# IndoPak aff

#### I affirm: “Resolved: In a democracy, a free press ought to prioritize objectivity over advocacy”

Definitions in doc

(“Free press” is

Cambridge Dictionary, <https://dictionary.cambridge.org/us/dictionary/english/free-press>

“If a country has a free press, its newspapers, magazines, and television and radio stations are able to express any opinions they want, even if these criticize the government and other organizations”

**Prioritize means to value something as more important than something else**

**Collins Dictionary No Date** [Collins Dictionary, No Date, "Prioritize definition and meaning," Collins Dictionary, https://www.collinsdictionary.com/us/dictionary/english/prioritize]

Prioritize Word forms: prioritizes, prioritizing, prioritized 1. TRANSITIVE VERB If you **prioritize** something, you treat it as **more important** than other things. Prioritize your own wants rather than constantly thinking about others. 2. TRANSITIVE VERB If you prioritize the tasks that you have to do, you decide which are the most important and do them **first**. Make lists of what to do and prioritize your tasks.

Objectivity in journalism means fact-based, non-subjective reporting

**McLaughlin 16** [Greg McLaughlin, senior lecturer in media and journalism at the University of Ulster, 2016, “Journalism, Objectivity and War,” The War Correspondent, https://sci-hub.se/https://www.jstor.org/stable/j.ctt19qgf0x.7]

objectivity under fire Objectivity in journalism has come under serious critique from academics (Glasgow University Media Group, 1976; Lichtenberg, 1996; Streckfuss, 1990; Parenti, 1993). They suggest in various ways that the news media do not simply report and reflect our social world but that they more or less play an active part in shaping, even constructing it; that they represent sectional interests rather than society as a whole.2 When these criticisms are leveled at journalists, their traditional defence is their practice of objectivity but what does it mean to be objective in journalism in the first place? According to Michael Schudson (1978), **objectivity** is based on the assumption that a series of ‘**facts**’ or truth claims about the world can be **validated** by the rules and **procedures** of a professional community. The **distortions** and **biases**, the subjective value judgements of the individual or of particular interest groups, are **filtered out** so that among journalists at any rate, ‘The belief in objectivity is a **faith in** “**facts**”, a **distrust** of “**values**”, and a **commitment** to their **segregation’** (p. 6). Gaye Tuchman refers to this method as ‘a **strategic** **ritual’**, a method of newsgathering and reporting that protects the journalist from charges of bias or libel (1972, p. 661ff). Radical critiques measure journalistic claims to objectivity against analyses of how the news media produce and represent their version of reality according to sectional interests. Bias is not in the eye of the beholder but is structured within the entire news process; the news filters and constructs reality according to a dominant or institutional ideology (Glasgow University Media Group, 1976). ‘What passes for objectivity’, for American scholar Michael Parenti, ‘is the acceptance of a social reality shaped by the dominant forces of society – without any critical examination of that reality’s hidden agendas, its class interests, and its ideological biases’ (1993, p. 52). It is the difference respectively between the journalist as the professional, instutionalised reporter and the journalist as the partial eyewitness and writer. John Pilger points to the transparency of this ideology of professionalism, especially in a public service broadcaster like the BBC whose coverage of domestic and foreign crises has demonstrated its true agenda and its true allegiances: These people waffle on about objectivity as if by joining that institution or any institution they suddenly rise to this Nirvana where they can consider all points of view and produce something in five minutes. It’s nonsense and it’s made into nonsense because the moment there’s any kind of pressure on the establishment you find reporters coming clean, as they did after the Falklands. They were very truculent: ‘These were our people, our side. And now we’ll get back to being objective’. It’s the same with the term ‘balance’. I mean censorship for me always works by omission. That’s the most virulent censorship and what we have is an enormous imbalance one way, ...the accredited point of view, the sort of consensus point of view which has nothing to do with objectivity, nothing to do with impartiality and very little to do with the truth.3 The pressure to pursue objectivity in reporting has had serious consequences for journalism as a form of factual writing. James Cameron thought that ‘objectivity in some circumstances is both meaningless and impossible.’ He could not see ‘how a reporter attempting to define a situation involving some sort of ethical conflict can do it with sufficient demonstrable neutrality to fulfil some arbitrary concept of “objectivity”.’ This was not the acid test for Cameron who ‘always tended to argue that objectivity was of less importance than the truth, and that the reporter whose technique was informed by no opinion lacked a very serious dimension’ (1967, p. 72). There are, however, alternative forms of journalism that subvert the very notion of objectivity: the ‘New Journalism’ of the 1960s and what has been called ‘honest journalism’, described as a compromise between the blind assumption of impartiality and ideological commitment. War and alternative journalisms

**Advocacy means to favor a specific viewpoint**

**Cambridge Dictionary No Date** [Cambridge Dictionary, No Date, "advocacy," https://dictionary.cambridge.org/us/dictionary/english/advocacy]

public support for an idea, plan, or way of doing something:

India is a democracy

Freedom House, <https://freedomhouse.org/country/india>

While India is a multiparty democracy, the government led by Prime Minister Narendra Modi and his Hindu nationalist Bharatiya Janata Party (BJP) has presided over discriminatory policies and increased violence affecting the Muslim population. The constitution guarantees civil liberties including freedom of expression and freedom of religion, but harassment of journalists, nongovernmental organizations (NGOs), and other government critics has increased significantly under Modi. Muslims, scheduled castes (Dalits), and scheduled tribes (Adivasis) remain economically and socially marginalized.

Pakistan is a democracy

Afzal 21 Madiha Afzal,December 13, 2021, https://www.brookings.edu/blog/order-from-chaos/2021/12/13/pakistan-skipped-the-us-summit-for-democracy-why/

Pakistan is the fifth largest country in the world — and has a functioning, albeit flawed democracy. The shortcomings primarily stem from the dominance of its military, which exercises influence over key elements of the country’s security and foreign policy. But in a break from periods of military rule in the past, since its 2008 election Pakistan has had successful transitions of power from one civilian government to another via elections. It also has a robust political opposition. )

**Framing (short)**

#### The standard is UTIL. Prefer:

1. **Pleasure and pain are the starting point for moral reasoning—they have intrinsic value**

**Moen 16**, Ole Martin (PhD, Research Fellow in Philosophy at University of Oslo). "An Argument for Hedonism." Journal of Value Inquiry 50.2 (2016): 267. SM

Let us start by observing, empirically, that a widely shared judgment about intrinsic value and disvalue **is that pleasure is intrinsically valuable and pain is intrinsically disvaluable**. On virtually any proposed list of intrinsic values and disvalues (we will look at some of them below), pleasure is included among the intrinsic values and pain among the intrinsic disvalues. This inclusion makes intuitive sense, moreover, for **there is something undeniably good about** the way **pleasure** feels and something undeniably bad about the way pain feels, and neither the goodness of pleasure nor the badness of pain seems to be exhausted by the further effects that these experiences might have. “Pleasure” and “pain” are here understood inclusively, as encompassing anything hedonically positive and anything hedonically negative. 2 The special value statuses of pleasure and pain are manifested in how we treat these experiences in our everyday reasoning about values. If you tell me that you are heading for the convenience store, **I might ask: “What for**?” This is a reasonable question, for when you go to the convenience store you usually do so, not merely for the sake of going to the convenience store, but for the sake of achieving something further that you deem to be valuable. You might answer, for example: “To buy soda.” This answer makes sense, for soda is a nice thing and you can get it at the convenience store. I might further inquire, however: “What is buying the soda good for?” This further question can also be a reasonable one, for it need not be obvious why you want the soda. You might answer: “Well, I want it for the pleasure of drinking it.” If I then proceed by asking “But what is the pleasure of drinking the soda good for?” the discussion is likely to reach an awkward end. **The reason is that** the **pleasure is not good for anything further**; it is simply that for which going to the convenience store and buying the soda is good. 3 As Aristotle observes: “**We never ask** [a man] **what** his **end is in being pleased, because we assume** that **pleasure is** choice **worthy in itself**.”4 Presumably, a similar story can be told in the case of pains, for if someone says “This is painful!” we never respond by asking: “And why is that a problem?” We take for granted that **if something is painful, we have a sufficient explanation of why it is bad**. If we are onto something in our everyday reasoning about values, it seems that **pleasure** and pain are both places where we **reach the end of the line in matters of value**. Although pleasure and pain thus seem to be good candidates **for intrinsic value** and disvalue, several objections have been raised against this suggestion: (1) that pleasure and pain have instrumental but not intrinsic value/disvalue; (2) that pleasure and pain gain their value/disvalue derivatively, in virtue of satisfying/frustrating our desires; (3) that there is a subset of pleasures that are not intrinsically valuable (so-called “evil pleasures”) and a subset of pains that are not intrinsically disvaluable (so-called “noble pains”), and (4) that pain asymbolia, masochism, and practices such as wiggling a loose tooth render it implausible that pain is intrinsically disvaluable. I shall argue that these objections fail. Though it is, of course, an open question whether other objections to P1 might be more successful, I shall assume that if (1)–(4) fail, we are justified in believing that P1 is true itself a paragon of freedom—there will always be some agents able to interfere substantially with one’s choices. The effective level of protection one enjoys, and hence one’s actual degree of freedom, will vary according to multiple factors: how powerful one is, how powerful individuals in one’s vicinity are, how frequent police patrols are, and so on. Now, we saw above that what makes a slave unfree on Pettit’s view is the fact that his master has the power to interfere arbitrarily with his choices; in other words, what makes the slave unfree is the power relation that obtains between his master and him. The difﬁculty is that, in light of the facts I just mentioned, there is no reason to think that this power relation will be unique. A similar relation could obtain between the master and someone other than the slave: absent perfect state control, the master may very well have enough power to interfere in the lives of countless individuals. Yet it would be wrong to infer that these individuals lack freedom in the way the slave does; if they lack anything, it seems to be security. A problematic power relation can also obtain between the slave and someone other than the master, since there may be citizens who are more powerful than the master and who can therefore interfere with the slave’s choices at their discretion. Once again, it would be wrong to infer that these individuals make the slave unfree in the same way that the master does. Something appears to be missing from Pettit’s view. If I live in a particularly nasty part of town, then it may turn out that, when all the relevant factors are taken into account, I am just as vulnerable to outside interference as are the slaves in the royal palace, yet it does not follow that our conditions are equivalent from the point of view of freedom. As a matter of fact, we may be equally vulnerable to outside interference, but as a matter of right, our standings could not be more different. I have legal recourse against anyone who interferes with my freedom; the recourse may not be very effective—presumably it is not, if my overall vulnerability to outside interference is comparable to that of a slave— but I still have full legal standing.68 By contrast, the slave lacks legal recourse against the interventions of one speciﬁc individual: his master. It is that fact, on a Kantian view—a fact about the legal relation in which a slave stands to his master—that sets slaves apart from freemen. The point may appear trivial, but it does get something right: whereas one cannot identify a power relation that obtains uniquely between a slave and his master, the legal relation between them is undeniably unique. A master’s right to interfere with respect to his slave does not extend to freemen, regardless of how vulnerable they might be as a matter of fact, and citizens other than the master do not have the right to order the slave around, regardless of how powerful they might be. This suggests that Kant is correct in thinking that the ideal of freedom is essentially linked to a person’s having full legal standing. More speciﬁcally, he is correct in holding that the importance of rights is not exhausted by their contribution to the level of protection that an individual enjoys, as it must be on an instrumental view like Pettit’s. Although it does matter that rights be enforced with reasonable effectiveness, the sheer fact that one has adequate legal rights is essential to one’s standing as a free citizen. In this respect, Kant stays faithful to the idea that freedom is primarily a matter of standing—a standing that the freeman has and that the slave lacks. Pettit himself frequently insists on the idea, but he fails to do it justice when he claims that freedom is simply a matter of being adequately (and reliably) shielded against the strength of others. As Kant recognizes, the standing of a free citizen is a more complex matter than that. One could perhaps worry that the idea of legal standing is something of a red herring here—that it must ultimately be reducible to a complex network of power relations and, hence, that the position I attribute to Kant differs only nominally from Pettit’s. That seems to me doubtful. Viewing legal standing as essential to freedom makes sense only if our conception of the former includes conceptions of what constitutes a fully adequate scheme of legal rights, appropriate legal recourse, justiﬁed punishment, and so on. Only if one believes that these notions all boil down to power relations will Kant’s position appear similar to Pettit’s. On any other view—and certainly that includes most views recently defended by philosophers—the notion of legal standing will outstrip the power relations that ground Pettit’s theory.

1. **Preventing extinction is a pre-requisite to all other moral theories**

**Bostrom 12**

**Nick Bostrom. Faculty of Philosophy & Oxford Martin School University of Oxford. “Existential Risk Prevention as Global Priority.” Global Policy (2012)** These reflections on moral uncertainty suggest an alternative, complementary way of looking at existential risk; they also suggest a new way of thinking about the ideal of sustainability. Let me elaborate. Our present understanding of axiology might well be confused. We may not now know — at least not in concrete detail — what outcomes would count as a big win for humanity; we might not even yet be able to imagine the best ends of our journey. If we are indeed profoundly uncertain about our ultimate aims, then we should recognize that there is a great option value in preserving — and ideally improving — our ability to recognize value and to steer the future accordingly. Ensuring that there will be a future version of humanity with great powers and a propensity to use them wisely is plausibly the best way available to us to increase the probability that the future will contain a lot of value. To do this, we must prevent any existential catastrophe.

**Offense**

**Ukraine invasion heightens India-Pakistan tensions – India forced to cut diplomatic ties with Pakistan allies**

**Kapur 22** Manavi Kapur, February 25, 2022, Quartz India, “India is walking a tightrope between Ukraine and Russia”, https://qz.com/india/2133616/how-india-under-modi-will-balance-russia-ukraine-and-the-us/

India finds itself in a geopolitical quagmire between [Russia and Ukraine](https://qz.com/re/russia-ukraine-news/). On the one hand, it has a time-tested relationship with Russia, hinged on defence and bilateral trade deals, and on the other, it needs allies and trade partners like the US to counterbalance China’s growing influence in the region. India also needs to keep an eye on countries supporting Pakistan and China, given its own border tensions with the two neighbouring nations. “One of the major reasons why India doesn’t want to jeopardise its ties with Moscow is that it sees Russia as a guarantor of multipolarity. India favours a world order where multiple powers balance each other out,” said Michael Kugelman, deputy director of the Asia programme and senior associate for south Asia at the Wilson Center. “The Ukraine conflict, by driving [Russia into China’s arms](https://qz.com/2133470/china-is-not-calling-russias-actions-in-ukraine-an-invasion/), hampers India’s ability to promote more multipolarity.” And while India’s relationship with Ukraine is strong even if unspectacular, Kugelman says it pales in comparison to its ties with Russia. This is reflected in trade. **India’s trade with Russia and Ukraine** Neither country has trade volumes with India as high as the US in absolute terms. Russia is now India’s 25th biggest trading partner. These countries constitute over 75% of India’s total trade. India imports oil and related products from both Russia and Ukraine. But while it imported goods worth $1.9 billion from Ukraine between April and December 2021, the figure for Russia stood at $6.9 billion, according to data from the Indian ministry of commerce and industry. This is still a fraction of India’s $55 billion in exports to, and $31 billion in imports from, the US for the same period. But the absolute volumes become less significant in the larger picture. **Indo-Russian defence ties** Russia continues to be India’s top defence supplier, with new deals as recent as December 2021 during Russian president Vladimir Putin’s visit to New Delhi. During this meeting with Indian prime minister Narendra Modi, Putin called India a “[great power](https://www.thehindu.com/news/international/worldview-with-suhasini-haidar-india-russia-ties-in-trouble/article37928365.ece),” setting the stage for a renewal of the two nations’ defence cooperation deals for the next decade. This visit also ended in an agreement to manufacture Russian AK-203 rifles in India’s Uttar Pradesh, with a technology transfer from Russia. These deals, and particularly a $5.5 billion deal for India to purchase S-400 Triumf surface-to-air missiles from Russia, have not sat well with the US. Under the Countering America’s Adversaries Through Sanctions Act, India could have faced sanctions for this deal, especially once [deliveries began in November 2021](https://indianexpress.com/article/explained/s-400-purchase-air-defence-system-india-us-relation-7626388/) after the deal was signed in 2018. However, the changed world order, especially the importance of India as an ally against China, has led the Joe Biden administration to not levy these economic strictures. “The administration has made clear that it is discouraging India from proceeding with the acquisitions of Russian equipment, and there are important geostrategic considerations, particularly with…relationship to China. So, I think we have to look at what the balance is,” James O’Brien, the US State Department’s coordinator for sanctions policy, said on Jan. 14, according to a [Times of India newspaper report](https://timesofindia.indiatimes.com/india/india-could-evade-us-curbs-on-s-400-deal-signals-biden-aide/articleshow/88886950.cms). The US’s desire to have India in its mix of allies is also reflected in Biden’s response to a press query on the matter. “We are going to have consultations with India (on the Ukrainian crisis). We haven’t resolved that fully,” [Biden told reporters on Feb. 24](https://www.ndtv.com/world-news/russia-ukraine-crisis-us-to-consult-india-on-ukraine-crisis-us-president-joe-biden-2788154). India’s next steps will be determined by its past with Russia, and its future with its allies. **What will India do in the Russia-Ukraine crisis?** Geopolitical experts see India’s relationship with Russia as one of New Delhi’s oldest, most stable, and consistent.“Indian leaders like to note that there’s never been a crisis in relations with Russia and that it’s simply a partner that can be depended on, full stop,” Kugelman said. There is also a hint of nostalgia, that Russia is among [India’s oldest friends](https://mea.gov.in/Portal/ForeignRelation/Russia_-DEC_2012.pdf) (pdf), dating back to the partition in 1947 and the country under Jawaharlal Nehru’s leadership.But Russia’s growing ties with Pakistan and China—and India’s increasing closeness to the US—have undercut this friendship to some degree. Each bloc appears to now be courting the others’ rivals. Given India’s membership in the Quad, the alliance it has with the US, Australia, and Japan, it may now find itself painted into a corner over Russia, and may be forced to take a more decisive stance.While Modi’s office released a statement saying the prime minister had spoken to Putin about resolving the crisis diplomatically and de-escalating military aggressions, this may not be seen as a strong enough statement.“Traditionally, in deference to its Russian friend, India has stayed quiet about Russian aggression. But that’s harder to do this time around, given that this arguably marks Russia’s most egregious aggression since the end of the Cold War,” Kugelman said.In this scenario, if it resists the pressure to call out Russia, India could find itself isolated on the Russia issue, and it could face tensions with key partners.“India’s safest bet may be to refrain from public criticism of Russia, and instead take a harder line privately and demand that Moscow deescalate,” according to Kugelman. But given the current circumstances, “even if it tries, an emboldened Putin may be impossible to deter.

**Subjective Indian media creates popular support for hardline, aggressive stances on Pakistan**

**Chandrashekar 19**

Vaishnavi Chandrashekhar, MARCH 1, 2019, Foreign Policy Mag, “India’s Media is War-Crazy”, https://foreignpolicy.com/2019/03/01/indias-media-is-war-crazy/

If India and Pakistan ever resolve their conflict, it won’t be thanks to the Indian media. Ever since a suicide attack in Pulwama, Kashmir, killed more than 40 paramilitary Indian soldiers on Feb. 14, India’s television news networks have been baying for blood, as have ordinary citizens on social media. The attack was carried out by a suicide bomber from the Jaish-e-Mohammed terrorist group, which India blames Pakistan for harboring and sponsoring. “We want revenge, not condemnation. … It is time for blood, the enemy’s blood,” thundered Arnab Goswami, a famously aggressive news anchor, the day after the attack. Even the wife of one of the slain soldiers, Mita Santra, was attacked online when she questioned the failure to prevent the attack and advocated peaceful dialogue with Pakistan. Some called her a coward. Others suggested she didn’t love her husband. Yet the retired generals and diplomats commenting on the issue have been nowhere near as bellicose—proving that it’s usually those with no experience of war who are most enthusiastic about it. It’s been a long time since India actually fought a full-on war, instead of dealing with insurgencies and terrorist strikes, and the lack of experience seems to have left a generation of Indians with dangerously misplaced ideas about the glories of battle and victory. Those responses were of a piece with the armchair jingoism that routinely takes over public discourse in India, stoking tension while obscuring larger issues of military intelligence, strategy, and resources. Across the border in Pakistan, similar dynamics are playing out. But it’s India that has the military whip hand—and where jingoism could prove exceptionally dangerous. For the last two weeks, hashtags like #AvengePulwama and #surgicalstrike2—the latter referring to the last skirmish between the two countries in 2016—have dominated social media feeds in India, crescendoing as the two sides’ air forces skirmished this week. Television news anchors were not far behind with their competitive beating of the war drum—one even donned army fatigues and brandished a toy gun—and their labeling of more temperate voices as “anti-national.” In India, that phrase is often used to question someone’s patriotism or allegiance, especially targeting leftists or peace activists. One commentator on Twitter suggested that those who didn’t support the Indian government’s moves were “traitors.” Absent from this is any sense of skin in the game, as the widow Mita Santra was quick to point out. As in the United States and other countries without conscription, the percentage of Indians who have served in the armed forces is small and among the elite is even smaller, especially as the economy has boomed in recent decades. Today’s pugnacious social media warriors and TV news anchors have seen devastating acts of terrorism in their lifetime, but few of them are of an age to remember the country’s last real wars with Pakistan: the 22-day skirmish in 1965, which cost 11,500 casualties, and the 1971 war that led to the creation of Bangladesh. Apart from the loss of life, those conflicts had very real effects on everyday life and commerce even in the rest of the country. In 1965 there was rationing in southern India, far from the borders with Pakistan. During both wars there were blackouts and curfews, sirens and drills, as newspaper reports from the time show. “Underneath that boyish bravado, we were all terribly frightened,” writes one Indian who was a schoolboy at the time of the ’71 war. High emotion after a terrorist attack is understandable, especially on the free-for-all public sphere of social media. And the anger is not unjustified: Pakistan’s sheltering of terrorist groups is an enormous problem for India. But unrestrained rhetoric can have dangerous consequences: Kashmiris in other parts of the country have been facing threats, for one. The rhetoric also put pressure on Prime Minister Narendra Modi’s already hawkish government to retaliate in some way, especially with elections around the corner. Especially alarming has been the way in which Indian news media, especially television, contributed to that pressure, trading journalistic responsibility for tabloid hysterics. High-profile journalists ditched any pretense of objectivity, tweeting their support of India’s retaliatory strike. One TV news anchor, Gaurav Sawant, tweeted that India should “Strike again & again.” Meanwhile, independent fact-checking groups have struggled to keep pace with the spate of fake videos and images doing the rounds. (This is not the first time Indian television news has behaved irresponsibly—during the 2008 Mumbai terrorist attacks, channels live broadcast commandos in action, endangering the operation.) The high media drama has been equaled only by the depressing dearth of reliable information. India’s retaliatory attack was first communicated in a briefing by a senior official who shared few details and took no questions. Yet unconfirmed details, presumably leaked by so-called highly placed sources, poured out all day from the networks and even newspapers, including casualty numbers that varied anywhere from 300 to 600. A Reuters report from the ground in Pakistan now suggests the Indian attack on Balakot did not do much damage. As one media commentator noted, journalists were too willing to “reproduce unverified, contradictory and speculative information” that suited the government. Anchors and pundits seemed too excited by the conflict to question the establishment. Here are some of the questions that much of the Indian media failed to ask in the past fortnight: Where are the pictures of the strike on Balakot? Who exactly was taken out? Was Pakistan prepared for the airstrike, as some reports have suggested? What is the retaliatory strategy at work? Was it appropriate for the prime minister to address.

**Domestic misrepresentations of adversary behavior incentivize miscalc**

**Danziger et al. 20** Sunaina Danziger, Grace Easterly, Zeba Fazli , Gillian Gayner, Sameer Lalwani, Tyler Sagerstrom, Brigitta Schuchert, Chloe Stein, Elizabeth Threlkeld, Akriti Vasudeva, February 28, 2020, Stimson.org, “From Kargil to Balakot: Southern Asian Crisis Dynamics and Future Trajectories”, https://www.stimson.org/2020/from-kargil-to-balakot-southern-asian-crisis-dynamics-and-future-trajectories/

Stimson’s South Asia Program convened a simulation exercise on decision pathways to conflict escalation between India and Pakistan from asymmetric, to conventional, to nuclear levels. The participants took on the roles of strategic planners in the Indian or Pakistani governments doing an internal assessment of the probabilities of various escalation routes. In other words, they were asked to consider not what both sides *should* do, but rather what both sides *would*do. The goal of the simulation was to generate discussion of escalation and de-escalation pathways considering crisis triggers, strategy and doctrine, capabilities, force posture, and off-ramps. The simulation generated three major observations: **History and precedent will factor into India’s forceful response to cross-border terror attacks.**The India team predicted the Indian government would take previous attacks into account in calibrating its response to future attacks, such that casualty tolls of specific incidents might matter less than the overall total of previous attacks, a dynamic termed *cumulative retribution*. The international community’s tacit acceptance of Indian threshold-crossing in retaliation to attacks has also enabled its approach, under a dynamic of *cumulative emboldenment*. **Each side routinely miscalculates the other’s resolve and intentions.**These mutual misperceptions increase the risk of escalation as both sides hold a false confidence in their understanding of the other’s red lines and likely behavior.  **The incompatibility of each party’s expectations of victory in limited conflict raises the risk of runaway escalation.**Both sides’ implicit theories of de-escalation hold that their adversary will remain relatively restrained or back down, perhaps with the mediation of a third party. The India team exhibited overconfidence in the prospect of off-ramps in situations when the Pakistan team predicted conflict would escalate further, including with the potential use of tactical nuclear weapons against proactive operations. Indian Cumulative Response Calibration Early in the exercise, participants agreed that a new threshold had been set for terror attacks that trigger an Indian military response. While players determined that a crisis trigger on the order of the 2008 Mumbai attacks was unlikely to occur within the next year, they noted that the Indian government may perceive attacks on the scale of the 2016 Uri attack or the 2019 Pulwama attack to demand a more forceful response. This idea, termed “*cumulative retribution*,” [1](javascript:void(0)) predicts that Indian responses to future attacks may take into account pent up desires to inflict punishment for previous attacks in which Indian leaders displayed restraint. Further, the participants agreed that Indian leaders may be willing to up the ante as a result of a parallel concept we describe as “*cumulative emboldenment*.” Especially in recent years, the international community’s response to Indian behavior has ranged from neutral to congratulatory, even as India crossed previous thresholds and tested boundaries. This may lead the Indian government to believe it has space to raise the bar without incurring significant international push-back in each subsequent crisis. Throughout the simulation, the India team’s discussion focused primarily on domestic audience pressures, economic ramifications, and the “[public relations] value” of its behavior, while the Pakistan team focused primarily on escalatory potential. For example, the participants were asked to predict the likelihood that India, after a significant terror attack it attributes to elements of the Pakistani government, would opt for Cold Start versus “conventional lite”—the “low end” of its “Proactive Operations” doctrine that involves special operations and/or conventional forces that clearly do not threaten Pakistan’s territorial integrity. In terms of strategic objectives, the India team predicted that Indian government behavior would be shaped primarily by the “commitment trap” of domestic audience pressure rather than by escalation dangers. Indeed, one participant pointed out that limited conventional operations have not worked the way Indians have wanted in the past, so upping the ante in the future is a possibility. The Pakistan team was more focused on the escalatory potential of Cold Start, arguing that the move could trigger Pakistani battlefield nuclear use. There was also a discussion of the tradeoff between operational feasibility and strategic implications. Both teams questioned the ability of the Indian military to mobilize within 72 hours and execute Cold Start effectively; regardless of whether the Indian government might *prefer* to execute Cold Start, operational constraints could limit that option. Incompatible Theories of De-escalation Similarly, there was a stark contrast between the two teams’ predictions on the likelihood of escalation and de-escalation. The Pakistan team was more confident that both sides would escalate at any given level, while the India team believed off-ramps and de-escalatory measures would prevail (via escalation dominance). For example, participants were presented with a scenario in which India implemented a variant of Cold Start in response to a terror attack. With India having crossed two of Pakistan’s supposed nuclear “redlines” by seizing significant territory and seriously degrading Pakistan’s military forces (the spatial and military thresholds), analysts on the Pakistan team were confident that India’s actions would trigger Pakistani nuclear use under the “last resort” scenario—battlefield *or* strategic. The Indian side, in contrast, believing their offensive was bounded and still limited, thought it likely that Pakistan would pursue de-escalation and saw unauthorized use as the more probable (though still remote) route to nuclear use. Further, when given the scenario of Pakistani deployment (not use) of battlefield nuclear weapons, the India team considered conventional counterforce capabilities against Pakistani nuclear forces and supporting structures to be plausible. Similarly, in the case of Pakistani battlefield nuclear *use*, the Pakistan team predicted that the Indians would conduct counterforce attacks rather than pursue an off-ramp. Conversely, the India camp saw off-ramps at this stage as *extremely*likely. Despite India’s doctrine of massive retaliation, the group was confident that this outcome was improbable. The significant difference of opinion over the probability of an off-ramp may have come from disagreements on when third-party mediation was most likely to take place. While the Pakistan team seemed to agree that third parties have greater chances of preventing escalation early on than later in the conflict, the India team believed that both sides may actually be *counting* on third-party intervention once the war is hot. The divergence between the teams’ views on escalation probability likely stemmed from differing perspectives on Pakistan’s strategic objectives and operational plans. The India team agreed Pakistan’s goal in a limited war with India would be to seek conflict termination. Indeed, Pakistan’s conventional inferiority makes any protracted conflict much more costly for the Pakistanis. Thus, the India team was relatively confident in off-ramps and de-escalation. On the other hand, the Pakistan group saw their government’s objective as punishing and embarrassing India, causing them to be more confident that the crisis would escalate. Probability estimates on operational plans were also noteworthy. In line with its consensus that Pakistan would be most likely to seek de-escalation, the India team believed that Pakistan would want to create some semblance of equivalency—not upping the ante and instead mirroring Indian behavior as a route to de-escalation. One participant on the Pakistan side noted that Pakistan’s response options were extremely restrictive—they were either not feasible (a ground operation), too insignificant (cross-LoC firing), or too escalatory (deployment of tactical nuclear weapons). The Pakistan team assessed that, in terms of operational plans, Pakistan’s cross-LoC options are less effective than India’s. This has practical implications because, despite the India team’s prediction, Pakistan’s ability to respond in a seemingly equivalent manner is in fact limited. Misperception and Miscalculation Each side’s misperception and miscalculation of the other’s resolve and capability came through when both teams were asked about relative cost imposition. The India team believed that India would seek to impose high costs on Pakistan, while Pakistan could only impose low costs on India. This fed into an Indian perception of escalation dominance and therefore control. The Pakistan team, however, suggested cost imposition would be symmetrical—i.e. that Pakistan and India would exact relatively even costs during the conflict. This view lends itself to stalemate, which provides some stability but introduces risks of inadvertent escalation. This misperception carries risks. If India is confident in escalation dominance, it is then more likely to partake in escalatory behavior, believing Pakistan will most likely de-escalate. But if Pakistan perceives that it can impose a symmetrical cost on India—and thus claim victory considering its conventional and strategic inferiority and ability to manipulate domestic public opinion—then it may not seek to de-escalate. The key points of agreement and disagreement that emerged throughout the simulation largely revolved around what one participant termed the “move three dilemma.” After the conflict trigger—in this case, a terror attack—India will retaliate (move one) and Pakistan will respond in kind or scale (move two). Move three is where the crisis will either escalate into general war or de-escalate through an off-ramp. This stage of the crisis was less predictable for either side and was a subject of debate both within and between the teams. Perhaps tellingly, Indian participants rejected the framing of India’s retaliation as the first move, arguing that the original trigger event, a terrorist attack carried out by Pakistan-backed militant groups, constituted “move one.” This disagreement reveals the fundamentally different understandings of crisis escalatory dynamics held by both sides and emphasizes the challenge of preventing escalation when neither side can agree on who went first, and who could, thus, make the last move before a potential off-ramp.

**Nationalism gives incentive for both countries to jump to nuclear escalation quickly**

**Lalwani 21** SAMEER LALWANI, FEBRUARY 26, 2021, War on the Rocks, “AMERICA CAN’T IGNORE THE NEXT INDO-PAKISTANI CRISIS”, https://warontherocks.com/2021/02/america-cant-ignore-the-next-indo-pakistani-crisis/

Two years ago this week, I touched down in New Delhi, groggy from my intercontinental flight from Washington, D.C. I looked forward to a quiet two-day layover en route to a South Asian crisis wargame that I was hosting in Sri Lanka. The next morning I awoke to the news that India had just conducted the first cross-border airstrike on Pakistan’s mainland in five decades, and found myself in the midst of a serious, real-life crisis. Over the next 48 hours, India and Pakistan would exchange airstrikes resulting in the shooting down of two aircraft and the capture of a pilot against the backdrop of reported [missile threats](https://www.reuters.com/article/us-india-kashmir-crisis-insight/india-pakistan-threatened-to-unleash-missiles-at-each-other-sources-idUSKCN1QY03T) and readied [nuclear forces](https://www.hindustantimes.com/analysis/no-first-use-isn-t-dead-but-it-s-now-meaningless/story-Hyq9Uo78OmqpLqN7iP1zEJ.html). Privately, many American officials expressed alarm that events would spin out of control, and some later acknowledged that senior U.S. officials basically [ignored the crisis](https://www.tribuneindia.com/news/nation/bolton-us-shouldnt-have-ignored-indo-pak-rivalry-102466). Escalation was controlled, mostly by luck. While yesterday’s announcement of a [ceasefire](https://www.washingtonpost.com/world/asia_pacific/india-pakistan-ceasefire-kashmir/2021/02/25/02335b38-773c-11eb-9489-8f7dacd51e75_story.html) by India and Pakistan offers a welcome development after almost two years of dangerously [escalating violence](https://www.economist.com/asia/2020/11/24/flare-ups-between-india-and-pakistan-in-kashmir-are-getting-fiercer) and fraught tensions, this does not warrant complacency. Those who work on South Asian security issues expect another crisis is inevitable — one that will test the Biden administration. While Washington has made a [strategic wager](https://www.bloomberg.com/opinion/articles/2021-02-25/india-is-a-flashpoint-in-the-china-u-s-cold-war) on India to reap dividends for U.S. competition with China, it still retains a significant interest in ensuring future South Asian crises do not spiral out of control and risk even a limited nuclear exchange. Such a course of events would jeopardize fundamental U.S. interests, including the non-use of nuclear weapons, the lives of U.S. citizens, and that very strategic bet on India itself. If the 2019 crisis has taught us anything, it is that being an impartial bystander is not an option. **Plus ça Change …** U.S. official strategy documents identify India as a [vital and critical](https://www.state.gov/wp-content/uploads/2019/11/Free-and-Open-Indo-Pacific-4Nov2019.pdf) node in Washington’s strategy in the Indo-Pacific to balance China’s rise. But the region within which it resides remains one of the most risk-prone. The nuclear-armed Indian-Pakistani rivalry has produced several crises testing the last five presidents, and since the end of the Cold War, this rivalry composes the most commonly recurring pair in the [International Crisis Behavior database](https://sites.duke.edu/icbdata/). Thirty years ago, the intelligence community judged this region the “[most probable](https://www.c-span.org/video/?38273-1/global-spread-weapons)” location for a nuclear exchange, a judgment that was [reinforced](https://www.nytimes.com/2019/03/07/opinion/kashmir-india-pakistan-nuclear.html) after the 2019 near miss. [Several](https://apps.dtic.mil/dtic/tr/fulltext/u2/a525408.pdf) [studies](https://www.stimson.org/wp-content/files/file-attachments/Deterrence_Stability_Dec_2013_web_1.pdf) [over](https://www.stimson.org/wp-content/files/file-attachments/InvestigatingCrises.pdf) the [past](https://www.tandfonline.com/doi/abs/10.1080/0163660X.2019.1626690) [decade](https://www.stimson.org/2020/from-kargil-to-balakot-southern-asian-crisis-dynamics-and-future-trajectories/) have assessed that South Asia is acutely prone to false optimism, miscalculation, and conflict escalation, even to the nuclear level. The close geography of both countries compresses time for decision-making in crises and incentivizes quick reactions. Conventional, precision-strike capabilities at standoff distances are at the ready and lure officials into thinking punitive or retaliatory strikes can be easy and clean**. Both countries also appear to be embracing more aggressive**[**nuclear**](https://www.mitpressjournals.org/doi/full/10.1162/isec_a_00340)[**doctrines**](https://www.mitpressjournals.org/doi/abs/10.1162/isec.2010.34.3.38). Another feature of the subcontinent is intensified nationalism. **South Asian leaders may be more sensitive to**[**public pressure**](https://www.washingtonpost.com/politics/2019/02/25/after-terrorists-attacked-kashmir-will-india-seek-vengeance-or-de-escalation/)**for escalation even as**[**Indian**](https://indianexpress.com/article/opinion/columns/barack-obama-hiroshima-speech-india-nuclear-weapon-terrorism-atomic-attraction-2831348/)**and**[**Pakistani**](http://gallup.com.pk/wp/wp-content/uploads/2019/04/29.03.19-English.pdf)**publics may be increasingly supportive of nuclear weapons use**. Much has changed since the last crisis in 2019. Washington and New Delhi have drawn even closer strategically as cooperative prospects with Beijing have diminished for both since the COVID-19 pandemic and the Sino-Indian border crisis. America is also on a trajectory to exit Afghanistan — even if there is a [six-month extension](https://www.foreignaffairs.com/articles/afghanistan/2021-01-22/myth-responsible-withdrawal-afghanistan) of the timeline for U.S. troop withdrawal — allowing it to [reassess and reset](https://www.atlanticcouncil.org/blogs/new-atlanticist/biden-needs-a-new-pakistan-policy-this-is-what-it-should-look-like/) its relationship with Pakistan, because it would no longer need to rely on Islamabad for air and ground lines of communication to support deployed U.S. troops. Most importantly, the Biden administration has prioritized [competition with China](https://www.scmp.com/news/china/diplomacy/article/3119879/top-adviser-joe-biden-says-us-plans-shift-foreign-policy), which appears to pick up on the last administration’s efforts but with greater competence, coherence, and strategy. Despite these shifts and calls for the United States to [stop playing referee](https://www.wsj.com/articles/take-indias-side-america-11552430337) between India and Pakistan, U.S. policymakers understand that the rivalry in South Asia is an extraordinary one because of the nuclear dynamics at work. Though U.S. leaders have to calibrate carefully about how they signal these interests to avoid creating perverse incentives — e.g., “[too nuclear to fail](https://www.theatlantic.com/magazine/archive/2011/12/the-ally-from-hell/308730/)” — the United States continues to hold a major stake in how crises unfold in South Asia. Not only would the global precedent-setting of nuclear use or the humanitarian and environmental consequences be devastating generally, such use would directly threaten U.S. “[critical interest[s]](https://www.cnas.org/publications/reports/art-of-the-possible),” including the safety of its citizens and partners. **The Balakot Crisis** The most recent crisis is instructive. On Feb. 14, 2019, a Kashmiri suicide bomber killed 40 Indian paramilitary troops, an attack for which the Pakistan-based terrorist organization [Jaish-e-Mohammad claimed credit](https://www.nytimes.com/2020/03/19/magazine/masood-azhar-jaish.html). The Indian military retaliated against Pakistan 12 days later with an [airstrike](https://www.nytimes.com/2019/02/26/world/asia/india-pakistan-kashmir-airstrikes.html) on what it claimed was a terrorist training camp within undisputed Pakistani territory. The next day Pakistani jets [dropped munitions](https://theprint.in/defence/indian-army-commanders-left-brigade-hq-minutes-before-paf-bomb-fell-in-compound-27-feb/241324/) on empty fields near an Indian brigade headquarters close to the Line of Control and an aerial skirmish ensued, resulting in the downing of an Indian MiG-21 and Pakistan’s [capture of the Indian pilot](https://www.nytimes.com/2019/02/27/world/asia/kashmir-india-pakistan-aircraft.html). In the fog and friction of war, an Indian Mi-17 helicopter with six soldiers aboard was also [accidently shot down](https://www.thehindu.com/news/national/shooting-down-our-own-chopper-big-mistake-says-iaf-chief/article29593737.ece) by an Indian air defense unit. Tensions escalated as India [reportedly](https://www.reuters.com/article/us-india-kashmir-crisis-insight/india-pakistan-threatened-to-unleash-missiles-at-each-other-sources-idUSKCN1QY03T) threatened missile strikes and demanded the immediate return of the pilot, while Pakistan threatened retaliation “[three times over](https://www.reuters.com/article/us-india-kashmir-crisis-insight/india-pakistan-threatened-to-unleash-missiles-at-each-other-sources-idUSKCN1QY03T).” Indian [naval nuclear assets](https://www.ndtv.com/india-news/india-deployed-nuclear-missile-armed-submarine-during-standoff-with-pakistan-2009178) may have also been activated. Since the end of the Cold War, Washington has served as the indispensable crisis manager on the subcontinent. But during the last crisis, it was [luck](https://www.globalzero.org/wp-content/uploads/2019/06/South-Asia-Post-Crisis-Brief.pdf), not U.S. crisis management, that saved the day. The Trump administration was [mostly missing](https://thehill.com/opinion/international/432031-better-late-than-never-us-comes-to-its-senses-on-india-pakistan) in action until events nearly spun out of control. Luckily, the downed Indian pilot survived and his capture seemed to pause the cycle of escalation. His prompt return and ambiguity over the exchange of damage that had unfolded allowed for a face-saving de-escalation by both sides. Both India and Pakistan were able to declare victory during the last crisis, but that may [tie leaders’ hands](https://carnegieendowment.org/2019/06/25/signaling-and-catalysis-in-future-nuclear-crises-in-south-asia-two-questions-after-balakot-episode-pub-79373) in the future. The next crisis is poised to involve airpower duels and deep strikes the way the rivals have employed artillery barrages, not just within but beyond the disputed territory of Kashmir. Both sides have internalized some [dangerously optimistic lessons](https://www.stimson.org/2020/from-kargil-to-balakot-southern-asian-crisis-dynamics-and-future-trajectories/) about the last crisis. The “[new normal](https://thewire.in/security/india-pakistan-terrorism-new-normal)” is not risk averse. The assumption that escalation is “[easy to control](https://www.globalzero.org/wp-content/uploads/2019/06/South-Asia-Post-Crisis-Brief.pdf)” has taken hold. Meanwhile, incentives for conflict and escalation may be growing. Soon after the 2019 crisis, the Indian prime minister was politically rewarded in an electoral landslide, largely attributed to his [national security choices](https://www.tandfonline.com/doi/abs/10.1080/00358533.2019.1658360?af=R&journalCode=ctrt20). New Delhi also enjoyed the geopolitical rewards of [international diplomatic support](https://www.cnn.com/2019/05/02/india/masood-azhar-un-sanctions-intl) in international fora while political pressure ratcheted up on its adversary. Pakistan too feels deeply aggrieved because of what it perceives as India’s August 2019 unilateral annexation of disputed territory of Kashmir and the abrogation of its autonomy. Pakistan may also sense a window of opportunity as the United States is once again reliant on Islamabad to help deliver the Afghan peace process while India appears embattled and stretched with a much hotter [second front](https://warontherocks.com/2020/09/can-india-transcend-its-two-front-challenge/) since the summer 2020 border crisis with China. Certainly the recent ceasefire is a welcome pause, but its durability remains uncertain and crises can still flare up. The rivals have renewed commitments to a ceasefire agreement many times only to lapse back to fighting. The [last ceasefire declaration](https://www.nytimes.com/2018/05/30/world/asia/india-pakistan-kashmir-truce.html) in May 2018 portended a tempering of border hostilities but was followed months later by the Balakot crisis. **U.S. Crisis Management Stakes** Will the Biden administration, like Trump’s “America First” approach, adopt a [hands-off](https://www.theatlantic.com/ideas/archive/2019/03/americas-role-india-pakistan-nuclear-flashpoint/584113/) strategy in the next South Asian crisis? That would be a mistake, even if doing so risks some friction with India, which is jealous of its sovereignty and prefers to deal with Pakistan bilaterally. When the next flare-up in South Asia inevitably occurs, Joe Biden and his team will need to dust off the crisis management “[playbook](https://crises.stimson.org/CMchallenges/).” Someone with experience, expertise, and relationships in the region will need to be the designated point person to coordinate the flow of high-level visits and phone calls. U.S. interests and expectations need to be communicated well in advance. Travel advisories, evacuation plans, intelligence sharing options, and penalties need to be prepared to shape incentives for restraint and de-escalation. Not to do so invites uncontrolled escalation and jeopardizes U.S. interests in preventing a mushroom cloud. Crisis management efforts are critical, not orthogonal, to U.S. interests in the Indo-Pacific. Some have proposed the United States simply pick a side and [criticized](https://www.wsj.com/articles/take-indias-side-america-11552430337) U.S. efforts to play a “neutral arbiter” role in a future crisis. Washington is no longer a neutral arbiter between India and Pakistan, as it has [placed a big “strategic bet”](https://www.business-standard.com/article/international/us-making-strategic-bet-on-india-biswal-114072500806_1.html) on New Delhi. Nevertheless, the United States is still essential as a crisis manager when border and air clashes threaten to spiral out of control. Beijing might help, but Washington [can’t count on](https://warontherocks.com/2020/03/chinas-strategic-assessment-of-india/) nor bargain for it. A proactive U.S. crisis management approach is needed to prevent the use of nuclear weapons on the subcontinent. Even a [small nuclear exchange](https://www.wired.com/story/even-a-small-nuclear-war-could-trigger-a-global-apocalypse/) risks unfathomable loss of life in a densely populated region. After the immediate blast effects, firestorms, emissions, and radiation would persist, all with devastating environmental and humanitarian impacts. The breaking of the “[nuclear taboo](https://www.jstor.org/stable/2601286?seq=1)” would have profound consequences for U.S. national security interests and for other nuclear-armed rivals. Over 750,000 American citizens live in [India](https://trumpwhitehouse.archives.gov/briefings-statements/fact-sheet-united-states-india-prosperity-partnership/) and [Pakistan](https://tribune.com.pk/story/929229/over-280000-immigrants-living-in-pakistan-says-nisar). Most are concentrated in urban centers that would be the most likely targets of nuclear strikes. The United States has numerous foreign policy priorities in Asia but foremost among them is protecting American citizens abroad. Even the recently [declassified 2018 memo](https://news.usni.org/2021/01/15/u-s-strategic-framework-for-the-indo-pacific) on the “Strategic Framework for the Indo-Pacific” that laid out the logic of great-power competition in the region identified the highest interest was defending “the homeland and American citizens abroad,” followed by nuclear risks in the region. A forward diplomatic approach is also consistent with an Indo-Pacific strategy that counter-balances China. Beyond the staggering loss of life, a nuclear exchange between India and Pakistan would devastate the Indian economy and its military capacity. Any nuclear detonation would trigger a humanitarian catastrophe, damage drinking water and the food supply, and have a chilling effect on foreign investment and trade that would decommission India from great-power competition for at least a decade. An India significantly weakened by even a limited nuclear exchange would be in no position to help balance China or play the anchoring role in the Indo-Pacific that U.S. strategy has envisioned. Moreover, not rising to the occasion of crisis management would confirm concerns about the shrinking ambit of U.S. diplomacy and diminish confidence that the United States could promote peace and prosperity. **Qualifications** Undoubtedly there is a [moral hazard problem](http://contemporarysecuritypolicy.org/preventing-nuclear-disaster-in-south-asia-the-role-of-the-united-states/) where India and Pakistan run risks while counting on the United States or the international community to bail them out as they have in the past. This is a real concern that U.S. policymakers have to weigh carefully, but there are creative methods to both defuse a crisis while also disincentivizing parties from instigating or escalating one again in the future. There are [several pathways](https://warontherocks.com/2019/11/might-india-start-the-next-south-asia-crisis/) by which another crisis on the subcontinent could occur. However, if triggered once again by Pakistan-based terrorists, there are ways to hold the sponsoring parties accountable short of greenlighting conflict escalation. Washington has many tools at its disposal to help de-escalate the next crisis and deter future ones. These include diplomatic pressures and financial sanctions. The United States could wield the prospect of enhancement or withdrawal of intelligence sharing, counter-terrorism cooperation, or even direct and tailored military assistance. The United States has much to lose by letting an escalatory nuclear spiral run its course in the heart of Asia and much to gain from arresting such a chain of events. Much is at stake here, beginning with the norm against the use of nuclear weapons in warfare, the well-being of U.S. citizens, and the future of Asian geopolitics. For that reason the Biden administration would do well to expunge hesitations and prepare its crisis management playbook.

**Creates 3 scenarios for nuclear war:**

**First, preemptive counterforce strike – India would do it despite NFU but Pakistan considers it too**

**Krzyzaniak 19** [John Krzyzaniak is an associate editor at the Bulletin of the Atomic Scientists. He was an associate editor at the journal Ethics & International Affairs. Main areas of interest are arms control, non-prolif, and politics and culture in the Persian-speaking world. MA in international affairs from Georgia Tech.] “Is India ‘creatively reinterpreting’ its no-first-use policy?” Bulletin. August 30, 2019. <https://thebulletin.org/2019/08/is-india-creatively-reinterpreting-its-no-first-use-policy/>

Donald Trump isn’t the only one who can change long-standing policy by tweet. On August 16, the Indian defense minister Rajnath Singh took to Twitter during a visit to Pokhran, the site of India’s 1998 nuclear tests. He wrote that, up until now, India has strictly adhered to the doctrine of no nuclear first use, but stipulated that “what happens in the future depends on the circumstances.” (To be fair, Singh delivered his statement orally before tweeting it.) Singh’s statement caused a stir among South Asia pundits and arms control experts, but to the uninitiated, it might have been difficult to understand what all the hoopla was about. After all, what’s a one-off statement by a defense minister? Isn’t India’s official doctrine still unchanged? And shouldn’t we really concern ourselves with deeds, not just words? [A research paper](https://www.mitpressjournals.org/doi/full/10.1162/isec_a_00340?class=ref+nowrap+full&) by Christopher Clary and Vipin Narang, published earlier this year in the top-ranked academic journal International Security, explains why the Indian defense minister’s recent statement matters so much. As the authors explain, India has produced only one official nuclear doctrine, which it [summarized](https://www.mea.gov.in/press-releases.htm?dtl/20131/The+Cabinet+Committee+on+Security+Reviews+perationalization+of+Indias+Nuclear+Doctrine) publicly in 2003. A key pillar of that doctrine is an unequivocal no-first-use policy, meaning that India would only use nuclear weapons in retaliation. The summary also states that a retaliatory strike would be “massive and designed to inflict unacceptable damage,” implying that it would likely be aimed at an adversary’s civilian population centers. There are just two problems for India. First, this so-called “massive retaliation” policy is not entirely credible. In a hypothetical scenario where an adversary targets, for example, an Indian military base with a single, relatively small nuclear weapon, it is hard to imagine India responding with an attack that annihilates millions of innocent people. Second, the massive retaliation policy has been unhelpful in deterring Pakistan from sponsoring terrorist attacks on Indian soil, such as the 2008 Mumbai attack. India’s default option for responding to such attacks and punishing Pakistan would be a limited conventional strike. However, Pakistan has no reservations about nuclear first use and has indicated that it would use tactical or “battlefield” nuclear weapons on Indian ground forces in certain situations. So India has no way to respond to terrorist attacks without running the risk of escalating to a nuclear exchange. Clary and Narang call this “strategic paralysis.” India’s solution, Clary and Narang argue, has been to develop a “counterforce” capability that would give India the option to target Pakistan’s nuclear forces rather than its population centers. Since 2003, India has been building more precise, more accurate missile systems in larger numbers. It has also been improving its ability to monitor Pakistan’s nuclear forces. As the authors write, few if any of these capabilities would be needed for an ordinary massive retaliation strategy. These new capabilities have given way to new temptations. If we could destroy Pakistan’s entire nuclear arsenal in one fell swoop, Indian officials might reason, then why should we sit with our hands tied waiting for Pakistan to strike us with nuclear weapons before we do so? Why rule out a pre-emptive strike? This is where India’s no-first-use policy and Defense Minister Singh’s remarks become important. Singh is the highest serving official to suggest changes to India’s no-first-use policy, but he is not the first. “In recent years, serving and retired Indian officials have begun arguing for greater flexibility in India’s existing nuclear doctrine—or asserting that its existing doctrine is already more flexible than commonly assumed,” Clary and Narang write. If Clary and Narang have reasoned correctly and we are witnessing a change in India’s nuclear strategy, what are the risks of that change? First, in a crisis, both India and Pakistan would have more incentives to “go first and go massively,” as the authors say. Pakistan would prefer to use its nuclear weapons rather than lose them, and India would want to try and disarm Pakistan before getting hit. Second, even in peacetime there would be dangerous costs. Pakistan will build more weapons, put them in more places, and take greater measures to hide and protect them; India will look for better ways to find and target those weapons.

**Second, terrorism – major retaliatory strikes, hardline nationalism, and Pakistan’s inability to counter the Indian army make nuclear escalation inevitable**

**Ayoob 18** [Mohammed Ayoob is senior fellow at the Center for Global Policy in Washington, DC, and University Distinguished Professor Emeritus of International Relations at Michigan State University.] “India and Pakistan: Inching Toward Their Final War?” National Interest. March 14, 2018. <https://nationalinterest.org/blog/the-buzz/india-pakistan-inching-toward-their-final-war-24902?page=0%2C1>

However, it seems that the logic of this deterrence is fast eroding. Attacks such as the one in Mumbai, and subsequent assaults on Indian military installations in Kashmir and elsewhere, have also provided justification for India’s hard-line Hindu nationalists to heighten anti-Pakistan rhetoric, and putting pressure on the Indian government to intensify its military response. In the past few months, Indian retaliatory attacks have targeted not only terrorist bases but also Pakistani military facilities, causing significant casualties among Pakistani forces. The escalation in the last two years in terror attacks, especially by Jaish-e-Muhammad, with the obvious connivance of the Pakistan army, on Indian military targets in Kashmir and surrounding Indian states has made the situation very perilous. In the past several months, terrorist groups operating from Pakistan have [undertaken](https://www.hindustantimes.com/india-news/terror-attack-on-sunjwan-army-camp-7-times-indian-security-forces-were-targeted/story-kPhMqknaDJkRxSfe7wlFKK.html) several such major attacks, causing significant loss of life among Indian security forces. A major terrorist attack on the Uri camp in Jammu and Kashmir in September 2016, which left seventeen military personnel dead, motivated the Indian government to reassess its strategy for responding to such attacks. On September 29, 2016, India [launched](http://www.firstpost.com/india/a-year-on-from-uri-attack-surgical-strikes-elimination-of-terrorists-and-everything-else-that-happened-after-audacious-raid-4054609.html) its first publicly acknowledged “surgical strike” against terrorist bases in Pakistan. Although there had been speculation that India had conducted such strikes earlier as well, this was the first admission by New Delhi that it was ready to launch major retaliatory attacks against targets in Pakistan and Pakistan-occupied Kashmir. In the latest incident, in February 2018, Jaish terrorists [attacked](https://www.indiatoday.in/india/story/sunjuwan-terror-attack-3-terrorists-killed-1-still-holed-up-inside-army-camp-1166976-2018-02-11) an Indian military camp in Jammu; five army personnel and four militants were killed. In retaliation, the Indian army destroyed a Pakistani army post with the help of rocket launchers, killing, [according to Indian sources](https://www.indiatoday.in/india/video/exclusive-india-blasts-pakistani-post-22-pak-personnel-killed-in-retaliation-1175733-2018-02-23), twenty-two Pakistani personnel. This tit-for-tat exchange is reaching dangerous proportions. So far, the Pakistani military has downplayed Indian incursions and retaliatory attacks and refused to recognize their seriousness, because it does not want to appear weak in the eyes of the Pakistani public, which is then likely to clamor for revenge. However, the Pakistani military cannot continue to downplay Indian attacks, especially in light of the increasing fatalities. There is the danger that at some point, either by miscalculation or by design, an Indian surgical strike in Pakistani territory will push the Pakistani military—which controls the nuclear weapons—to retaliate in force. If a full-scale war erupts, at some point Pakistan, unable to counter superior Indian conventional forces, could resort to battlefield nuclear weapons, as its doctrine proclaims. While India subscribes to a no-first-use doctrine, it has made it abundantly clear that it will massively retaliate against any use of battlefield nuclear weapons by Pakistan without making a distinction between tactical and strategic nuclear weapons. This strategy, as enunciated in a statement issued by the government of India on January 4, 2003, is [designed](https://idsa.in/issuebrief/pakistan-tactical-nuclear-warheads-and-india-nuclear-doctrine_gkanwal_210916) to inflict unacceptable damage on the enemy.

**Third, perception – Pakistani belief that India will first strike and Indian overconfidence triggers escalation**

**Clary and Narang 19** [Christopher Clary was a Research Fellow at the International Security Project/Project on Managing the Atom. Political Science professor at SUNY Albany. Country director for South Asian affairs in Office of the Secretary of Defense. He focuses on South Asia, International Security and Defense, and Nuclear Issues. PhD in Political Science from MIT. MA in National Security Affairs from Naval Postgraduate School. BA in History and International Studies from Wichita State University. Vipin Narang was a Research Fellow at the International Security Project/Project on Managing the Atom. Professor of Political Science at MIT and part of MITs Security Studies Program. He focuses on South Asia and Nuclear Proliferation. PhD in Government from Harvard. BS in chemical engineering from Stanford. MA in Phil with distinction in IR from Oxford. International Security is America’s leading peer-reviewed journal of security affairs. It provides sophisticated analyses of contemporary, theoretical, and historical security issues. International Security is edited at Harvard Kennedy School’s Belfer Center for Science and International Affairs and is published by The MIT Press.]

“India’s New Nuclear Thinking: Counterforce, Crisis, and Consequences.” Harvard’s Kennedy School, Belfer Center. May 24, 2019. <https://www.belfercenter.org/publication/indias-new-nuclear-thinking-counterforce-crises-and-consequences> TG The February crisis represents the first ever use of airpower by a nuclear-armed state against the territory of another nuclear-armed state, and it showed how vulnerable the India-Pakistan relationship is to rapid escalation. Had the Indian pilot not been captured alive and expeditiously returned, it is uncertain whether the tit-for-tat escalatory spiral would have ceased after just one round of strikes. Prime Minister Narendra Modi himself declared that India was preparing to launch conventional missile strikes if the pilot remained in Pakistani custody. South Asia was a couple of wrong turns away from serious escalation, with corresponding steps up the nuclear alert ladder. Approximately one month later, Prime Minister Modi announced that India had intercepted one of its own satellites with a kinetic kill vehicle. Modi emphasized, and international attention focused on, India’s demonstration of its anti-satellite capabilities. The test, however, used a modified version of India’s ballistic missile defense interceptor and also demonstrated the growing capabilities that India has to intercept high-altitude and high-velocity targets, such as those that would be associated with longer-range Pakistani missiles. The significance of the test for missile defense was not lost on Pakistan. The events of early 2019 underscore the intersection of two longer-range trends: (1) India’s continued dissatisfaction with being unable to deter or halt Pakistani state sponsorship of anti-India terrorist groups; and (2) growing Indian military capabilities to find, fix, and kill Pakistani strategic assets. These trends have generated powerful temptations for Indian leaders to develop options that would permit counterforce targeting of Pakistan’s long-range nuclear systems in the event of a serious conflict. Counterforce Incentives Large states do not like to be deterred by smaller ones, but that is the position in which India has found itself since Pakistan acquired nuclear weapons in the mid-1980s. India alleges that Pakistan continues to support anti-India terrorist and militant groups that have killed tens of thousands of Indian civilians and security personnel over the last three decades. All the while, Pakistan has threatened to use nuclear weapons in the event of a major conventional conflict with India, which has constrained India’s ability to retaliate for fear of tripping Pakistan’s nuclear redlines. As the 2019 Balakot episode underscores, Pakistan’s nuclear weapons and strategy do not prevent any and all Indian retaliation, but it does substantially cap how much—and what type of—force India can employ. Because countervalue Pakistani nuclear use against Indian cities in retaliation for Indian ground attacks might be perceived as disproportionate and incredible, Pakistan has emphasized since 2011 its ability and willingness to use nuclear weapons on the battlefield in an attempt to further restrict India’s space to conduct punitive military options, especially those that rely on India’s quantitatively superior armor and maneuver warfare forces. This strategic stalemate prompted a search for options that would enable India to reestablish deterrence of Pakistan’s sponsorship of militant and terror groups. The Balakot attacks were one product of that search, with India seeking to use discrete air strikes to limit escalation even as New Delhi signaled resolve. Pakistan’s counterattacks also show, however, that even airpower has the potential to result in escalation. In the event of escalation, some Indian strategic thinkers appear to have concluded that India must have a credible ability to disarm Pakistan of its long-range nuclear systems in order to implement a strategy of escalation dominance, where India can threaten credibly to escalate and defeat Pakistan at every potential level of violence. These systems would also provide India a last-resort option in the event that Pakistan’s nuclear forces were to fall into the hands of extremists. ,Expanding Options without Doctrinal Change India issued its official nuclear doctrine in 2003 and has never revised it. The doctrine declares that “nuclear weapons will only be used in retaliation against a nuclear attack on Indian territory or on Indian forces anywhere.” That has not stopped a growing chorus of serving and retired senior officials in India from questioning the wisdom of an absolute NFU policy. To date, India’s then-defense minister, Manohar Parrikar (who served in the Modi government), former National Security Adviser Shivshankar Menon, former Chief of Navy Staff and Chairman of the Chiefs of Staff Committee Adm. Arun Prakash, and former Nuclear Strategic Forces Commander Lt. Gen. Balraj Nagal, among others, have publicly argued that India’s nuclear doctrine either currently permits or ought to permit nuclear first use, especially to preempt an imminent Pakistani nuclear strike. Menon, in particular, has suggested that preemption may be consistent with India’s existing doctrine, arguing, “India’s nuclear doctrine has far greater flexibility than it gets credit for.” All of these individuals occupied senior positions with responsibility for nuclear planning. Their statements of interest in preemption, particularly for counterforce options—the targeting option that can achieve serious damage limitation only if used preemptively—have emerged at the same time as India is increasingly capable to undertake such an ambitious effort. Growing but Still Insufficient Capabilities When India issued its nuclear doctrine in 2003, it had limited abilities to find Pakistani strategic assets using intelligence, surveillance, and reconnaissance capabilities and virtually no ability to locate those capabilities at night or through cloud cover. Currently, in addition to long-endurance unmanned aerial vehicles, India has access to an array of visual spectrum and synthetic aperture radar imagery from commercial satellites as well as its own government systems complemented by intelligence from friendly foreign governments. Even if it could find Pakistani strategic assets, when India issued its nuclear doctrine in 2003, it had no operational ballistic missile systems with ranges greater than 250 kilometers; no meaningful standoff conventional capability from rockets, glide bombs, or cruise missiles; no ship-based or submarine-based operational cruise or ballistic missiles; and no unmanned aerial vehicles capable of long endurance. Now it can target much of Pakistan with a variety of land-based and sea-based ballistic and cruise missiles as well as target growing portions of Pakistan with air-launched weapons and missiles.  India has both focused on this suite of capabilities and has benefited from global technological changes that have led some scholars to suggest a new era of counterforce may be emerging. Even if a disarming strike did not entirely succeed, India has also invested in both indigenous ballistic missile defense capabilities and imported systems such as the Russian S-400. These capabilities would be wholly inadequate to stop a Pakistani first strike, but they might have some ability to intercept residual Pakistani weapons that remained after an Indian disarming attempt.

Nevertheless, India is unlikely to have the capability to disarm Pakistan in the near to medium term. Its mere interest in such a capability, however, is likely to stimulate a substantial Pakistani counter-response, accelerating a nascent South Asian arms race. Awareness of the possibility of a disarming strike might also engender greater Pakistani risk taking—including early consideration of a first strike by Islamabad—in the event of a serious future Indo-Pakistani conflict. Thus, New Delhi’s pursuit of counterforce options designed to help India escape its strategic paralysis are likely to trigger substantial strategic instability in South Asia. Indeed, one disturbing lesson from the Balakot retaliation and its aftermath is that Indian overconfidence in its capabilities may lead it to believe it can execute a counterforce strike in extreme circumstances, even if it cannot, which would place New Delhi, and the world, in an incredibly dangerous and destabilizing position.

**Pakistan-India war draws in the US and China**

**Markey 21** Daniel S. Markey, April 19, 2021, “Preparing for Heightened Tensions Between China and India”, Council on Foreign Affairs, https://www.cfr.org/report/preparing-heightened-tensions-between-china-and-india

Any future India-Pakistan conflict is more likely to implicate China because Beijing’s strategic embrace of Islamabad has tightened in recent years. The China-Pakistan Economic Corridor is delivering tens of billions of dollars in Chinese infrastructure investments to Pakistan, including in territories claimed by India. Rather than urging restraint from both India and Pakistan in their 2019 crisis, Beijing accepted Islamabad’s position that it needed to escalate the conflict to deter future Indian aggression. Also, like Pakistan, China contests Indian control over parts of Kashmir and has criticized India’s August 2019 revocation of Kashmir’s special constitutional status. If ongoing India-Pakistan peace overtures falter, as they have so many times in the past, an overlapping crisis that pits both China and Pakistan against India simultaneously poses a realistic threat. Adding to the complexity of crisis management, in 2020 both China and India extended their land border confrontation into other areas of their bilateral relationship. The moves were intended to signal resolve and communicate the costs of escalation. Indian signaling included its June 2020 deployment of a warship to the South China Sea, which immediately drew Chinese objections; a ban on fifty-nine Chinese web apps, including WeChat and TikTok, from Indian markets; and new barriers to participation by Chinese companies in a variety of Indian infrastructure projects, such as highway construction. Chinese signaling included engineering a brief but debilitating October 2020 electrical blackout in Mumbai through a cyberattack by Chinese hackers. Although both sides intended these nonmilitary signals to discourage military escalation along the China-India border, those signals indicate how future crises could spill over into other areas and exacerbate rather than calm a crisis. For example, a future Chinese escalation of cyberattacks on India’s critical infrastructure would place intense public pressure on India’s leaders, but it is difficult to foresee whether they would feel the need to escalate or deescalate. Similarly, if India threatened new barriers to Chinese commerce or investment, China could respond with coercive moves of its own, such as curtailing the supply of critical raw materials to India’s pharmaceutical industry. The 2015 CPM identified other points of friction between China and India that could flare simultaneously with a future land border dispute, including possible naval standoffs or dramatic new developments in Tibet related to the Dalai Lama’s succession. In the heat of a complex set of interconnected China-India crises, the two sides will find it increasingly difficult to calibrate and control their responses in ways that satisfy their political and strategic aims. Moreover, their failure to manage the 2020 border dispute peacefully shatters a useful precedent; neither side can be confident about which redlines the other will observe. China-India relations have entered a new, more precarious, and unpredictable era. uccessive U.S. administrations have sought to nurture a more robust U.S.-India strategic partnership to counter an increasingly powerful and assertive China. Now that the U.S.-China relationship has entered a phase President Biden has described as one of “[extreme competition](https://apnews.com/article/joe-biden-xi-jinping-china-8f5158c12eed14e002bb1c094f3a048a),” the importance of closer U.S.-India ties has only risen. But so too have the risks, particularly those associated with the possibility of an armed confrontation between China and India. Aside from potentially drawing the United States into such a confrontation, conflict between China and India would threaten to disrupt the global economy, undermine regional development, and have considerable humanitarian consequences depending on its eventual scale. If India is weakened militarily and economically in the process, its value as a counterweight to China and the broader U.S. goal of countering China’s regional influence would also be undermined. U.S. strategic commitments and support to India should be carefully calibrated. For these reasons, Washington’s eagerness to cultivate deeper strategic ties with New Delhi needs to be tempered by an appreciation of the risks and how its own actions have the potential to affect Indian and Chinese behavior for better or worse. U.S. strategic commitments and support to India should be carefully calibrated in a way that satisfies two imperatives: On the one hand, Washington’s assurances and material assistance to New Delhi should aim to reduce India’s vulnerability to Chinese coercion and aggression, thereby lessening the likelihood that the United States would be placed in the uncomfortable position of either living up to its commitments and being drawn into a direct confrontation with China or backing off those commitments and dealing a blow to U.S.-India relations. On the other hand, however, U.S. support should avoid emboldening India to extend its strategic aims and act during any future crisis in ways that threaten U.S. interests. This concern is not hypothetical; under Prime Minister Narendra Modi’s leadership, Indian policies in Kashmir and military escalations with China and Pakistan have already demonstrated an atypical streak of nationalistic ambition and risk-acceptance. Feeding aggressive Indian tendencies would also increase the likelihood that China would respond by accelerating its deployment of new or redirected forces along the land border. Together, those behaviors would raise the risks and stakes of China-India land border conflict. It would also suck New Delhi into a costly trap of focusing ever greater attention and resources on land border defenses rather than on its navy, even though India’s geography offers it unique strategic advantages in the Indian Ocean. The United States should thus aim to enhance India’s independent capacity to defend against Chinese aggression, taking care to prioritize assistance that helps India deter future Chinese aggression mainly by denying Beijing easy or low-cost opportunities to extend military control over territories along their contested land border and by improving India’s resilience against Chinese cyberattacks and economic coercion. Simultaneously, U.S. diplomats should reinforce regional restraint, including by India itself, and encourage and facilitate nonviolent management of disputes by all sides. Finally, the United States should build its own capacity for timely and effective policy responses to the complex, overlapping crises that are again likely to arise between China and India to better prevent or mitigate dangerous escalation

#### Nuclear war causes extinction

Starr ’15 (Steven Starr, 10-14-2015, "Nuclear War, Nuclear Winter, and Human Extinction," Federation Of American Scientists, Steven Starr is the director of the University of Missouri’s Clinical Laboratory Science Program, as well as a senior scientist at the Physicians for Social Responsibility. He has been published in the Bulletin of the Atomic Scientists and the Strategic Arms Reduction (STAR) website of the Moscow Institute of Physics and Technology. https://fas.org/pir-pubs/nuclear-war-nuclear-winter-and-human-extinction)

While it is impossible to precisely predict all the human impacts that would result from a nuclear winter, it is relatively simple to predict those which would be most profound. That is, a nuclear winter would cause most humans and large animals to die from nuclear famine in a mass extinction event similar to the one that wiped out the dinosaurs**.** Following the detonation (in conflict) of US and/or Russian launch-ready strategic nuclear weapons, nuclear firestorms would burn simultaneously over a total land surface area of many thousands or tens of thousands of square miles. These mass fires, many of which would rage over large cities and industrial areas, would release many tens of millions of tons of black carbon soot and smoke (up to [180 million tons](http://climate.envsci.rutgers.edu/pdf/ToonRobockTurcoPhysicsToday.pdf), according to peer-reviewed studies**),** which would rise rapidly above cloud level and into the stratosphere. [For an explanation of the calculation of smoke emissions, see [Atmospheric effects & societal consequences of regional scale nuclear conflicts](http://climate.envsci.rutgers.edu/pdf/acp-7-1973-2007.pdf).] The scientists who completed the most recent peer-reviewed studies on nuclear winter discovered that the sunlight would heat the smoke, producing a self-lofting effect that would not only aid the rise of the smoke into the stratosphere (above cloud level, where it could not be rained out), but act to keep the smoke in the stratosphere for 10 years or more. The longevity of the smoke layer would act to greatly increase the severity of its effects upon the biosphere. Once in the stratosphere, the smoke **(predicted to be produced by a range of strategic nuclear wars)** would rapidly engulf the Earth and form a [dense stratospheric smoke layer](http://www.nucleardarkness.org/warconsequences/hundredfiftytonessmoke/)**.** The smoke from a war fought with strategic nuclear weapons would quickly prevent up to 70% of sunlight from reaching the surface of the Northern Hemisphere and 35% of sunlight from reaching the surface of the Southern Hemisphere. Such an enormous loss of warming sunlight would produce Ice Age weather conditions on Earth in a matter of weeks**.** For a period of 1-3 years following the war, temperatures would fall below freezing every day in the central agricultural zones of North America and Eurasia. [For an explanation of nuclear winter, see [Nuclear winter revisited with a modern climate model and current nuclear arsenals: Still catastrophic consequences](http://climate.envsci.rutgers.edu/pdf/RobockNW2006JD008235.pdf).] Nuclear winter would cause average global surface temperatures to become colder than they were at the height of the last Ice Age. Such extreme cold would eliminate growing seasons for many years, probably for a decade or longer. Can you imagine a winter that lasts for ten years? The results of such a scenario are obvious. Temperatures would be much too cold to grow food, and they would remain this way long enough to cause most humans and animals to starve to death. Global nuclear famine would ensue in a setting in which the infrastructure of the combatant nations has been totally destroyed, resulting in massive amounts of chemical and radioactive toxins being released into the biosphere. We don’t need a sophisticated study to tell us that no food and Ice Age temperatures for a decade would kill most people and animals on the planet. Would the few remaining survivors be able to survive in a radioactive, toxic environment? It is, of course, debatable whether or not nuclear winter could cause human extinction. There is essentially no way to truly “know” without fighting a strategic nuclear war. Yet while it is crucial that we all understand the mortal peril that we face**,** it is not necessary to engage in an unwinnable academic debate as to whether any humans will survive.

**Solvency**

**Thus, the plan: In the Republic of India and the Islamic Republic of Pakistan, a free press ought to prioritize objectivity over advocacy**

#### Implementation is similar to that of the fairness doctrine – support a “community-trustee model”

#### The passing of the Fairness Doctrine in the US successfully curbed bias in major news outlets

**Peltin 21** [Bradley L. Peltin, JD candidate at the University of Iowa College of Law with a B.A. in Political Science and History at the University of Wisconsin, 2021, “In the Public Interest: The Proliferation of Opinion-based T.V. News Content and the FCC’s Ability to Regulate Post-Fairness Doctrine,” SSRN, <https://deliverypdf.ssrn.com/delivery.php?ID=1431191011060990741200660001141040640290780390670560070870051220971031000900751080770490490440340120251100281090211270140150960490010360>

77001002080102100087094107070085026028026093086021126104007102124093027017097105095104105001088066071023005085127021&EXT=pdf&INDEX=TRUE]

II. BLURRING THE LINE BETWEEN FACT AND OPINION ON TV Americans still overwhelmingly believe that the media is important to the functioning of our **democracy**, yet polling suggests that Americans do not think that television news media is adequately performing this important responsibility.203 In fact, Americans’ trust in the news media has been on a **downward trajectory** for a number of **decades**.204 Reaching a high of 72% in 1977 (the last data point before the Fairness Doctrine’s repeal),205 the number of Americans having a great deal/fair amount of trust in the news media **plummeted** to a low of just 32% in 2016 206 – before slightly recovering to 40% in 2020; but when focusing solely on television news, **only** **18%** of Americans had a great deal or quite a lot of confidence in it in 2020.207 There are indications that an important contributor is the change in the content and presentation of television news over the past few decades. Part II of this Note explores current attitudes towards the news media and the consequences that arise from such attitudes. Section II.A discusses the proliferation of opinion-based programming, including the difficulty many news consumers have in distinguishing opinion from fact. Section II.B examines the nexus between the expansion of opinion-based content in newscasts and the consumer’s perception of bias, resulting in the erosion of trust in the media. Section II.C examines how consumers have reacted to the influx of opinion-based programs. Section II.D explains how the FCC has not historically been equipped to handle the question of unethical journalistic practices or media bias because it would be viewed as censorship, for which the FCC is prohibited from practicing. A. The Proliferation of Opinion-based News Content With the **elimination** of the **F**airness **D**octrine in 1987, the **community trustee** model of broadcasting where broadcasters were seen as having a “special responsibilities to ensure democratic discourse,”208 gave way to a **free market** model.209 In the free market model, “**one-sided** opinions spread over the airwaves,” news began to be **tailored** to viewership ratings, and “‘boring but important’ issues” were left on the editing room floor.210 “**Firewalls** that once **strictly** separated news from opinion [were] **replaced** by **hopelessly** **blurred** lines. Once-**forbidden** practices such as editorializing within straight news reports, and the inclusion of **opinions as if fact**, [became] not only tolerated; [but] **encouraged**.”211 These changes have led to the current state of affairs where opinion and fact are so **intermingled** that Americans have difficulty **distinguishing** between the two. A recent Pew study found that when given a series of factual and opinion statements, only 44% of adults aged 18-49 and only 25% of adults ages 50 and over were able to correctly identify all of the opinion statements. 212 The study was done to see “whether members of the public can recognize news as factual – something that’s capable of being proved or disproved by objective evidence – or as an opinion that reflects the beliefs and values of whoever expressed it.”213 Furthermore, the public is also becoming aware of this problem. In a 2017 Gallup study, 66% of respondents indicated that they believed the news wasn’t being reported objectively and that the news media “did not do a good job letting people know what is fact or opinion.”214 B. The Integration of Opinion-Based Content may be Behind the Perception of Bias and the Erosion of Public Trust in the News. Chief complaints among news consumers are those of bias or inaccuracy. This encompasses complaints of “overly sensational coverage, bias in the reporting and selection of stories, an expansion of news sources promotingan ideological viewpoint. . . and inaccurate reporting. . . .”215 In 1989, only 25% of Americans perceived the news to be plagued by a ‘great deal’ of bias.216 Between 1996 and 2007, that number hovered around 30% before increasing sharply to 37% in 2012 and 45% in 2017. 217 This perception has become such a problem “that less than half of U.S. adults can name a single objective news source.”218 The pollsters at Gallop posit that the “[i]ncreased perceptions of bias may be a major reason behind the erosion in media trust. . . .”219 Additionally, there appears to be a **correlation** between the **low trust** in the news media, the sharp uptick in perceived **bias**, and the integration of opinion-based content,220 including social media,221 into newscasts. This is unsurprising since “[p]ast research suggests that the way information is presented can shape perceived **credibility** of news.”222 Since the elimination of the **F**airness **D**octrine, broadcasters are believed to have had considerably more **flexibility** in their programming as it was no longer required to consider **multiple sides** of a given issue.223 Radio was the first medium to explore opinion-based political programs, and with its success, television soon followed.224 These opinion-based, prime-time programs have long been mainstays of cable networks,225 but over the last decade, opinion has **seeped** into nearly all cable news programs. Pew Research Center studied both cable and broadcast news in 2007 and in 2012; they found that while the traditional nightly news broadcasts on network TV remained relatively the same, programming on cable news channels “changed **significantly**”.226 Cable prime time programming, which had for a while been opinionheavy, was found to feature “the most lopsided ratio of opinion to traditional reporting (70% of the newshole to 30%).”227 But, Pew found that commentary/opinion outweighed factual reporting in both the morning and midday timeslots as well (on a ratio of 56% to 44% and 59% to 41% respectively).228 A more comprehensive report by the RAND Corporation supports these findings. In their report, RAND found that between 1989 and 2017, the reporting styles of broadcast networks “remained constant” although they did find a “gradual shift” from “precise and concrete language” to more “unplanned speech, expression of opinions, interviews, and arguments.” 229 For cable news networks, it was found that from 2000–2017, there was “a **dramatic** and **quantifiable** shift toward subjective, abstract, directive, and argumentative language and content based more on the expression of opinion than on reporting of events.”230 While acknowledging that additional studies needed to be done, the RAND study concluded that the trends toward opinion-based programming “might influence trust in the news media”.231 C. Responses to Opinion-based Programming Besides the fact that Americans are trusting the news media less, the habits of the viewing public have also changed. On one hand, many of those with strong political opinions eagerly tune into cable news programs because they mainly agree with the opinions and narratives being promulgated.232 Since the information on their chosen newscast generally conforms to these viewers’ existing beliefs, they believe it to be true (even when it’s not).233 This is supported by data showing that viewers are “more likely to classify both factual and opinion statements as factual when they appealed most to their side.”234 This also means, however, that people may be “vulnerable to false claims that confirm what is familiar but may be wrong.235 But others are tuning out, growing skeptical of nearly every news item they see or read.236 They are tired of the “ranting,” the pundits “bickering”, and the “news stories that verge on opinion.”237 While some have reverted back to the broadcast networks or local news,238others have stopped consuming news altogether.239 “Many people are **numb** and **disoriented**, **struggling** to discern what is real in a sea of **slant, fake and fact**.”240 D. The FCC Historically has been Prohibited from Intervening to Remedy Unethical Journalistic Practices or Bias as Intervention is now Seen as Unlawful Censorship.

**Analysis proves similar measures lessen the impact of misinformation campaigns**

**Clemens 21** [Sarah Clemens, Deputy Managing Editor at the Concordia Law Review and JD Candidate at the Concordia University School of Law, 2021, “FROM FAIRNESS TO FAKE NEWS: HOW REGULATIONS CAN RESTORE PUBLIC TRUST IN THE MEDIA,” SSRN, <https://deliverypdf.ssrn.com/delivery.php?ID=8950080080090940930310671220010221190190840250120590230870671190990731161050280090701170580320270510130211090810960981240901250080900900840810261020820921>

26064000027090081086117113111115015067070084096030029106030011105014117065000074025087075090122024&EXT=pdf&INDEX=TRUE]

E. Successful Regulatory Schemes in Europe Those who oppose the reinstatement of regulations on the media maintain that it infringes on First Amendment protections and the freedom of the press.306 Yet some of the most stringent regulations on the media exist in European countries that protect the freedom of the press. Even so, legislation to regulate fake news in Europe has rightly garnered concerns from the world press and human rights activists concerning free speech and press freedoms.307 European countries are cognizant of balancing a citizen’s right to be informed with a citizen’s right to be **accurately informed**. Following a wave of nationalist elections and referendums in which disinformation played a large role, Europe is looking for a balance between free speech and objective reporting.308 Perhaps no greater contrast exists against the backdrop of the 2016 presidential election in which disinformation was so prevalent than in France where similar efforts **failed**. Following the **U**nited **S**tates’ 2016 presidential election that Russia successfully **infiltrated**, then-French presidential candidate Emmanuel Macron became the target of **Russian disinformation**. However, unlike the United States, the **structure** of French media made it **less susceptible** to Russian **inference**. Like presidential candidate Hillary **Clinton**, Russia targeted Macron’s emails ahead of the French election and intended for a mass release.309 For two reasons, the emails did not gain traction in France in the same manner the release of Clinton’s emails gained national attention in the United States. First, French electoral laws prohibit media outlets from news coverage of political candidates for forty-four hours ahead of the election.310 Second, the media voluntarily abided by a request from the Macron campaign team the night the emails were hacked not to report on the content of the emails.311 Moreover, some traditional broadcasters **denounced** the Russian efforts and called upon their viewers not to allow themselves to be manipulated.312 Contrast this with the response of broadcast news in the United States after the release of Hillary Clinton’s emails. A study by the Columbia Journalism Review found that “the various Clinton-related email scandals— her use of a private email server while secretary of state, as well as the DNC and John Podesta hacks—accounted for more sentences than all of Trump’s scandals **combined** (65,000 vs. 40,000). . . .”313 More disconcerting, the study concluded, “these 65,000 sentences were written not by Russian hackers, but overwhelmingly by professional journalists employed at mainstream news organizations. . . .”314 At first blush, it may appear the dissimilarities between French and American media stem from ethics, not regulation. Put another way, American media sources could have voluntarily elected not to devote 65,000 sentences to Hilary Clinton’s email scandals which perhaps would have contributed positively to Americans’ perception of the media. Even so, this oversimplifiesbroadcasting priorities on the networks, particularly those owned by large conglomerates such as Sinclair that mandate coverage to the local stations. While the **U**nited **S**tates has slashed regulation on the media in the last 30 years, France has upheld regulations on public broadcasters.315 These regulations were passed following its prior success in combating Russian disinformation.316 In November 2018, under the initiative of French President Macron, France passed a law that defined the term fake news. The regulation defined the term as “[i]nexact allegations or imputations, or news that falsely report facts, with the aim of changing the sincerity of a vote.”317 A second part of the law mandates that social media establish a tool for users to flag disinformation.318 Moreover, the new legislation allows the Higher Audiovisual Council, the French broadcast regulator, to revoke the broadcast rights of television and radio stations found to be disseminating misinformation.319 After Macron was elected, despite efforts by the Russian government to elect his opponent, the French government issued a 200 page report concerning the danger of information manipulation aimed at informing other countries what it had learned as a result of Russian interference.320 One striking conclusion was that “[o]ne of the reasons why the Macron Leaks failed to have an effect on the 2017 French presidential elections . . . is that the French media ecosystem is relatively **healthy**.”321 The report also found that “distrust in institutions was one of the main reasons for the rise and effectiveness of attempts at information **manipulation**.”322 In determining why the Russian disinformation campaign failed in France but succeeded in the United States, the report posited “[c]ompared with other countries, especially the US and the UK, France presents a less vulnerable [ ] media environment for a number of reasons.”323 One reason may be that public trust in French broadcasters is a high a trust in which regulations, among other factors, play a role. Perhaps no country is more cognizant of the affect disinformation can have on its citizens than Germany.324 Under the Basic Law of the Federal Republic of Germany, codified after World War II, German citizens and press are guaranteed “the right freely to express and disseminate his opinions in speech, writing and pictures . . . .”325 The decision to protect freedom of the press was born out of the atrocities of World War II.326 With the protections of the press and freedom of speech, Germany has also determined a fundamental need exists to guarantee diversity in mass media.327 Article 41 of the Treaty governs the programming principles of broadcasters, and it mandates that broadcasters must “respect human dignity as well as the moral, religious and ideological beliefs of others. They should promote social cohesion in unified Germany and international understanding and should work toward a non-discriminatory society.”328 Article 56 mandates: “Providers of telemedia including journalistic edited offers . . . are required to include in their offers without delay the reply of the person or institution who is affected by an assertion of fact made in their offer at no cost to the person affected.”329 In Canada, under the Broadcasting Act, the broadcasting system should “serve to safeguard, enrich and strengthen the cultural, political, social and economic fabric of Canada.”330 Canada requires that any station licensed to broadcast must “provide a reasonable opportunity for the public to be exposed to the expression of differing views on matter of public concern.”331 This language in the Canadian Broadcasting Act is strikingly similar to what the United States’ Fairness Doctrine once required of broadcasters: “to provide a reasonable opportunity for the presentation of contrasting viewpoints on such issues.”332 Moreover, the Canadian Broadcasting Act requires that the broadcasting system “shall be effectively owned and controlled by Canadians;” enacted to enhance local content on Canadian broadcasting.333 Conversely, the absence of local content rules in the United States means that large media conglomerates, like Sinclair Broadcasting Group, can mandate national coverage in the local market. The Fairness Doctrine required broadcast licensees to “provide coverage of vitally important controversial issues of interest in the community served by the licensees . . . .”334 However, each “must-run” that Sinclair mandates its local stations air focusing on national issues reduces the time the station has available to devote to local issues. Yet one country stands above the rest in terms of public trust in the media. Denmark, regulated by the Press Council, was polled as the most transparent country in terms of distinguishing fact from fiction in reporting.335 Denmark enjoys freedom of speech, guaranteed under Section 77 of its constitution.336 Not unlike the United States, legal liability exists for libel, but the Danish press largely operates independent from government oversight.337 The Danish media in broadcast, print, and online are regulated under the Danish Press Council; members are appointed by the Supreme Court and journalist association.338 Participation in the Council is mandatory and if a journalist is found by the Council to have committed an ethical violation, the journalist can be sentenced to a fine or jail, though such sanctions are rare.339 In each country, freedom of the press is guaranteed but regulations protect the public from disinformation and fake news. Regulating broadcast news in the United States could have similar results while remaining within the confines of the First Amendment. CONCLUSION Broadcast news can inform the public, but it also can spread disinformation. Under the Fairness Doctrine, broadcasters once served as “public trustees” charged with providing fair and objective news to consumers. Yet deregulation lead to a steep decline in public trust of broadcasters. An Independent Broadcast Council could provide the solution. An amendment to the Public Broadcasting Act could expand its scope to encompass a voluntary regulatory council tasked with upholding the standards of fairness and accuracy in broadcast.. An Independent Broadcast Council would serve as an initial step toward restoring public perception of the media, and the framework exists to implement it. European countries have adopted legislation to combat fake news and address the “public trustee” component of broadcast news. The United States can follow the same approach and do so within existing law. Despite objections that regulating broadcasters would run afoul of the First Amendment, the United States Supreme Court has long held that free speech is the right of listeners, not broadcasters. Broadcasters have long had a duty to serve as “public trustees.” Yet the question remains whether broadcasters will choose to fulfil that duty or allow it to remain a relic of history.