### Off

#### The harms of the 1AC are merely subsets of an unawakened anxiety that exists at our core—panic over death prevents us from living

Loy, 3

(David Robert Loy is a professor, writer, and Zen teacher in the Sanbo Kyodan tradition of Japanese Zen Buddhism. “The Great Awakening” pg. 19-20) Henge

“Suffering,” the usual English translation for dukkha, is not very enlightening, especially today, when those of us who live in wealthy countries have many ways to entertain and distract ourselves. The point of the Buddhist term is that we nonetheless experience a basic dissatisfaction, a dis-ease, which continues to fester. That there is something inherently frustrating about our lives is not accidental or coincidental. It is the nature of an unawakened mind to be bothered about something. At the core of our being we feel a free-ﬂoating anxiety, which has no particular object but can plug into any problematic situation. We may try to evade this anxiety by dulling ourselves with alcohol, tobacco or other drugs, television, consumerism, sex, and so forth, or we may become preoccupied with various goals we pursue, but the anxiety is always there; and when we slow down enough to become sensitive to what is occurring in our minds, we become aware of it—which is one reason we do not like to slow down. This implies that everything we normally understand as suffering is only a subset—for some of us a relatively small subset—of dukkha. The Pali sutras distinguish dukkha into three different types.10 The ﬁrst, dukkha-dukkhata, includes everything that we usually think of as suffering: all physical, emotional, and mental pain or discomfort, including being separated from people we like to be with, and being stuck with those we do not. This also includes the types of social dukkha mentioned above. A second and different type is viparinama-dukkhata, the dukkha that arises from impermanence, from knowing that nothing lasts forever and most things do not last long. Even when we are thoroughly enjoying ourselves, we know the moment will not last, and there is something frustrating about that awareness. However delicious that ice cream may taste, we know the last bite is coming soon—and even if we buy another cone, it does not taste as good because we begin to feel sated. The most problematic dukkha of this type is, of course, death: not the physical pain of dying (that is included in the ﬁrst type of dukkha) but the awareness that I will die. This awareness of our inevitable end often pervades and colors everything we do—so thoroughly that it poisons life. Insofar as I am afraid to die, I also become unable to live. To live fully is not possible when we are hypersensitive to the fact that danger and maybe death lurk around every corner, because any little accident could be our last.

#### **This anxious egoism makes nuclear war and violence inevitable**

Ikeda 07 (Daisaku Ikeda President, Soka Gakkai International January 26, 2007 “Restoring the Human Connection: The First Step to Global Peace” http://www.sgi-usa.org/newsandevents/docs/peace2007.pdf) Dabo

The challenge of preventing any further proliferation of nuclear weapons is just such a trial in the quest for world peace, one that cannot be achieved if we are defeated by a sense of helplessness. The crucial element is to ensure that any struggle against evil is rooted firmly in a consciousness of the unity of the human family, something only gained through the mastery of our own inner contradictions. It is this kind of reconfiguration of our thinking that will make possible a skilled and restrained approach to the options of dialogue and pressure. The stronger our sense of connection as members of the human family, the more effectively we can reduce to an absolute minimum any application of the hard power of pressure, while making the greatest possible use of the soft power of dialogue. Tragically, the weighting in the case of Iraq has been exactly the reverse. The need for such a shift has been confirmed by many of the concerned thinkers I have met. Norman Cousins (1915–90), the writer known as the “conscience of America” with whom I published a dialogue, stated with dismay in his work Human Options: “The great failure of education—not just in the United States but throughout most of the world—is that it has made people tribe-conscious rather than species-conscious.” Similarly, when I met with Mohamed ElBaradei, director general of the International Atomic Energy Agency (IAEA), in November of last year, he declared powerfully: “… we continue to emphasize our differences instead of what we have in common. We continue to talk about ‘us’ versus ‘them.’ Only when we can start to talk about ‘us’ as including all of humanity will we truly be at peace….” In our correspondence, Joseph Rotblat posed the question, “Can we master the necessary arts of global security and loyalty to the human race?”9 Three months after writing these words to me, Dr. Rotblat passed away. I believe his choice to leave this most crucial matter in the form of an open question was an expression of his optimism and his faith in humanity. When our thinking is reconfigured around loyalty to the human race—our sense of human solidarity—even the most implacable difficulties will not cause us to lapse into despair or condone the panicked use of force. It will be possible to escape the snares of such shortsighted thinking. We will be empowered to engage in the kind of persistent exertion that Max Weber viewed as the ideal of political action, and the door will be open to the formation of consensus and persuasion through dialogue. The function of anger When my mentor Josei Toda used the words “a devil incarnate, a fiend, a monster,” he was referring to a destructiveness inherent in human life. It is a function of this destructiveness to shred our sense of human solidarity, sowing the seeds of mistrust and suspicion, conflict and hatred. Those who would use nuclear weapons capable of instantaneously killing tens of millions of people exhibit the most desperate symptoms of this pathology. They have lost all sense of the dignity of life, having fallen prey to their own inner demons. Buddhism classifies the underlying destructive impulses that give rise to such behavior as “the three poisons” (Jpn: san-doku) of greed, anger and ignorance. “The world of anger” can be thought of as the state of life of those in whom these forces have been directed outward toward others. Buddhism analyzes the inner state of human life in terms of the following ten categories, or “worlds”: Hell, Hunger, Animality, Anger, Humanity, Rapture, Learning, Realization, Bodhisattva and Buddhahood. Together these worlds constitute an interpenetrating functional whole, referred to as the inherent ten worlds. It is the wisdom and compassion of the world of Buddhahood that bring out the most positive aspect of each of the other worlds. In the Buddhist scriptures we find the statement “anger can function for both good and evil,”10 indicating that just and righteous anger, the kind essential for countering evil, is the form of the world of anger that creates positive value. The anger that we must be on guard against is that which is undirected and unrestrained relative to the other nine worlds. In this case, anger is a rogue and renegade force, disrupting and destroying all in its path. In this form, the world of anger is a condition of “always seeking to surpass, unable to countenance inferiority, disparaging others and overvaluing oneself.” When in the world of anger, we are always engaged in invidious comparisons with others, always seeking to excel over them. The resulting distortions prevent us from perceiving the world accurately; we fall easily into conflict, locking horns with others at the slightest provocation. Under the sway of such anger, people can commit unimaginable acts of violence and bloodshed. Another Buddhist text portrays one in the world of anger as “84,000 yojanas tall, the waters of the four oceans coming only up to his knees.”12 A yojana was a measure of distance used in ancient India; there are various explanations as to what the specific distance may be, but “84,000 yojanas” represents an immeasurable enormity. This metaphor indicates how the self-perception of people in the life-state of anger expands and swells until the ocean deeps would only lap their knees. The inner distortions twisting the heart of someone in this state prevent them from seeing things in their true aspect or making correct judgments. Everything appears as a means or a tool to the fulfillment of egotistical desires and impulses. In inverse proportion to the scale of this inflated arrogance, the existence of others—people, cultures, nature—appears infinitely small and insignificant. It becomes a matter of no concern to harm or even kill others trivialized in this way. It is this state of mind that would countenance the use of nuclear weapons; it can equally be seen in the psychology of those who would advocate the use of such hideously cruel weapons as napalm, or, more recently, depleted uranium and cluster bombs. People in such a state of life are blinded, not only to the horrific suffering their actions wreak but also to the value of human life itself. For the sake of human dignity, we must never succumb to the numbing dehumanization of the rampant world of anger. When the atomic bomb was dropped on the city of Hiroshima, not only military personnel but also many scientists were thrilled by the “success” of this new weapon. However, the consciences of genuinely great scientists were filled with anguish. Einstein greeted this news with an agonized cry of woe, while Rotblat told me he was completely overcome with hopelessness. Their feelings were no doubt intensely resonant with the sentiments that motivated Josei Toda to denounce nuclear weapons. When Toda spoke of “declawing” the demonic nature of nuclear weapons, he had in mind the struggle to prevent the inner forces of anger from disrupting the ten worlds and going on an unrestrained rampage. He was calling for the steady and painstaking work of correctly repositioning and reconfiguring the function of anger in an inner world where wisdom and harmony prevail. This is the true meaning of “declawing.” For SGI members in particular it is thus vital we remember that not only our specific activities for peace and culture but the movement for “human revolution” based on the daily endeavor to transform our lives from within is a consistent and essential aspect of the historic challenge of nuclear disarmament and abolition. Unless we focus on this inner, personal dimension, we will find ourselves overwhelmed by the structural momentum of a technological civilization, which in a certain sense makes inevitable the birth of such demonic progeny as nuclear weapons.

#### Vote negative to shed the ego

#### This is a path of self-transformation that recognizes the interpermeation of all beings—we must assimilate the postmodern insight of the fictive self

Loy, 3

(David Robert Loy is a professor, writer, and Zen teacher in the Sanbo Kyodan tradition of Japanese Zen Buddhism. “The Great Awakening” pg. 4-6) Henge

In contrast, the early Buddhist teachings focus almost exclusively on the path of self-transformation, with a minimum of dogma or metaphysics—in other words, with a rather ﬂimsy canopy, at best, to shelter beneath. These original teachings not only deny a creator God and the salviﬁc value of rituals such as sacriﬁces, they also emphasize the constructed nature of both the self and the world. For Buddhism there are no self-existing things, since everything, including you and me, ~~interpenetrates~~ (interpermeates) everything else, arising and passing away according to causes and conditions. This interconnectedness—not just an intellectual insight but an experience—was an essential aspect of the Buddha’s awakening, and it is congruent with the essential postmodern realization. Even more radical then than now, the original Buddhist teachings, not surprisingly, eventually became elaborated into another sacred canopy, focused on a transcendental liberation from this world. What is more surprising is that early Buddhism should have had such deconstructive insights and that they have been preserved in recognizable form for two and a half millennia. This perspective on the Buddha’s awakening deserves our attention because no other religious tradition foregrounds so clearly this crucial insight into our constructedness. There are some parallels with the philosophical realization in ancient Greece that society is a construct that can and should be reconstructed (e.g., Plato’s Republic). The history of the West since then has incorporated and developed the Greek concern for social transformation. Yet none of the important Greek philosophers proposed what Shakyamuni Buddha taught— the deconstruction and reconstruction of the ﬁctive sense of self. These resonances between postmodern theory and Buddhist teachings provide the basis for a comparison that is more than merely interesting. Today the postmodern realization about the constructed nature of our canopies, sacred and otherwise, contributes to global crises that we are far from resolving. Indeed, Nietzsche’s prescient prediction of a coming age of nihilism suggests that the world’s destabilization may be far from over. Some people and perhaps a few institutions are beginning to assimilate the postmodern insight, but although we are becoming more aware of its implications and dangers, we do not yet have a good grasp of the possibilities it opens up. For the West, the postmodern perspective grows out of, and depends upon, a secular modernity that privileges empirical rationalism over religious superstition. In this regard, too, our attitude derives from the Greeks, whose philosophy originated as a critique of the Olympian deities and the rites associated with them. The Indian situation was quite different. According to one’s sympathies, one can see that Indian (including Buddhist) philosophy never quite escaped the orbit of religious concerns or, more sympathetically, that Indian thought never felt the Western need to differentiate between them.

### Off

#### First, policymaking methods are structured by the assumptions of white, male elites. Their analysis is predicated on an instrumental rationality that glosses over gender, race, class and sexuality as being tied to the prevailing relations of power and systemic oppression

Shaw in 2004 (Kathleen M., “Using Feminist Critical Policy Analysis in the Realm of Higher Education: The Case of Welfare Reform as Gendered Educational Policy”, Journal of Higher Education, Vol. 75, Issue 1, rcheek)

Feminist critical policy analysis has been most clearly articulated in the work of Catherine Marshall, whose two edited volumes both lay out the theoretical and methodological underpinnings of this approach to policy research and also provide examples of the ways in which it can be used to examine both secondary and postsecondary education (Marshall, 1997a, 1997b). Feminist critical policy analysis melds critical theory and feminism in a way that is designed to challenge the traditional, mainstream approaches to policy analysis that have dominated policy research for the last fifty years (Marshall, 1997a). The methods and theoretical frameworks that dominate current policy analysis have been developed and implemented by those in power who, particularly in the world of policy formation and analysis, are overwhelmingly white, male, and well educated. Thus, traditional policy research has, according to Marshall, reflected the assumptions, worldview, and values of this group.¶ As is the case with much mainstream research in the social sciences, traditional policy analysis can be characterized by the following elements. Among the most important are a belief in a single concept of truth (truth with a capital "T"); the assumption that objectivity on the part of the researcher is both achievable and desirable; the assumption that all research subjects share the same relationship to their social environment, thereby rendering such particularities as gender, race, social class, and sexuality unimportant; and the practice of evaluating women on the basis of male norms (Bensimon & Marshall, 1997, p. 7-8). Since this positivist paradigm is so widely accepted in the policy world, it allows policy analysts to assume a dispassionate, objective stance and at the same time encourages the broader policy community to perceive the research enterprise in this way. Thus, traditional policy analysis will-fully ignores the inherently political nature of all research, and policy research in particular. As Marshall states, "Traditional policy analysis is grounded in a narrow, falsely objective, overly instrumental view of rationality that masks its latent biases and allows policy elites and technocrats to present analyses and plans as neutral and objective when they are actually tied to prevailing relations of power" (1997a, p. 3).

#### And, roleplaying a state policymaker colludes with an imperialist agenda that maintains status quo power, privilege, and oppression by distancing debaters from real world participation in the political contexts we debate about.

Reid-Brinkley in 2008 (Dr. Shanara Reid-Brinkley, University of Pittsburgh Department of Communications, “THE HARSH REALITIES OF “ACTING BLACK”: HOW AFRICAN-AMERICAN POLICY DEBATERS NEGOTIATE REPRESENTATION THROUGH RACIAL PERFORMANCE AND STYLE” 2008)

Mitchell observes that the stance of the policymaker in debate comes with a “sense of detachment associated with the spectator posture.”115 In other words, its participants are able to engage in debates where they are able to distance themselves from the events that are the subjects of debates. Debaters can throw around terms like torture, terrorism, genocide and nuclear war without blinking. Debate simulations can only serve to distance the debaters from real world participation in the political contexts they debate about. As William Shanahan remarks: …the topic established a relationship through interpellation that inhered irrespective of what the particular political affinities of the debaters were. The relationship was both political and ethical, and needed to be debated as such. When we blithely call for United States Federal Government policymaking, we are not immune to the colonialist legacy that establishes our place on this continent. We cannot wish away the horrific atrocities perpetrated everyday in our name simply by refusing to acknowledge these implications” (emphasis in original).116 118 The “objective” stance of the policymaker is an impersonal or imperialist persona. The policymaker relies upon “acceptable” forms of evidence, engaging in logical discussion, producing rational thoughts. As Shanahan, and the Louisville debaters’ note, such a stance is integrally linked to the normative, historical and contemporary practices of power that produce and maintain varying networks of oppression. In other words, the discursive practices of policy-oriented debate are developed within, through and from systems of power and privilege. Thus, these practices are critically implicated in the maintenance of hegemony. So, rather than seeing themselves as government or state actors, Jones and Green choose to perform themselves in debate, violating the more “objective” stance of the “policymaker” and require their opponents to do the same.

#### The alternative is to reject policymaking.

#### Their method reproduces exceptionalist violence and oppression. Vote negative to join a revolution in debate capable of instigating the critical consciousness necessary to avert immanent global disaster.

Spanos in 2004

(William V., professor @ Binghamton, printed in Joe Millers’ book “Cross-X” (pg. 467) 2004 and on edebate)

Dear Joe MIller, Yes, the statement about the American debate circuit you refer to was made by me, though some years ago. I strongly believed then --and still do, even though a certain uneasiness about "objectivity" has crept into the "philosophy of debate" -- that debate in both the high schools and colleges in this country is assumed to take place nowhere, even though the issues that are debated are profoundly historical, which means that positions are always represented from the perspective of power, and a matter of life and death. I find it grotesque that in the debate world, it doesn't matter which position you take on an issue -- say, the United States' unilateral wars of preemption -- as long as you "score points". The world we live in is a world entirely dominated by an "exceptionalist" America which has perennially claimed that it has been chosen by God or History to fulfill his/its "errand in the wilderness." That claim is powerful because American economic and military power lies behind it. And any alternative position in such a world is virtually powerless. Given this inexorable historical reality, to assume, as the protocols of debate do, that all positions are equal is to efface the imbalances of power that are the fundamental condition of history and to annul the Moral authority inhering in the position of the oppressed. This is why I have said that the appropriation of my interested work on education and empire to this transcendental debate world constitute a travesty of my intentions. My scholarship is not "disinterested." It is militant and intended to ameliorate as much as possible the pain and suffering of those who have been oppressed by the "democratic" institutions that have power precisely by way of showing that their language if "truth," far from being "disinterested" or "objective" as it is always claimed, is informed by the will to power over all manner of "others." This is also why I told my interlocutor that he and those in the debate world who felt like him should call into question the traditional "objective" debate protocols and the instrumentalist language they privilege in favor of a concept of debate and of language in which life and death mattered. I am very much aware that the arrogant neocons who now saturate the government of the Bush administration -- judges, pentagon planners, state department officials, etc. learned their "disinterested" argumentative skills in the high school and college debate societies and that, accordingly, they have become masters at disarming the just causes of the oppressed. This kind leadership will reproduce itself (along with the invisible oppression it perpetrates) as long as the training ground and the debate protocols from which it emerges remains in tact. A revolution in the debate world must occur. It must force that unworldly world down into the historical arena where positions make a difference. To invoke the late Edward Said, only such a revolution will be capable of "deterring democracy" (in Noam Chomsky's ironic phrase), of instigating the secular critical consciousness that is, in my mind, the sine qua non for avoiding the immanent global disaster towards which the blind arrogance of Bush Administration and his neocon policy makers is leading.

### Off

#### Targeted Killings are still the counterterrorism norm, our evidence assumes recent declines.

Taylor & Wong 10/09/2013 (Guy Taylor and Kristina Wong, contributors to the Washington Times-The Washington Times Wednesday, October 9, 2013, Drone strikes plummet as U.S. seeks more human intelligence, <http://www.washingtontimes.com/news/2013/oct/9/drone-strikes-drop-as-us-craves-more-human-intelli/>, bs)

At the time, Mr. Obama said it “not possible for America to simply deploy a team of Special Forces to capture every terrorist.”¶ Citing instances in which doing so “would pose profound risks to our troops and local civilians” and where “putting U.S. boots on the ground may trigger a major international crisis,” Mr. Obama said the secret May 2011 Navy SEAL operation that resulted in the killing of al Qaeda leader Osama bin Laden “cannot be the norm.”¶ In the shadow of such remarks from the president, some analysts say, such raids likely would pose challenges in Yemen, where the Obama administration has relied heavily on the use of drones.¶ A raid such as the one that netted al-Libi in Tripoli would be “much more difficult” in Yemen “in part because potential targets are far more inland, thus complicating an attack from the sea,” said Mr. Green, at the Washington Institute for Near East Policy.¶ “Also, the Yemeni government is much more capable and would likely detect such a raid, as compared to Libya’s anarchic conditions, and al Qaeda is a much more developed force in Yemen, which will have already adapted to this new tactic by U.S. forces,” he said.¶ Mrs. Robinson said that “with a raid, of course, you incur more risk for those U.S. forces usually, special operations forces that you’re putting on the ground.”¶ “I don’t think there’s a big appetite to go around launching raids unless there is a clear U.S. national security interest to do so,” she said. “The political and diplomatic and atmospheric risks or counterproductive effects have to be very much weighed in the equation.”¶ Others pointed to potentially serious legal issues that an increase in commando-style raids likely would bring to the fore for the Obama administration.John B. Bellinger, a Washington lawyer who served as a legal adviser for the State Department and the National Security Council during the George W. Bush administration, said he believes it is “much to soon to say that there is a new pivot to boots on the ground and capture” missions to replace drone attacks.¶ “If there is going to be some new emphasis on capture, it is going to pose legal challenges for the administration because these continue to be uncharted waters, both domestically and internationally,” said Mr. Bellinger. “What the administration is apparently going to try to do is to apply a hybrid model of law of war detention and interrogation coupled with traditional criminal law enforcement prosecution. While that makes a lot of sense, it’s not clear yet whether that will work as a matter of U.S. domestic law or whether it will be any more acceptable internationally than the law of war detention than the Bush administration was criticized for.”

#### Alts to drone strikes are kill/capture missions, those fail.

Byman, 2013 (Daniel, Foreign Affairs, The Case for Washington’s¶ Weapon of Choice, Why Drones Work, Volume 92 Number 4, July/August 2013, <http://www.foreignaffairs.com/articles/139453/daniel-byman/why-drones-work> bs)

Critics of drone strikes often fail to take into account the fact that¶ the alternatives are either too risky or unrealistic. To be sure, in an¶ ideal world, militants would be captured alive, allowing authorities to¶ question them and search their compounds for useful information.¶ Raids, arrests, and interrogations can produce vital intelligence and can be less controversial than lethal operations. That is why they should be, and indeed already are, used in stable countries where theUnited States enjoys the support of the host government. But in war zones or unstable countries, such as Pakistan, Yemen, and Somalia, arresting militants is highly dangerous and, even if successful, often inefficient.¶ In those three countries, the government¶ exerts little or no control over remote¶ areas, which means that it is highly¶ dangerous to go after militants hiding¶ out there. Worse yet, in Pakistan and Yemen, the governments have at times cooperated with militants. If the United States regularly sent in special operations forces to hunt down terrorists there, sympathetic officials could easily tip off the jihadists, likely leading to firefights, U.S. casualties, and possibly the deaths of the suspects and innocent civilians.¶ Of course, it was a Navy seal team and not a drone strike that¶ finally got bin Laden, but in many cases in which the United States¶ needs to capture or eliminate an enemy, raids are too risky and costly.¶ And even if a raid results in a successful capture, it begets another¶ problem: what to do with the detainee. Prosecuting detainees in a¶ federal or military court is difficult because often the intelligence¶ against terrorists is inadmissible or using it risks jeopardizing sources¶ and methods. And given the fact that the United States is trying¶ to close, rather than expand, the detention facility at Guantánamo¶ Bay, Cuba, it has become much harder to justify holding suspects¶ indefinitely. It has become more politically palatable for the United¶ States to kill rather than detain suspected terrorists.¶ Furthermore, although a drone strike may violate the local state’s sovereignty, it does so to a lesser degree than would putting U.S. boots on the ground or conducting a large-scale air campaign. And compared with a 500-pound bomb dropped from an F-16, the grenadelike warheads carried by most drones create smaller, more precise blast zones that decrease the risk of unexpected structural damage and casualties. Even more important, drones, unlike traditional airplanes, can loiter above a target for hours, waiting for the¶ ideal moment to strike and thus reducing the odds that civilians will be caught in the kill zone. Finally, using drones is also far less bloody than asking allies to hunt down terrorists on the United States’ behalf. The Pakistani and Yemeni militaries, for example, are known to regularly torture and execute detainees, and they often indiscriminately bomb civilian areas or use scorched-earth tactics against militant groups.

#### Indefinite detention is worse than drone strikes, The sovereign presents the brown and black body as a violent threat-this places people of color into zones of exception where the law does not protect them and where they are reduced to bare life, pure biological living. This allows the government to torture and kill them without impunity.

**Pugliese 2013** [Pugliese, Joseph Associate Professor of Cultural Studies at Macquarie University. *State Violence and the Execution of Law: Biopolitcal Caesurae of Torture, Black Sites, Drones*. 2013; Law and the Postcolonial//BlackMagic]

**The use of law to justify the torture and killings** that the state can perpetrate **is predicated on the understanding that the state's target subjects are**, **as the embodiment of ungovernable violence, at once anathema to and beyond law and thus outside of any ethical consideration.** A documentary history of torture in the United States evidences **the recursive marking of the state's black and colored subjects as**, in Thomas Jefferson's words, '**out of the protection of the laws.**' **The torture and killing of such subjects**, Denise Ferreira da Silva writes, **does 'not unleash an ethical crisis because these persons' bodies and the territories they inhabit always-already signify violence.**' **In the diffuse and malleable schema of the war on terror, the loaded descriptors 'terrorist,' 'enemy combatant,' 'sand nigger,' 'Muslim,' 'insurgent,' 'of Middle Eastern appearance'** and so on - **all identify subjects who always-already signify violence in advance of the fact of actually having committed any violent acts**. As embodiments of violence, **they are out-laws situated beyond due processes of law.** As, in da Silva's words, **'no-bodies' 'with/out legality,'**" **they are mere biological matter that can be exterminated without compunction.**¶ As I examined in my discussion of the Torture Memos and drone legal briefs, the **liberal democratic state uses law in order to present an official front of due process and ordered governance, thereby legitimating its monopoly on violence.** At the same time, **this use of law is also inscribed with an aporetic contradiction: the liberal democratic state at once legislates and executes law in order to be seen as just in its violent conduct**, even as, **in places such as the secret black site prisons**, as I discuss in Chapter 5, **it places its target subjects beyond the reach of law**. Giorgio Agarnben elaborates on this aporia in his theorization of **'zones of exception'** that **are constituted by the 'inexecution' of law.**61 '**One of the paradoxes of the state of exception**,' writes Agamben, '**lies in the fact that in the state of exception it is impossible to distinguish transgression of the law from the execution of law.**"'2 **It is in the zones marked as states of exception that Agamben famously situates the figure of 'bare life' that can be killed with impunity.** Reviewing the contemporary biopolitical state, **Agamben decisively concludes that the 'exception everywhere becomes the rule.**' In other words, **the space of the camp and the 'unpunishability' of killing bare life have interpenetrated the very fabric of the contemporary state so as to assume normative dimensions.**1'\* As I discuss below, outside spaces of exception (black site prisons) are already inside the US state (Immigration and Customs Enforcement prisons).¶ Having noted **the aporetic relation of the state to law, in the context of the Agambenian state of exception, I want to problematize the manner in which the term has been mobilized in order to declare the various counterterrorism laws enacted in the** US **post-9/11 as instantiating states of exception within the US polity that are viewed as without precedent. The danger of fetishizing the concept of exceptionalism** in the context of law **is that it functions to erase the serial practices of violence actually constitutive of the internal operations of the state and their very normalization precisely through law:** 'it is important,' Hunt notes, 'to recognise the role of coercion and repression as a normal condition of the operation of law."'1 Agamben underscores the normative status of states of exception when he notes that, at the quotidian level of policing, '**the police are always operating within a similar state of exception**."'3 **The use of police discretionary powers in the context of regimes of racial profiling**, for example, **exemplifies the normative operations of suspending law** (for targeted racial others) **even while executing it.** **The normative status of coercion and repression,** in the everyday operations of US law, has been meticulously documented in Natsu Taylor-Saito's historico-legal mapping of the violent and explicitly discriminatory exercise of plenary power. Taylor-Saito discloses how **a range of seemingly 'exceptional' post-9/11 practices** — **such as indefinite detention** of non-citizens, **sequestration into camps along lines of racial profiling, extraordinary renditions and so on** — **emerge as normative once situated in the context of 'historical, legal, and political precedents.**'66¶ **Da Silva problematizes the concept of the state of exception**, **and its emblematic** Agambenian **figure of 'bare life,'** by proposing an understanding of racial violence that rejects Agamben's notion of'the ban as an act of dehumanisation, the stripping off of legal and moral protections (the "ban"), as naked (total) violence."'7 Rather, da Silva argues, **'this collapsing is already inscribed in raciality, which produces humanity, the self-determined political** (ethical-juridical) figure that thrives in ethical life, only because it institutes it in a relationship . . . with another political figure (the qffectable I) that stands before the horizon of death."'" **In identifying and naming the criticality of this standing before the horizon of death**, **da Silva brings into acute focus the a priori of racidity precisely as that which has always-already worked to render the target subject as disposable and killable in the face of the state's violent acts of self-preservation**. Importantly, **she spatializes the state's exercise of violence-as-self-preservation in terms of 'moments of political/symbolic "land-reappropriation".** ' In da Silva's politico-theoretical schema, **bodies and territory become**, in Fanonian terms, **coextensive with that which must be invaded, controlled and occupied by the colonial state.** **If raciality operates as an a priori to these violent operations** **then,** da Silva underscores, **the legitimate right to kill is always already given**¶ **As just because it is deemed necessary for the reinscription of the state's authority**. Because it functions, a priori, immediately (always-already) in representation, **the deployment of architectures and procedures of security — occupations, military interventions, torture, summary executions, and so on - need no further justification.** For **raciality assures that, everywhere and anywhere, across the surface of the planet, that ever-threatening 'other' exists because already named;** as such, **it is an endless threat because its necessary difference consistently undermines the subject of ethical life's arrogation of self-determination**.l>!¶ As I demonstrate in the chapters that follow, **the war on terror perfectly exemplifies the imperial operation of an a priori raciality that, 'everywhere and anywhere, across the surface of the planet,' enables the systematic torture and/or execution of those designated by the state as 'ever-threatening "other".** '7" In Chapter 1, **I qualify and elaborate on da Silva's conceptualization of race as an a priori by drawing attention to the manner in which the category of race is critically underpinned by speciesism**. Speciesism, I contend, establishes, **through the operations of the biopolitical caesura, the division between humans and animals**; **it thereby determines who may be killed with impunity**. **As I work to visibilize the historical genealogies of raciality and speciesism that inform contemporary practice,** my focus will be on the ensemble of architectures and procedures of security -juridical, penal, military, paramilitary, technological and medical - that work to ensure the US state's biopolitical self-preservation-through-violence, both in domestic and international contexts.¶

### Off

#### Text: The United States Federal Government should substantially increase the State Department’s funding for foreign affairs and foreign aid

#### Increasing spending on Foreign aid and State Department pursuits solves soft power

Ryan 12(Michelle is a second year undergraduate student of International Relations, Economics, and Philosophy, with specific interests in international political economy, human rights, and national identity. In 2012, Michelle interned in communication and external affairs for Better Markets in Washington DC, a nonprofit, nonpartisan organization that promotes the public interest in financial reform in the domestic and global capital and commodity markets, where she advocated for public sector interests. “A Hard Stance on Soft Power: The Future of American Foreign Aid Initiatives” <http://foreignaffairsreview.co.uk/2012/10/a-hard-stance-on-soft-power-the-future-of-american-foreign-aid-initiatives/>, KMH)

In 2007, Joseph Nye and Richard Armitage co-chaired a bipartisan commission on ‘Smart Power’ formed of members of Congress, retired military officials, former ambassadors, and philanthropists from the Center for Strategic and International Studies (CSIS) in Washington, D.C. It concluded that the evident decline in the international perception of American image and influence was correlated with the post-9/11 shift in the tone of foreign policy rhetoric, as policy decisions began to invoke tones of fear, retaliation, and aggression rather than a democratic hope and optimism. In his analysis, Nye recognises the difficulty in distinguishing between hard and soft power politics. While foreign aid initiatives are generally considered a function of the State Department, the U.S. military forces illicit much credit for the emergency humanitarian relief mobilisation commissioned by President Bush after the 2005 South Asian earthquake and Indian Ocean tsunami. There is, however, no denying the ability of the Pentagon to undercut diplomatic initiatives with conflicting military agendas. How, then, should the United States attempt to improve its image in the international arena? When Hillary Rodham Clinton assumed the position of Secretary of State in 2009, she echoed Bush-era Deputy Secretary of Defence Robert Gates, endorsing Nye’s doctrine of smart power, advocating breaking the American reliance on hard power and integrating more soft power strategies of diplomatic coercion and attraction into policy initiatives. This approach, however, would require large Congressional support in order to allocate the necessary funds to the State Department. In 2011, the United States spent roughly 500 times more on military spending than on broadcasting and exchanges combined, making unpopular military intervention the most audible platform of the United States. Soft power spending and diplomatic initiatives thus remain obscured by the dominance of the defence budget. In response to election-time political pressures and the events of this anti-American Arab fall, the State Department launched a proposal to allocate an additional $450 million to promote democratic establishments in Egypt. Facing adversity in the House, this proposal highlights the de-valuation of soft power in contemporary American politics. Unwilling to support the State Department’s proposal in the aftermath of the attacks in Libya and riots across the region, opponents of this plan only perpetuate this cyclical impasse that now plagues US foreign policy. Now that anti-American sentiments are established, American institutions abroad will continue to face political adversity and, in some cases, threats of violence. If policy makers continue to respond only with fear and manifestations of strength through military offensives instead of soft power and diplomatic initiatives, will the resistance and threats not continue to expand?

#### Soft Power key to foster foreign cooperation and hegemony

John Ikenberry 4 Professor of Politics and International Affairs at Princeton, “Liberal Realism: The Foundations of a Democratic Foreign Policy”, The National Interest, Fall

The Bush Administration's disregard for legitimacy has had devastating consequences for America's standing in the world, particularly among Europeans. The country that for decades was seen to be at the forefront of progressive change is now regarded as a threat to the international system. During the heyday of American legitimacy amid the Cold War, it would have been unthinkable for a German chancellor to rescue his bid for re-election by insisting that Berlin stand up to Washington. Not only did Gerhard Schroder do so in 2002, but candidates in other countries--Spain, Brazil and South Korea--have thrived by distancing themselves from the United States. In a world of degraded American legitimacy, other countries are more reluctant to cooperate with the United States. Over the longer term--and in a thousand different ways--countries will take steps to separate themselves from the United States, to resist its leadership and to organize their regions of the world in opposition to Washington. From the perspective of liberal realism, legitimacy is an intrinsic aspect of power. To care about legitimacy is not to cede American power to the UN or any other party. Instead, it is to exercise American power in a manner that continues to attract the support of others. Successive American presidents have found ways to do so because they realized that to legitimate American power was to turn coercion and domination into authority and consent. In Jean-Jacques Rousseau's famous formulation from The Social Contract: "The strongest is never strong enough to be always master, unless he transforms strength into right and obedience into duty."

#### International cooperation is key to solve terrorism.

MGI 8, (Managing Global Insecurity, In collaboration with the Brookings Institution, New York University Center on International Cooperation, and Stanford University Center for International Security and Cooperation, Combatting International Terrorism: A Managing Global Insecurity Brief, May 2008, http://www.brookings.edu/~/media/research/files/papers/2008/5/05-terrorism-mgi/05\_terrorism\_mgi.pdf)

No State Can Address Terrorism Alone. No state, however powerful, can defend itself unilaterally against transnational terrorism. Terrorist networks move operatives, money and material across borders and through the crevices of the global economy. Only through extensive cooperation on financial flows, intelligence, and police action can the risk of terrorism be reduced. The most dangerous form of terrorism, involving nuclear and biological weapons, requires the most extensive cooperation. As a major threat to security and order in the 21st century, terrorism demands a more deliberative and effective response. Extremists will use religion and any other means to attract the disaffected. Countering extremism requires people and nations to buy into a rule-based order with law enforcement structures and intelligence capacity to protect societal interests. The challenge to the next US administration is to harness a vision for international cooperation on counter-terrorism and construct a roadmap for its strategic implementation.

### Prolif

#### New technology makes drone proliferation by state and non-state actors inevitable

Wood 12 (David, American Drones Ignite New Arms Race From Gaza To Iran To China, Huffington Post, 27 November 2012, http://www.huffingtonpost.com/2012/11/27/american-drones\_n\_2199193.html, da 8-2-13) PC

Obama administration officials have said they are weighing various options to codify the use of armed U.S. drones, because the increased use of drones has been driven more by perceived necessity than by deliberative policy. But that effort is complicated by the wildfire spread of drone technology: how could the U.S. restrict its use of armed drones if others do not?¶ Already, the Pentagon is worried that China not only is engaged in an "alarming" effort to develop and field high-tech drones, but it intends to sell drone technology abroad, according to the Pentagon report.¶ Indeed, the momentum of the drone wars seems irresistible. "The increasing worldwide focus on unmanned systems highlights how U.S. military success has changed global strategic thinking and spurred a race for unmanned aircraft," the Pentagon study reported.¶ Modern drones were first perfected by Israel, but the U.S. Air Force took the first steps in 2001 to mount sophisticated drones with precision weapons. Today the U.S. fields some 8,000 drones and plans to invest $36.9 billion to boost its fleet by 35 percent over the next eight years.¶ Current research on next-generation drones seems certain to exacerbate the drone arms race. The U.S. and other countries are developing "nano" drones, tiny weapons designed to attack in swarms. Both the U.S. and China are working to incorporate "stealth" technology into micro drones. The Pentagon is fielding a new weapon called the Switchblade, a 5.5-pound precision-attack drone that can be carried and fired by one person -- a capability sure to be envied by terrorists.¶ "This is a robotics revolution, but it's not just an American revolution -- everyone's involved, from Hezbollah to paparazzi," Singer, the Brookings Institution expert, told The Huffington Post. "This is a revolution in which billions and trillions of dollars will be made. To stop it you'd have to first stop science, and then business, and then war."

#### Restricting the use of drones is impossible – unrestrained use is inevitable.

Steigerwald ‘13 (Lucy, “The Inevitability of Drones in the US and Abroad”, Anti War, 4-29-13, <http://antiwar.com/blog/2013/04/29/the-inevitability-of-drones-in-the-u-s-and-abroad/>, RSR)

The proliferation of drones will not long be an American issue alone. “The number of countries that have acquired or developed drones expanded to more than 75, up from about 40 in 2005, according to the Government Accountability Office, the investigative arm of Congress,” USA Today reported in January.¶ In spite of some heartening legislative attempts to rein in drones here at home, as well as protests over their international use, they cannot be fully put back into the box. That’s why endlessly rehashing the concerns that are fundamentally tied in with this technology is a good thing to do, even if it brings up a sense of Deja Vu for anyone even halfway paying attention. The RCP article contains no breaking news about drones, but the moment that such articles disappear, we’re in real trouble. That’s when drones have been fully accepted as the most efficient killing machines abroad, and the ideal mechanisms for surveillance at home.

#### Targeted killing does not violate human rights

Paust 10 [Jordan J, Mike and Teresa Baker Law Center Professor at the University of Houston, “Self-defense Targetings of Non-State Actors and Permissibility of U.S. Use of Drones In Pakistan”, Spring 2010, <http://law-wss-01.law.fsu.edu/journals/transnational/vol19_2/paust.pdf>, p. 263-265]AM

An otherwise lawful targeted killing in self-defense during relative peace or during war would not constitute a violation of the human right to life, which merely guarantees freedom from being “arbitrarily” deprived of life,65 since it would be rational with re-spect to a person actively participating in and taking a direct part in armed attacks (including a person who is planning or directing such attacks), policy-serving, and reasonably necessary. With respect to the application of protections under human rights law, there is an additional requirement that too many textwriters overlook. For example, under Article 2, paragraph 1, of the International Covenant on Civil and Political Rights, the critical question is whether a person being targeted by a drone flying in the airspace of a foreign country is within the jurisdiction, actual power, or effective control of the state using the drone.66 Such a person is clearly not within the territorial jurisdiction of the state responding in self-defense (unless the person is within territory that is occupied by the responding state and is, therefore, within a related form of territorial jurisdiction) and such a person does not appear to be within the actual “power or effective control” of the responding state.67 It is evident, therefore, that human rights protections do not pertain and that a human rights paradigm is not directly relevant.

#### Rationality prevents nuclear war from occurring

Chari 11 (research professor at the Institute for Peace and Conflict Studies in New Delhi, former member of the Indian Administrative Service. How they learned to stop worrying and junk the bomb, Mar 15, 2011,

A different line of reasoning is required to recognise the essential truth underlying nuclear weapons, which is that they are unusable for any rational purpose. Why? Clearly any use of NWs between nuclear adversaries would result in mutual annihilation; it will also lead to the destruction of the very population and territory in dispute. Clausewitz had warned that war without a rational objective is a senseless thing. The empirical evidence shows that, after the Cuban Missile Crisis in 1962, the United States and the Soviet Union had eschewed any direct confrontation. Significantly, the United States and Soviet Union were even willing to suffer humiliating defeat in Vietnam and Afghanistan rather than contemplate using or threatening the use of nuclear weapons due to the prevailing moral taboo against their use. South Asia, too, witnessed the Kargil conflict in 1999 after India and Pakistan had tested their nuclear weapons. Neither could enlarge the theatre of operations, fearing escalation of the conflict and possible nuclear confrontation.

**International pressure ensure no indo-pak war**

**Dhanda 11** [Suresh Dhanda, Department of Political Science, S.A.Jain College,, Haryana, India, International Affairs and Global Strategy www.iiste.org ISSN 2224-574X (Paper) ISSN 2224-8951 (Online) Vol 2, 2011, “Dangers of Missile Race in South Asia: an India-Pakistan Perspective” http://www.iiste.org/Journals/index.php/IAGS/article/view/1065/985 SS]

Fourthly, India and Pakistan will face international opprobrium if they opt to deploy nuclear weapons. **Although the international community** may have **reluctantly accepted their possession of nuclear weapon**s, the transition to operational deployments will likely lead to **sanctions and isolation**. **This** factor is unique to South Asia and **constrains the implementation of deterrence strategies by Pakistan and India.** For example, **during the Kargil conflict, reports that both countries had activated and deployed their nuclear missile forces triggered intense international pressure on both countries**.6 **National actions,** such as signaling, **that play a role in deterrence strategy may thus be constrained by international pressure**. In contrast, offensive conventional force deployments do not seem to engender the same level of concern in the international community.

**Diplomatic solutions prevent war from breaking out**

**Zee News 11** (award winning Indian news station. War is not the solution to disputes: Gilani Monday, June 20, 2011 http://zeenews.india.com/news/south-asia/war-is-not-the-solution-to-disputes-gilani\_713956.html)

**Pakistan Prime Minister** Yousuf Raza **Gilani** **has said that war is not a solution to disputes, and all issues can be only resolved through dialogue.** Addressing a public meeting at Shakargarh in Punjab province, **he said Pakistan wants to have good relations with its neighbours. He said he has met Indian Prime Minister Dr. Manmohan Singh many times and convinced him that all bilateral issues, including Kashmir, could be resolved through dialogue and not through war. "Pakistan wants a permanent and lasting solution to the Kashmir issue through dialogue and negotiations,”** the News quoted Gilani, as saying. He said Pakistan would convince the international community that the Kashmir issue should be resolved according to aspirations of Kashmiris. Gilani expressed the hope that the world would help the Kashmiris get their rights.

### Terror

#### Drones stop terrorism

Byman, 2013 (Daniel, Foreign Affairs, The Case for Washington’s¶ Weapon of Choice, Why Drones Work, Volume 92 Number 4, July/August 2013, <http://www.foreignaffairs.com/articles/139453/daniel-byman/why-drones-work> bs)

The Obama administration relies on drones for one simple reason: they work. According to data compiled by the New America Foundation,¶ since Obama has been in the White House, U.S. drones have killed an estimated 3,300 al Qaeda, Taliban, and other jihadist operatives in Pakistan and Yemen. That number includes over 50 senior leaders of al Qaeda and the Taliban—top figures who are not easily replaced. In¶ 2010, Osama bin Laden warned his chief aide, Atiyah Abd al-Rahman,¶ who was later killed by a drone strike in the Waziristan region of¶ Pakistan in 2011, that when experienced leaders are eliminated, the¶ result is “the rise of lower leaders who are not as experienced as¶ the former leaders” and who are prone to errors and miscalculations.¶ And drones also hurt terrorist organizations when they eliminate operatives who are lower down on the food chain but who boast special skills: passport forgers, bomb makers, recruiters, and fundraisers. Drones have also undercut terrorists’ ability to communicate and to train new recruits. In order to avoid attracting drones, al Qaeda and Taliban operatives try to avoid using electronic devices or gathering in large numbers. A tip sheet found among jihadists in Mali advised¶ militants to “maintain complete silence of all wireless contacts” and¶ “avoid gathering in open areas.” Leaders, however, cannot give orders when they are incommunicado, and training on a large scale is nearly impossible when a drone strike could wipe out an entire group of new recruits. Drones have turned al Qaeda’s command and training structure into a liability, forcing the group to choose between having no leaders and risking dead leaders.

#### AQAP’s #2 just got killed by a drone strike

UPI 2013 (7-17-2013,Deputy terror leader in Yemen reported killed in U.S. drone strike, <http://www.upi.com/Top_News/World-News/2013/07/17/Deputy-terror-leader-in-Yemen-reported-killed-in-US-drone-strike/UPI-47571374084151/#ixzz2ZLMnDyK8> bs)

The deputy commander of al-Qaida's branch in Yemen has been killed in a U.S. drone strike, the organization announced Wednesday in an online video message.¶ Al-Qaida in the Arabian Peninsula (AQAP) said Said al-Shihri was dead, but did not say when the alleged strike took place, Voice of America reported.¶ His death has been announced several times by the Yemeni government, including twice in the past year.¶ Al-Shihri was released from the U.S. prison camp in Guantanamo Bay in 2007, where he was detained for five years. He later resurfaced as a member of AQAP.¶ WikiLeaks released a classified Pentagon report in 2011 that identified al-Shihri as a member of Saudi Arabia's internal security forces. After joining al-Qaida, he helped move Saudi militants through Iran to fight in Afghanistan.

#### Decapitation works—it takes out key pieces of terrorist operations, keeps leaders on the run, and creates infighting that causes organizations to collapse.

Wilner 10, (Alex S. Wilner, Center for Security Studies, ETH Zurich, Swiss Federal Institute of Technology, Targeted Killings in Afghanistan: Measuring Coercion and Deterrence in Counterterrorism and Counterinsurgency, Studies in Conflict & Terrorism, Vol. 33 No. 4, 09 Mar 2010, http://dx.doi.org/10.1080/10576100903582543)

For smaller terrorist groups and cells, where leadership, knowledge, and power are centralized, eliminations can have the dramatic effect of completely destroying a specific threat. Groups with particularly charismatic leaders are especially prone to decapitating strikes.39 Both assumptions rest on the notion that terrorist organizations depend on the work of a few key individuals. Isaac Ben-Israel and colleagues note, for instance, that the number of “key activists in the Hamas,”—those that are actively “engaged in preparing an act of terror”—number in the low hundreds. A state only needs “to neutralize 20– 30 percent of them,” they suggest, “for the organization’s ‘production’ of acts of terror to drop significantly.”40 The argument suggests that terrorism is a process that requires a “production line” of activity—from scouting targets to preparing bombers—if coordinated acts of violence are to take place.41 All along this process, individuals play important roles, fulfilling particular jobs and functions. As such, violent, non-state groups are perhaps best thought of as coercive systems, dependent on the interaction of a variety of semi-autonomous parts and processes.42 Paul Davis and Brian Jenkins reiterate: “the terrorist problem occurs in a rich context with many interacting entities and processes.”43 While eliminating particular individuals with functional roles will not wholly eradicate the threat of terrorism, the selective removal of central players does restrict the terrorism process and degrades an organization’s overall capability to plan, coordinate, and carryout acts of violence.¶ The very threat of coercion forces leaders to worry about their safety, hinders their freedom of movement, and requires that they spend time and resources in avoiding their own death rather than planning the death of others. In a 2004 letter to bin Laden, AQI’s al-Zarqawi stresses this persistent dilemma. “What is preventing us from making a general call to arms,” he protests, “is the fact that the country of Iraq has no mountains in which to seek refuge, or forest in which to hide. Our presence is apparent and our movement is out in the open. Eyes are everywhere.”44 Leaders in hiding face the related problem of motivating and leading their followers; championing a cause from the frontline is far more effective than doing so from the safety of a bunker or villa in a neighboring region. Likewise, by eliminating skilled facilitators, organizations become de-professionalized. Finding individuals that are able and willing to replace eliminated bomb makers and tactical planners, for instance, takes time, notwithstanding the fact that not just any substitute will do. Few individuals have the skill sets needed to design and build effective bombs that do not prematurely detonate or the leadership characteristics required to successfully manage a military organization. While reports suggest that many of today’s top terrorist leaders are highly educated individuals, holding graduate, legal, and medical degrees, this does not necessarily translate into solid military and strategic know-how. Furthermore, attracting and recruiting the right people to a life of violent hardship that invariable comes with joining a terrorist organization can be difficult. Even in the case of suicide bombings, it is not enough to simply equip and send out a great many operatives on suicide missions—the individuals need to have the intellect and training to know where to go, who to target, how and when to detonate their bombs, and what to do in case of mishap.45 They must also be trained not to renege on their decision to die and to know, too, never to get caught. In fact, there is very real danger in sending out poorly trained or intellectually unstable suicide operatives. “Dud bombers”—those that fail in their attempt to detonate their explosives—get caught and can crack under interrogation, causing irreparable damage to their group, cell, or operator.¶ Failing to replace fallen leaders expeditiously can also lead to defections, infighting, and purges. Likewise, if there is doubt regarding the perpetrators of a targeted elimination or uncertainty over how intelligence on a target was collected, speculation over traitors and informants might further deteriorate camaraderie.46 Infighting should not be taken lightly. A number of organizations have met their end after purges were carried out among and between members.47 A recent example of an internal feud instigated, in part, by a targeted killing, comes from the Afghan–Pakistan theater. In 2007, a gulf emerged between various Islamist factions active in Pakistan’s tribal zone of South Waziristan; foreign fighters associated with Al Qaeda’s Islamic Movement of Uzbekistan fought local Pakistani Taliban. Reports suggest that up to several hundred local and foreign militants were killed.48 Syed Saleem Shahzad of Asia Times recounts that ideological differences between local and foreign fighters was primarily to blame. “Many of the foreign volunteers,” he writes, “are Takfirists, who regard ‘bad Muslims’ as the real enemy.” The result was that trained fighters of Arab, Chechen, and Uzbek origin persuaded Pakistani militants to carry out attacks against “apostate” Pakistan rather than Coalition forces in Afghanistan. Indigenous Pakistani Islamists did not always accept takfiri practices, however. Shahzad suggests that many local organizations “reacted uncomfortably to the growth of this near-heresy within al Qaeda,” which in relentlessly targeting Muslims, “brought chaos to the populations it claim[ed] to defend.”49 This elicited an unfavorable reaction from a number of Afghan and Pakistani Taliban, whose primary objective was to target NATO personnel and Westerners. While on the surface the spat seems to have had little to do with a specific case of targeted killing, closer examination of the case does reveal that it had everything to do with the absence of strong leadership.

#### Decapitation strategy effective with drones, it destroys operational capability and training, and also take out lower level insurgents

Young 2012 (Alex, associate staff @ Harvard International Review, “A Defense of Drones”, February 25 2013, http://hir.harvard.edu/a-defense-of-drones)

Critics also claim that eliminating only the senior leaders of terrorist organizations does not make significant progress in eradicating the group as a whole. This argument falls short on two fronts. First, killing the leaders of Al Qaeda, the Taliban, and similar networks does hinder their operations: decapitating terrorist groups interrupts their planning, recruitment, and execution of attacks – not necessarily because each leader is irreplaceably vital to the success of the group (although some are), but because the threat of death from the skies shifts the strategic calculations of living leaders, changing the actions of the group. The Los Angeles Times of March 22nd, 2009, quoting an anonymous counterterrorism official, reported that Al Qaeda leaders are wondering who's next to be killed in a drone strike and have started hunting down people inside al Qaeda who they think are responsible for collaborating with the US on drone strike planning. The threat of drone strikes sows divisive suspicion inside enemy groups and distracts them from accomplishing their objectives.¶ Moreover, drone strikes have disrupted al Qaeda’s system for training new recruits. The Times of London reports that in 2009, Al Qaeda leaders decided to abandon their traditional training camps because bringing new members to a central location offered too easy a target for drone strikes. Foreign Policy emphasized this trend on November 2nd, 2012, arguing that, “destroying communication centers, training camps and vehicles undermines the operational effectiveness of al-Qaeda and the Taliban, and quotes from operatives of the Pakistan-based Haqqani Network reveal that drones have forced them into a ‘jungle existence’ where they fear for the lives on a daily basis.” The threat of death from the skies has forced extremist organizations to become more scattered.¶ More importantly, though, drone strikes do not only kill top leaders; they target their militant followers as well. The New America Foundation, a think tank that maintains a database of statistics on drone strikes, reports that between 2004 and 2012, drones killed between 1,489 and 2,605 enemy combatants in Pakistan. Given that Al Qaeda, the Pakistani Taliban, and the various other organizations operating in the region combined do not possibly have more than 1,500 senior leaders, it follows that many, if not most, of those killed were low-level or mid-level members – in many cases, individuals who would have carried out attacks. The Los Angeles Times explains that, “the Predator campaign has depleted [Al Qaeda’s] operational tier. Many of the dead are longtime loyalists who had worked alongside Bin Laden […] They are being replaced by less experienced recruits.” Drones decimate terrorist organizations at all levels; the idea that these strikes only kill senior officials is a myth.

#### No nuclear terrorism –statistically insignificant cumulative probability

John Mueller (Woody Hayes Chair of National Security Studies, Mershon Center, and is professor of Political Science, at Ohio State University) 2010 “Atomic Obsession: Nuclear Alarmism from Hiroshima to Al Qaeda” p, 187-190

Assigning a probability that terrorists will be able to overcome each barrier is, of course, a tricky business, and any such exercise should be regarded as rather tentative and exploratory, or perhaps simply as illustrative-though it is done all the time in cost-benefit analysis. One might begin a quantitative approach by adopting probability estimates that purposely, and heavily, bias the case in the terrorists' favor. In my view, this would take place if it is assumed that the terrorists have a fighting chance of 50 percent of overcoming each of the 20 obstacles displayed in Table 13-1, though for many barriers, probably almost all, the odds against them are surely much worse than that. Even with that generous bias, the chances that a concerted effort would be successful comes out to be less than one in a million, specifically 1,048,576. Indeed, the odds of surmounting even seven of the 20 hurdles at that unrealistically, even absurdly, high presumptive success rate is considerably less than one in a hundred. If one assumes, somewhat more realistically, that their chances at each barrier are one in three, the cumulative odds they will be able to pull off the deed drop to one in well over three billion specifically 3.486,784,401. What they would be at the (still entirely realistic) level of one in ten boggles the mind. One could also make specific estimates for each of the hurdles, but the cumulative probability statistics are likely to come out pretty much the same-or even smaller. There may be a few barriers, such as numbers 13 or absolute loyalty trump the one oftechnical competence. This would increase the chances that the bomb-making enterprise would go undetected, while at the same time decreasing the likelihood that it would be successful. However, given the monumentality of the odds confronting the would-be atomic terrorist, adjustments for such issues are scarcely likely to alter the basic conclusion. That is, if one drastically slashed the one in 3.5 billion estimate a thousandfold, the odds of success would still be one in 3.5 million. Moreover, all this focuses on the effort to deliver a single bomb. If the requirement were to deliver several, the odds become, of course, even more prohibitive. Getting away from astronomical numbers for a minute, Levi points out that even if there are only ten barriers and even if there were a wildly favorable 80 percent chance of overcoming each hurdle, the chance of final success, following the approach used here, would only be 10 percent. Faced even with such highly favorable odds at each step, notes Levi, the wouldbe atomic terrorist might well decide "that a nuclear plot is too much of a stretch to seriously try." Similarly, Jenkins calculates that even if there are only three barriers and each carried a 50/50 chance of success, the likelihood of accomplishing the full mission would only be 12.5 percent.14 Odds like that are not necessarily prohibitive, of course, but they are likely to be mind-arrestingly small if one is betting just about everything on a successful outcome. Multiple Attempts The odds considered so far are for a single attempt by a single group, and there could be multiple attempts by multiple groups, of course. Although Allison considers al-Qaeda to be "the most probable perpetrator" on the nuclear front, he is also concerned about the potential atomic exploits of other organizations such as Indonesia's Jemaah Islamiyah, Chechen gangsters, Lebanon's Hezbollah, and various doomsday cults. IS However, few, if any, groups appear to have any interest whatever in striking the United States except for al-Qaeda, an issue to be discussed more fully in the next chapter. But even setting that consideration aside, the odds would remain long even with multiple concerted attempts.16 If there were a hundred such efforts over a period of time, the chance at least one of these would be successful comes in at less than one in over 10,000 at the one chance in two level. At the far more realistic level of one chance in three, it would be about one in nearly 35 million. If there were 1,000 dedicated attempts, presumably over several decades, the chance of success would be worse than one in a thousand at the SO/50 level and one in nearly 3.5 million at the one in three level.I7 Of course, attempts in the hundreds are scarcely realistic, though one might be able to envision a dozen or so. Additionally, if there were a large number of concerted efforts, policing and protecting would presumably become easier because the aspirants would be exposing themselves repeatedly and would likely be stepping all over each other in their quest to access the right stuff. Furthermore, each foiled attempt would likely expose flaws in the defense system, holes the ...,. defenders would then plug, making subsequent efforts that much more dif• ficult. For example, when the would-be peddler of a tiny amount of pur loined highly enriched uranium was apprehended in 2006, efforts were made to trace its place of origin using nuclear forensics. IS ." Also, the difficulties for the atomic terrorists are likely to increase over time because of much enhanced protective and policing efforts by ... self-interested governments. Already, for example, by all accounts Russian nuclear materials are much more adequately secured than they were 10 or ~, .-s 15 years ago.19

Too many obstacles to overcome – even if overcoming isn’t impossible – even

### Solvency

#### Drone court doesn’t appropriately promote effective control over drones.

Roth 2013 (Kenneth Roth, Executive Director of Human Rights Watch, April 4, 2013, “What Rules Should Govern US Drone Attacks?,” New York Review of Books, http://www.nybooks.com/articles/archives/2013/apr/04/what-rules-should-govern-us-drone-attacks/?pagination=false)

Whatever the rules governing drone attacks, many object to the covert, unilateral way the administration decides who should be killed. In the heat of battle, that is a necessity. But drone targets are typically selected over lengthy periods, with more than enough time for independent scrutiny. Under US law, the executive branch cannot even secure a wiretap without court oversight, so why should it be allowed to select drone targets unilaterally? Senator Dianne Feinstein has thus put forward the idea of a drone court similar to the courts that review wiretap applications under the Foreign Intelligence Surveillance Act (FISA).¶But replicating the FISA courts would provide little by way of effective control because, by their nature, they must be kept secret from the target, so they provide no opportunity for an independent attorney to challenge the government’s claims. At least for wiretaps the law is reasonably settled. But the administration, as we have seen, seems to accept in only vague terms the law governing drone attacks. In the absence of an adversarial process, a judge cannot be counted on to challenge the administration’s permissive interpretation of the law.¶Moreover, a drone court could at most approve placing someone on a kill list, not whether the circumstances of a prospective attack, including the risk to civilians in a changing situation, would be lawful. That would require a determination of the sort that a court can’t possibly undertake in advance. In any event, most proposals for drone courts envision them being used only for targeted US citizens—not much help to the great majority of targets from other nationalities. Though of no help to those killed, permitting after-the-fact lawsuits against the government would be a better way to allow the courts to define the limits of the law. But the administration has blocked such suits through various claims of secrecy.

#### Drone court can’t solve – too many legal hurdles.

Rosen 2013

(Jeffrey, professor of law at The George Washington University and the legal affairs editor of The New Republic, "Courting disaster: A new idea to limit drones could actually legitimize them,” The New Republic, February 11, 2013, [http://www.newrepublic.com/article/112392/drone-courts-congress-should-exercise-oversight-instead#](http://www.newrepublic.com/article/112392/drone-courts-congress-should-exercise-oversight-instead) accessed 8/2)

On Sunday, Robert Gates, the former Pentagon chief for Presidents Obama and Bush, endorsed an idea that has been floated by Democratic lawmakers in the wake of John O. Brennan's confirmation hearings to be CIA Director: a drone court that would review the White House’s targeted killings of American citizens linked to al Qaida. The administration has signaled its openness to the idea of a congressionally created drone court, which would be modeled on the secret Foreign Intelligence Surveillance Court that reviews requests for warrants authorizing the surveillance of suspected spies or terrorists. But although senators at the Brennan hearings were rightly concerned about targeted killings operating without any judicial or congressional oversight, the proposed drone court would raise as many constitutional and legal questions as it resolved. And it would give a congressional and judicial stamp of approval to a program whose effectiveness, morality, and constitutionality are open to serious questions. Rather than rushing to create a drone court, Congress would do better to hold hearings about whether targeted drone killings are, in fact, morally, constitutionally, and pragmatically defensible in the first place. ¶ From the administration’s perspective, the appeal of a drone court is obvious: Despite the suggestion in the recently released Department of Justice White Paper white paper that the president’s unilateral decisions about targeted killings can’t be reviewed by judges, the administration cites Supreme Court cases that suggest the opposite: namely, that the president’s decision to designate Americans as enemy combatants can only be justified when authorized by Congress, with the possibility of independent judicial review.¶ Although the Supreme Court has been most sympathetic to bold claims about executive power when they’re supported by Congress and reviewed by independent judges, a congressionally created drone court would be open to a series of practical and constitutional objections. On the practical side, there’s the question of what, precisely, the court would be reviewing. The administration claims the power to order targeted assassinations when three conditions are met: 1) a high level U.S. officials decides the target is a “senior operational leader of Al-Qaida” who “poses an imminent threat of violent attack against the United States”; 2) “capture is infeasible”; and 3) the operation would be conducted according to the laws of war. But it’s infeasible for judges to make split second decisions about whether or not an attack is, in fact, imminent or capture is feasible. For that reason, the most likely focus of a drone court would be the administration’s decision to put a suspect on the targeted killing list in the first place. But, as Steve Vladek of American University has argued, it’s not clear that judges have the constitutional power to issue warrants that can’t be challenged by the targets in a future judicial proceeding. And there are also serious questions about whether or not Congress has the constitutional power to forbid the president from exercising his war powers without getting judicial approval in advance.