reforms on drone strikes were half-measures, but that they were calibrated to merely reassure the public, defuse criticism, and avert longer, harder scrutiny of whether the government's actions are lawful and right. A token dose of transparency may remove the sting of government secrecy, but it does not cure the disease.