# R1 Drones Neg Upload

## 1NC

### 1

#### First intep- Restrict means prohibit

Jean Schiedler-Brown 12, Attorney, Jean Schiedler-Brown & Associates, Appellant Brief of Randall Kinchloe v. States Dept of Health, Washington, The Court of Appeals of the State of Washington, Division 1, http://www.courts.wa.gov/content/Briefs/A01/686429%20Appellant%20Randall%20Kincheloe%27s.pdf

3. The ordinary definition of the term "restrictions" also does not include the reporting and monitoring or supervising terms and conditions that are included in the 2001 Stipulation. ¶ Black's Law Dictionary, 'fifth edition,(1979) defines "restriction" as; ¶ A limitation often imposed in a deed or lease respecting the use to which the property may be put. The term "restrict' is also cross referenced with the term "restrain." Restrain is defined as; To limit, confine, abridge, narrow down, restrict, obstruct, impede, hinder, stay, destroy. To prohibit from action; to put compulsion on; to restrict; to hold or press back. To keep in check; to hold back from acting, proceeding, or advancing, either by physical or moral force, or by interposing obstacle, to repress or suppress, to curb. ¶ In contrast, the terms "supervise" and "supervisor" are defined as; To have general oversight over, to superintend or to inspect. See Supervisor. A surveyor or overseer. . . In a broad sense, one having authority over others, to superintend and direct. The term "supervisor" means an individual having authority, in the interest of the employer, to hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward, or discipline other employees, or responsibility to direct them, or to adjust their grievances, or effectively to recommend such action, if in connection with the foregoing the exercise of such authority is not of a merely routine or clerical nature, but required the use of independent judgment. ¶ Comparing the above definitions, it is clear that the definition of "restriction" is very different from the definition of "supervision"-very few of the same words are used to explain or define the different terms. In his 2001 stipulation, Mr. Kincheloe essentially agreed to some supervision conditions, but he did not agree to restrict his license.

#### B. Standards:

#### 1. Limits – The topic is already huge – 4 areas times 2 mechanisms all with separate literature and unique advantages – its an impossible research burden.

#### 2. Bidirectionality – Absent prohibition they can create conditions that functionally increase authority

#### Vote negative- Topicality is a prima facie burden and should be evaluated as a question of competing interpretations.

### 2

#### The executive branch of the United States should restrict its immunity from judicial review by establishing a cause of action allowing civil suits brought against the United States by those unlawfully injured by targeted killing operations, their heirs, or their estates in security cleared legal proceedings.

#### Executive review solves—court can’t do it practically

Murphy & Radsan 09

[Richard Murphy is the AT&T Professor of Law, Texas Tech University School of Law. Afsheen John Radsan is a Professor, William Mitchell College of Law. He was assistant general counsel at the Central Intelligence Agency from 2002-2004., DUE PROCESS AND TARGETED KILLING OF TERRORISTS, uwyo//amp]

This Article has explored the implications of the due process model that the Supreme Court developed in Hamdi v. Rumsfeld252 and Boumediene v. Bush253 for targeted killing—particularly Predator strikes by the CIA. Contrary to Justice Thomas‘s charge,254 this model does not break down in the extreme context of targeted killing but, instead, suggests useful means to control this practice and heighten accountability. One modest control is for appropriate plaintiffs to bring Bivens-style actions to challenge the legality of targeted killings, no matter where they may have occurred in the world. Resolution of any such action that surmounted all the practical and legal obstacles in its way—including the state-secrets privilege and qualified immunity—would enhance accountability without causing substantial risk to national security. Yet as a practical matter, this role for the courts is vanishingly small. It is therefore all the more important that the executive branch itself develop fair, rational procedures for its use of targeted killing. Under Boumediene, it has a constitutional obligation to do so. To implement this duty, the executive should, following the lead of the Supreme Court of Israel and the European Court of Human Rights, require an independent, intra-executive investigation of targeted killing by the CIA. Even in a war on terror, due process demands at least this level of accountability for the power to kill suspected terrorists.

### 3

#### Presidential power is zero-sum- the branches compete

Barilleaux and Kelley 2010 [Ryan J. , Professor of Political Science at Miami, OH; and Christopher S. , Lecturer (Political Science) at Miami, OH, The Unitary Executive and the Modern Presidency, Texas A&M Press, p. P 196-197, 2010// wyo-sc]

In their book *The Broken Branch,* Mann and Ornstein paint a different view. They discuss a wider range of public policy areas than just uses of force. Their argument is that although party is important as a conditioning factor for times when Congress might try to restrain an aggressive or noncompliant executive, there has also been a broader degrading of institutional power that has allowed, in a zero-sum context, the president to expand executive power at the expense of Congress. Mann and Ornstein thus posit that congressional willingness to subordinate its collective power to that of the president has occurred across domestic politics and foreign affairs. They argue that a variety of factors are at fault for this trend, including the loss of institutional identity, the willingness to abdicate responsibility to the president, the demise of "regular order," and most importantly that Congress has lost its one key advantage as a legislative body—the decay of the deliberative process. Thus, they do recognize that party politics has played an important role in the degrading of congressional power, but they see a larger dynamic at work, one that reaches beyond partisanship. While we agree with Howell and Pevehouse that Congress retains important mechanisms for constraining the president, we tend to agree with the Mann and Ornstein view that there has been a significant and sustained decline in Congress's willingness to use these mechanisms to challenge presidential power. This tendency has been more prevalent in foreign affairs but has occurred noticeably across the spectrum of public policy issues. Building from both of those perspectives, and others, we argue that it is helpful to understand the pattern of congressional complicity in the rise of presidential power by viewing Congress's aiding and abetting as the logical outcomes of a collective action problem.31 By constitutional design, the legislative branch is in competition with the president for institutional power, yet Congress is less than ideally suited for such a political conflict. Congress's comparative disadvantage begins with its 535 "interests" that are very rarely aligned, and if so, only momentarily. Because individual reelection overshadows all other goals, members of Congress naturally seek to take as much credit and avoid as much blame from their constituencies as possible.32 The dilemma this creates for members is how to use or delegate its collective powers in order to maximize credit and minimize blame in the making of public policy. Congress can choose to delegate power internally to committees and party leaders or externally to the executive branch. One can conceptualize the strategic situation of members of Congress in terms of a prisoner's dilemma.33 If members cooperate (that is, in Mann and Ornstein's parlance, if members identify with the institution), they could maintain and advance Congress's institutional power. But they would have to bypass some potential individual payoffs that could come from defection, such as "running against Congress" as an electoral strategy. A stronger institution should make all members of Congress better off, but it also makes them responsible for policymaking. If members defect from the institution, they thus seek to maximize constituency interests either by simply allowing power to fall by the wayside or by simply delegating it to the president. As more and more members choose to defect over time, the "public good" of a strong Congress is not provided for or maintained—and Congress's institutional authority erodes and presidential power fills in the gap. Why, in other words, is congressional activism so often "less than meets the eye," as Barbara Hinckley maintained in her book by that title? Or why has the ''culture of deference" that Stephen Weissman identified developed as it has?34 We argue that the collective action problem that exists in Congress leads to the development of these trends away from meaningful congressional stewardship of foreign policy and spending.

#### Strong executive key to solve climate change-lack of congressional action prevents solvency in the squo and executive negotiating power key to check environmental and economic collapse

Wold 2012

[Chris Wold, Professor of Law & Director, International Environmental Law Project

(IELP), 2012, Lewis & Clark Law School, 2012, CASE WESTERN RESERVE JOURNAL OF INTERNATIONAL LAW·VOL. 45·2012, uwyo//amp]

In 2007, then-Senator Barack Obama wrote, “As the world’s largest producer of greenhouse gases, America has the responsibility to lead.”1 As President, he has led. At the domestic level, working primarily through the Environmental Protection Agency, President Obama has increased fuel economy standards,2 imposed new limits ongreenhouse gas emissions from “major emitting facilities,”3 and imposed limits on emissions relating to the development of oil and gas,4 among many other things.5 As he has said, he must use his executive power because “We Can’t Wait” for Congress to act on climate change.6 Nonetheless, he must do more. President Obama has pledged to the international community that the United States will reduce its greenhouse gases by 17% of 2005 levels by 2020 and by 83% by 2050.7The President has also set a goal of ensuring that “[b]y 2035 we will generate 80 percent of our electricity from a diverse set of clean energy sources—including renewable energy sources like wind, solar, biomass, and hydropower; nuclear power; efficient natural gas; and clean coal.”8 None of his actions come close to meeting these goals. Moreover, he must do more to help the international community reach its goal of keeping average global temperatures from increasing 2°C above pre-industrial levels.9 Many scientists argue that the 2°C goal can be met, and the worst impacts of climate change avoided, if we keep carbon dioxide concentrations below 350 parts per million (ppm).10 As of July 2012, atmospheric concentrations of carbon dioxide exceeded 394 ppm.11 The United States is by far the largest historic contributor to these high levels of atmospheric carbon dioxide, having contributed 28.52% of carbon dioxide from energy.12 As such, the United States must do much more to ensure that the world’s largest historic emitter of greenhouse gases fulfills its moral and perhaps legal obligation to reduce greenhouse gases before we reach climate change tipping points beyond which climate change will be irreversible for millennia to come.And indeed, President Obama can do much more. As described below, the president can use his foreign affairs power to take a more positive role on the international stage, whether that stage is the climate change negotiations, the negotiations concerning other international treaties, or within the World Trade Organization. He can also do more with his executive power, not only by increasing existing standards but also by applying them to existing sources of greenhouse gases, not just new sources. Further, President Obama has so far failed to take advantage of strategies to mitigate emissions of short-term climate forcers such as black carbon that could provide significant climate benefits. Lastly, the approaches adopted so far have not pushed regulated entities or others to develop the transformative technologies that will be needed to deliver sufficient climate change benefits to avert the environmental and economic crisis that lies ahead if we fail to take more aggressive action.

**Studies show warming is human caused and will cause extinction**

**Ahmed 2010**

(Nafeez Ahmed, Executive Director of the Institute for Policy Research and Development, professor of International Relations and globalization at Brunel University and the University of Sussex, Spring/Summer 2010, “Globalizing Insecurity: The Convergence of Interdependent Ecological, Energy, and Economic Crises,” Spotlight on Security, Volume 5, Issue 2, online)

Perhaps **the most notorious indicator is anthropogenic global warming**. **The landmark** 2007 Fourth **Assessment** Report of the UN Intergovernmental Panel **on Climate Change** (IPCC) – which **warned that at then-current rates of increase of fossil fuel emissions, the earth’s global average temperature would likely rise by 6°C by the end of the 21st century** **creating a** largely **uninhabitable planet** – was a wake-up call to the international community.[v] **Despite the pretensions of ‘climate sceptics,’ the peer-reviewed scientific literature has continued to produce evidence that the IPCC’s original scenarios were wrong – not because they were too alarmist**, but on the contrary, **because they were far too conservative**. According to a paper in the Proceedings of the National Academy of Sciences, **current CO2 emissions are worse than all six scenarios contemplated by the IPCC. This implies that the IPCC’s worst-case six-degree scenario severely underestimates the most probable climate trajectory** under current rates of emissions.[vi] It is often presumed that a 2°C rise in global average temperatures under an atmospheric concentration of greenhouse gasses at 400 parts per million (ppm) constitutes a safe upper limit – **beyond which further global warming could trigger rapid and abrupt climate changes that, in turn, could tip the whole earth climate system into a process of irreversible, runaway warming.[**vii] Unfortunately, we are already well past this limit, with the level of greenhouse gasses as of mid-2005 constituting 445 ppm.[viii] Worse still, cutting-edge scientific data suggests that the safe upper limit is in fact far lower**. James Hansen**, director of the NASA Goddard Institute for Space Studies, **argues that the absolute upper limit for CO2 emissions is 350 ppm: “If the present overshoot of this target CO2 is not brief, there is a possibility of seeding irreversible catastrophic effects.**”[ix] A wealth of **scientific studies** has **attempted to explor**e the role of **positive-feedback mechanisms between different climate sub-systems**, the operation of which could intensify the warming process. **Emissions beyond 350 ppm over decades are likely to lead to the total loss of Arctic sea-ice** in the summer **triggering magnified absorption** of sun radiation, **accelerating warming**; the melting of Arctic permafrost triggering **massive methane injections** into the atmosphere, accelerating warming; the **loss of half the Amazon rainforest** triggering the momentous release of billions of tonnes of stored carbon, accelerating warming; and **increased microbial activity in the earth’s soi**l leading to further huge releases of stored carbon, accelerating warming; to name just a few. **Each of these feedback sub-systems alone is sufficient by itself to lead to irreversible, catastrophic effects that could tip the whole earth climate system over the edge**.[x] Recent studies now estimate that the **continuation of business-as-usual would lead to global warming of three to four degrees Celsius before 2060 with multiple irreversible, catastrophic impacts; and six, even as high as eight, degrees by the end of the century – a situation endangering the survival of all life on earth.[**xi]

### 4

#### War powers policy analysis is plagued with flawed scholarship based on constructed threats to US national security – these threats reify the power of the executive while resulting in endless warfare – questioning the underlying assumptions of the knowledge presented in the 1AC is critical to creating a base for substantive political change

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/> pg 1-7]

Today politicians and legal scholars routinely invoke fears that the balance between liberty and security has swung drastically in the direction of government’s coercive powers. In the post-September 11 era, such worries are so commonplace that in the words of one commentator, “it has become part of the drinking water of this country that there has been a trade-off of liberty for security.”1 According to civil libertarians, centralizing executive power and removing the legal constraints that inhibit state violence (all in the name of heightened security) mean the steady erosion of both popular deliberation and the rule of law. For Jeremy Waldron, current practices, from coercive interrogation to terrorism surveillance and diminished detainee rights, provide government the ability not only to intimidate external enemies but also internal dissidents and legitimate political opponents. As he writes, “We have to worry that the very means given to the government to combat our enemies will be used by the government against its enemies.”2 Especially disconcerting for many commentators, executive judgments—due to fears of infiltration and security leaks—are often cloaked in secrecy. This lack of transparency undermines a core value of democratic decisionmaking: popular scrutiny of government action. As U.S. Circuit Judge Damon Keith famously declared in a case involving secret deportations by the executive branch, “Democracies die behind closed doors. . . . When government begins closing doors, it selectively controls information rightfully belonging to the people. Selective information is misinformation.”3 In the view of no less an establishment figure than Neal Katyal, now the Principal Deputy Solicitor General, such security measures transform the current presidency into “the most dangerous branch,” one that “subsumes much of the tripartite structure of government.”4 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.5 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.6 More recently, Bruce Ackerman has defended the need for an “emergency constitution” premised on congressional oversight and procedurally specified practices.7 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.8 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.”9 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 postSeptember 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.10 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.11 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. As an initial effort to delineate the relationship between knowledge and security, I will argue that throughout most of the American experience, the dominant ideological perspective saw security as grounded in protecting citizens from threats to their property and physical well-being (especially those threats posed by external warfare and domestic insurrection). Drawing from a philosophical tradition extending back to John Locke, politicians and thinkers—ranging from Alexander Hamilton and James Madison at the founding to Abraham Lincoln and Roger Taney—maintained that most citizens understood the forms of danger that imperiled their physical safety. The average individual knew that securing collective life was in his or her own interest, and also knew the institutional arrangements and practices that would fulfill this paramount interest. A widespread knowledge of security needs was presumed to be embedded in social experience, indicating that citizens had the skill to take part in democratic discussion regarding how best to protect property or to respond to forms of external violence. Thus the question of who decides was answered decisively in favor of the general public and those institutions—especially majoritarian legislatures and juries—most closely bound to the public’s wishes. What marks the present moment as distinct is an increasing repudiation of these assumptions about shared and general social knowledge. Today the dominant approach to security presumes that conditions of modern complexity (marked by heightened bureaucracy, institutional specialization, global interdependence, and technological development) mean that while protection from external danger remains a paramount interest of ordinary citizens, these citizens rarely possess the capacity to pursue such objectives adequately. Rather than viewing security as a matter open to popular understanding and collective assessment, in ways both small and large the prevailing concept sees threat as sociologically complex and as requiring elite modes of expertise. Insulated decision-makers in the executive branch, armed with the specialized skills of the professional military, are assumed to be best equipped to make sense of complicated and often conflicting information about safety and self-defense.12 The result is that the other branches—let alone the public writ large—face a profound legitimacy deficit whenever they call for transparency or seek to challenge presidential discretion. Not surprisingly, the tendency of procedural reform efforts has been to place greater decision-making power in the other branches and then to watch those branches delegate such power back to the very same executive bodies. How did the governing, expertise-oriented concept of security gain such theoretical and institutional dominance and what alternative formulations exist to challenge its ideological supremacy? In offering an answer to these questions, I begin in Part II by examining the principal philosophical alternatives that existed prior to the emergence of today’s approach, one of which grounded early American thought on security issues. I refer to these alternatives in the Anglo-American tradition as broadly ‘Hobbesian’ and ‘Lockean’ and develop them through a close reading of the two thinkers’ accounts of security. For all their internal differences, what is noteworthy for my purposes is that each approach rejected the idea—pervasive at present—that there exists a basic divide between elite understanding and mass uncertainty. In other words, John Locke and even Thomas Hobbes (famous as the philosopher of absolutism) presented accounts of security and self-defense that I argue were normatively more democratic than the current framework. Part III will then explore how the Lockean perspective in particular took constitutional root in early American life, focusing especially on the views of the founders and on the intellectual and legal climate in the mid nineteenth century. In Part IV, I will continue by detailing the steady emergence beginning during the New Deal of our prevailing idea of security, with its emphasis on professional expertise and insulated decision-making. This discussion highlights the work of Pendleton Herring, a political scientist and policymaker in the 1930s and 1940s who co-wrote the National Security Act of 1947 and played a critical role in tying notions of elite specialization to a new language of ‘national security.’ Part V will then show how Herring’s ‘national security’ vision increasingly became internalized by judicial actors during and after World War II. I argue that the emblematic figure in this development was Supreme Court Justice Felix Frankfurter, who not only defended security expertise but actually sought to redefine the very meaning of democracy in terms of such expertise. For Frankfurter, the ideal of an ‘open society’ was one premised on meritocracy, or the belief that decisions should be made by those whose natural talents make them most capable of reaching the technically correct outcome. According to Frankfurter, the rise of security expertise meant the welcome spread of meritocratic commitments to a critical and complex arena of policymaking. In this discussion, I focus especially on a series of Frankfurter opinions, including in Ex parte Quirin (1942), Hirabayashi v. United States (1943), Korematsu v. United States (1944), and Youngstown Steel & Tube Co. v. Sawyer (1952), and connect these opinions to contemporary cases such as Holder v. Humanitarian Law Project (2010). Finally, by way of conclusion, I note how today’s security concept—normatively sustained by Frankfurter’s judgments about merit and elite authority—shapes current discussions over threat and foreign policy in ways that often inhibit rather than promote actual security. I then end with some reflections on what would be required to alter governing arrangements. As a final introductory note, a clarification of what I mean by the term ‘security’ is in order. Despite its continuous invocation in public life, the concept remains slippery and surprisingly under-theorized. As Jeremy Waldron writes, “Although we know that ‘security’ is a vague and ambiguous concept, and though we should suspect that its vagueness is a source of danger when talk of trade-offs is in the air, still there has been little or no attempt in the literature of legal and political theory to bring any sort of clarity to the concept.”13 As a general matter, security refers to protection from those threats that imperil survival—both of the individual and of a given society’s collective institutions or way of life. At its broadest, these threats are multidimensional and can result from phenomena as wide-ranging as environmental disasters or food shortages. Thus, political actors with divergent ideological commitments defend the often competing goals of social security, economic security, financial security, collective security, human security, food security, environmental security, and—the granddaddy of them all—national security. But for my purposes, when invoked without any modifier the word ‘security’ refers to more specific questions of common defense and physical safety. These questions, emphasizing issues of war and peace, are largely coterminous with what Franklin Delano Roosevelt famously referred to in his “Four Freedoms” State of the Union Adresss as “the freedom from fear”: namely ensuring that citizens are protected from external and internal acts of “physical aggression.”14 This definitional choice is meant to serve two connected theoretical objectives. First, as a conceptual matter it is important to keep the term security analytically separate from ‘national security’—a phrase ubiquitous in current legal and political debate. While on the face of it, both terms might appear synonymous, my claim in the following pages is that ‘national security’ is in fact a relatively novel concept, which emerged in the mid twentieth century as a particular vision of how to address issues of common defense and personal safety. Thus national security embodies only one of a number of competing theoretical and historical approaches to matters of external violence and warfare. Second, and relatedly, it has become a truism in political philosophy that the concept of liberty is plural and multifaceted.15 In other words, different ideals of liberty presuppose distinct visions of political life and possibility. Yet far less attention has been paid to the fact that security is similarly a plural concept, embodying divergent assumptions about social ordering. In fact, competing notions of security—by offering different answers to the question of “who decides?”—can be more or less compatible with democratic ideals. If anything, the problem of the contemporary moment is the dominance of a security concept that systematically challenges those sociological and normative assumptions required to sustain popular involvement in matters of threat and safety.

#### The logic of security makes violence inevitable, and is the root cause of destructive features of contemporary modernity

Burke 7 (Anthony, Senior Lecturer in Politics and International Relations at UNSW, Sydney, “Ontologies of War: Violence, Existence and Reason”, Theory and Event, 10.2, Muse)

My argument here, whilst normatively sympathetic to Kant's moral demand for the eventual abolition of war, militates against excessive optimism.86 Even as I am arguing that **war is not an enduring historical or anthropological feature, or a neutral and rational instrument of policy** -- that it is **rather the** product of hegemonic forms of knowledge **about political action and community** -- my analysis does suggest some sobering conclusions about its power as an idea and formation. **Neither the progressive flow of history nor the pacific tendencies of an international society of republican states will save us. The violent ontologies** I have described here in fact **dominate the conceptual and policy frameworks of modern republican states** and have come, against everything Kant hoped for, to stand in for progress, modernity and reason. Indeed what Heidegger argues, I think with some credibility, is that **the enframing world view has come to stand in for being itself. Enframing**, argues Heidegger, **'does not simply endanger man in his relationship to himself and to everything that is...it drives out every other possibility of revealing.**..the rule of Enframing threatens man with the possibility that it could be denied to him to enter into a more original revealing and hence to experience the call of a more primal truth.'87 What I take from Heidegger's argument -- one that I have sought to extend by analysing the militaristic power of modern ontologies of political existence and security -- is a view that **the challenge is posed not merely by a few varieties of weapon, government, technology or policy, but by an overarching system of thinking and understanding that lays claim to our entire space of truth and existence. Many of the** most destructive features of contemporary modernity **-- militarism, repression, coercive diplomacy, covert intervention, geopolitics, economic exploitation and ecological destruction -- derive not merely from particular choices by policymakers based on their particular interests, but from calculative, 'empirical' discourses of** scientific and **political truth rooted in powerful enlightenment images of being. Confined within such an epistemological and cultural universe,** policymakers' choices become necessities**, their actions become inevitabilities, and humans suffer and die**. Viewed in this light, **'rationality' is the name we give the chain of reasoning which builds one structure of truth on another until a course of action, however violent or dangerous, becomes preordained through that reasoning's very operation and existence. It creates both discursive constraints -- available choices may simply not be seen as credible or legitimate -- and material constraints that derive from the mutually reinforcing cascade of discourses and events which then preordain militarism and violence as necessary policy responses**, however ineffective, dysfunctional or chaotic. The force of my own and Heidegger's analysis does, admittedly, tend towards a deterministic fatalism. On my part this is quite deliberate; it is important to allow this possible conclusion to weigh on us. **Large sections of modern societies -- especially parts of the media, political leaderships and national security institutions -- are utterly trapped within the Clausewitzian paradigm, within the instrumental utilitarianism of 'enframing'** and the stark ontology of the friend and enemy. They are certainly tremendously aggressive and energetic in continually stating and reinstating its force. But is there a way out? Is there no possibility of agency and choice? Is this not the key normative problem I raised at the outset, of how **the modern ontologies of war efface agency, causality and responsibility from decision making**; the responsibility that comes with having choices and making decisions, with exercising power? (In this I am much closer to Connolly than Foucault, in Connolly's insistence that, **even in the face of the anonymous power of discourse to produce and limit subjects, selves remain capable of agency and thus incur responsibilities.**88) There seems no point in following Heidegger in seeking a more 'primal truth' of being -- that is to reinstate ontology and obscure its worldly manifestations and consequences from critique. However we can, while refusing Heidegger's unworldly89 nostalgia, appreciate that he was searching for a way out of the modern system of calculation; that he was searching for a 'questioning', 'free relationship' to technology that would not be immediately recaptured by the strategic, calculating vision of enframing. Yet his path out is somewhat chimerical -- his faith in 'art' and the older Greek attitudes of 'responsibility and indebtedness' offer us valuable clues to the kind of sensibility needed, but little more. **When we consider the problem of policy, the force of this analysis suggests that choice and agency can be all too often limited; they can remain confined** (sometimes quite wilfully) **within the overarching strategic and security paradigms.** Or, more hopefully, policy choices could aim to bring into being **a more enduringly inclusive, cosmopolitan and peaceful logic of the political.** But this **cannot be done without seizing alternatives** from outside the space of enframing and utilitarian strategic thought, by being aware of its presence and weight and activating a very different concept of existence, security and action.90 This would seem to hinge upon 'questioning' as such -- on the questions we put to the real and our efforts to create and act into it. Do security and strategic policies seek to exploit and direct humans as material, as energy, or do they seek to protect and enlarge human dignity and autonomy? Do they seek to impose by force an unjust status quo (as in Palestine), or to remove one injustice only to replace it with others (the U.S. in Iraq or Afghanistan), or do so at an unacceptable human, economic, and environmental price? **Do we see our actions within an instrumental, amoral framework (of 'interests') and a linear chain of causes and effects (the idea of force), or do we see them as folding into a complex interplay of languages, norms, events and consequences which are less predictable and controllable**?91 And most fundamentally: Are we seeking to coerce or persuade? Are less violent and more sustainable choices available? Will our actions perpetuate or help to end the global rule of insecurity and violence? Will our thought?

#### The alternative is to reject the security discourse of the 1ac.

#### We need to question the assumptions and language that frame policies. The alternative is a prerequisite to effective policies in the future

Bruce 96

(Robert, Associate Professor in Social Science – Curtin University and Graeme Cheeseman, Senior Lecturer – University of New South Wales, Discourses of Danger and Dread Frontiers, p. 5-9)

This goal is pursued in ways which are still unconventional in the intellectual milieu of international relations in Australia, even though they are gaining influence worldwide as traditional modes of theory and practice are rendered inadequate by global trends that defy comprehension, let alone policy. The inability to give meaning to global changes reflects partly the enclosed, elitist world of professional security analysts and bureaucratic experts, where entry is gained by learning and accepting to speak a particular, exclusionary language. The contributors to this book are familiar with the discourse, but accord no privileged place to its ‘knowledge form as reality’ in debates on defence and security. Indeed, they believe that debate will be furthered only through a long overdue critical re-evaluation of elite perspectives. Pluralistic, democratically-oriented perspectives on Australia’s identity are both required and essential if Australia’s thinking on defence and security is to be invigorated. This is not a conventional policy book; nor should it be, in the sense of offering policy-makers and their academic counterparts sets of neat alternative solutions, in familiar language and format, to problems they pose. This expectation is in itself a considerable part of the problem to be analysed. It is, however, a book about policy, one that questions how problems are framed by policy-makers. It challenges the proposition that irreducible bodies of real knowledge on defence and security exist independently of their ‘context in the world’, and it demonstrates how security policy is articulated authoritatively by the elite keepers of that knowledge, experts trained to recognize enduring, universal wisdom. All others, from this perspective, must accept such wisdom or remain outside the expert domain, tainted by their inability to comply with the ‘rightness’ of the official line. But it is precisely the official line, or at least its image of the world, that needs to be problematised. If the critic responds directly to the demand for policy alternatives, without addressing this image, he or she is tacitly endorsing it. Before engaging in the policy debate the critics need to reframe the basic terms of reference. This book, then, reflects and underlines the importance of Antonio Gramsci and Edward Said’s ‘critical intellectuals’.15 The demand, tacit or otherwise, that the policy-maker’s frame of reference be accepted as the only basis for discussion and analysis ignores a three thousand year old tradition commonly associated with Socrates and purportedly integral to the Western tradition of democratic dialogue. More immediately, it ignores post-seventeenth century democratic traditions which insist that a good society must have within it some way of critically assessing its knowledge and the decisions based upon that knowledge which impact upon citizens of such a society. This is a tradition with a slightly different connotation in contemporary liberal democracies which, during the Cold War, were proclaimed different and superior to the totalitarian enemy precisely because there were institutional checks and balances upon power. In short, one of the major differences between ‘open societies’ and their (closed) counterparts behind the Iron Curtain was that the former encouraged the critical testing of the knowledge and decisions of the powerful and assessing them against liberal democratic principles. The latter tolerated criticism only on rare and limited occasions. For some, this represented the triumph of rational-scientific methods of inquiry and techniques of falsification. For others, especially since positivism and rationalism have lost much of their allure, it meant that for society to become open and liberal, sectors of the population must be independent of the state and free to question its knowledge and power. Though we do not expect this position to be accepted by every reader, contributors to this book believe that critical dialogue is long overdue in Australia and needs to be listened to. For all its liberal democratic trappings, Australia’s security community continues to invoke closed monological narratives on defence and security. This book also questions the distinctions between policy practice and academic theory that inform conventional accounts of Australian security. One of its major concerns, particularly in chapters 1 and 2, is to illustrate how theory is integral to the practice of security analysis and policy prescription. The book also calls on policy-makers, academics and students of defence and security to think critically about what they are reading, writing and saying; to begin to ask, of their work and study, difficult and searching questions raised in other disciplines; to recognise, no matter how uncomfortable it feels, that what is involved in theory and practice is not the ability to identify a replacement for failed models, but a realisation that terms and concepts – state sovereignty, balance of power, security, and so on – are contested and problematic, and that the world is indeterminate, always becoming what is written about it. Critical analysis which shows how particular kinds of theoretical presumptions can effectively exclude vital areas of political life from analysis has direct practical implications for policy-makers, academics and citizens who face the daunting task of steering Australia through some potentially choppy international waters over the next few years. There is also much of interest in the chapters for those struggling to give meaning to a world where so much that has long been taken for granted now demands imaginative, incisive reappraisal. The contributors, too, have struggled to find meaning, often despairing at the terrible human costs of international violence. This is why readers will find no single, fully formed panacea for the world’s ills in general, or Australia’s security in particular. There are none. Every chapter, however, in its own way, offers something more than is found in orthodox literature, often by exposing ritualistic Cold War defence and security mind-sets that are dressed up as new thinking. Chapters 7 and 9, for example, present alternative ways of engaging in security and defence practice. Others (chapters 3, 4, 5, 6 and 8) seek to alert policy-makers, academics and students to alternative theoretical possibilities which might better serve an Australian community pursuing security and prosperity in an uncertain world. All chapters confront the policy community and its counterparts in the academy with a deep awareness of the intellectual and material constraints imposed by dominant traditions of realism, but they avoid dismissive and exclusionary terms which often in the past characterized exchanges between policy-makers and their critics. This is because, as noted earlier, attention needs to be paid to the words and the thought processes of those being criticized. A close reading of this kind draws attention to underlying assumptions, showing they need to be recognized and questioned. A sense of doubt (in place of confident certainty) is a necessary prelude to a genuine search for alternative policies. First comes an awareness of the need for new perspectives, then specific policies may follow. As Jim George argues in the following chapter, we need to look not so much at contending policies as they are made for us but at challenging ‘the discursive process which gives [favoured interpretations of “reality”] their meaning and which direct [Australia’s] policy/analytical/military responses’. This process is not restricted to the small, official defence and security establishment huddled around the US-Australian War Memorial in Canberra. It also encompasses much of Australia’s academic defence and security community located primarily though not exclusively within the Australian National University and the University College of the University of New South Wales. These discursive processes are examined in detail in subsequent chapters as authors attempt to make sense of a politics of exclusion and closure which exercises disciplinary power over Australia’s security community. They also question the discourse of ‘regional security’, ‘security cooperation’, ‘peacekeeping’ and ‘alliance politics’ that are central to Australia’s official and academic security agenda in the 1990s. This is seen as an important task especially when, as is revealed, the disciplines of International Relations and Strategic Studies are under challenge from critical and theoretical debates ranging across the social sciences and humanities; debates that are nowhere to be found in Australian defence and security studies. The chapters graphically illustrate how Australia’s public policies on defence and security are informed, underpinned and legitimised by a narrowly-based intellectual enterprise which draws strength from contested concepts of realism and liberalism, which in turn seek legitimacy through policy-making processes. Contributors ask whether Australia’s policy-makers and their academic advisors are unaware of broader intellectual debates, or resistant to them, or choose not to understand them, and why?

### Adv 1

#### AQAP Numbers are deceiving – hard-core members relatively few

Sudarsan Raghayan, “In Yemen, U.S. airstrikes breed anger, and sympathy for al-Qaeda,” Washington Post, May 29, 2012.

An escalated campaign

Obama’s top counterterrorism adviser, John O. Brennan, has publicly defended the use of drone strikes, arguing that their precision allows the United States to limit civilian casualties and lessen risks for U.S. military personnel. The decision to fire a missile from a drone, he said, is taken with “extraordinary care and thoughtfulness.”¶ National Security Council spokesman Tommy Vietor said the administration’s counter­terrorism strategy in Yemen is “guided by the view that we must do what is necessary to disrupt AQAP plots against U.S. interests” and to help the Yemeni government build up its capabilities to fight AQAP.¶ “While AQAP has grown in strength over the last year, many of its supporters are tribal militants or part-time supporters who collaborate with AQAP for self-serving, personal interests rather than affinity with al-Qaeda’s global ideology,” Vietor said. “The portion of hard-core, committed AQAP members is relatively small.”¶ The dramatic escalation in drone strikes in Yemen followed foiled plots by AQAP to bomb a U.S. airliner headed to Detroit in 2009 and to send parcel bombs via cargo planes to Chicago the following year. In April, Saudi intelligence agents helped foil an AQAP plot to plant a suicide bomber on a U.S.-bound plane.

#### Strikes in Yemen tapered off

[Greg Miller](http://www.washingtonpost.com/greg-miller/2011/03/02/ABDOymP_page.html), “Obama’s new drone policy leaves room for CIA role,” Washington Post, May 25, 2013

The number of U.S. strikes in Yemen rose to 42 last year but they have tapered off since. After a flurry of attacks in January, there have been only three. The latest, on May 18, reportedly killed four militants but no senior operatives and was carried out by the CIA.

Yemen’s instable regardless—water and malnutrition[blue

Schlein 2-4 [Lisa Schlein, writer @ VOA, 2-4-14, Improving Humanitarian Situation Critical to Yemen's Stability, <http://www.voanews.com/content/improving-humanitarian-situation-critical-to-yemen-stability/1844170.html>, wyo-sc]

GENEVA, SWITZERLAND — Senior U.N. officials say improving humanitarian conditions in Yemen is critical for the country's future stability. The officials say the international community can help the fractured country by supporting the short-term and long-term needs of millions of destitute people.¶ Yemen is one of the poorest, most deprived countries in the world. The United Nations reports 14.7 million people, more than half the population, needs assistance this year. ¶ It said millions had no access to safe drinking water and that Yemen has the second highest rate of malnutrition in the world, with one million children under age five suffering from growth-stunting or acute malnutrition.¶ The U.N. is appealing for $591 million to provide humanitarian aid for about half of these destitute Yemenis.¶ Women and children gather to collect water from a tap at a camp for internally displaced persons (IDPs) in al-Mazraq in the northwestern Yemeni province of Hajja, May 20, 2013.¶ Women and children gather to collect water from a tap at a camp for internally displaced persons (IDPs) in al-Mazraq in the northwestern Yemeni province of Hajja, May 20, 2013.¶ In addition, Yemen is hosting nearly a quarter-million registered refugees from the Horn of Africa, mainly from Somalia. It also cares for 400,000 people forced to flee their homes because of conflicts in the north and south of the country. ¶ U.N. officials report progress is being made toward political solutions for these conflicts, and this bodes well for the future stability of the country. ¶ The U.N. resident and humanitarian coordinator for Yemen, Ismail Ould Cheikh Ahmed, said the international community had an opportunity to help stabilize Yemen - an opportunity that he said should not be missed.¶ “In order to stabilize Yemen, we need to realize unless we create jobs for the young, the youth - unless we are able to provide food assistance for those life-saving activities or health. You know close to eight-million people today cannot have adequate access to health, medical facilities. So, if we do not address these, I am saying then we will not be able to stabilize the country," said Ahmed.

#### Culture and other great powers keep arms sales up

Jumeh 13

[Mohammed Jumeh, “Weapons in Yemen: Commercial and Political Interests Asharq Al-Awsat looks into the always-thriving Yemeni arms trade”, Monday, 4 Mar, 2013, http://www.aawsat.net/2013/03/article55294657, \\wyo-bb]

London, Asharq Al-Awsat—The tribesmen of Yemen see weapons as a male accessory, just as women adorn themselves will jewelry and makeup, and in some areas it is considered a slight on one’s masculinity for a man to walk the markets or streets without one.¶ Yemen has over twenty markets selling arms, the most famous of which are Jahana market, east of the capital Sana’a, Talh market in Saada, and Raida market in Amran, north of Sana’a, in addition to other markets in Marib and Al-Bayda. These are where many types of light, medium and even heavy weaponry are sold, and throughout the country Kalashnikovs, 12.7mm and 14.5mm artillery shells, anti-tank weaponry, and even surface-to-air missiles can be found.¶ The reason so many weapons are carried in the country stems from the customs and traditions that make it imperative for tribesmen to carry arms. This is in addition to the spread of tribal warfare and retaliation, as well as the multiple military conflicts and inter-Yemeni wars between the north and the south—and within those two regions themselves—both before and after the unification of Yemen in 1990.¶ Some arms dealers cite government reports claiming the arms trade, and the accompanying security conditions; have cost the country USD 18 billion over the past two decades. However, others believe that the arms trade “represents a source of income for many Yemenis that should not be compromised”, as expressed by A. Sabran, an arms dealer, who believes that “despite the proliferation of arms in Yemen and the thriving trade in them, the rate of murders in the country is decreasing thanks to the wisdom of the Yemenis and their prudence when it comes to using these weapons.”¶ With regards to the types of weapons that can be found in local markets, they are mostly Russian and Chinese made. However, although these two countries lead the way in the Yemeni arms trade, there are also Korean, Czech and Turkish weapons available, in addition to the Iranian weapons that the Houthis in the north are reportedly receiving periodically.¶ A recent report issued by Transparency International has ranked the Arab states in accordance with their respective government’s ability, or lack thereof, to tackle corruption in arms and defense deals. The report classifies corruption in this regard in seven bands, ranging from very low to moderate to critical risk. In the second highest band of defense corruption—described as very high risk—are Bahrain, Iraq, Oman, Morocco, and Tunisia, in addition to Qatar and Saudi Arabia. Meanwhile, Egypt, Algeria, Libya, Syria, and Yemen are all ranked in the top band—critical risk—for global defense corruption.¶ Recently, the issue of smuggled Iranian and Turkish weapons has come to the surface in Yemen, and a number of arms shipments from these two countries have been shut down. It is significant that the smuggled Turkish arms are mostly for personal use, given the nature of the arms trade where smugglers aim to sell to individuals for personal, use or to then trade on for a profit. The likely hypothesis is that the Turkish weapons have come through smugglers seeking to make money, and not to supply armed groups.¶ This is in contrast to the Iranian weapons, which Yemeni officials say are different in nature, most of them being the kind of heavy weaponry that rebel groups are seeking to obtain, as evidenced by the recent Iranian arms shipment seized by Yemeni authorities in the southern port of Aden.¶ Mohammed Al-Salehi, Editor-in-Chief of the Yemeni Mareb Press newspaper, supports this hypothesis regarding the two countries separate motives, and told Asharq Al-Awsat: “The Iranian weapons are heavy ones, some of which are highly advanced including surface-to-air anti-aircraft missiles, highly explosive materials, and night vision equipment.” Salehi added, “In contrast, the Turkish weapons are all light weaponry such as handguns and ammunition, and the purpose of these shipments is to trade and make money in the Yemeni arms market.” Salehi remarked that it is not only the nature of the Turkish and Iranian weapons that are different, but also the positions of their respective governments.¶ The Iranians, according to Salehi, “always respond to the accusations against them with disbelief and denial, while the Turkish government promises to investigate the issue. Already, a number of arms manufacturers in Turkey have been investigated.” In Salehi’s opinion, this indicates that the Iranian government is complicit in the smuggling of weapons into Yemen, while Turkish smugglers are acting without the knowledge of Turkish officials.¶ Rajeh Badi, media adviser to the Yemeni prime minister, stated that Iran is looking for a foothold in Yemen by supporting certain armed groups, movements and political figures. He told Asharq Al-Awsat, “Yemen has sent a number of requests to the Iranian side to stop their interference in Yemeni affairs; however the Iranians have not heeded these appeals.” He indicated that Iranian weapons are intended to support armed groups such as the Houthis in order to destabilize the country, meaning that Iranian weapons smuggling serves a wider political function.¶ Regardless of the multiple opinions and conflicting interests behind the arms trade, the weapons market in Yemen remains one of the most active. UN observers have even reported that Yemen has sometimes served as a transit point in the global arms trade, where some weapons are re-exported to African countries experiencing conflict, such as Somalia, with reports indicating that the Al-Shabab movement has acquired a large number of weapons from the Yemeni market.

#### No indo pak war – relations high and trade cooperation deters

Sharma ’13 (Pranjal, Advisor at Prasar Bharati,”Sharif’s government gives boost to relations,” DNA, 7/17/2013, http://www.dnaindia.com/analysis/1862090/column-sharif-s-government-gives-boost-to-indo-pak-business-relations)

Usually when governments change, so do the economic policies of the country. In a remarkable show of maturity the recently elected government in Pakistan has decided to push ahead with economic reforms. More crucially, the Nawaz Sharif government is adding momentum to trade and investment relations between India and Pakistan. ¶ The process had begun in late 2011 with the first ever visit of the Pakistan trade minister to India. Soon after that there were business delegations while the governments on both sides encouraged changes in policy. ¶ Pakistan even accorded the MFN status to India at last as an important symbol of rising maturity on trade relations. This step aims to lower the tariffs of goods imported from India. Even India announced that it would welcome and encourage foreign direct investment from Pakistan. ¶ There was much anxiety about the future of Indo-Pak trade relations after Nawaz Sharif won the elections. The worry was that prime minister Sharif would go slow or reverse economic links since the process was initiated by his predecessor. At best he would postpone decisions that facilitate trade. And at worst, he would raise fresh barriers to cross border trade and investment. ¶ All such worries were belied. Sharif displayed great vision by fully endorsing the normalization of economic relations. ¶ Business has been quick to move ahead. A conference of leading industry heads was held in Islamabad in late June to take forward the process. Sharif met the first ever gathering of the Indo-Pakistan Joint Business Forum and urged it to work on a detailed roadmap for strengthening economic links. ¶ The joint business forum discussed agriculture and textile exports, trans-border gas pipeline, visa regime and enhancing banking processes. Other issues included air and rail connectivity to facilitate movement of professionals and goods. ¶ This private sector initiative has now moved into the next gear with the setting up of 10 teams that will identify specific steps in as many sectors. These include textile, agriculture and education where trade and transactions can begin soon. ¶ The frequency of business visits between the two countries is rising consistently. A delegation from Pakistan will soon finalise import of gas from India through a 120-km pipeline. Pakistan is ready to offer a sovereign guarantee to India’s Gail to construct the pipeline. In fact India will also export power to get Pakistan tide over its energy crisis. ¶ Moreover a company will soon be set up to begin work on bringing gas from Turkmenistan to Pakistan and India via Afghanistan. ¶ A few months ago, such developments would have been difficult to imagine. ¶ “Business and government on both sides are now working on the nitty gritty of policy changes that will remove irritants to trade,” says Sunil Kant Munjal, former president of CII and Jt MD of Hero MotoCorp who led the Indian business delegation to Pakistan. The Pakistan delegation was led by Syed Yawar Ali, chairman of Nestle Pakistan. ¶ The change in government in Pakistan has only firmed the resolve of the country to focus on economic development. Stronger business links with India and South Asia will play a critical role for Pakistan. ¶ As it prepares for elections next year, observers feel that India must maintain maturity and policy momentum to build on the work done so far. ¶ The author tracks India’s political economy and its engagement with the world.

#### No Indo-Pak war

Mutti 9— Master’s degree in International Studies with a focus on South Asia, U Washington. BA in History, Knox College. over a decade of expertise covering on South Asia geopolitics, Contributing Editor to Demockracy journal (James, 1/5, Mumbai Misperceptions: War is Not Imminent, http://demockracy.com/four-reasons-why-the-mumbai-attacks-wont-result-in-a-nuclear-war/)

Fearful of imminent war, the media has indulged in frantic hand wringing about Indian and Pakistani nuclear arsenals and renewed fears about the Indian subcontinent being “the most dangerous place on earth.” As an observer of the subcontinent for over a decade, I am optimistic that war will not be the end result of this event. As horrifying as the Mumbai attacks were, they are not likely to drive India and Pakistan into an armed international conflict. The media frenzy over an imminent nuclear war seems the result of the media being superficially knowledgeable about the history of Indian-Pakistani relations, of feeling compelled to follow the most sensationalistic story, and being recently brainwashed into thinking that the only way to respond to a major terrorist attack was the American way – a war. Here are four reasons why the Mumbai attacks will not result in a war: 1. For both countries, a war would be a disaster. India has been successfully building stronger relations with the rest of the world over the last decade. It has occasionally engaged in military muscle-flexing (abetted by a Bush administration eager to promote India as a counterweight to China and Pakistan), but it has much more aggressively promoted itself as an emerging economic powerhouse and a moral, democratic alternative to less savory authoritarian regimes. Attacking a fledgling democratic Pakistan would not improve India’s reputation in anybody’s eyes. The restraint Manmohan Singh’s government has exercised following the attacks indicates a desire to avoid rash and potentially regrettable actions. It is also perhaps a recognition that military attacks will never end terrorism. Pakistan, on the other hand, couldn’t possibly win a war against India, and Pakistan’s military defeat would surely lead to the downfall of the new democratic government. The military would regain control, and Islamic militants would surely make a grab for power – an outcome neither India nor Pakistan want. Pakistani president Asif Ali Zardari has shown that this is not the path he wants his country to go down. He has forcefully spoken out against terrorist groups operating in Pakistan and has ordered military attacks against LeT camps. Key members of LeT and other terrorist groups have been arrested. One can hope that this is only the beginning, despite the unenviable military and political difficulties in doing so. 2. Since the last major India-Pakistan clash in 1999, both countries have made concrete efforts to create people-to-people connections and to improve economic relations. Bus and train services between the countries have resumed for the first time in decades along with an easing of the issuing of visas to cross the border. India-Pakistan cricket matches have resumed, and India has granted Pakistan “most favored nation” trading status. The Mumbai attacks will undoubtedly strain relations, yet it is hard to believe that both sides would throw away this recent progress. With the removal of Pervez Musharraf and the election of a democratic government (though a shaky, relatively weak one), both the Indian government and the Pakistani government have political motivations to ease tensions and to proceed with efforts to improve relations. There are also growing efforts to recognize and build upon the many cultural ties between the populations of India and Pakistan and a decreasing sense of animosity between the countries. 3. Both countries also face difficult internal problems that present more of a threat to their stability and security than does the opposite country. If they are wise, the governments of both countries will work more towards addressing these internal threats than the less dangerous external ones. The most significant problems facing Pakistan today do not revolve around the unresolved situation in Kashmir or a military threat posed by India. The more significant threat to Pakistan comes from within. While LeT has focused its firepower on India instead of the Pakistani state, other militant Islamic outfits have not. Groups based in the tribal regions bordering Afghanistan have orchestrated frequent deadly suicide bombings and clashes with the Pakistani military, including the attack that killed ex-Prime Minister Benazir Bhutto in 2007. The battle that the Pakistani government faces now is not against its traditional enemy India, but against militants bent on destroying the Pakistani state and creating a Taliban-style regime in Pakistan. In order to deal with this threat, it must strengthen the structures of a democratic, inclusive political system that can also address domestic problems and inequalities. On the other hand, the threat of Pakistani based terrorists to India is significant. However, suicide bombings and attacks are also carried out by Indian Islamic militants, and vast swaths of rural India are under the de facto control of the Maoist guerrillas known as the Naxalites. Hindu fundamentalists pose a serious threat to the safety of many Muslim and Christian Indians and to the idea of India as a diverse, secular, democratic society. Separatist insurgencies in Kashmir and in parts of the northeast have dragged on for years. And like Pakistan, India faces significant challenges in addressing sharp social and economic inequalities. Additionally, Indian political parties, especially the ruling Congress Party and others that rely on the support of India’s massive Muslim population to win elections, are certainly wary about inflaming public opinion against Pakistan (and Muslims). This fear could lead the investigation into the Mumbai attacks to fizzle out with no resolution, as many other such inquiries have. 4. The international attention to this attack – somewhat difficult to explain in my opinion given the general complacency and utter apathy in much of the western world about previous terrorist attacks in places like India, Pakistan, and Indonesia – is a final obstacle to an armed conflict. Not only does it put both countries under a microscope in terms of how they respond to the terrible events, it also means that they will feel international pressure to resolve the situation without resorting to war. India and Pakistan have been warned by the US, Russia, and others not to let the situation end in war. India has been actively recruiting Pakistan’s closest allies – China and Saudi Arabia – to pressure Pakistan to act against militants, and the US has been in the forefront of pressing Pakistan for action. Iran too has expressed solidarity with India in the face of the attacks and is using its regional influence to bring more diplomatic pressure on Pakistan.

### Adv 2

#### **Jus ad bellum doctrine isn’t modeled and there’s no impact.**

Lewis & Crawford 13 [Michael W., Professor of Law at Ohio Northern University Pettit College of Law, Emily, Post-Doctoral Research Fellow at the University of Sydney, “DRONES AND DISTINCTION: HOW IHL ENCOURAGED THE RISE OF DRONES” p. 1166,¶ , <http://www.law.georgetown.edu/academics/law-journals/gjil/recent/upload/zsx00313001127.PDF>, wyo-sc]

Lastly, the legal justiﬁcation advanced by the United States for its drone use does not seek an “ever-expanding entitlement” to use drones around the world, nor is it likely to result in the use of drones against the United States. While states must always be wary of conducting themselves in a manner that serves their short-term security interests while creating a damaging long-term precedent, it does not appear that the United States’ legal justiﬁcation does that. Because the justiﬁcation is largely based upon the consent of the state in which force is employed, there are minimal sovereignty concerns related to drone use. Those concerns do arise when a state is unable or unwilling to prevent non-state actors within its borders from engaging in an armed conﬂict with another state. These concerns should be addressed by showing proper deference to the targeted state in arriving at an “unable or unwilling” determination. As long as proper deference is shown to the target state, an emerging legal norm allowing for selfdefense targeting of non-state actors on the territory of a third state if that “host” state is either unable or unwilling to detain or expel the non-state actors does not threaten the stability and cohesion of the international order, nor is it likely to “haunt” the United States in the future.169

#### The US has been using broad interpretations of self-defense since the 80s—nothing happened, and post- 9/11 everyone is accepting of self defense to deter terrorism

Schmitt 8 [Michael N. Schmitt, Chairman of the International Law Department at the United States Naval War College, Former Judge specializing in operational and international law, “RESPONDING TO TRANSNATIONAL TERRORISM UNDER THE JUS AD¶ BELLUM: A NORMATIVE FRAMEWORK,” 56 Naval L. Rev. 2008, <http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1610011>, wyo-sc]

Operation Enduring Freedom was not the first instance of the United States claiming self-defense as a right in forcefully countering terrorism, although in previous decades it typically addressed transnational terrorism through the prism of law enforcement." The international reaction to such assertion of self-defense has evolved steadily, an evolution that reflects a clear shift in the normative expectations regarding exercise of the right.¶ Recall Operation El Dorado Canyon in 1986, mentioned at the outset of this article. Following the attack, President Reagan announced that the United States had acted defensively: "Self-defense is not only our right, it is our duty. It is the purpose behind the mission undertaken tonight -- a mission fully consistent with Article 51 of the U.N. Charter., 28 As noted, the international community generally balked at this justification.¶ The United States again claimed the right to react to terrorism in self- defense when it uncovered an assassination plot against former President George Bush in 1993. In reporting to the Security Council that U.S. forces had replied by launching cruise missiles against Iraqi intelligence facilities, Madeline Albright, U.S. Ambassador to the United Nations, stated "I am not asking the Council for any action... but in our judgment every member here today would regard an assassination attempt against its former head of state as an attack against itself and would react."29 International reaction was certainly more muted than it had been in response to El Dorado Canyon, a fact no doubt influenced by Iraq's status as an international pariah in the aftermath of events that had precipitated the First Gulf War, as well as that nation's non-compliance with the terms of the cease-fire.¶ In 1998, the United States again claimed a right to use defensive force following the bombings of U.S. embassies in Nairobi and Dar-es-Salaam. Albright, now Secretary of State, announced that "[I]f we had not taken this action, we would not have been exercising our right of self-defense . . . . 0 A number of States, including Iran, Iraq, Libya, Pakistan, and Russia, condemned the response, which consisted of cruise missile strikes against terrorist camps in¶ 31¶ Afghanistan and a pharmaceutical plant in Sudan allegedly tied to terrorism. However, a stream of criticism distinguishing between the two targets foreshadowed a shift in international normative expectations regarding forceful State responses to transnational terrorism. The League of Arab States, for example, criticised the strike into Sudan while offering no comment on that against targets in Afghanistan.32 At the United Nations, Sudan, the Group of African States, the Arab League, and the Group of Islamic States asked the Security Council to investigate the Sudan attack, but remained silent over the companion operations against Afghanistan-based targets.33 Perhaps most tellingly, in nearly every case, censure focused not on the fact that a forceful response to a terrorist attack had been mounted, but rather on a belief that the Sudan attack was based on faulty intelligence. In other words, there was implied acceptance of a State's right to react forcefully to terrorism pursuant to the law of self-defense, so long as the action is based on reliable information.¶ The acceptability of resorting to military force in response to transnational terrorism crystallized in the aftermath of 9/11. Prior to that event, many in the international legal community would still have urged that the international law of self-defense referred only to "armed attacks" by States or armed groups acting on behalf of a State. Violent acts by non-State actors remained the province of law enforcement.¶ However, within a day of the attacks, and at a time when no one was suggesting a State was behind them, the Security Council adopted Resolution¶ 1368, in which it recognized the inherent right of individual or collective self- defense.34 This action suggested that the Council now understood the law of self-defense as extending to terrorism, at least of the kind mounted on September 11. Lest the resolution be styled merely an emotive reaction to the events of the previous day, on September 28 the Council again affirmed the right of self-defense in Resolution 1373.35 Other international organizations took exactly the same approach. For instance, both NATO and the Organization of American States activated the collective defense provisions of their respective treaties.36 So too did Australia vis-A-vis the ANZUS Pact.37 Bilateral support for the prospective U.S. exercise of its self-defense rights was equally widespread, as 27 nations granted overflight and landing rights to U.S. military aircraft and 46 issued declarations of support. Quite simply, it was universally accepted that a military response in self-defense would be appropriate and lawful.¶ On October 7, U.S. and Coalition forces launched that response. U.S. Ambassador to the United Nations John Negroponte contemporaneously notified the Security Council, as required by Article 51, that the United States was exercising its right to self-defense.¶ In accordance with Article 51 of the Charter of the United Nations, I wish, on behalf of my Government, to report that the United States of America, together with other States, has initiated actions in the exercise of its inherent right of individual and collective self-defense following the armed attacks that were carried out against the United States on 11 September 2001.¶ ... Since 11 September, my Government has obtained clear and compelling information that the Al-Qaeda organization, which is¶ supported by the Taliban regime in Afghanistan, had a central role in the attacks. There is still much we do not know. Our inquiry is in its early stages. We may find that our self-defense requires further actions with respect to other organizations and other States.¶ The attacks on 11 September 2001 and the ongoing threat to the United States and its nationals posed by the AI-Qaeda organization have been made possible by the decision of the Taliban regime to allow the parts of Afghanistan that it controls to be used by this organization as a base of operation. Despite every effort by the United States and the international community, the Taliban regime has refused to change its policy. From the territory of Afghanistan, the Al-Qaeda organization continues to train and support agents of terror who attack innocent people throughout the world and target United States nationals and¶ interests in the United States and abroad.¶ In response to these attacks, and in accordance with the inherent right of individual and collective self-defense, United States armed forces have initiated actions designed to prevent and deter further attacks on the United States. These actions include measures against Al-Qaeda terrorist training camps and military installations of the Taliban regime in Afghanistan.... 38¶ Despite the fact that the attacks fell on not only al Qaeda, but also the defacto government of Afghanistan, the Taliban, criticism was nowhere to be heard. On the contrary, support for the operations was effusive. The United Kingdom participated from the beginning, and Australia, Canada, the Czech Republic, Germany, Italy, Japan, the Netherlands, New Zealand, Turkey, and the United Kingdom offered ground troops. 39 Georgia, Oman, Pakistan, the Philippines, Qatar, Saudi Arabia, Tajikistan, Turkey, and Uzbekistan opened¶ 40 airspace and provided facilities to support operations.

#### We’re in an armed conflict with Al Qaeda—all 3 branches agree—there’s no question of imminence in an armed conflict because status justifies killing

Anderson 11 [Kenneth Anderson, law professor at Washington College of Law @ American University, research fellow of the Hoover Institution at Stanford University, Non-Resident Visiting Fellow at the Brookings Institution, “TARGETED KILLING AND DRONE WARFARE: HOW WE CAME TO DEBATE WHETHER THERE IS A ‘LEGAL GEOGRAPHY OF WAR’,” 4-26-11, American University Washington College of Law Research Paper No. 2011-16, <http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1824783>, wyo-sc]

The alternative legal regime is armed conflict. The law of armed conflict accepts the targeting and killing of combatants, based solely on their status: as members of the armed forces of a party to a conflict and, under certain circumstances, those, in- cluding civilians, who might engage in hos- tilities so to make themselves lawful targets.¶ All three branches of the US government have held that the United States is now in an armed conflict, specifically a noninter- national armed conflict (NIAC). The armed conflict is with a nonstate actor (and, more broadly, with any actor covered by the post 9/11 Authorization to Use Military Force [AUMF]). Not everyone accepts the United States’ characterization that it is in an armed conflict of any kind or that as a consequence persons affiliated (as combatants or in some legally relevant status) with those groups are lawful targets. Whatever the critics’ ar- guments with that conclusion, the result is¶ that the law of armed conflict would not cover all US counterterrorism operations. Some part is either not armed conflict (and governed by its law) or human rights law applies in important ways even in armed conflict and the law of armed conflict is no longer an exclusive or complete substitute as lex specialis.¶ The stakes in the debates raised by these objections are high for the US government and its critics. Insofar as the critics’ objec- tions have bite, the United States loses much, or even all, of its legal ability to shel- ter its targeted killing operations under the regime of armed conflict law. If one accepts the binary, presumably the legal situation reverts to proceeding under the standards of law enforcement. Targeted killing using drone warfare, or any targeted killing under US national security law, in practical terms could not survive as a lawful practice.¶ The US Assertion of a More Capacious Conflict in Time and Space¶ The US response to these objections has mainly been to assert its traditional view that armed conflict is more capacious than the critics allow. It asserts in addition that the binary does not cover all possibilities. The United States has broadly embraced the view that there in fact is an armed con- flict (the one named in US domestic law under the AUMF) with transnational non- state terrorist actors and thus is a NIAC. That being so, in the traditional US legal view, the armed conflict goes where the participants go, as it did in World War II and does today. It goes where the targets¶ go and goes where hostilities conducted against the targets go. Moreover, once con- flict got under way, at least as early as 9/11, it “isn’t over until it’s over.” The conflict has extension in both space and time.¶ As a consequence, if targetable enemies move from Afghanistan to Pakistan to Yemen to Somalia over a period of years in which they are sometimes actively engaged in attacks and sometimes quiescent, they remain the enemy no less than before and targetable as such until the armed conflict is over. This position raises difficult and highly controversial issues of so-called di- rect participation in hostilities by civilians and when they can lawfully be targeted; the general position of the United States has been that terrorists hiding in safe havens are not immune from attack. Moreover, new persons or parties that join with them also become connected to the original NIAC and thus become targetable as well.¶ Armed conflict does not start and stop depending on whether a side wants to fight at that point or not. To permit such a rule would give either party the ability to call “game on” or “game off” as strategic con- siderations dictated: lawfare par excellence. Apart from contravening the general legal principle of military necessity, such an arrangement would create perverse incen- tives for one side, such as the United States, to never to let up in the actual fighting and hostilities to ensure that “game off” was never established. Thus, the Obama admin- istration regards those it has targeted in Yemen since 2009 as fully part of the NIAC under the AUMF. Neither time nor distance¶ nor a possibly looser affiliation of Al Qaeda in the Arabian Peninsula (AQAP) is re- garded by the administration as grounds for saying that the NIAC is not the basis for targeted killing operations and thus that the law of armed conflict applies.

#### No reverse casual modeling internal link --- we can’t reverse the precedent that has already been set

Boot 11

(Max Boot, Jeane J. Kirkpatrick Senior Fellow in National Security Studies at the Council on Foreign Relations in New York, leading military historian and foreign-policy analyst, “We Cannot Afford to Stop Drone Strikes,” Commentary Magazine, October 9, 2011, http://www.commentarymagazine.com/2011/10/09/drone-arms-race/)

The New York Times engages in some scare-mongering today about a drone arms race. Scott Shane notes correctly other nations such as China are building their own drones and in the future U.S. forces could be attacked by them–our forces will not have a monopoly on their use forever. Fair enough, but he goes further, suggesting our current use of drones to target terrorists will backfire:

If China, for instance, sends killer drones into Kazakhstan to hunt minority Uighur Muslims it accuses of plotting terrorism, what will the United States say? What if India uses remotely controlled craft to hit terrorism suspects in Kashmir, or Russia sends drones after militants in the Caucasus? American officials who protest will likely find their own example thrown back at them.¶ “The problem is that we’re creating an international norm” — asserting the right to strike preemptively against those we suspect of planning attacks, argues Dennis M. Gormley, a senior research fellow at the University of Pittsburgh and author of Missile Contagion, who has called for tougher export controls on American drone technology. “The copycatting is what I worry about most.”¶ This is a familiar trope of liberal critics who are always claiming we should forego “X” weapons system or capability, otherwise our enemies will adopt it too. We have heard this with regard to ballistic missile defense, ballistic missiles, nuclear weapons, chemical and biological weapons, land mines, exploding bullets, and other fearsome weapons. Some have even suggested the U.S. should abjure the first use of nuclear weapons–and cut down our own arsenal–to encourage similar restraint from Iran.¶ **The argument falls apart rather quickly because it is founded on a false premise: that other nations will follow our example.** In point of fact, Iran is hell-bent on getting nuclear weapons no matter what we do; China is hell-bent on getting drones; and so forth. Whether and under what circumstances they will use those weapons remains an open question–but there is little reason to think self-restraint on our part will be matched by equal self-restraint on theirs. Is Pakistan avoiding nuking India because we haven’t used nuclear weapons since 1945? Hardly. The reason is that India has a powerful nuclear deterrent to use against Pakistan. If there is one lesson of history it is a strong deterrent is a better upholder of peace than is unilateral disarmament–which is what the New York Times implicitly suggests.¶ Imagine if we did refrain from drone strikes against al-Qaeda–what would be the consequence? If we were to stop the strikes, would China really decide to take a softer line on Uighurs or Russia on Chechen separatists? That seems unlikely given the viciousness those states already employ in their battles against ethnic separatists–which at least in Russia’s case already includes the suspected assassination of Chechen leaders abroad. What’s the difference between sending a hit team and sending a drone?¶ While a decision on our part to stop drone strikes would be unlikely to alter Russian or Chinese thinking, it would have one immediate consequence: al-Qaeda would be strengthened and could regenerate the ability to attack our homeland. Drone strikes are the only effective weapon we have to combat terrorist groups in places like Pakistan or Yemen where we don’t have a lot of boots on the ground or a lot of cooperation from local authorities. We cannot afford to give them up in the vain hope it will encourage disarmament on the part of dictatorial states.

#### Ex post review fails to set up a legal framework

Crandall 12 (Carla, Law Clerk – Supreme Court of Missouri, “Ready…Fire…Aim! A Case for Applying American Due Process Principles Before Engaging in Drone Strikes,” Florida Journal of International Law, April, 24 Fla. J. Int'l L. 55, Lexis)

Despite the expanded use of drones, however, the legitimacy of these attacks remains unclear. Most commentators who have addressed the legitimacy of more general targeted killings have examined the issue within the framework of either international humanitarian law (IHL) or international human rights law (IHRL). n6 Those limited few who have [\*57] analyzed the subject through the lens of American due process have limited their scrutiny to the absence of post-deprivation rights. n7 They suggest, for instance, that the United States should implement some sort of Bivens-type action as a remedy for the survivors of erroneous drone strikes. n8

As this Article explains, however, none of these approaches yield wholly satisfactory answers as to which framework should govern the use of drones within the context of the war on terror. And though the idea that American due process principles ought to be applied ex post represents a significant contribution to the debate, it too ultimately falls flat. Indeed, such an approach unduly narrows the obligation of U.S. officials to the standard of readying, firing, and then aiming- requiring them to perform a detailed review of the strikes only after the fact. Instead, this Article argues that the United States ought to be held to a higher, ex ante standard-that of "aiming" before firing-and posits that such a standard is practically attainable.

In doing so, the Article proceeds as follows. Part II describes the capabilities and current employment of drones and explains why resolving the legitimacy of their use is so critical. Specifically, it highlights that, despite the unsettled nature of the law in this area, targeted killings by drone strikes have increased exponentially in recent years-in some instances against arguably questionable targets. Part III examines current attempts to address the legitimacy of drone assaults and explains why they fail to adequately govern the use of these weapons. While this Part explores the applicability of IHRL and IHL, it does not undertake to resolve the debate as to which regime does or ought to apply to these operations. To the contrary, it argues that limitations within each framework have prevented consensus from forming around the applicability of either. Accordingly, U.S. officials [\*58] must arguably look to other sources to find guiding principles to legitimize targeted killings via drones. Though it is admittedly not entirely clear whether constitutional guarantees apply in the foreign locales where these strikes occur-or to the foreign nationals who are often their target-this Part proposes that American due process principles nevertheless ought to be invoked before such strikes occur, because failing to do so allows the executive to act with impunity in a legal void. Part IV argues that, in Hamdi v. Rumsfeld n9 and Boumediene v. Bush, n10 the Supreme Court signaled the process that may be due before drones are used to eliminate known terrorist targets. In extending the Hamdi and Boumediene analysis to targeted killings by drones, this Part also begins the inquiry into the procedural protections that due process may demand before U.S. officials engage in such actions. Part V concludes.

## 2NC

### 2NC Long Framework

#### **THE ROLE OF THE BALLOT IS WHOEVER BEST DEFENDS THEIR DISCOURSE. THE JUDGE SHOULD CHALLENGE THE VALUES AND ASSUMPTIONS OF THE 1AC.**

Nothing they do leves this room—their FW is weigh consequences if the plan passes—they don’t get their consequences

#### OUR INTERPRETATION IS GOOD FOR DEBATE BECAUSE:

#### 1.PREDICTABILITY - THE AFFIRMATIVE SHOULD HAVE TO DEFEND THE PROCESS BY WHICH THEY ARRIVE AT THEIR CONCLUSIONS AND IMPACTS.

#### 2.EDUCATIONAL- THE K PROVIDES EDUCATION ABOUT WHAT WE CAN DO AS ACADEMIC ACTORS, WE WILL NEVER BE POLICY MAKERS, OR AFFECT THE INSTITUTIONS. WE SHOULD FOCUS ON ENGAGING CRITICISM OF DISCOURSE THAT ALLOWS US TO BETTER OURSELVES AND FIND BETTER SOLUTIONS.

#### 3.FAIRNESS- DON’T WEIGH THEIR IMPACTS UNLESS THEY’VE SHOWN THEIR DISCOURSE AND ASSUMPTIONS ARE CORRECT. OTHERWISE THEIR IMPACTS SHOULD REMAIN UNDER HIGH SCRUTINY.

#### AND WE ARE A PREREQUISITE FOR ALL POLICYMAKING OFFENSE:

#### 1.K2 POLICY EDUCATION- ONLY BY CRITICIZING DISCOURSE CAN WE DERIVE POLICIES THAT IDENTIFY THE RIGHT PROBLEM AND ENGENDER BETTER SOLUTIONS - THAT’S BRUCE 96

#### 2.SERIAL POLICY FAILURE- ONLY BY ABANDONING THE CULT OF EXPERTISE CAN WE DERIVE BETTER POLICIES THAT WON’T CONTINUALLY FAIL. THAT’S RAZA 11 AND BURKE 7

#### 4.IF WE WIN ANY FRAMING ARGUMENTS THEY DON’T GET TO WEIGH THEIR AFFIRMATIVE, WE WILL HAVE WON THAT THEORY COMES FIRST-

Bruce trick

### AT: Owen Specifically

#### NO LINK – THE K DOESN’T WHOLESALE REJECT ALL “RATIONAL CHOICE THEORY”, JUST REJECTS THE AFF’S SPECIFIC DISCOURSE ISOLATED ABOVE.

#### OWEN CONCLUDES NEG- CRITICISM KEY

Owen 2

(David, Reader of Political Theory at the Univ. of Southampton, Millennium, Vol 31, No 3, Sage)

 Commenting on the ‘philosophical turn’ in IR, Wæver remarks that ‘[a] frenzy for words like “epistemology” and “ontology” often signals this philosophical turn’, although he goes on to comment that these terms are often used loosely.4 However, loosely deployed or not, **it is** **clear that debates concerning ontology and epistemology play a central role in the contemporary IR theory wars.** In one respect, this is unsurprising since it is a characteristic feature of the social sciences that periods of disciplinary disorientation involve recourse to reflection on the philosophical commitments of different theoretical approaches, and there is no **doubt that such reflection can play a valuable role in making explicit the commitments that characterise (and help individuate) diverse theoretical positions.** Yet, such a philosophical turn is not without its dangers and I will briefly mention three before turning to consider a confusion that has, I will suggest, helped to promote the IR theory wars by motivating this philosophical turn.

####  YOUR CARD IS OUT OF CONTEXT – OWEN CONCLUDES INEVITABLE CONFUSION IN IR CAUSES HIS ‘VICIOUS CYCLE’, NOT OUR CRITICAL INTERROGATION

Owen 2

(David, Reader of Political Theory at the Univ. of Southampton, Millennium, Vol 31, No 3, Sage)

[YELLOW]

 It should be noted that **I am not claiming that such a vicious circle has been established in IR by** virtue of the **philosophical turn,** nor am I claiming that IR is alone in its current exposure to this threat; on the contrary, Shapiro’s remarks are directed at (primarily North American) political science. I am simply concerned to point out that the philosophical turn in IR increases its exposure to these dangers and, hence, its vulnerability to the kind of vicious circle that they can, collectively, generate. Having specified these dangers, however**, I want to turn to a confusion within much of IR that has, I will argue, acted to encourage this philosophical turn and so increase its exposure to these risks**. As a preface to this task, though, it is useful to sketch out two main lines of debate within the IR theory wars; these are not the only lines of debate, but they are important ones.

### AT: Reps Don’t shape Reality

#### FALSE- THE ASSUMPTIONS WE BRING TO THE TABLE CONSTRUCTS THE WORLD AND SHAPES THE IDENTIFICATION OF THE PROBLEMS AND SOLUTIONS WE FIND- BRUCE

#### AND- DISCOURSE SHAPES REALITY, MUST COME FIRST .

Renwick and Qing 99

(Neel, Centre for Asia Pacific Studies, and Cao, senior lecturer in chinese studies, “China’s Political Discourse Towards the 21st Century: Victimhood, Identity, and Political Power,” East Asia Studies, Winter, 1999, pg. 116-120)

Explanation is a portrayal of “discourse as part of a social pro­cess, as a social practice, showing how it is determined by social structures, and what reproductive effects discourses can cumula­tively have on those structures, sustaining them or changing them.”13 Two dimensions will be examined closely in the present study: the reproduction of discourse and the relations of power. When aspects of schematic knowledge are drawn upon as interpretative proce­dures in the production and interpretation of texts, they are thereby reproduced. Reproduction is generally an unintended and uncon­scious effect of production and interpretation. It connects the stages of interpretation and explanation. The former is concerned with how schematic knowledge is drawn upon in processing discourse, and the latter with the social constitution and change of schematic knowl­edge, including their reproduction in discourse practice. In this sense, social determinations and effects are mediated by schematic knowl­edge in a dialectic relationship between social structures and sche­matic knowledge through discourse. Thus, social structures shape schematic knowledge, which in turn shape discourse; and discourse sustains or changes schematic knowledge, which in turn sustains or changes social structures. However, social structures are em­bedded in relations of power and social processes and practices are sites of social struggle. Therefore, explanation is a matter of as­sessing a discourse as part of processes of social struggle within a matrix of power relations. Power relations determine discourses and these relations are themselves the outcome of struggles, and are established and naturalised by power elites. The focus upon social determination places emphasis on the past; on the results of past struggle. Any discourse will have determinants and effects that op­erate m all three analytical dimensions and at all three analytical levels. In applying this analytical framework, a discourse is to be evaluated multi-dimensionally according to the situational, institu­tional, and social dimensions and descriptive, interpretive, and ex­planatory levels of analysis. This study also seeks to relate this methodological matrix to the more specific consideration of political discourse advanced by William Connolly in his 1974 study entitled The Terms of Political Dis­course.’4 This early study in the field usefully addressed the rela­tionship of language, meanin& political thought, and action. Connolly argued that the terms of political discourse “set the frame within which political thought and action proceed.”15 From this basic as­sumption, a convincing argument is made that “The language of politics is not a neutral medium that conveys ideas independently formed; it is an institutionalised structure of meanings that chan­nels political thought and action in certain directions.”’6 Specifi­cally, this work defined the terms of political discourse in three ways: as “the vocabulary commonly employed in political thought and action”; as “the ways in which the meanings conventionally em­bodied in that vocabulary set the frame for political reflection by establishing criteria to be met before an event or act can be said to fall within the ambit of a given concept”; and as”the judgements of commitments that are conventionally sanctioned when these crite­na are met.”17 Only by examining these terms can the”tacit judge­ments embedded in the language of politics” be made explicit and “subject to critical assessment.”’8

### AT: Calc/Consequences Good

#### YOUR CALCULATIONS BAD- THE CULT OF EXPERTISE DEPLOYED BY THE AFFIRMATIVE IS ONE LACKING OF THE ACCEPTANCE OF THE COMPLEXITY OF THE WORLD. BY EMPLOYING AND ACCEPTING SIMPLIFIED LINEAR CHAINS OF EVENTS IT LEADS TO FAILURE IN DECISION MAKING- THAT’S RAZA 11

#### TURN- LEADS TO DEHUMANIZATION OF ALL LIFE BY SEEING THEM AS A RISK RATHER THAN A BEING OF INTRINSIC WORTH. THIS ALLOWS FOR THE DISPOSAL OF POPULATIONS BECAUSE THEY POSE A FALSE RISK TO THE WHOLE BASED ON FLAWED ASSUMPTIONS OF THE WORLD. THAT’S BURKE

#### AND, UTILITARIAN ENFRAMING COUPLED WITH THE DRIVE FOR SECURITY CAUSES A TOTALIZING METAPHYSICAL VIOLENCE

Burke in 2007

(Anthony, Senior Lecturer in Politics and International Relations at UNSW, Sydney, “Ontologies of War: Violence, Existence and Reason”, Theory & Event, Volume 10, Issue 2, 2007, pMUSE, cheek)

# This essay describes firstly the ontology of the national security state (by way of the political philosophy of Thomas Hobbes, Carl Schmitt and G. W. F. Hegel) and secondly the rationalist ontology of strategy (by way of the geopolitical thought of Henry Kissinger), showing how they crystallise into a mutually reinforcing system of support and justification, especially in the thought of Clausewitz. This creates both a profound ethical and pragmatic problem. The ethical problem arises because of their militaristic force -- they embody and reinforce a norm of war -- and because they enact what Martin Heidegger calls an 'enframing' image of technology and being in which humans are merely utilitarian instruments for use, control and destruction, and force -- in the words of one famous Cold War strategist -- can be thought of as a 'power to hurt'.19 The pragmatic problem arises because force so often produces neither the linear system of effects imagined in strategic theory nor anything we could meaningfully call security, but rather turns in upon itself in a nihilistic spiral of pain and destruction. In the era of a 'war on terror' dominantly conceived in Schmittian and Clausewitzian terms,20 the arguments of Hannah Arendt (that violence collapses ends into means) and Emmanuel Levinas (that 'every war employs arms that turn against those that wield them') take on added significance. Neither, however, explored what occurs when war and being are made to coincide, other than Levinas' intriguing comment that in war persons 'play roles in which they no longer recognises themselves, making them betray not only commitments but their own substance'. 21 # What I am trying to describe in this essay is a complex relation between, and interweaving of, epistemology and ontology. But it is not my view that these are distinct modes of knowledge or levels of truth, because in the social field named by security, statecraft and violence they are made to blur together, continually referring back on each other, like charges darting between electrodes. Rather they are related systems of knowledge with particular systemic roles and intensities of claim about truth, political being and political necessity. Positivistic or scientific claims to epistemological truth supply an air of predictability and reliability to policy and political action, which in turn support larger ontological claims to national being and purpose, drawing them into a common horizon of certainty that is one of the central features of past-Cartesian modernity. Here it may be useful to see ontology as a more totalising and metaphysical set of claims about truth, and epistemology as more pragmatic and instrumental; but while a distinction between epistemology (knowledge as technique) and ontology (knowledge as being) has analytical value, it tends to break down in action.

### Link

### AT: Perm

#### K IS A PREREQUISITE- BEFORE HAVING THE CORRECT POLICY YOU HAVE TO CHECK YOUR ASSUMPTIONS AT THE DOOR. THE PERM WOULD RAM ROD THEIR FLAWED ONTOLOGY LEADING TO THE IMPACTS OF THE K- THAT’S BRUCE 96

#### PERM IS SEVERANCE- CUTS THE LINKS OF THE 1AC. YOU MUST HOLD THE 1AC TO THEIR DISCOURSE OTHERWISE THEIR A MOVING TARGET. REJECT THE TEAM FOR FAIRNESS.

#### EVERY LINK IS A DISAD- ANY PERMUTATION WOULD JUST FURTHER THAT FLAWED ONTOLOGY AND CAUSE THE SAME IMPACTS [EXPLAIN LINKS]

#### NO REFORM - THE PLAN CANNOT BE DETACHED FROM IT’S DISCURSIVE UNDERPINNINGS

Burke 07

Anthony Burke, Senior Lecturer @ School of Politics & IR @ Univ. of New South Wales, ‘7 [Beyond Security, Ethics and Violence, p. 3-4]

These frameworks are interrogated at the level both of their theoretical conceptualisation and their practice: in their influence and implementation in specific policy contexts and conflicts in East and Central Asia, the Middle East and the 'war on terror', where their meaning and impact take on greater clarity. This approach is based on a conviction that the meaning of powerful political concepts cannot be abstract or easily universalised: they all have histories, often complex and conflictual; their forms and meanings change over time; and they are developed, refined and deployed in concrete struggles over power, wealth and societal form. While this should not preclude normative debate over how political or ethical concepts should be defined and used, and thus be beneficial or destructive to humanity, it embodies a caution that the meaning of concepts can never be stabilised or unproblematic in practice. Their normative potential must always be considered in relation to their utilisation in systems of political, social and economic power and their consequent worldly effects. Hence this book embodies a caution by Michel Foucault, who warned us about the 'politics of truth . . the battle about the status of truth and the economic and political role it plays', and it is inspired by his call to 'detach the power of truth from the forms of hegemony, social, economic and cultural, within which it operates at the present time'.1 It is clear that traditionally coercive and violent approaches to security and strategy are both still culturally dominant, and politically and ethically suspect. However, the reasons for pursuing a critical analysis relate not only to the most destructive or controversial approaches, such as the war in Iraq, but also to their available (and generally preferable) alternatives. There is a necessity to question not merely extremist versions such as the Bush doctrine, Indonesian militarism or Israeli expansionism, but also their mainstream critiques - whether they take the form of liberal policy approaches in international relations (IR), just war theory, US realism, optimistic accounts of globalisation, rhetorics of sensitivity to cultural difference, or centrist Israeli security discourses based on territorial compromise with the Palestinians. The surface appearance of lively (and often significant) debate masks a deeper agreement about major concepts, forms of political identity and the imperative to secure them. Debates about when and how it may be effective and legitimate to use military force in tandem with other policy options, for example, mask a more fundamental discursive consensus about the meaning of security, the effectiveness of strategic power, the nature of progress, the value of freedom or the promises of national and cultural identity. As a result, political and intellectual debate about insecurity, violent conflict and global injustice can become hostage to a claustrophic structure of political and ethical possibility that systematically wards off critique.

#### The permutation is a mechanism for liberals to wipe their hands of the critique of security by adding more dimensions and oversight to the security regime without changing the fetishization of security that crowds out discussion and prevents solutions to the root causes of the security fetish

Neocleous 8[Mark Neocleous, Prof. of Government @ Brunel, *Critique of Security*, 185-6]

The only way out of such a dilemma, to escape the fetish, is perhaps to eschew the logic of security altogether – to reject it as so ideologically loaded in favour of the state that any real political thought other than the authoritarian and reactionary should be pressed to give it up. That is clearly something that can not be achieved within the limits of bourgeois thought and thus could never even begin to be imagined by the security intellectual. It is also something that the constant iteration of the refrain ‘this is an insecure world’ and reiteration of one fear, anxiety and insecurity after another will also make it hard to do. But it is something that the critique of security suggests we may have to consider if we want a political way out of the impasse of security. This impasse exists because security has now become so all-encom passing that it marginalises all else, most notably the constructive conﬂicts, debates and discussions that animate political life. The con stant prioritising of a mythical security as a political end – as the political end – constitutes a rejection of politics in any meaningful sense of the term. That is, as a mode of action in which differences can be articulated, in which the conﬂicts and struggles that arise from such differences can be fought for and negotiated, in which people might come to believe that another world is possible – that they might transform the world and in turn be transformed. Security politics simply removes this; worse, it removes it while purportedly addressing it. In so doing it suppresses all issues of power and turns political questions into debates about the most efﬁcient way to achieve ‘security’, despite the fact that we are never quite told – never could be told – what might count as having achieved it. Security politics is, in this sense, an anti-politics,141 dominating political discourse in much the same manner as the security state tries to dominate human beings, reinforcing security fetishism and the monopolistic character of security on the political imagination. We therefore need to get beyond security politics, not add yet more ‘sectors’ to it in a way that simply expands the scope of the state and legitimises state intervention in yet more and more areas of our lives. Simon Dalby reports a personal communication with Michael Williams, co-editor of the important text Critical Security Studies, in which the latter asks: if you take away security, what do you put in the hole that’s left behind? But I’m inclined to agree with Dalby: maybe there is no hole.142 The mistake has been to think that there is a hole and that this hole needs to be ﬁlled with a new vision or revision of security in which it is re-mapped or civilised or gendered or humanised or expanded or whatever. All of these ultimately remain within the statist political imaginary, and consequently end up re afﬁrming the state as the terrain of modern politics, the grounds of security. The real task is not to ﬁll the supposed hole with yet another vision of security, but to ﬁght for an alternative political language which takes us beyond the narrow horizon of bourgeois security and which therefore does not constantly throw us into the arms of the state. That’s the point of critical politics: to develop a new political language more adequate to the kind of society we want. Thus while much of what I have said here has been of a negative order, part of the tradition of critical theory is that the negative may be as signiﬁcant as the positive in setting thought on new paths. For if security really is the supreme concept of bourgeois society and the fundamental thematic of liberalism, then to keep harping on about insecurity and to keep demanding‘more security’ (while meekly hoping that this increased security doesn’t damage our liberty) is to **blind ourselves to the possibility of** building real alternatives **to the authoritarian tendencies in contemporary politics**. To situate ourselves against security politics would allow us to circumvent the debilitating effect achieved through the constant securitising of social and political issues, debilitating in the sense that ‘security’ helps consolidate the power of the existing forms of social domination and justiﬁes the short-circuiting of even the most democratic forms. It would also allow us to forge another kind of politics centred on a different con ception of the good. We need a new way of thinking and talking about social being and politics that moves us beyond security. This would perhaps be emancipatory in the true sense of the word. What this might mean, precisely, must be open to debate. But it certainly requires recognising that security is an illusion that has forgotten it is an illusion; it requires recognising that security is not the same as solidarity; it requires accepting that insecurity is part of the human condition, and thus giving up the search for the certainty of security and instead learning to tolerate the uncertainties, ambiguities and ‘insecurities’ that come with being human; it requires accepting that ‘securitizing’ an issue does not mean dealing with it politically, but bracketing it out and handing it to the state; it requires us to be brave enough to return the gift.143

Perm wo reps is cheating – they should have cards defending their reps—this justifies them severing out of the words they use in the plan if we read a pic—reject the team

#### THE LAW IS AN INSTITUTION THAT ENABLES WAR, MILITARY BUREAUCRATS MANEUVER LEGAL RESTRICTIONS WITH EASE AND CHANGE THEIR VERNACULAR TO LEGALIZE AND LEGITIMIZE WARS

Kennedy 06

[David Kennedy, American academic and legal scholar of international law, “Of War and Law”, Pg 6-8, \\wyo-bb]

To understand—and accept—these continuities between the politics and practices of war and peace, we must understand ¶ more clearly what it means to say that warfare has become a legal institution. When we think of war as sharply distinct from ¶ peace, it is easy to imagine it also as outside of law. War is often ¶ the exception to the routine legal arrangements of peacetime; ¶ contracts, for example, routinely exempt acts of war alongside ¶ “acts of God.” If we pause to think about the law relevant to ¶ war, we are likely to focus on international rules designed ¶ to limit the incidence of warfare, from the ancient “just war” ¶ tradition, to the institutional machinery set in place by the ¶ United Nations Charter to “save succeeding generations from ¶ the scourge of war.” Or the many disarmament treaties limiting ¶ the use or availability of the most heinous weapons—exploding ¶ bullets, gas, chemical, or nuclear weapons. Or the rules of hu­¶ manitarian law regulating the treatment of prisoners of war or ¶ those wounded on the battleﬁeld. We are likely to think of ¶ these rules as coming from “outside” war, limiting and restrict­¶ ing the military. We think of international law as a broadly hu­¶ manist and civilizing force, standing back from war, judging it ¶ as just or unjust, while offering itself as a code of conduct to ¶ limit violence on the battleﬁeld. Indeed, it is common to asso­¶ ciate this entire legal universe with the International Commit­¶ tee of the Red Cross, itself borrowing something from the neu­¶ tral and humanitarian image of its Swiss hosts. ¶ But law is relevant to war in many other ways. The military, like other public and private bureaucracies today, operates in war and peace against the background of innumerable ¶ local, national, and international rules regulating the use of ¶ territory, the mobilization of men, the ﬁnancing of arms and ¶ logistics and the deployment of force. Taken together, these laws can shape the institutional, logistical—even physical— landscape on which military operations occur. Today’s military is also itself a complex bureaucracy whose managers dis­¶ cipline their forces and organize their operations with rules. ¶ Armies have always been disciplined by rules, usually legal ¶ rules. The national regulations by which Nelson disciplined the ¶ Royal Navy at Trafalgar were tough, parallel to those of British ¶ criminal law of the era. Under the Articles of War, a man could ¶ be hanged for mutiny, treason, or desertion. Routine discipline ¶ was to be enforced through ﬂogging and “starting,” or striking ¶ a man across the back with a rope or rattan cane. ¶ The interesting point is that in Nelson’s day, these rules were ¶ distinct both from contemporaneous international legal de­¶ bates about the “justice” of warfare and from the rules govern­¶ ing the French and Spanish ﬂeets. In the years since, as the mil­¶ itary has become a more complex modern bureaucracy, linked ¶ to the nation’s commercial life, integrated with civilian and ¶ peacetime governmental institutions, and covered by the same ¶ national and international media—and as our ideas about law ¶ have themselves changed—the rules governing military life ¶ have merged with the international laws about war to produce ¶ a common legal vocabulary for assessing the legitimacy of war, ¶ down to the tactics of particular battles. Was the use of force ¶ “necessary” and “proportional” to the military objective—were ¶ the civilian deaths truly “collateral?” What is difﬁcult to under­¶ stand is the extent to which this vocabulary—of just war, ¶ legitimate targeting, proportionate violence, and prohibited ¶ weaponry—has been internalized by the military. Not every ¶ soldier—not every commander—follows the rules. Rules are ¶ bent and ignored. Rules are violated. But this is less surprising ¶ than the astonishing way the legitimacy of war and battleﬁeld ¶ violence has come to be discussed in similar legal terms, by mil­¶ itary professionals and outside commentators alike. As such, ¶ law today shapes the politics, as well as the practice, of warfare.

#### The threat of terrorism creates an Outsider Enemy which justifies a permanent state of emergency and preemptive strikes

Zizek 05

[Slavoj Zizek, “In These Times”, 2005, August 11, <http://www.lacan.com/zizekiranian.htm>, \\wyo-bb]

Every power structure has to rely on an underlying implicit threat, i.e. whatever the oficial democratic rules and legal constraints may be, we can ultimately do whatever we want to you. In the 20th century, however, the nature of this link between power and the invisible threat that sustains it changed. Existing power structures no longer relied on their own fantasmatic projection of a potential, invisible threat in order to secure the hold over their subjects. Rather, the threat was externalized, displaced onto an Outside Enemy. It became the invisible (and, for that reason, all-powerful and omni-present) threat of this enemy that legitimized the existing power structure's permanent state of emergency. Fascists invoked the threat of the Jewish conspiracy, Stalinists the threat of the class enemy, Americans the threat of Communism-all the way up to today's "war on terror." The threats posed by such an invisible enemy legitimizes the logic of the preemptive strike. Precisely because the threat is virtual, one cannot afford to wait for it to come. Rather, one must strike in advance, before it is too late. In other words, the omni-present invisible threat of Terror legitimizes the all too visible protective measures of defense-which, of course, are what pose the true threat to democracy and human rights (e.g., the London police's recent execution of the innocent Brazilian electrician, Jean Charles de Menezes).

## 1NR

### Adv 1

#### [1] No risk of an Indo-Pak war- military leaders are rational and mutually assured destruction checks escalation. –That’s Mutti 9

#### [2] Indo-Pak relations resilient

Krepon 09

[Michael, Founding President of the Henry L. Stimson Foundation, Nuclear Arms and the Future of South Asia, BNET, April 2009, http://findarticles.com/p/articles/mi\_m0KNN/is\_53/ai\_n31464292/pg\_3/?tag=content;col1//UWYO TDA]

The first such dominant trend is that **Pakistan and India will probably keep viewing economic growth as essential to national well-being, domestic cohesion, and national security.** **Trade between the countries** presumably **will** continue to **grow.** While the perceived primacy of economic growth does not ensure peaceful relations between Pakistan and India, **the pursuit of this goal is likely to further ameliorate animosity**. Pakistan's future growth is limited in part by constrained trading partnerships with India and states in Central Asia. As long as Pakistan's ties to neighboring India and Afghanistan remain conflicted, these natural trade routes will generate far less than optimal results. **This** dominant **trend is conducive to improved bilateral relationships on the subcontinent**. Second, in view of the primacy of economics **in** the national security calculations of **Pakistan and India**, **it is probable that the leadership in both countries will seek to avoid major crises and border skirmishes in the years ahead.** **Pakistan's interest in nonhostile relations with India is likely to be reinforced** by continued difficulties along its border with Afghanistan. The leadership goal of peaceful borders between Pakistan and India could, however, be challenged by significant acts of terrorism perpetrated by extremists with quite different agendas. Nonetheless**, there are greater buffers against escalation arising from significant acts of terrorism than in previous years. This dominant trend also points in the direction of improved bilateral relations on the subcontinent. It is hard to envision another standoff** like that of the "Twin Peaks" crisis in 2001-2002. (1) This does not, however, exclude lesser cases in which extremist acts trigger retaliatory measures.

#### [3] Won’t escalate globally

The Hamilton Spectator, 2002

For those who do not live in the subcontinent, the most important fact is that the damage would be largely confined to the region. The Cold War is over, the strategic understandings that once tied India and Pakistan to the rival alliance systems have all been cancelled, and no outside powers would be drawn into the fighting. The detonation of a hundred or so relatively small nuclear weapons over India and Pakistan would not cause grave harm to the wider world from fallout. People over 40 have already lived through a period when the great powers conducted hundreds of nuclear tests in the atmosphere, and they are mostly still here.

### K

### Group the Threats are real

#### ANY RISK OF A LINK MAKES THIS FALSE, PREFER THE SPECIFICITY OF OUR LINKS- All that work done by the 2NC

#### AND EVEN IF SOME THREATS ARE REAL OUR RESPONSES AND ASSUMPTIONS ABOUT THEM ARE SHAPED BY OUR DISCOURSE. ANY RISK OF A LINK MEANS YOU VOTE NEG TO DERIVE BETTER POLICIES- THAT’S BRUCE.

#### STATE SECURITY IS A PLOY THAT CONJURES NON-EXISTENT SCENARIOS TO JUSTIFY STATE POWER

Neocleous 2003

[Mark, Teaches politics @ Brunel, Imagining the state, Philadelphia: Open University Press, 107-8//uwyo-ajl]

The state system and the statist political imaginary together use terrorism to effect a political rationalization of violence under the firm control of the state. In this context, the declaration of a war on terrorism by the US state and its allies in 2001 proves nothing other than the state's own misunderstanding of the world it has created. (And note that such a declaration was immediately expanded to include designated states which could then properly be con- fronted.) The standard Left-liberal critique of the category `terrorism' is to point to the lack of any internationally agreed definition of the term (the UN, the North Atlantic Treaty Organization - NATO - and the European Union - EU - have all struggled to come up with an acceptable definition); or to point to the contradiction involved in the once denigrated `terrorist' being feted as `world statesman' (Mandela), or to the once-celebrated `freedom fighter' being castigated as `terrorist' (Bin Laden); or, finally, to point to the hypocrisy of western liberal democracies training and funding armed rebellions in some parts of the globe while objecting to them elsewhere. While pertinent, these arguments miss the central point, which is that terrorism is defined according to the demands of the raison d'Etat of hegemonic powers. States define terror- ism according to their own interests, and the predominant interests are neces- sarily those of the hegemonic forces. This then consolidates the state's claim to a monopoly of violence: terrorism will only end, says the state, when you all fully obey the demand to use violence only when we say so. As such, terrorism turns out to be the lifeblood of state terror. Such obedience as demanded by the state has traditionally been offered in exchange for protection. The state attempts to `set before mens eyes the mutu- all Relation between Protection and Obedience', as Hobbes puts it.34 This mutual relation has remained a key trope throughout western thought con- cerning the state. But what is meant by `protection'? Charles Tilly has noted that the word sounds two contrasting tones. One is comforting, calling up images of a friendly shelter against danger and a form of security or safety provided by a powerful friend, a large insurance policy, a sturdy roof or a bulwark against terrorism. The other, however, is more ominous, evoking the racket in which a local strong man forces merchants to pay tribute in order to avoid damage. In the second scenario, of course, the dangers are often imaginary: the strong man encourages the imagination of danger and may even threaten the danger himself in order to prove that it really does exist. The state's provision of protection plays on the first meaning of the term - recall how crucial the ideas of `security' and `welfare' are to statecraft - but the state could equally be said to be providing `protection' in the second sense of the term: To the extent that the threats against which a given government protects its citizens are imaginary or are consequences of its own activities, the government has organized a protection racket. Since governments themselves commonly simulate, stimulate, or even fabricate threats of external war and since the repressive and extractive activities of governments often constitute the largest current threats to the livelihoods of their own citizens, many governments operate in essentially the same way as racketeers. ~ The state, in other words, is a protection racket - and like all protection rackets it is a process of domination in which the `protected' become evermore subordinated to the `protector'. But this begs a question: who is to be protected? Better still: who is not to be protected? And what about those who appear to be `protected' by no state at all?

#### Kaufman goes neg---image of the enemy causes violence

**Kaufman 9**

Stuart J, Prof Poli Sci and IR – U Delaware, “Narratives and Symbols in Violent Mobilization: The Palestinian-Israeli Case,” *Security Studies* 18:3, p. 433

There are no heroes in this story. Before Camp David, both sides undermined the fundamental premises of the Oslo process, land for peace, with the Israelis grabbing land and the Palestinians withholding peace. At Camp David, the Israelis’ opening position was absurdly stingy on substance, while the Palestinians seemed to reject not just Israeli proposals but Israel itself. After Camp David, those in charge of the guns on both sides—the Israeli mil- itary and Fatah—decided to resort to violence to try to force the other side’s hand. The two sides’ hard-line policies were the result of national identity narratives that created explosive symbolic issues and allowed too little room for either to acknowledge the legitimacy of the other’s concerns, while pre-disposing both sides to believe violence would be effective. As a result, the compromises necessary for a negotiated peace were not politically possible or even well understood by negotiators on either side, while violence was a popular alternative for both.

In sum, narratives of national identity justifying hostility, fears of extinction, and a symbolic politics of extremist mobilization were what drove the escalation of conflict. Arafat was constrained in his negotiations by the symbolic power of the refugee and Jerusalem issues—the former being the centerpiece of the Charter narrative and the latter being the pivotal issue in the Islamist and Declaration narratives. The resulting Palestinian rejection of Israeli symbolic claims on the Temple Mount and indifference to Israeli demographic concerns about a large-scale return of Palestinian refugees convinced Israelis that Palestinians did not accept real peace or Israel’s right to exist.

#### AND REALISM DOESN’T LIMIT WAR- IT’S THE ROOT CAUSE

Burke 07

(Anthony, Senior Lecturer in Politics and International Relations at UNSW, Sydney, “Ontologies of War: Violence, Existence and Reason”, Theory & Event, Volume 10, Issue 2, 2007, pMUSE, cheek)

I was motivated to begin the larger project from which this essay derives by a number of concerns. I felt that the available critical, interpretive or performative languages of war -- realist and liberal international relations theories, just war theories, and various Clausewitzian derivations of strategy -- failed us, because they either perform or refuse to place under suspicion the underlying political ontologies that I have sought to unmask and question here. Many realists have quite nuanced and critical attitudes to the use of force, but ultimately affirm strategic thought and remain embedded within the existential framework of the nation-state. Both liberal internationalist and just war doctrines seek mainly to improve the accountability of decision-making in security affairs and to limit some of the worst moral enormities of war, but (apart from the more radical versions of cosmopolitanism) they fail to question the ontological claims of political community or strategic theory.82

### Impact Debate O/V

#### PREFER OUR IMPACT -

#### TIMEFRAME: SECURITY LOGIC RESULTS IN SYSTEMIC VIOLENCE THAT IS HAPPENING NOW

#### PROBABILITY: THE LOGIC OF CERTAINTY COMBINED WITH THE ONTOLOGY OF SECURITY MAKES SELF-FULFILLING PROPHECIES.

#### MAGNITUDE: SECURITY LOGIC CAUSES DEHUMANIZATION AND MASSIVE WARS, ENVIRONMENTAL DESTRUCTION, GENOCIDE ALL THROUGH THREAT CONSTRUCTION.

#### ROOT CAUSE: SECURITY LOGIC IS THE MINDSET BEHIND ALL VIOLENCE WE SOLVE YOUR IMPACTS.

#### Also turns their advantages, burke specifically talks about arms races, US sells arms and still perpetuates it, also feeds

#### Terrorism is generated by the state system and logic of sovereignty, reinforces/justifies state violence

Neocleous 03. Mark Neocleous is a Professor of the critique of Political Economy at Brunel University, UK and a member of the Editorial Collective of “Radical Philosophy”. *Imagining the State*. 107

Terrorism' retains part of the original double meaning of territory, in that it refers not only to violence, but to space too. Things are usually labeled 'terrorist' when the acts of violence In question are not sanctioned by the state. Where they have been sanctioned by a state then they always take place outside of that particular state's territories (and usually result in the state in question being labeled a 'rogue state'). What this means, in effect, is that 'terrorism' is in fact generated by the international state system; it is the 'other' generated by the system of states. As Connolly notes, terrorism 'allows the state and the interstate system to protect the logic of sovereignty in the international sphere while veiling their inability to modify systemic conditions that generate violence by non-state agents'." Thus while terrorism threatens the state, the threat is ultimately a superficial one, since the production of 'terrorism' ultimately serves to protect and strengthen the identity of particular states and the state system as a whole by reinforcing the enactment of state violence and legitimizing the surveillance techniques discussed in Chapter 2.

### Alternative O/V

#### CURRENT ASSUMPTIONS ABOUT THE WORLD BLOCK EFFECTIVE POLICY DECISIONS AND RESULTS IN INEVITABLE VIOLENCE. WE MUST HAVE BETTER THEORY TO DERIVE BETTER POLICIES LATER. THAT’S BRUCE 96

#### K SOLVES THE AFF, IT IS A PREREQUISITE TO EFFECTIVE POLICIES, ONLY WHEN WE QUESTION SECURITY LOGIC CAN THE CORRECT POLICIES BE MADE. THAT’S BRUCE 96