# 1NC

## Framework

**The 1AC fails to advance an advocacy in direction of the topic:**

**Targeted killings are strikes carried about against pre-meditated, individually designated targets---signature strikes are distinct**

Kenneth Anderson 11, Professor at Washington College of Law, American University, Hoover Institution visiting fellow, Non-Resident Visiting Fellow at Brookings, “Distinguishing High Value Targeted Killing and ‘Signature’ Attacks on Taliban Fighters,” August 29 2011, http://www.volokh.com/2011/08/29/distinguishing-high-value-targeted-killing-and-signature-attacks-on-taliban-fighters/

From the US standpoint, it is partly that it does not depend as much as it did on Pakistan’s intelligence. But it is also partly, as a couple of well-publicized incidents a few months ago made clear, that sharing targeting decisions with Pakistan’s military and ISI runs a very considerable possibility of having the targets tipped off (as even The Onion has observed). The article notes in this regard, the U.S. worries that “if they tell the Pakistanis that a drone strike is coming someone within Pakistani intelligence could tip off the intended target.” However, the Journal’s reporting goes from there to emphasize an aspect of targeted killing and drone warfare that is not sufficiently appreciated in public discussions trying to assess such issues as civilian collateral damage, strategic value and uses, and the uses of drones in counterterrorism and counterinsurgency as distinct activities. The article explains:¶ The CIA carries out two different types of drone strikes in the tribal areas of Pakistan—those against so-called high-value targets, including Mr. Rahman, and “signature” strikes targeting Taliban foot-soldiers who criss-cross the border with Afghanistan to fight U.S. forces there.¶ High-value targets are added to a classified list that the CIA maintains and updates. The agency often doesn’t know the names of the signature targets, but it tracks their movements and activities for hours or days before striking them, U.S. officials say.¶ Another way to put this is that, loosely speaking, the high value targets are part of a counterterrorism campaign – a worldwide one, reaching these days to Yemen and other places. It is targeted killing in its strict sense using drones – aimed at a distinct individual who has been identified by intelligence. The “signature” strikes, by contrast, are not strictly speaking “targeted killing,” because they are aimed at larger numbers of fighters who are targeted on the basis of being combatants, but not on the basis of individuated intelligence. They are fighting formations, being targeted on a mass basis as part of the counterinsurgency campaign in Afghanistan, as part of the basic CI doctrine of closing down cross-border safe havens and border interdiction of fighters. Both of these functions can be, and are, carried out by drones – though each strategic function could be carried out by other means, such as SEAL 6 or CIA human teams, in the case of targeted killing, or manned aircraft in the case of attacks on Taliban formations. The fundamental point is that they serve distinct strategic purposes. Targeted killing is not synonymous with drone warfare, just as counterterrorism is analytically distinct from counterinsurgency. (I discuss this in the opening sections of this draft chapter on SSRN.)¶ This analytic point affects how one sees the levels of drone attacks going up or down over the years. Neither the total numbers of fighters killed nor the total number of drone strikes – going up or down over months – tells the whole story. Total numbers do not distinguish between the high value targets, being targeted as part of the top down dismantling of Al Qaeda as a transnational terrorist organization, on the one hand, and ordinary Taliban being killed in much larger numbers as part of counterinsurgency activities essentially part of the ground war in Afghanistan, on the other. Yet the distinction is crucial insofar as the two activities are, at the level of truly grand strategy, in support of each other – the war in Afghanistan and the global counterterrorism war both in support of the AUMF and US national security broadly – but at the level of ordinary strategic concerns, quite distinct in their requirements and conduct. If targeted killing against AQ leadership goes well in Pakistan, those might diminish at some point in the future; what happens in the war against the Afghan Taliban is distinct and has its own rhythm, and in that effort, drones are simply another form of air weapon, an alternative to manned aircraft in an overt, conventional war. Rising or falling numbers of drone strikes in the aggregate will not tell one very much without knowing what mission is at issue.

**Interpretation—targeted killing is outside of armed conflict**

**Silva 3** (Sebastian Jose Silva, Faculte de Droit de l'Universite de Montreal, “Death For Life: A Study of Targeted Killing by States In International Law,” August 2003)

For the purpose of this study, military responses to terrorism that are directed primarily against hostile states for supporting terrorists (such as air strikes or invasion) will only be addressed incidentally, so as to permit a more thorough treatment of forceful actions taken by states to "arrest or neutralise" in self-defense individuals on foreign soil who threaten their, and international, security. Therefore, they are not cases of excessive force by law-enforcement officials or politically motivated assassinations, but rather situations in which state agents are specifically ordered to kill to prevent acts of terrorism. Though the absence of a universally recognised definition renders difficult any treatment of the issue, targeted killing will be defined throughout this research as the premeditated killing by states of **specific individuals** on foreign soil **outside the context of armed conflict** to prevent acts of **international terrorism**. The scope and content of this definition will be addressed in the first chapter.

**Restriction is a prohibition**

Northglenn 11 (City of Northglenn Zoning Ordinance, “Rules of Construction – Definitions”, http://www.northglenn.org/municode/ch11/content\_11-5.html)

Section 11-5-3. Restrictions. As used in this Chapter 11 of the Municipal Code, the **term "restriction**" shall mean a prohibitive regulation. Any use, activity, operation, building, structure or thing which is the subject of a restriction is prohibited, and no such use, activity, operation, building, structure or thing shall be **authorized by any permit or license**.

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

Steinberg and Freeley ‘13

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*Critical Thinking for Reasoned Decision Making*, Thirteen Edition

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

Decisionmaking is the most portable and flexible skill—key to all facets of life and advocacy

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In the spring of 2011, facing a legacy of problematic U.S, military involvement in Bosnia, Iraq, and Afghanistan, and criticism for what some saw as slow sup­port of the United States for the people of Egypt and Tunisia as citizens of those nations ousted their formerly American-backed dictators, the administration of President Barack Obama considered its options in providing support for rebels seeking to overthrow the government of Muammar el-Qaddafi in Libya. Public debate was robust as the administration sought to determine its most appropriate action. The president ultimately decided to engage in an international coalition, enforcing United Nations Security Council Resolution 1973 through a number of measures including establishment of a no-fly zone through air and missile strikes to support rebels in Libya, but stopping short of direct U.S. intervention with ground forces or any occupation of Libya. While the action seemed to achieve its immediate objectives, most notably the defeat of Qaddafi and his regime, the American president received both criticism and praise for his mea­sured yet assertive decision. In fact, the past decade has challenged American leaders to make many difficult decisions in response to potentially catastrophic problems. Public debate has raged in chaotic environment of political division and apparent animosity, The process of public decision making may have never been so consequential or difficult. Beginning in the fall of 2008, Presidents Bush and Obama faced a growing eco­nomic crisis and responded in part with '’bailouts'' of certain Wall Street financial entities, additional bailouts of Detroit automakers, and a major economic stimu­lus package. All these actions generated substantial public discourse regarding the necessity, wisdom, and consequences of acting (or not acting). In the summer of 2011, the president and the Congress participated in heated debates (and attempted negotiations) to raise the nation's debt ceiling such that the U.S. Federal Govern­ment could pay its debts and continue government operations. This discussion was linked to a debate about the size of the exponentially growing national debt, gov­ernment spending, and taxation. Further, in the spring of 2012, U.S. leaders sought to prevent Iran from developing nuclear weapon capability while gas prices in the United States rose, The United States considered its ongoing military involvement in Afghanistan in the face of nationwide protests and violence in that country1 sparked by the alleged burning of Korans by American soldiers, and Americans observed the actions of President Bashir Al-Assad and Syrian forces as they killed Syrian citizens in response to a rebel uprising in that nation and considered the role of the United States in that action. Meanwhile, public discourse, in part generated and intensified by the cam­paigns of the GOP candidates for president and consequent media coverage, addressed issues dividing Americans, including health care, women's rights to reproductive health services, the freedom of churches and church-run organiza­tions to remain true to their beliefs in providing (or electing not to provide) health care services which they oppose, the growing gap between the wealthiest 1 percent of Americans and the rest of the American population, and continued high levels of unemployment. More division among the American public would be hard to imagine. Yet through all the tension, conflict was almost entirely ver­bal in nature, aimed at discovering or advocating solutions to growing problems. Individuals also faced daunting decisions. A young couple, underwater with their mortgage and struggling to make their monthly payments, considered walking away from their loan; elsewhere a college sophomore reconsidered his major and a senior her choice of law school, graduate school, or a job and a teenager decided between an iPhone and an iPad. Each of these situations called for decisions to be made. Each decision maker worked hard to make well-reasoned decisions. Decision making is a thoughtful process of choosing among a variety of options for acting or thinking. It requires that the decider make a choice. Life demands decision making. We make countless individual decisions every day. To make some of those decisions, we work hard to employ care and consider­ation: others scorn to just happen. Couples, families, groups of friends, and co­workers come together to make choices, and decision-making bodies from committees to juries to the U.S. Congress and the United Nations make deci­sions that impact us all. Every profession requires effective and ethical decision making, as do our school, community, and social organizations. We all engage in discourse surrounding our necessary decisions every day. To refinance or sell one’s home, to buy a high-performance SUV or an eco­nomical hybrid car, what major to select, what to have for dinner, what candi­date to vote for, paper or plastic, all present us with choices. Should the president deal with an international crisis through military invasion or diplomacy? How should the U.S. Congress act to address illegal immigration? Is the defendant guilty as accused? Should we watch The Daily Show or the ball game? And upon what information should I rely to make my decision? Certainly some of these decisions are more consequential than others. Which amendment to vote for, what television program to watch, what course to take, which phone plan to purchase, and which diet to pursue—all present unique challenges. At our best, we seek out research and data to inform our decisions. Yet even the choice of which information to attend to requires decision making. In 2006, Time magazine named YOU its "Person of the Year.” Congratulations! Its selection was based on the participation not of “great men” in the creation of his­tory, but rather on the contributions of a community of anonymous participants in the evolution of information. Through blogs, online networking, YouTube, Facebook, Twitter, Wikipedia, and many other “wikis," and social networking sites, knowledge and truth are created from the bottom up, bypassing the authoritarian control of newspeople, academics, and publishers. Through a quick keyword search, we have access to infinite quantities of information, but how do we sort through it and select the best information for our needs? Much of what suffices as information is not reliable, or even ethically motivated. The ability of every decision maker to make good, reasoned, and ethical deci­sions' relies heavily upon their ability to think critically. Critical thinking enables one to break argumentation down to its component parts in order to evaluate its relative validity and strength, And, critical thinking offers tools enabling the user to better understand the' nature and relative quality of the message under consider­ation. Critical thinkers are better users of information as well as better advocates. Colleges and universities expect their students to develop their critical thinking skills and may require students to take designated courses to that end. The importance and value of such study is widely recognized. The executive order establishing California's requirement states; Instruction in critical thinking is designed to achieve an understanding of the relationship of language to logic, which would lead to the ability to analyze, criticize and advocate ideas, to reason inductively and deductively, and to reach factual or judgmental conclusions based on sound inferences drawn from unambigu­ous statements of knowledge or belief. The minimal competence to be expected at the successful conclusion of instruction in critical thinking should be the ability to distinguish fact from judgment, belief from knowledge, and skills in elementary inductive arid deductive processes, including an under­standing of die formal and informal fallacies of language and thought. Competency in critical thinking is a prerequisite to participating effectively in human affairs, pursuing higher education, and succeeding in the highly com­petitive world of business and the professions. Michael Scriven and Richard Paul for the National Council for Excellence in Critical Thinking Instruction argued that the effective critical thinker: raises vital questions and problems, formulating them clearly and precisely; gathers and assesses relevant information, using abstract ideas to interpret it effectively; comes to well-reasoned conclusions and solutions, testing them against relevant criteria and standards; thinks open-mindedly within alternative systems of thought, recognizing, and assessing, as need be, their assumptions, implications, and practical con­sequences; and communicates effectively with others in figuring our solutions to complex problems. They also observed that critical thinking entails effective communication and problem solving abilities and a commitment to overcome our native egocentrism and sociocentrism,"1 Debate as a classroom exercise and as a mode of thinking and behaving uniquely promotes development of each of these skill sets. Since classical times, debate has been one of the best methods of learning and applying the principles of critical thinking. Contemporary research confirms the value of debate. One study concluded: The impact of public communication training on the critical thinking ability of the participants is demonstrably positive. This summary of existing research reaffirms what many ex-debaters and others in forensics, public speaking, mock trial, or argumentation would support: participation improves die thinking of those involved,2 In particular, debate education improves the ability to think critically. In a com­prehensive review of the relevant research, Kent Colbert concluded, "'The debate-critical thinking literature provides presumptive proof ■favoring a positive debate-critical thinking relationship.11'1 Much of the most significant communication of our lives is conducted in the form of debates, formal or informal, These take place in intrapersonal commu­nications, with which we weigh the pros and cons of an important decision in our own minds, and in interpersonal communications, in which we listen to argu­ments intended to influence our decision or participate in exchanges to influence the decisions of others. Our success or failure in life is largely determined by our ability to make wise decisions for ourselves and to influence the decisions of’ others in ways that are beneficial to us. Much of our significant, purposeful activity is concerned with making decisions. Whether to join a campus organization, go to graduate school, accept a job offer, buy a car or house, move to another city, invest in a certain stock, or vote for Garcia—these are just a few Of the thousands of deci­sions we may have to make. Often, intelligent self-interest or a sense of respon­sibility will require us to win the support of others. We may want a scholarship or a particular job for ourselves, a customer for our product, or a vote for our favored political candidate. Some people make decision by flipping a coin. Others act on a whim or respond unconsciously to “hidden persuaders.” If the problem is trivial—such as whether to go to a concert or a film—the particular method used is unimportant. For more crucial matters, however, mature adults require a reasoned methods of decision making. Decisions should be justified by good reasons based on accurate evidence and valid reasoning.

**We control uniqueness---critical thinking skills are faltering now---frameworks that force clash are key to decisionmaking, critical thinking, and deeper epistemological understanding of both sides of an issue**

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Researchers have shown that **most students today are weak in critical thinking skills**. They do poorly on simple logical reasoning tests (Evans, 2002). Only a fraction of graduating high school seniors (6 percent of 12th graders) can make informed, critical judgments about written text (Perie, Grigg, and Donahue, 2005). This problem applies to both reading and writing. Only 15 percent of 12th graders demonstrate the proficiency to write well-organized essays that consisted of clear arguments (Perie et al., 2005). **Critical thinking and argument skills -- the abilities to both** **generate and critique arguments** -- **are crucial elements in decision-making** (Byrnes, 1998; Klaczynski, 2004; Halpern 1998). When applied to academic settings, **argumentation may promote the long-term understanding and retention of course content** (Adriessen, 2006; Nussbaum, 2008a). According to the ancient Greeks, dialogue is the most advanced form of thought (Vygotsky, 1978). **Critical thinking and dialogue are often made manifest in the form of argument**. Dialectical arguments require an appeal to beliefs and values to make crucial decisions, what Aristotle referred to as endoxa (Walton, Reed, & Macagno, 2008). In all careers, academic classes, and relationships, argument skills can be used to enhance learning when we treat reasoning as a process of argumentation (Kuhn, 1992, 1993), as fundamentally dialogical (Bakhtin, 1981, 1986; Wertsch, 1991), and as metacognitive (Hofer & Pintrich, 1997). Significant differences in approach have emerged as to how best cultivate the skills necessary to form, present and defend an argument. Differences have emerged as to whether the best practices include the use of computers, writing exercises, metacognitive activities, debates, modeling, or frontal instruction. To many "argument" sounds combative and negative but the use of argument can be constructive and generative. **Epistemological understanding** becomes most evident when an individual is confronted with **uncertain or controversial knowledge claims** (Chandler et al., 1990; King and Kitchener, 1994; Kuhn et al., 2000; Leadbeater and Kuhn, 1989). **It is imperative** **that** high school **students**, **of diverse** personal, moral and **intellectual commitments**, **become prepared to confront multiple perspectives** **on unclear and controversial issues** when they move on to college and their careers. This is not only important for assuring students are **equipped to compete in the marketplace of ideas** but also to **maximize their own cognitive development more broadly**. Longitudinal studies focused on high school students (Schommer et al., 1997) show a **positive correlation** between educational level and epistemological level. Cross-sectional studies demonstrate that educational experiences influence epistemological development **and that it is the quality of education** and not age or gender **that contributes to different developmental levels of epistemological understanding** (Chandler et al., 1990; Leadbeater and Kuhn, 1989). Education is therefore key. Argument is a more complex and challenging cognitive skill for students **than other genres of reading and writing**, **such as** exposition or **narration**. It is also more challenging for most teachers who may not have the knowledge or experience of working with argumentive reading and writing (Hillocks, 1999, 2010). In addition, most teachers try to avoid conflict when it comes to learning (Powell, Farrar, and Cohen, 1985). Many teachers have observed that students sitting in classrooms today are bored by the frontal authoritarian model of learning. For years, as a student, I was told to take out my notebook and copy what was written on the board. A curriculum in which they are active participants and engaged in democratic, and cognitively challenging for students works better. In the frontal model, teachers provide the questions and answers. In the argument model, the students provide the questions and the answers while the teachers provide the structure, the facilitation, and the guidance. **Students gain the necessary skills to be critical thinkers in a complex society with many different agendas, facts, and perspectives**. Some argue that too much autonomy is given to students in a student-centered environment. But the risk is much greater with frontal lecture education: that our students master content but do not gain the cognitive, moral, and epistemic development necessary to become autonomous critical thinkers. The choice of reading matter for students is also an important factor. Students are unlikely to develop critical thinking skills naturally when their class reading assignments consist only of narrative and explanatory texts, as opposed to argumentive texts (Calfee & Chambliss, 1987). The goal of an argument curriculum is to enhance the development of the responsible citizens and the pedagogical methodology consists of cultivating argument skills, epistemic development, and moral development. School-based **nurturance of this development will lead to students' autonomous critical thinking and their formation as responsible citizens**. We must invest in the education of our youth. They are our future!

**Lastly, switch-side is key---effective deliberation is crucial to the activation of personal agency and is only possible in a switch-side debate format where debaters divorce themselves from ideology to engage in political contestation**

**Keller et. al 1** Asst. professor School of Social Service Administration U. of Chicago Thomas E., James K., and Tracly K., Asst. professor School of Social Service Administration U. of Chicago, professor of Social Work, and doctoral student School of Social Work, “Student debates in policy courses: promoting policy practice skills and knowledge through active learning,” Journal of Social Work Education, Spr/Summer 2001, EBSCOhost

These policy practice skills reflect the hallmarks of critical thinking (see Brookfield, 1987; Gambrill, 1997). The central activities of critical thinking are identifying and challenging underlying assumptions, exploring alternative ways of thinking and acting, and arriving at commitments after a period of questioning, analysis, and reflection (Brookfield, 1987). Significant parallels exist with the policy-making process--identifying the values underlying policy choices, recognizing and evaluating multiple alternatives, and taking a position and advocating for its adoption. Developing policy practice skills seems to share much in common with developing capacities for critical thinking. R.W. Paul (as cited in Gambrill, 1997) states that **critical thinkers acknowledge the imperative to argue from opposing points of view and to seek to identify weakness and limitations in one's own position**. Critical thinkers are aware that there are many legitimate points of view, each of which (when thought through) may yield some level of insight. (p. 126) John Dewey, the philosopher and educational reformer, suggested that the initial advance in the development of reflective thought occurs in the transition from holding fixed, static ideas to an attitude of doubt and **questioning engendered by exposure to alternative views in social discourse** (Baker, 1955, pp. 36-40). Doubt, confusion, and conflict resulting from discussion of diverse perspectives "force comparison, selection, and reformulation of ideas and meanings" (Baker, 1955, p. 45). Subsequent educational theorists have contended that learning requires openness to divergent ideas in combination with the ability to synthesize disparate views into a purposeful resolution (Kolb, 1984; Perry, 1970). On the one hand, **clinging to the certainty of one's beliefs risks dogmatism, rigidity, and the inability to learn from new experiences**. On the other hand, if one's opinion is altered by every new experience, the result is insecurity, paralysis, and the inability to take effective action. The educator's role is to help students develop the capacity to incorporate new and sometimes conflicting ideas and experiences into a coherent cognitive framework. Kolb suggests that, "if the education process begins by bringing out the learner's beliefs and theories, examining and testing them, and then integrating the new, more refined ideas in the person's belief systems, the learning process will be facilitated" (p. 28). The authors believe that involving students in substantive debates challenges them to learn and grow in the fashion described by Dewey and Kolb. **Participation in a debate stimulates clarification and critical evaluation of the evidence, logic, and values underlying one's own policy position**. In addition, to debate effectively **students must understand and accurately evaluate the opposing perspective**. **The ensuing tension between two distinct but legitimate views is designed to yield a reevaluation and reconstruction of knowledge and beliefs pertaining to the issue.**

#### Predictability is the key internal link to dialogue and clash.

Second is the Dialogical Model of Debate – the fair practices of the contest round are limited by a switch side debate where the affirmative is obligated to defend a topical action – Affirmative strategies that suspend basic fairness norms are EXCLUSIVE, substitutes for topical action do not accrue the same dialogical benefits of topical advocacy

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Ryan-former GMU debater; *Dinner and Conversation at the Argumentative Table: Reconceptualizing Debate as an Argumentative Dialogue*; CONTEMPORARY ARGUMENTATION AND DEBATE; Vol. 28; p. 5-7

Debate as a dialogue sets an argumentative table, where all parties receive a relatively fair opportunity to voice their position. Anything that fails to allow participants to have their position articulated denies one side of the argumentative table a fair hearing. The affirmative side is set by the topic and fairness requirements. While affirmative teams have recently resisted affirming the topic, in fact, the topic selection process is rigorous, taking the relative ground of each topic as its central point of departure. Setting the affirmative reciprocally sets the negative. The negative crafts approaches to the topic consistent with affirmative demands. The negative crafts disadvantages, counterplans, and critical arguments premised on the arguments that the topic allows for the affirmative team. According to fairness norms, each side sits at a relatively balanced argumentative table. When one side takes more than its share, competitive equity suffers. However, it also undermines the respect due to the other involved in the dialogue. When one side excludes the other it fundamentally denies the personhood of the other participant (Ehninger, 1970, p. 110). A pedagogy of debate as dialogue takes this respect as a fundamental component. A desire to be fair is a fundamental condition of a dialogue that takes the form of a demand for equality of voice. Far from being a banal request for links to a disadvantage, fairness is a demand for respect, a demand to be heard, a demand that a voice backed by literally months upon months of preparation, research, and critical thinking not be silenced. Affirmative cases that suspend basic fairness norms operate to exclude particular negative strategies. Unprepared, one side comes to the argumentative table unable to meaningfully participate in a dialogue. They are unable to “understand what went on…” and are left to the whims of time and power (Farrell, 1985, p. 114). Hugh Duncan furthers this line of reasoning: Opponents not only tolerate but honor and respect each other because in doing so they enhance their own chances of thinking better and reaching sound decisions Opposition is necessary because it sharpens thought in action. We assume that argument, discussion, and talk, among free an informed people who subordinate themselves to rules of discussion, are the best ways to decisions of any kind, because it is only through such discussion that we reach agreement which binds us to a common cause…If we are to be equal…relationships among equals must find expression in many formal and informal institutions (Duncan, 1993, p. 196-197*).*Debate compensates for the exigencies of the world by offering a framework that maintains equality for the sake of the conversation (Farrell, 1985, p. 114). For example, an affirmative case on the 2007-2008 college topic might defend neither state nor international action in the Middle East, and yet claim to be germane to the topic in some way. The case essentially denies the arguments that state action is oppressive or that actions in the international arena are philosophically or pragmatically suspect. Instead of allowing for the dialogue to be modified by the interchange of the affirmative case and the negative response, the affirmative subverts any meaningful role to the negative team, preventing them from offering effective “counter-word” and undermining the value of a meaningful exchange of speech acts. Germaness and other substitutes for topical action do not accrue the dialogical benefits of topical advocacy.

## Race

#### Rhetorical silence on whiteness preserves the invisibility of whiteness and preserves material white privilege.

What is unspoken is left as the ASSUMED norm.

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Carrie-PhD. USC; former director of debate @ Univ. of Ala.; WESTERN JOURNAL OF COMMUNICATION; *Resisting Whiteness’ Rhetorical Silence*; 61(3), Summer; pp. 253-278.

This analysis brings into focus several observations about how whiteness operates rhetorically and ideologically in public political discourse. First, the ideology of white privilege maintains its invisibility through rhetorical silence. Rhetorical silence protects the invisibility of whiteness because it both reflects and sustains the assumption that to be white is the “natural condition,” the assumed norm. Rhetorical silence about whiteness preserves material white privilege because it masks its existence and makes the denial of white privilege plausible. Hall argues that language is the principle medium of ideologies because ideologies are sets or chains of meaning which are located in language. However, ideologies also “work” through rhetorical silences which conceal privilege. Ideological systems are made up of both presences and absences because positively marked terms ‘signify’ “in relation to what is absent, unmarked, the unspoken, the unsayable” (Hall, “Signification” 109). In this case, the ideology of white privilege “works” through rhetorical silence about whiteness.

**It’s ahistorical - papers overs centuries of genocide**

TWIB (a Femme Lawyer practicing litigator living in Chicago) 13

(Drone Policy Is the Most Important Racism, This Week In Blackenss, http://ec2-23-23-137-51.compute-1.amazonaws.com/2013/07/25/drone-policy-is-the-most-important-racism/)

There are several incidents of privilege-blindness among the mostly white male drone-obsessed elite. First, their public anger over the drone program seemed to begin when Eric Holder made [statements](http://www.cnn.com/2013/03/05/politics/obama-drones-cia) extending the legal justification for the program to killing U.S. citizens on U.S. soil.  That implies that these critics think that the U.S. government killing U.S. citizens is new or unusual, when a simple surface-level review of this country’s history shows that the government has always committed sustained and fatal violence against brown people, women, gay people, transpeople, disabled people, and poor people among others.

People who insist on talking about drones as an ultimate evil ignore this history of violence, which is well-known in communities not their own. And, the likelihood that white men personally will be targeted by a drone is absurdly small, compared to the likelihood that a member of a marginalized community will continue to suffer from the government’s active and passive violence. So, hearing these critics air their feelings of being “targets” for the first time is offensive to those from communities that have lived under the gun for generations, especially because these feelings exclude points of view from those communities. If you are privileged enough to suddenly feel scared of the government, you are complicit in denying the violence against marginalized people that has always existed.

#### IR structures silnc

*Contemporary IR discourse is a strategy of containment: it consciously denies underlying contradictions and instead provides a “substitute truth” to make existence bearable. IR champions “policy-relevance” and quantitative analysis: these are the mechanisms of containment. These are NOT truth seeking but truth MASKING – these pedagogical allergies are the means of denying underlying contradictions. To remember international relations, one needs to forget IR: our critical genealogy of the FATA is that process of forgetting and remembering.*

**KRISHNA** Dept of Political Science @ University of Hawaii @ Manoa **2k1** Sankaran-; *Race, Amnesia, and the Education of International Relations*; ALTERNATIVES 26; p. 401-24 <http://findarticles.com/p/articles/mi_hb3225/is_4_26/ai_n28886581/>

Before turning to the three contrapuntal readings of encounters that have consolidated the modern underpinnings of IR discourse through abstraction, I outline what I mean by "strategies of containment." This section is critical to understanding the very nature of contemporary IR discourse, its characteristic anxieties and obsessions, and the reasons why it is a quintessentially "white" discipline constructed around an amnesia on the question of race. IR discourse's valorization and fetishization of "theory" becomes more comprehensible as a "strategy of containment," to use Fredric Jameson's term from his The Political Unconscious. (10) For Jameson, a strategy of containment allows the wielders of a body of interpretive work to "project the illusion that their readings are somehow complete and self-sufficient" (p. 10). With a sharper political edge, he further defines strategies of containment as a process that "allows what can be thought to seem internally coherent in its own terms, while repressing the unthinkable . . . which lies beyond its boundaries" (p. 53). Or, clearer still, a strategy of containment is a means at once of denying those intolerable contradictions that lie hidden beneath the social surface, as intolerable as that Necessity that gives rise to relations of domination in human society, and of constructing on the very ground cleared by such denial a substitute truth that renders existence at least partly bearable. (11) In Jameson's "strategy of containment," one can discern clear echoes of Heidegger's idea of knowledge as the simultaneous act of disclosure/concealment. Founded as it is on discourses that justified, abstracted, and rationalized the genocide of the populations of the so-called new world, the enslavement of Africans, and colonization of the Asians, the discipline of IR is one giant strategy of containment, "a substitute truth that renders existence at least partly bearable." It is also then a quintessentially white discipline. It is not that race disappears from IR; it is rather that race serves as the crucial epistemic silence around which the discipline is written and coheres. That which is made to appear in IR discourse is that which conceals the silent presence of race. Incidentally, from such a view, postcolonial IR is an oxymoron--a contradiction in terms. To decolonize IR is to deschool oneself from the discipline in its current dominant manifestations: to remember international relations, one needs to forget IR. The disciplining moves within the pedagogy of IR--the taboo against overly historical and descriptive narratives; the fetish for quantitative analyses that compress centuries of contested historical narratives into eviscerated numbers; the reduction of socially sentient human beings into rational utility-maximizers; the preference for problem-solving theory (in the guise of policy relevance) rather than for critical or genealogical theory; the putative anarchy of the system of nation-states that discredits possibilities of imagining non-national ways of being; the hypermasculine tetchiness and insecurity on questions of gender, androgyny, and queer identity; and, most significantly, the elision of themes such as the theft of land, racism, slavery, and colonialism can be collectively understood as a series of extraordinarily effective moves that preserve the ideology of IR discourse. Pressing on with Jameson, he makes a point of some significance for IR discourse when he notes that "strategies of containment are not only modes of exclusion; they can also take the form of repression in some stricter Hegelian sense of the persistence of the older repressed content beneath the later formalized surface." (12) I argue peremptorily here and now that the obsessive anxiety displayed by IR discourse on issues such as terrorism, third-world immigration, spread of infectious diseases such as AIDS or the Ebola virus, illegal drugs, or refugees, is the return of the repressed. The ideology of IR discourse, its gothic apparitions, premised as they are on an originary alienation and estrangement between a "civilized" West and a dangerous, incomprehensible, and barbaric "rest," is unable to repress the entailments of that alienation through its multiple strategies of containment--they resurface as IR gothic, perhaps the dominant literary genre in the discipline. They return to haunt the habitus of a discipline destined never to be at peace with itself because its origins and reproduction owes to a process of abstraction that represses the violent preconditions of its very locus of enunciation.(13) I am consequently arguing that the very foundations of IR discourse should be interpreted as an attempt at overcoming an originary alienation that clefts humanity with the discovery of the Americas by Columbus in 1492 and the slavery that accelerates thereafter. The encounter with the "other" constituted both the self of Europe from this point in time and space and the steady estrangement of the world thereafter into an enclosed zone that reserved for itself the attributes of civilization, culture, religiosity, science, rationality, private property, and humanity, and attributed to the other the precise opposites--barbarity, a lack of history, superstition, lack of private property, and inferiority. It is perhaps unsurprising that this originary alienation, an alienation that goes to the very heart of the modern condition, is sought to be energetically overcome by the creation and sustenance of a discipline that exemplifies the alienation, and through its devices of abstraction seeks both expiation and transcendence. To understand international relations, then, seek out that which IR discourse represses, hides, elides, conceals, and prematurely closes off as avenues for inquiry. As Toni Morrison has it on the impact of this originary alienation on the content of modernity: Modern life begins with slavery. ... Slavery broke the world in half, it broke it in every way. It broke Europe. It made them into something else, it made them slave masters, it made them crazy. You can't do that for hundreds of years and it not take a toll. They had to dehumanize, not just the slaves but themselves. They had to reconstruct everything in order to make that system appear true. It made everything in world war two possible. It made world war one necessary. Racism is the word we use to encompass all this. (14)

It is UNCONSCIONABLE to protest American wars elsewhere when there are domestic WARS of “home”. There is an UNSPOKEN “politics of assumption” that takes the PERMANENCE of domestic warfare for granted building a RAGE against this LIVING APOCALYPSE into a CREATIVE POSSIBLITY for INSURGENCY.

**RODRIGUEZ** Asst Prof @ University of California Riverside **2k8**

Dylan Rodriguez 2008 [Assistant Professor at University of California Riverside, *Abolition Now!* p.93-100]

We are collectively witnessing, surviving, and working in a time of unprecedented state-organized human capture and state-produced physical/social/ psychic alienation, from the 2.5 million imprisoned by the domestic and global US prison industrial complex to the profound forms of informal apartheid and proto- apartheid that are being instantiated in cities, suburbs, and rural areas all over the country. This condition presents a profound crisis – and political possibility – for people struggling against the white supremacist state, which continues to institutionalize the social liquidation and physical evisceration of Black, brown, and aboriginal peoples nearby and far away. If we are to approach racism, neoliberalism, militarism/militarization, and US state hegemony and domination in a legitimately "global" way, it is nothing short of unconscionable to expend significant political energy protesting American wars elsewhere (e.g. Iraq, Afghanistan etc.) when there are overlapping, and no less profoundly oppressive, declarations of and mobilizations for war in our very own, most intimate and nearby geographies of "home." This time of crisis and emergency necessitates a critical examination of the political and institutional logics that structure so much of the US progressive left, and particularly the "establishment" left that is tethered (for better and worse) to the non-profit industrial complex (NPIC). I have defined the NPIC elsewhere as the set of symbiotic relationships that link political and financial technologies of state and owning class social control with surveillance over public political discourse, including and especially emergent progressive and leftist social movements. This definition is most focused on the industrialized incorporation, accelerated since the 1970s, of pro-state liberal and progressive campaigns and movements into a spectrum of government-proctored non-profit organizations. It is in the context of the formation of the NPIC as a political power structure that I wish to address, with a less-than-subtle sense of alarm, a peculiar and disturbing politics of assumption that often structures, disciplines, and actively shapes the work of even the most progressive movements and organizations within the US establishment left (of which I too am a part, for better and worse): that is, the left's willingness to fundamentally tolerate – and accompanying unwillingness to abolish – the institutionalized dehumanization of the contemporary policing and imprisonment apparatus in its most localized, unremarkable, and hence "normal" manifestations within the domestic "homeland" of the Homeland Security state. Behind the din of progressive and liberal reformist struggles over public policy, civil liberties, and law, and beneath the infrequent mobilizations of activity to defend against the next onslaught of racist, classist, ageist, and misogynist crirninalization, there is an unspoken politics of assumption that takes for granted the mystified permanence of domestic warfare as a constant production of targeted and massive suffering, guided by the logic of Black, brown, and indigenous subjection to the expediencies and essential violence of the American (global) nation-building project. To put it differently: despite the unprecedented forms of imprisonment, social and political repression, and violent policing that compose the mosaic of our historical time, the establishment left (within and perhaps beyond the US) does not care to envision, much less politically prioritize, the abolition of US domestic warfare and its structuring white supremacist social logic as its most urgent task of the present and future. Our non-profit left, in particular, seems content to engage in desperate (and usually well-intentioned) attempts to manage the casualties of domestic warfare, foregoing the urgency of an abolitionist praxis that openly, critically, and radically addresses the moral, cultural, and political premises of these wars. Not long from now, generations will emerge from the organic accumulation of rage, suffering, social alienation, and (we hope) politically principled rebellion against this living apocalypse and pose to us some rudimentary questions of radical accountability: How were we able to accommodate, and even culturally and politically normalize the strategic, explicit, and openly racist technologies of state violence that effectively socially neutralized and frequently liquidated entire nearby populations of our people, given that ours are the very same populations that have historically struggled to survive and overthrow such "classical" structures of dominance as colonialism, frontier conquest, racial slavery, and other genocides? In a somewhat more intimate sense, how could we live with ourselves in this domestic state of emergency, and why did we seem to generally forfeit the creative possibilities of radically challenging, dislodging, and transforming the ideological and institutional premises of this condition of domestic warfare in favor of short-term, "winnable" policy reforms? (For example, why did we choose to formulate and tolerate a "progressive" political language that reinforced dominant racist notions of "criminality" in the process of trying to discredit the legal basis of "Three Strikes" laws?) What were the fundamental concerns of our progressive organizations and movements during this time, and were they willing to comprehend and galvanize an effective, or even viable opposition to the white supremacist state's terms of engagement (that is, warfare)? 'this radical accountability reflects a variation on anti- colonial liberation theorist Frantz Fanon's memorable statement to his own peers, comrades, and nemeses: Each generation must discover its mission, fulfill it or betray it, in relative opacity. In the underdeveloped countries preceding generations have simultaneously resisted the insidious agenda of colonialism and paved the way for the emergence of the current struggles. Now that we are in the heat of combat, we must shed the habit of decrying the efforts of our forefathers or feigning incomprehension at their silence or passiveness. Our historical moment suggests the need for a principled political rupturing of existing techniques and strategies that fetishize and fixate on the negotiation, massaging, and management of the worst outcomes of domestic warfare. One political move long overdue is toward grassroots pedagogies of radical *dis-identification* with the state, in the trajectory of an anti-nationalism or anti-patriotism, that reorients a progressive *identification* with the creative possibilities of insurgency (this is to consider “insurgency” as a politics that pushes beyond the defensive maneuvering of “resistance”). Reading a few lines down from our first invoking of Fanon’s call to collective, liberatory action is clarifying here: “For us who are determined to break the back of colonialism, our historic mission is to authorize every revolt, every desperate act, and every attack aborted or drowned in blood.”

#### Racism must be rejected in EVERY INSTANCE without surcease. It justifies atrocities, creates another and is truly the CAPITAL SIN.

MEMMI Professor Emeritus of Sociology @ Unv. Of Paris 2000 Albert-; RACISM, translated by Steve Martinot, pp.163-165

The struggle against racism will be long, difficult, without intermission, without remission, probably never achieved, yet for this very reason, it is a struggle to be undertaken without surcease and without concessions. One cannot be indulgent toward racism. One cannot even let the monster in the house, especially not in a mask. To give it merely a foothold means to augment the bestial part in us and in other people which is to diminish what is human. To accept the racist universe to the slightest degree is to endorse fear, injustice, and violence. It is to accept the persistence of the dark history in which we still largely live. It is to agree that the outsider will always be a possible victim (and which [person] man is not [themself] himself an outsider relative to someone else?). Racism illustrates in sum, the inevitable negativity of the condition of the dominated; that is it illuminates in a certain sense the entire human condition. The anti-racist struggle, difficult though it is, and always in question, is nevertheless one of the prologues to the ultimate passage from animality to humanity. In that sense, we cannot fail to rise to the racist challenge. However, it remains true that one’s moral conduct only emerges from a choice: one has to want it. It is a choice among other choices, and always debatable in its foundations and its consequences. Let us say, broadly speaking, that the choice to conduct oneself morally is the condition for the establishment of a human order for which racism is the very negation. This is almost a redundancy. One cannot found a moral order, let alone a legislative order, on racism because racism signifies the exclusion of the other and his or her subjection to violence and domination. From an ethical point of view, if one can deploy a little religious language, racism is “the truly capital sin.”fn22 It is not an accident that almost all of humanity’s spiritual traditions counsel respect for the weak, for orphans, widows, or strangers. It is not just a question of theoretical counsel respect for the weak, for orphans, widows or strangers. It is not just a question of theoretical morality and disinterested commandments. Such unanimity in the safeguarding of the other suggests the real utility of such sentiments. All things considered, we have an interest in banishing injustice, because injustice engenders violence and death. Of course, this is debatable. There are those who think that if one is strong enough, the assault on and oppression of others is permissible. But no one is ever sure of remaining the strongest. One day, perhaps, the roles will be reversed. All unjust society contains within itself the seeds of its own death. It is probably smarter to treat others with respect so that they treat you with respect. “Recall,” says the bible, “that you were once a stranger in Egypt,” which means both that you ought to respect the stranger because you were a stranger yourself and that you risk becoming once again someday. It is an ethical and a practical appeal – indeed, it is a contract, however implicit it might be. In short, the refusal of racism is the condition for all theoretical and practical morality. Because, in the end, the ethical choice commands the political choice. A just society must be a society accepted by all. If this contractual principle is not accepted, then only conflict, violence, and destruction will be our lot. If it is accepted, we can hope someday to live in peace. True, it is a wager, but the stakes are irresistible.

## Case

#### Fetishization of the drone inaccurately warps historical contexts – turns the case.

**Trombly 12**

[analyst on international affairs and strategy; Associate at Caerus Analytics; fmr Writer at Foundation for Defense of Democracies, Dan, The Drone War Does Not Take Place, NOVEMBER 16, 2012, <http://slouchingcolumbia.wordpress.com/2012/11/16/the-drone-war-does-not-take-place>]

I’ll try to make this a bit shorter than my usual fare on the subject, but let me be clear about something. As much as I and many others inadvertently use the term, there is no such thing as drone war. There is no nuclear war, no air war, no naval war. There isn’t really even irregular war. There’s just war. There is, of course, drone warfare, just as there is nuclear warfare, aerial warfare, and naval warfare. This is verging on pedantry, but the use of language does matter. The changing conduct and character of war should not be confused with its nature, as Colin Gray strives to remind us in so many of his writings. When we believe that some aspect of warfare changes the nature of war – whether we do so to despair its ethical descent or praise its technological marvels, or to try to objectively discern some new and irreversible reality – we lose sight of a logic that by and large endures in its political and conceptual character. Hence the title (with some, but not too much, apology to Baudrillard). There is no drone war, there is only the employment of drones in the various wars we fight under the misleading and conceptually noxious “War on Terror.” Why does this matter? To imbue a weapons system with the political properties of the policy employing it is fallacious, and to assume its mere presence institutes new political realities relies on a denial of facts and context. This remains the case with drones. The character of wars waged with drones is different – the warfare is different – but the nature of these wars do not change, and very often this argument obscures the wider military operations occurring. Long before the first drone strikes occurred in Somalia, America was very much at war there. Before their availability in that theater, the U.S. had deployed CIA and SOF assets to the region. It supported Ethiopia’s armies and it helped bankroll and coordinate proxy groups, whether they were Somali TFG units, militias, or private contractors. It bombarded select Somali targets with everything from naval guns to AC-130 gunships to conventional strike aircraft. It deployed JSOC teams to capture or kill Somalis. That at some point the U.S. acquired a new platform to conduct these strikes is not particularly relevant to the character of that war and even less to its nature. We sometimes assume drones inaugurate some new type of invincibility or some transcendental transformation of war as an enterprise of risk and mutual violence. We are incorrect to do so. The war in Somalia is certainly not risk free for the people who the U.S. employs or contracts to target these drones. It is not risk free for the militias, mercenaries, or military partners which follow up on the ground. Nor is it risk free for those who support the drones. Just ask Abu Talha al-Sudani, one of the key figures behind the 1998 U.S. Embassy bombings in Kenya and Tanzania, who sent operatives to case Camp Lemonier and launch a commando raid – one which looks, in retrospect, very much like the one that crippled Marine aviation at Camp Bastion recently – that might have killed a great many U.S. personnel on a base then and now critical to American operations in the Horn of Africa and Gulf of Aden. The existence of risk is an inherent product of an enemy whose will to fight we have not yet overcome. The degree of that inherent risk – whether it is negligible or great – is a product of relative military capabilities and war’s multifarious external contexts. Looked at through this lens, it’s not drones that reduce U.S. political and material risk, it’s the basic facts of the conflict. In the right context, most any kind of military technology can significantly mitigate risks. A 19th century ironclad fleet could shell the coast of a troublesome principality with basic impunity. When Dewey said, “You may fire when ready, Gridley,” at Manila Bay, according to most history and much legend he lost only one man – due to heatstroke! – while inflicting grievous casualties on his out-ranged and out-gunned Spanish foes. That some historians have suggested Dewey may have concealed a dozen casualties by fudging them in with desertions, which were in any case were a far greater problem than casualties since the Navy was still in the habit of employing foreign sailors expendable by the political standards of the day is even more telling. Yes, there are always risks and almost always casualties even in the most unfair fights, but just as U.S. policymakers wrote off Asian sailors, they write off the victims of death squads which hunt down thechippers, spotters, and informants in Pakistan or the contractors training Puntland’s anti-piracy forces. And no, not even the American spooks are untouchable, the fallen at Camp Chapman are testament to that. This is hardly unique to drones or today’s covert wars. The CIA’s secret air fleet in Indochina lost men, too, and the Hmong suffered mightily for their aid to the U.S. in the Laotian civil war. The fall of Lima Site 85, by virtue or demerit of policy, resonated little with the American public but deeply marks the intelligence community and those branches of the military engaging in clandestine action. The wars we wage in Pakistan, Yemen, and Somalia are not drone wars any more than our war in Laos was an air war simply because Operation Barrel Roll’s bombers elicit more attention than the much more vulnerable prop-driven spotting aircraft or Vang Pao’s men on the ground. There is a certain hubris in thinking we can limit war by limiting its most infamous weapons systems. The taboo and treaties against chemical weapons perhaps saved men (but not the Chinese at Wuhan, nor the Allied and innocents downwind of the SS John Harvey at Bari) from one of the Great War’s particular horrors, but they did nothing appreciable to check the kind of war the Great War was, or the hypersanguinary consequences of its sequel but a generation later. The Predators and Reapers could have never existed, and very likely the U.S. would still be seeking ways to carry out its war against al Qaeda and its affiliates under the auspices of the AUMF in all of today’s same theaters. More might die from rifles, Tomahawks, Bofors guns or Strike Eagles’ JDAMs than remotely-launched Griffins, and the tempo of strikes would abate. But the same fundamental problems – the opaque decisions to kill, the esoteric legal justifications for doing so, the obtuse objectives these further – would all remain. Were it not for the exaggerated and almost myopic focus on “killer robots,” the U.S. public would likely pay far less attention to the victims, excesses, and contradictions. But blaming drones qua drones for these problems. or fearing their proliferation at home, makes little more sense than blaming helicopters for Vietnam, or fearing airmobile assaults when DC MPD’s MD-500s buzz over my neighborhood. That concern that proliferation of a weapons system equates to proliferation of the outcomes associated with them, without regard to context, is equally misleading. Nobody in America should fear the expansion of the Chinese UAV fleet because, like the U.S. UAV fleet, it is merely going to expand their ability to do what similar aircraft were already doing. Any country with modern air defenses can make mincemeat of drone-only sorties, and for that reason China, which unlike Yemen and Pakistan would not consent to wanton U.S. bombing of its countryside, need not fear drones. For an enormous number of geographical, political, and military reasons, the U.S. ought fear the “drone war” coming home even less. Drones do not grant a country the ability to conduct the kind of wars we conduct against AQAM. The political leverage to build bases and clear airspaces, and the military and intelligence capabilities to mitigate an asymmetric countermeasure operation do. If another country gains that ability to conduct them against a smaller country, even, it is not because they lacked the ability to put weapons on planes, but because of the full tapestry of national power and military capabilities gave them such an ability. It was not asymmetry in basic technical ability that made the U.S. submarine blockade of Japan so much more effective than the Axis’s attempts to do the same against America’s shores, but the total scope of the assets in the field and context of their use. It was not because of precedent or moral equivalence, or lack thereof that the Axis could bomb Britain or lose the ability to do so, but because of the cumulative effect of military capabilities and the judgments guiding them. What might expand the battlefield of a “drone war” is much the same. America’s enemies do not refrain from attacking bases in CONUS or targeting dissidents in the U.S. (not that they have not before), they wait for an opportunity and practical reason to do so, and that has very little to do with drones in particular and even less the nature of the war itself. Fearing that the mere use of a weapons system determines the way in which our enemies will use it without regard to this context is not prophetic wisdom. It is quasi-Spenglerian hyperventilation that attributes the decision to use force to childlike mimesis rather than its fundamentally political purposes. Iran and Russia do not wait on drones to conduct extrajudicial targeted killings, and indeed drones would be of much less use to them in their own political contexts. Focusing on drones and the nature of targeted killings as some sort of inherent link ignores those contexts and ultimately does a disservice to understanding of wars past, present, and future, and by doing so, does little help – and possibly a great deal of harm – to understanding how to move forward.

**Drones not lead to more war or escalation AND focusing on drones the supposedly uniquely dangerous aspects of drones obscures the real causes of war**

Trombly (analyst on international affairs and strategy; Associate at Caerus Analytics; fmr Writer at Foundation for Defense of Democracies) 12

(Dan, Drones are a symptom, not a cause MAY 23, 2012, http://slouchingcolumbia.wordpress.com/2012/05/23/drones-are-a-symptom-not-a-cause/)

Policymakers are relying on drones The United States is only “relying” on drones in Pakistan, and even then, in Pakistan it’s also operating Counterterrorism Pursuit Teams on the ground and other proxy militia forces, and very likely receiving the kind of manned ISR support that drones very frequently do in Afghanistan (along with strike support in that theater, of course). The “unique capabilities” of drones do not change the calculus to actually initiate military action, they just change the relative logistical load of the operation. That’s not a revolution and that’s hardly enough evidence to suggest it significantly effects U.S. bellicosity or the accountability of warmaking by giving policymakers a cost free option for prosecuting strikes. In Yemen and Somalia, policymakers almost certainly are not relying on drones. The first drone strikes in Somalia did not occur until years after the U.S. had begun using JSOC ground forces, helicopters, gunships, and naval aircraft and ship fires to target the ICU and later al Shabaab. Even then, drones have yet to actually take over the duties of strike missions, as the F-15E squadron in Djibouti suggests. In Yemen, the strikes have generally been a mix of platforms that has ranged from drones, to seaborne fire missions, to manned aircraft. So it’s certainly not an undisputed fact that policymakers are relying on drones, even if this factor is publicly played up by the media and government alike. If anything, drones are over-emphasized to hide the very many people operating on the ground and in manned supporting strike and ISR platforms that are involved in these wars. It’s absolutely false to suggest that it’s casualty aversion or drone expendability which enables these conflicts, or otherwise policymakers would not be using manned missions in Yemen and Somalia (and they would probably be more willing to conduct high-value strikes when Pakistan clamps down on strikes). Farley suggests that policymakers are not casualty tolerant of air wars. This is false. In fact, the utter air superiority of U.S. forces has been invoked for the ease of conducting U.S. airpower interventions in the Balkans and Iraq after 1991. There’s significant evidence to suggest that policymakers consider aerial and naval assets writ large, along with deniable and covert SOF assets, more expendable than regular ground troops from the Army and the USMC. The record of U.S. military interventions suggests this. Casualty aversion from ground troops did not prevent the growth of an airpower mystique among policymakers which allowed for interventions in Bosnia, Kosovo, Iraq between 1991-2003, and later, Libya. The punitive use of aerial and standoff fires is extended to virtually all aerial assets, and in many cases policymakers are more eager to send manned aircraft against enemy air defenses than they are to send unmanned strike aircraft into contested areas. If Farley was arguing, as many other commentators have, that there is a general airpower mystique, that would be a much more plausible argument. But the conduct of U.S. military interventions since 1991 suggests that policymakers are not very worried about pilot casualties (even after the shoot-down of an F-16 in Bosnia and an F-117 in the Kosovo War), and drone strikes rarely occur when there’s a real threat of pilot casualties beyond the accidents that can afflict the manned strike and ISR assets used alongside them. Drones make policymakers more prone to use force This is highly unlikely. As I have noted, in Yemen, Somalia, and Pakistan, drone use has been dependent on both militarily and diplomatically permissive environments, and they are generally used alongside manned assets, proxy forces, special operations, and security force assistance to other states. In other words, there are a variety of militarized options which are employed concomitantly which all suggest drone strikes were not the limiting factor in the U.S. choosing to find a variety of direct and indirect methods for covertly and overtly killing foes determined to be hostile to the country. Secondly, the fact that the U.S. also uses the Pursuit Teams and other covert actors in Pakistan suggests that the U.S. would still be trying to kill its enemies across the borders if drones were not available. In Yemen there isn’t convincing evidence that drones are the reason the U.S. chose to militarize its policy there, as the increase in strikes starting in 2009 came with an increase in manned and naval strikes. In Somalia, drones are definitively not the reason the U.S. chose to militarize its counterterrorism policy there, as U.S. strikes in support of the American-backed Ethiopian invasion in 2006 were all of a manned variety. Thirdly, there’s little suggestion that drones are blinding policymakers to the virtues of riskier means of force, an example of which that Farley cites is SOF. But SOCOM has expanded enormously alongside the growth of the drone program, and SOCOM and JSOC are operating on the ground in far far more countries than we use drones! Not only that, but JSOC, CIA SAD operators, and proxy forces such as contractors, militia groups and foreign military forces are all in play in Yemen, Somalia, and Pakistan. Standoff strikes are always and everywhere just one prong of the U.S. counterterrorism strategy – even the kinetic aspects. If anything, the biggest advantage to policymakers of drones, in terms of initiating and continuing use of force, is that they allow policymakers to obscure and misinform the public and the international community – and each other – as to the extent of the military and covert campaign. But that’s not drones eluding accountability and enabling bellicosity, it’s secrecy and the management of public perceptions. The CIA had methods of doing this thing before today’s remotely-operated weapons were invented. Back in the day, when you wanted to avoid the bad publicity of USAF or USN platforms getting formally involved in “shadow wars” (and they often were anyway, as they very obviously are now), you started a secret air force. Former USAF or USN airframes, crewed and often even supported by foreign nationals or deniable covert operators. This was what happened in Cuba and the Congo. Drones make very little difference in the ability of policymakers to militarize U.S. foreign policy approaches. They are insufficient for action in military impermissive airspace, and they are almost always used alongside manned assets, and they are always used alongside covert ground or proxy forces. This is why I greatly admire the work of national security journalists (the first coming to mind being Jeremy Scahill and [Marc Ambinder and D.B. Grady](http://www.amazon.com/The-Command-Inside-Presidents-ebook/dp/B0076QVQLI)) who sketch out not simply the new hotness that is killer robots, but the full spectrum of direct and indirect methods that are by necessity and by preference used along side drone attacks, such as SOF, manned platforms, naval assets, spies, mercenaries, unsavory foreign security services, militias, warlords, and even terrorists previously targeted by the U.S. to attack America’s real and imagined enemies in places like Yemen and Somalia. Criticism that exalts the mythical capabilities of drones to conduct cost-free, casualty-free campaigns in fact enables to prosecution of unaccountable wars. Why? Because it’s not having the option of drones which make the policymakers responsible for determining the mission and demanding warheads put to foreheads decide to do so. If it was, then we’d see being drones use din the expendable, cost-free ways that our comprehensive strike campaigns and covert wars suggest is not occurring. Instead, the exaltation of these game-changing features of drones, which will be [eagerly swallowed](http://abcnews.go.com/WN/inside-predator-drones-game-changing-technology-war-afghanistan/story?id=9543587#.T72Wr0UV12A) by the broader public, if not by critics of the war on terror, is often parroted by the fears of drone critics, which give policymakers the ability to obscure the extent of the “drone wars” and what is really going on. It’s not drones that decrease accountability or increase bellicosity. It’s secrecy and bureaucratic politics. Drones don’t truly offer any advantages in terms of secrecy or bureaucratic politics that did not already exist or are not being cultivated alongside drones by other branches of the military and intelligence community. Even the much-vaunted ability that drones give the CIA to conduct military-grade “secret wars” was pioneered aerially by the “instant air forces” of the Cold War that it set up, as well as other proxy assets with which the CIA can emply and is now employing in its modern shadow conflicts. The very same compartmentalization and secrecy that protect the drone campaign also protects the activities of manned strike missions, SOCOM, CIA assets, and U.S.-backed proxy forces. Drones only marginally alter the kind of impunity that U.S. air superiority gave American policymakers to launch its airpower interventions of the 1990s and 2000s (themselves, as Carl Schmitt foresaw in the 1950s, an outgrowth of naval technology). What’s at least slightly novel about these campaigns is the way in which bureaucracies and secrecy have been utilized to obscure policymakers use of all manner of overt and covert strike, ground, intelligence and proxy assets from proxy criticism, even though even this was essentially cultivated during the Cold War. Perhaps some day in the future drone capabilities will improve enough that they will actually encourage the lack of accountability and bellicosity that critics blame for them. But the record of drone usage so far suggests that the evasions of accountability and enablings of bellicosity in question are equally available to manned assets, standoff naval assets, and deniable covert assets. Drones have yet to be responsible for a single militarization of a U.S. CT campaign that would not have been militarized by the concomitant use of other assets. They’re a symptom of the post-Iraq decision to conduct comprehensive shadow conflicts against AQAM ( arguably pioneered in the Horn of Africa long before strike drones showed up), not from what we can observe in the conduct of drones so far, a cause of its direction. They are a useful instrument in the toolbox. But it’s the toolbox, not any one tool in it, that’s shaping policy. Giving the drones the kind of hype they receive from critics and proponents alike shifts debate obscures what’s really allowing policymakers to conduct today’s wars.

**Drones create an ethical distancing effect**

Stephen Holmes 13, the Walter E. Meyer Professor of Law, New York University School of Law, July 2013, “What’s in it for Obama?,” The London Review of Books, <http://www.lrb.co.uk/v35/n14/stephen-holmes/whats-in-it-for-obama>

But Obama can make an even subtler case for drones. Well-meaning but imperfectly informed critics sometimes claim that the absence of risk to US forces explains the recklessness with which American drone operators kill combatants and noncombatants alike. Mazzetti quotes, in this context, Richard Clarke’s comment on the routinisation of asymmetry in drone warfare: ‘if the Predator gets shot down, the pilot goes home and fucks his wife. It’s OK. There’s no POW issue here.’ That noncombatants are regularly killed by pilots of unmanned aircraft sticking to their routines is widely acknowledged. But does it make sense to argue that such documented overkill results from the absence of risk to the pilots’ own lives and limbs? Obama and his supporters, rightly in my view, dismiss this line of attack as theoretically confused and empirically unproven. For one thing, the stress, panic and fear experienced on combat missions can easily increase rather than decrease the number of mistaken hair-trigger strikes on noncombatants. Reckless endangering of civilians results more often from heat-of-battle fear than from above-the-battle serenity. The drone operator is freed from the pressures of kill or be killed that can easily distort interpretations of what one sees, or thinks one sees, on the battlefield. The faux cockpits from which drones are remotely piloted are unlikely to be commandeered by berserkers.¶ An even more powerful, if still flawed, argument in favour of Obama’s campaign is the way heavy losses in any war can subconsciously put pressure on civilian politicians to inflate irrationally the aims of the conflict in order to align them with the sacrifices being made. War aims are not fixed ex ante but are constantly evolving for the simple reason that war is essentially opportunistic. Initial objectives that prove unrealistic are discarded as new opportunities emerge. Far from inducing greater caution in the use of force, heavy losses of one’s own troops may exacerbate a tendency to demonise the enemy and to hype the goals of the struggle.¶ Formulated more abstractly, the way we fight has a marked impact on when and why we fight. This is true despite what experts in the laws of war tell us about a theoretically watertight separation between jus in bello and jus ad bellum. Fighting in a way that limits the risk to one’s own troops makes it possible to fight limited-aims wars that don’t spiral into all-out wars for national survival. This, I think, is Obama’s best case for drone warfare. Land wars are ‘dumb’ because they almost inevitably involve mission creep as well as postwar responsibilities that US forces are poorly equipped to assume. Drone warfare is smart because, while helping dismantle terrorist organisations and disrupt terrorist plots, it involves less commitment on the American side, and is therefore much less likely to escalate out of control.

**Their argument is ethically naïve—ethics should be grounded in direct experience—pain and consciousness should be our moral guidelines**

**Phelps 9** Norm, animal rights activist and author of The Longest Struggle: Animal Advocacy from Pythagoras to PETA, “The Quest for a Boundless Ethic: A Reassessment of Albert Schweitzer” Journal for Critical Animal Studies, VII.1

Here, Schweitzer makes no distinction between the way we should treat sentient and insentient beings. It is life defined as the ability to grow and reproduce that grants ethical standing, not the ability to experience suffering and joy. For reasons that I will discuss in a moment, this constitutes an ethical naïveté that would surprise us in a thinker of Schweitzer‘s depth and originality if we had not encountered the same naïveté in his one-man crusade to re-make European civilization and reverse the flow of history. Schweitzer‘s errors are often the errors of noble overreaching. In the Preface to Fear and Trembling, Soren Kierkegaard identified the cardinal sin of 19th century philosophy (and Schweitzer is nothing if not a 19th century philosopher) as the urge to “go beyond” established and accepted principles that have stood the test of time. And Kierkegaard‘s critique of “going beyond”—that it becomes a denial of the original principle and, therefore, instead of going beyond it, falls short of it—applies to “reverence for life” as well. By trying to go beyond love and compassion, Schweitzer‘s ethic—as defined in The Philosophy of Civilization—fails even to equal it. To Will or to Want, That is the Question Like its English cognate, the German noun Wille—at least in everyday usage—implies intention and desire, and therefore, consciousness. Likewise, the related verb wollen (first and third person singular, present active indicative: will), which can be translated into English as either “to will” or “to want,” is the common, everyday verb meaning “to want.” When a German speaker wants a stein of beer, she says “Ich will ein Stein.” “I want to go home” is “Ich will nach Haus gehen.” In the jargon of 19th century German philosophy, however, especially the bastardized Buddhism of Arthur Schopenhauer, the noun Wille acquired the meaning of a vital, but impersonal, force that is the ultimate reality underlying the world of appearances that we experience day-to-day. With this in mind, let‘s revisit a statement of Schweitzer‘s that I quoted above in the standard English translation. In Schweitzer‘s original German, “I am life which wills to live, in the midst of life which wills to live,” is “Ich bin Leben, dass leben will, inmitten von Leben, dass leben will” (Association Internationale), which can just as easily, and a lot more naturally, be translated, “I am life that wants to live surrounded by life that wants to live.” But the translator could not use the more straightforward, natural translation because “wants” implies conscious desire, and Schweitzer makes it clear in the passage about not picking a leaf or plucking a flower that he is including in Leben, “life,” everything that grows and reproduces, not simply beings who are sentient and conscious. In the course of identifying his own will-to-live with all other wills-to-live, Schweitzer systematically confuses the technical, Schopenhaurian meaning of Wille with the commonsense, everyday meaning, a confusion that is facilitated by the happenstance that wollen can mean both “want” and “will.” We can empathize with other wills to live, he tells us, because we can experience our own. But if another will-to-live cannot experience itself (or anything else), what is there to empathize with? Consciousness can empathize with consciousness, but to say that consciousness can empathize with an unconscious force is to commit a pathetic fallacy. In short, Schweitzer anchors his ethical thinking to consciousness, which he initially identifies with the “will-to-live.” But he then uses the dual meaning of “will” to extend his ethic to unconscious beings, apparently failing to realize that he has cut it loose from its original moorings. This equivocation is the undoing of reverence for life as Schweitzer describes it in The Philosophy of Civilization. An ethic based on love and compassion is grounded directly in experience. I know **from immediate, undeniable experience that** my pain is evil. Therefore, I can empathize with your pain and know apodictically that it is also evil. The empathy of an ethic based on love and compassion is a valid empathy**. An ethic based on will-to-live understood** (at least sometimes) **as distinct from and prior to consciousness is grounded in an intellectual abstraction, not direct experience**. In this regard, Schweitzer‘s “will-to-live” differs little from Descartes‘ “thought”. Its empathy is an illusion of abstract thinking. To use Schweitzer‘s examples that I quoted above, if I crush an insect I have destroyed a will-to-live that is conscious of itself and wants to continue living, wants to experience pleasure and avoid pain. I know that this is evil because I know directly, immediately, unarguably, that it would be evil if done to me. But neither the leaf nor the tree, the flower nor the plant on which it grows, is conscious. And so when I tear a leaf from a tree or pluck a flower, I do nothing wrong unless I indirectly harm a sentient being, such as a caterpillar for whom the leaf was food or shelter or a honeybee who needs the nectar from the flower. I have caused no pain. I have deprived of life nothing that wanted to live, nothing, in fact, that experienced life in any way. In terms of the suffering I have caused, I might as well have broken a rock with a hammer. All sentient beings are valid objects of love and compassion, and only sentient beings are valid objects of love and compassion. Comparing the crushing of an insect to pulling a leaf from a tree or picking a flower trivializes the crushing of the insect by negating the insect‘s consciousness, and it is in that regard that reverence for life, as Schweitzer originally conceived it, falls short of an ethic based on love and compassion by trying to reach beyond it.

# 2NC

Framework---Simulation Good

**Esberg & Sagan 12** \*Jane Esberg is special assistant to the director at New York University's Center on. International Cooperation. She was the winner of 2009 Firestone Medal, AND \*\*Scott Sagan is a professor of political science and director of Stanford's Center for International Security and Cooperation “NEGOTIATING NONPROLIFERATION: Scholarship, Pedagogy, and Nuclear Weapons Policy,” 2/17 The Nonproliferation Review, 19:1, 95-108

These government or quasi-government think tank simulations often provide very similar lessons for high-level players as are learned by **students in educational simulations**. Government participants learn about the **importance of understanding foreign perspectives,** the need to practice internal coordination, and necessity to compromise and coordinate with other governments in negotiations and crises. During the Cold War, political scientist Robert Mandel noted how crisis exercises and war games forced government officials to **overcome ‘‘bureaucratic myopia**,’’ moving beyond their normal organizational roles and **thinking more creatively** about how others might react in a crisis or conflict.6 The **skills of imagination** and the subsequent ability to **predict foreign interests** and reactions remain **critical for real-world foreign policy makers**. For example, simulations of the Iranian nuclear crisis\*held in 2009 and 2010 at the Brookings Institution’s Saban Center and at Harvard University’s Belfer Center, and involving former US senior officials and regional experts\*highlighted the **dangers of misunderstanding foreign governments’ preferences** and misinterpreting their subsequent behavior. In both simulations, the primary criticism of the US negotiating team lay in a failure to predict accurately how other states, both allies and adversaries, would behave in response to US policy initiatives.7

By **university age**, **students** often have a **pre-defined view of international affairs**, and the literature on simulations in education has long emphasized how such exercises **force students to challenge their assumptions** **about how other governments behave and how their own government works**.8 Since simulations became more common as a teaching tool in the late 1950s, **educational literature has expounded on their benefits**, from encouraging engagement by **breaking from the typical lecture format**, to improving communication skills, to promoting teamwork.9 More broadly, simulations can deepen understanding by asking students to **link fact and theory**, providing a context for facts while **bringing theory into the realm of practice**.10 These exercises are particularly valuable in teaching international affairs for many of the same reasons they are useful for policy makers: **they force participants to ‘‘grapple with the issues arising from a world in flux.**’’11 Simulations have been used successfully to teach students about such disparate topics as European politics, the Kashmir crisis, and US response to the mass killings in Darfur.12 **Role-playing exercises** certainly encourage students to learn political and technical facts\* but they learn them in a **more active style**. Rather than sitting in a classroom and merely receiving knowledge, **students actively research ‘‘their’’ government’s positions and actively argue, brief, and negotiate with others**.13 Facts can change quickly; simulations teach students **how to contextualize and act on information.**14

Simualted national security law debates inculcate agency and decision-making skills—that enables activism and avoids cooption

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

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

Armstrong

**Armstrong 2K** – Paul B. Armstrong, Professor of English and Dean of the College of Arts and Sciences at the State University of New York at Stony Brook, Winter 2000, “The Politics of Play: The Social Implications of Iser's Aesthetic Theory,” New Literary History, Vol. 31, No. 1, p. 211-223

Such a play-space also opposes the notion that the only alternative to the coerciveness of consensus must be to advocate the sublime powers of rule-breaking. 8 Iser shares Lyotard's concern that to privilege harmony and agreement in a world of heterogeneous language games is to limit their play and to inhibit semantic innovation and the creation of new games. Lyotard's endorsement of the "sublime"--the pursuit of the "unpresentable" by **rebelling against restrictions**, defying norms, and smashing the limits of existing paradigms--**is undermined by contradictions**, however, which Iser's explication of play recognizes and addresses. The paradox of the unpresentable, as Lyotard acknowledges, is that it can only be manifested through a game of representation. The sublime is, consequently, in Iser's sense, an instance of doubling. **If violating norms creates new games**, this crossing of boundaries depends on and carries in its wake the conventions and structures it oversteps. The sublime may be uncompromising, asocial, and **unwilling to be bound by limits**, but its pursuit of what is not contained in any order or system **makes it dependent on the forms it opposes**. [End Page 220]

The radical presumption of the sublime is **not only terroristic in refusing to recognize the claims of other games whose rules it declines to limit itself by**. It is also **naive and self-destructive** in its **impossible imagining** that it can do without the others it opposes. As a structure of doubling, the sublime pursuit of the unpresentable requires a play-space that includes other, less radical games with which it can interact. Such conditions of exchange would be provided by the nonconsensual reciprocity of Iserian play.

Iser's notion of play offers a way of conceptualizing power which **acknowledges the necessity and force of disciplinary constraints** **without seeing them as unequivocally coercive and determining**. The contradictory combination of restriction and openness in how play deploys power is evident in Iser's analysis of "regulatory" and "aleatory" rules. Even the regulatory rules, which set down the conditions participants submit to in order to play a game, "**permit a certain range of combinations while also establishing a code of possible play**. . . . Since these rules limit the text game without producing it, **they are regulatory but not prescriptive**. They do no more than set the aleatory in motion, and the aleatory rule differs from the regulatory in that it has no code of its own" (FI 273). Submitting to the discipline of regulatory restrictions is both constraining and enabling because it makes possible certain kinds of interaction that the rules cannot completely predict or prescribe in advance. Hence the existence of aleatory rules that are not codified as part of the game itself but are the variable customs, procedures, and practices for playing it. Expert facility with aleatory rules marks the difference, for example, between someone who just knows the rules of a game and another who really knows how to play it. Aleatory rules are more flexible and open-ended and more susceptible to variation than regulatory rules, but they too are characterized by a **contradictory combination of constraint and possibility, limitation and unpredictability, discipline and spontaneity.**

**Drones don’t enable perpetual warfare or a novel type of conflict – their analysis is ahistorical**

Trombly (analyst on international affairs and strategy; Associate at Caerus Analytics; fmr Writer at Foundation for Defense of Democracies) 12

(Dan, Does the Navy Undermine our Democracy? (Or, Drone Panic II)

JANUARY 29, 2012, http://slouchingcolumbia.wordpress.com/2012/01/29/does-the-navy-undermine-our-democracy-or-drone-panic-ii/)

Today, [Joshua Foust is correct to note](http://www.theatlantic.com/international/archive/2012/01/more-than-just-drones-the-moral-dilemma-of-covert-warfare/251827/) that the War on Terror itself is the true issue that most alarmist commentary about drones really ought to be addressing. But it is not just the alarmism about the technology which has strong historical precedents, but much of the legal mechanisms which authorize the use of covert and overt military assets in an overseas war. The tradition of undeclared wars against belligerent irregular foes across poorly defined regions is something very familiar to the Founding Fathers. If anything, the covert measures Foust notes are actually products of America’s popular rejection of the “total war” model of warfare that Singer anachronistically praises. The all-volunteer force, private contractors, and sea-deployed small units conducting raids into sovereign countries are products of the US body politic’s rejection of the heavy costs of mass mobilization, but continued interest in responding to actual or perceived threats and slights to broadly conceived notions of America’s international rights – in many respects, it is a return to the Barbary-style of warfare (the tradition of which is reflected in the “Small Wars” era of USMC operations in the early 20th century), where irregular threats did not merit a formal declaration of war and were dealt with without conscription or mass mobilization of the army. There are all sorts of objections we can muster to the War on Terror, but the notion that it is eroding a historical US refusal to engage in undeclared wars or to enter wars without the full consent of the Congress and populace is misleading and unproductive. But a shift to a [maritime-centric force, with a robust special operations capability](http://rockyshoals.tumblr.com/post/15566345144/adapt-and-achieve-ensuring-american-hegemony-in-an-era), which seems [increasingly](http://www.washingtonpost.com/world/national-security/pentagon-wants-commando-mother-ship/2012/01/27/gIQA66rGWQ_story.html) [codified](http://www.washingtonpost.com/national/national-security/bin-laden-raid-commander-mcraven-seizes-moment-to-push-for-expanded-us-special-operations/2012/01/26/gIQAR0paTQ_story.html) in the Pentagon’s future plans, is more representative of the actual disconnect in American warmaking. It’s not that drones allow the United States government to begin and prosecute wars in ways it never did before, they merely increase the tempo of operations that already were occurring. The real legal explanation for undeclared American wars lies in the distinction between declaring wars and making war, and the similarly longstanding one between wars conducted through the mass mobilization of armies and those conducted with a Constitutionally approved naval force and its associated components. Focusing on drones plays into traditional outrage against novel technologies and obscures the breadth and historical depth of the debate at hand.

**Drones don’t enable war**

Trombly (analyst on international affairs and strategy; Associate at Caerus Analytics; fmr Writer at Foundation for Defense of Democracies) 11

(Dan, Drone panic: New weapon, old anxieties

DECEMBER 23, 2011, http://slouchingcolumbia.wordpress.com/2011/12/23/drone-panic-new-weapon-old-anxieties/)

The first overused and under-scrutinized argument is the fear that drones make war “easier to wage” because “we can safely strike from longer distances.” Well, we’ve had that ability since the birth of air power and missile power, it just makes it a lot easier to hit certain kinds of targets at a certain tempo. After all, it’s only the pilots who are “far away,” the drones themselves still operate from bases with real, flesh-and-blood people who are potentially exposed to retaliation, and those bases are not necessarily any further away than bases for manned aircraft (in most cases they service both). It’s notable, actually, that the US actually requires significant international cooperation to maintain the bases it wants to launch drone strikes from, and only in Libya has the US ever used drones against a government it admitted to being at war with (as opposed to Yemen, Pakistan, and Somalia, where the US strikes non-state actors with some degree of compliance from the local government).

This does of course make war-making easier to some extent, but why we should find this alarming is unclear. Similar effects could be achieved with advances to manned aircraft, stand-off guided missiles, advanced naval weapons, and so on. Drones are an incremental advancement in technology, so far they have no prevented a major alteration in the offense-defense balance, they have merely made military operations we already preferred to fight – such as the US targeting of al Qaeda with air strikes in 1998 – more effective, but without the acquisition of bases capable of generating large volumes of combat sorties, a sustained war would not be “easy” by any means – and those bases would also increase manned-aircraft sortie generation. The loss-of-strength gradient still applies.

# 1NR

## Military

### The European need for MILITARY DOMINATION is the root of conflict.

BLACK self proclaimed Pan Africanist Scholar 2k9

Kofi-; The Origin, Ramifications and Rectification of White Supremacy, Racism = White Supremacy = Globalization

<http://www.scribd.com/doc/16206085/The-Origin-Ramifications-and-Rectification-of-Racism-White-Supremacy-Revised>

Often times I'm hit with the argument that racism is not equal to White Supremacy, and that all  
people can practice and proliferate racism. This ideology that we label as racism is much like any other  
word with the suffix of 'ism'. The use of this suffix is there to denote a strict system of theories or doctrines that direct a people, society, class or group to a specific objective. **T**o understand how racism is a global system, one would have to break down its use, and view its application through lenses as unbiased as possible. At the very least, lenses not corrupted by the need to maintain the social structure of white supremacy(racism). Keeping in line with a long tradition of foreign cultural degradation, and oppression, in the late 1800's the collective governmental and scholarly institutions of Europe decreed that all other peoples of the Earth were subhuman, and were destined to be controlled, and indeed dominated by Europeans. No more were there calls of infidelity, and barbarism. The new call was subhuman, savage and inadequately equipped for self determination. This new manifestation of white supremacy(racism) was aimed destroying, and rebuilding many nations of Africa, and South East Asia, and to solidify the western stranglehold on North and South America. In what's known as the scramble for Africa, France, Britain, Belgium, Spain, Italy, Germs and Portugal took maps of the continent of Africa and divvied it up amongst themselves. Without the consent of one African leader, the future of the continent was written. It went as far as to 'grant' European nations control of any land they could conquer! The scramble was officially known as the “Berlin Conference”. This meeting between the most powerful monarchs was held with the aim of removing two walls that blocked the forward momentum of creating the global economical structure that the Europeans so badly wanted to create. According to the text book “History of Africa” by Kevin Shillington, the first item on the agenda was legitimizing King Leopold's personal fiefdom of the Congo. “In return,” as Shillington put it, “the Belgian king agreed to allow European traders and missionaries free access to the area.” The next issue effectively stated that any nation that could militarily dominate the land they claimed, would be legally entitled to it. Through this edict, Europeans moved to use Africa as their battleground. It functioned to house the battles that would determine the world's next super power. The end result of these conferences was an end to almost all the kingdoms(with the exception of Ethiopia) and the creation of the 53 states that compromise of the continent today. None of which, ever being able to completely revert to their respective pre-colonial environment The history of European domination, and the road to globalization was an extremely long and rough one. Much of the non-European world is still suffering from it, and comparatively the entire European world had benefited from it**.** Just imagine, the continent of Europe went from slavery, through serfdom, to the economic power that it is today.

### 4. Turn: The affirmative presents a discourse of white supremacy and then attempts to use it as a tool to counter the very thing. It is these CONTRADICTIONS which give racist ideology its FLEXIBILITY and power.

**NAKAYAMA Asst Prof, Dept of Communication @ Arizona State Univ. & KRIZEK Asst Prof, Dept of Communication @ St. Louis Univ. 1995**

Thomas K. -& Robert L.-;  *“WHITENESS: A Strategic Rhetoric”*; QUATERLY JOURNAL OF SPEECH

81, 291-309

Whether or not one discursively positions oneself as “white,” there is little room for maneuvering out of the power relations imbedded in whiteness. Whiteness, stated or unstated, in any of its various forms, leaves one invoking the historically constituted and systematically exercised power relations. This creates an enormous problem for those in the center who do not want to reinforce the hegemonic position of the center and for those elsewhere who would challenge this assemblage and its influence on their lives.

As Foucault observed, discursive formations are replete with contradictions. In the assemblage of whiteness, we find that these contradictions are an important element in the construction of whiteness, as it is by these contradictions that whiteness is able to maneuver through and around challenges to its space. The dynamic element of whiteness is a crucial aspect of the persuasive power of this strategic rhetoric. It garners its representational power through its ability to be many things at once, to be universal and particular, to be a source of identity and difference. The discourses of nationality, for example, run counter to those of scientific classification; yet the emergence of a racialized nation has been marked out time and again in the U.S. and elsewhere. The discourses that define whiteness through its historical relationships to Europe further problematize these discursive movements. Whiteness eludes essentialism through this multiplicity and dynamism, while at the same moment containing within it the discourses of essentialism that classify it scientifically or define it negatively.

Our point here is not that there are contradictions within this discursive assemblage. Rather our principal thesis is that these contradictions are central to the dynamic lines of power that resecure the strategic, not tactical space of whiteness, making it all the more necessary to map whiteness. Whiteness is complex and problematic; yet in communication interactions we are expected to understand what it means when someone says “white” or “American” or even “All-American.” It is perhaps when whites use whiteness in communicating with other whites that the lines of power are particularly occluded, yet resilient as ever. This also has significant implications for communication researchers.