# Round 2

## 1ac

### Adv 1

Contention 1 - Pakistan

#### The Pakistani Taliban is escalating attacks in Pakistan now.

Cheney, World Politics Review, 6-28-13

[Catherine, “Pakistani Taliban Attempt to Show Strength by Attacking Foreigners” <http://www.worldpoliticsreview.com/trend-lines/13060/pakistani-taliban-attempt-to-show-strength-by-attacking-foreigners?utm_source=Weekly+Headlines&utm_campaign=2e94105ac4-WPR_Weekly_062813&utm_medium=email&utm_term=0_6e36cc98fd-2e94105ac4-62727697>, accessed 7-4-13, TAP]

The Tehrik-e Taliban Pakistan (TTP), commonly known as the Pakistani Taliban

AND

none of the Pakistani government’s periodic counterinsurgency campaigns have resulted in durable gains.

#### Success collapses the Pakistani state.

Curtis, Heritage Foundation senior research fellow, 7-15-13

[Lisa, “Pakistan Makes Drones Necessary” <http://nationalinterest.org/print/commentary/pakistan-makes-drones-necessary-8725>, accessed 8-12-13, TAP]

It is no secret that the drone strikes often benefit the Pakistani state. On

AND

will remain of vital strategic interest for Washington for many years to come.

#### That makes nuclear terrorism and loose nukes inevitable.

Rafiq, Middle East Institute adjunct scholar, 7-19-13

[Arif, Vizier Consulting LLC president, “The Battle for Islamabad” <http://www.foreignpolicy.com/articles/2013/07/18/the_battle_for_islamabad_pakistan_taliban_syria?page=full>, accessed 8-14-13, TAP]

The Pakistani Taliban are heading to Syria. At least that's what a number of

AND

nuclear-armed state to take over and plenty of Shiites to kill.

#### Loose nukes trigger extinction.

Pitt, New York Times and internationally best-selling author, 2009

[William Rivers, “Unstable Pakistan threatens the world” http://www.arabamericannews.com/news/index.php?mod=article&cat=commentary&article=2183, accessed 9-17-13, TAP]

As familiar as this sounds, it did not take place where we have come

AND

to be gravely serious about addressing the situation. So should we all.

#### Success against Pakistani terrorism is critical to Afghanistan stability.

Miller et al, Washington Post, 1-19-13

[Greg, Ellen Nakashima, and Karen DeYoung, “CIA drone strikes will get pass in counterterrorism ‘playbook,’ officials say” <http://www.washingtonpost.com/world/national-security/cia-drone-strikes-will-get-pass-in-counterterrorism-playbook-officials-say/2013/01/19/ca169a20-618d-11e2-9940-6fc488f3fecd_print.html>, accessed 7-4-13, TAP]

The decision to allow the CIA strikes to continue was driven in part by concern

AND

carve-out “will undoubtedly be predicated on facts on the ground.”

#### Conflict spills over to Central Asia and draws in other powers

Lal, PhD and political Scientist at RAND, 6

(Rollie, “Central Asia and its Asian Neighbors”
<http://www.rand.org/pubs/monographs/2006/RAND_MG440.pdf>, pages 19-21, accessed 12-24-10, CMM)

The relationship between the Central Asian states and their neighbors is complex and heavily influenced

AND

. This agreement has facilitated Uzbekistan’s access to needed ports for export.13

#### It goes nuclear.

Ahrari, Prof of National Security @ the Armed Forces Staff College, 1

(M. Ehsan, August, “Jihadi Groups, Nuclear Pakistan and the New Great Game,” http://www.au.af.mil/au/awc/awcgate/ssi/jihadi.pdf, pg 41, accessed 12-24-10, CMM)

South and Central Asia constitute a part of the world where a well-designed

AND

for the United States, thus representing a gain for all concerned.

#### Presidential power results in groupthink – that triggers massive policy errors.

Chehab, Georgetown Law Center, 2012

[Ahmad, 3-30-12, “Retrieving the Role of Accountability in the Targeted Killings Context: A Proposal for Judicial Review” http://papers.ssrn.com/sol3/papers.cfm?abstract\_id=2031572, p.30-3, accessed 9-15-13, TAP]

The practical, pragmatic justification for the COAACC derives largely from considering social psychological findings

AND

irrational persistence in pursuing ideological positions divorced from concern of alternative viewpoints.147

Professor Cass Sunstein has described situations in which groupthink produced poor results precisely because consensus

AND

1960’s,152 and the controversial decision to wage war against Vietnam.153

Professor Sunstein also has described the related phenomenon of “group polarization,” which includes

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and other associated deficiencies are inevitable features in Executive Branch decision-making.

[Tom note – Sunstein, University of Chicago and Harvard University law professor]

#### Drones key to fight Pakistani terrorism.

Curtis, Heritage Foundation senior research fellow, 7-15-13

[Lisa, “Pakistan Makes Drones Necessary” <http://nationalinterest.org/print/commentary/pakistan-makes-drones-necessary-8725>, accessed 8-12-13, TAP]

One of the central campaign platforms of newly elected Pakistani prime minister Nawaz Sharif was

AND

Year Search for Bin Laden from 9/11 to Abbottabad [3].

#### Drones are critical to cutting off resources to terrorism in Afghanistan.

Bergen, New America Foundation national security studies program director, and Tiedemann, NAF national security studies program research fellow, 2011

[Peter and Katherine, George Washington University political science doctoral student, Foreign Affairs, July-Aug 2011, “Washington's Phantom War Subtitle: The Effects of the U.S. Drone Program in Pakistan” Lexis, accessed 5-21-13, TAP]

Finally, it is important to remember that Pakistan's tribal areas are a major source

AND

once said, the drone program is "the only game in town."

#### Alternatives fail – Pakistan rejects them.

Bergen, New America Foundation national security studies program director, and Tiedemann, NAF national security studies program research fellow, 2011

[Peter and Katherine, George Washington University political science doctoral student, Foreign Affairs, July-Aug 2011, “Washington's Phantom War Subtitle: The Effects of the U.S. Drone Program in Pakistan” Lexis, accessed 5-21-13, TAP]

The military alternatives to drone strikes in the tribal areas -- U.S.

AND

met with outcries from Pakistani officials concerned about violations of the country's sovereignty.

### Adv 2

Contention 2 – Accountability

#### Drone proliferation is coming – accountability is critical to prevent conflict.

Ingersoll and Kelley, Business Insider, 1-9-13

[Geoffrey and Michael, “America Is Setting A Dangerous Precedent For The Drone Age” <http://www.businessinsider.com/america-is-setting-a-dangerous-precedent-for-the-drone-age-2013-1>

The decisions America makes today regarding drone policy could come back to haunt it sooner

AND

is waging its fight against terrorism in accordance with the rule of law."

#### Drone conflict will result in global war.

Cronin, George Mason University public policy professor, 2013

[Audrey Kurth, Foreign Affairs, Jul/Aug 2013, Vol 92 Issue 4, “Why Drones Fail” Ebsco, accessed 6-30-13, TAP]

The sometimes contradictory demands of the American people -- perfect security at home without burdensome

AND

-- then al Qaeda will be the least of the United States' worries.

#### Accountability allows the US to shape international norms that promote accountable use of drones.

Whibley, Victoria University of Wellington international relations MA, 2-6-13

[James, Georgetown journal of international affairs, “The Proliferation of Drone Warfare: The Weakening of Norms and International Precedent” <http://journal.georgetown.edu/2013/02/06/the-proliferation-of-drone-warfare-the-weakening-of-norms-and-international-precedent-by-james-whibley/>, accessed 7-29-13, TAP]

If drones are destined to proliferate, the more important issue may become whether American

AND

, then surely China or Russia possessing such a program would be terrifying.

#### Accountability also gives the US leverage to pressure other countries into using best practices.

Zenko, CFR Center for Preventive Action Douglas Dillon fellow, 2013

[Micah, Council Special Report No. 65, January 2013, “Reforming U.S. Drone Strike Policies”<http://www.foreignpolicy.com/articles/2013/04/16/clip_the_agencys_wings_cia_drones?page=full> p.24-5, accessed 6-20-13, TAP]

Beyond the United States, drones are proliferating even as they are¶ becoming increasingly

AND

likely to use lethal force against the United States¶ and its allies.

#### Regional tensions are high in the South and East China Seas – lack of norms means drones trigger miscalculation – that results in Asian war.

Brimley et al, Center for a New American Security vice president, 9-17-13

[Shawn, Ben Fitzgerald, CNAS Tech and National Security program, and Ely Ratner, CNAS Asia program deputy director, “The Drone War Comes to Asia” http://www.foreignpolicy.com/articles/2013/09/17/the\_drone\_war\_comes\_to\_asia?page=full, accessed 9-18-13, TAP]

It's now been a year since Japan's previously ruling liberal government purchased three of the

AND

political leadership, these technologies could very well lead the region into war.

#### Escalation is likely – restraint is critical.

Cronin, Center for New American Security Asia-Pacific security program senior director, 9-7-12

[Patrick, “Averting Conflict in the South China Sea” <http://www.chinausfocus.com/peace-security/averting-conflict-in-the-south-china-sea/>, accessed 10-29-12, TAP]

Despite rising tensions over the South China Sea, conflict can and should be averted

AND

the South China Sea will only be harnessed when there is such cooperation.

#### War would escalate.

Klare, Peace and World Security Studies professor at Hampshire, Three Days Ago, 1-23-13

(Michael, “The Next War,” 1-23-13, <http://www.realclearworld.com/articles/2013/01/23/the_next_war_100500.html>, accessed 1-24-13) PM

Lurking just behind the Iranian imbroglio, however, is a potential crisis of far

AND

show-of-force operations by both sides in the disputed waters.

#### Economic collapse leads to global war.

Lind**, New America Foundation Economic Growth Program Policy Director**, 5/11/2010

[Michael, "Will the great recession lead to World War IV?," http://www.salon.com/news/economics/index.html?story=/opinion/feature/2010/05/11/great\_recession\_world\_war\_iv]

If history is any guide, an era of global economic stagnation will help the

AND

Eurasia, Eastasia and Oceania in 1984 is all too easy to imagine.

#### Escalation in the short term is likely.

Klare, Peace and World Security Studies professor at Hampshire, 1-23-13

(Michael, “The Next War,” 1-23-13, <http://www.realclearworld.com/articles/2013/01/23/the_next_war_100500.html>, accessed 1-24-13) PM

As 2012 ended and the New Year began, the situation only deteriorated. On

AND

planet will look with sadness and horror on the failure of everyone involved.

#### Asian instability escalates to nuclear war.

Landay, National Security and Intelligence Correspondent, 2K

(Jonathan S., “Top administration officials warn stakes for U.S. are high in Asian conflicts”, 3-10, Knight Ridder/Tribune News) Accessed on LexisNexis 12-29-09

Few if any experts think China and Taiwan, North Korea and South Korea,

AND

that totaled $600 billion last year, according to the Commerce Department.

#### Institutions don’t check

Klare, Peace and World Security Studies professor at Hampshire, 1-23-13

(Michael, “The Next War,” 1-23-13, <http://www.realclearworld.com/articles/2013/01/23/the_next_war_100500.html>, accessed 1-24-13) PM

Regional diplomacy, that classic way of settling disputes in a peaceful manner, has

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Chinese press, while officials there refused to cede any ground at all.

#### Trade doesn’t check

Medcalf, Lowy Institute (Sydney) International Security Programme Director, and Heinrichs, Australian National University Strategic and Defence Studies Centre Scholar, 11

(Rory and Raoul, 6-27-11, “Asia’s Maritime Confidence Crisis,” http://the-diplomat.com/2011/06/27/asia%E2%80%99s-maritime-confidence-crisis/?all=true, accessed 10-9-11, CMM)

To the casual observer, recent security tensions in Asian waters might seem a storm

AND

relations among major powers, with dangerous implications for regional peace and stability.

### Solvency

Plan: The United States Federal Government should establish judicial review of targeted killing by drones.

#### Ex ante review by a drone court solves group think – it institutionalizes accountability.

Chehab, Georgetown Law Center, 2012

[Ahmad, 3-30-12, “Retrieving the Role of Accountability in the Targeted Killings Context: A Proposal for Judicial Review” http://papers.ssrn.com/sol3/papers.cfm?abstract\_id=2031572, p.33-4, accessed 9-15-13, TAP]

To check the vices of groupthink and shortcomings of human judgment, the psychology literature

AND

(and political motivations incentivized and exploited by popular hysteria and fear).159

Requiring accounting in a formalized way prior to engaging in a targeted killing—by

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choices and evaluate available alternatives than when subject to little to no review.

#### Executive secrecy is eroding support for drones – establishing a drone court garners legitimacy for the drone program.

Johnson, former Pentagon general counsel, 3-18-13

[Jeh Charles, “Keynote address at the Center on National Security at Fordham Law School: A “Drone Court”: Some Pros and Cons” <http://www.lawfareblog.com/2013/03/jeh-johnson-speech-on-a-drone-court-some-pros-and-cons/>, accessed 9-3-13, TAP]

Thank you for this invitation. Today I want to join the current public debate

AND

who actually wouldn’t mind the added comfort of judicial imprimatur on their decisions.

#### Congress can establish an effective drone court – Congressional involvement creates credibility of drone strikes with the public.

McKelvey, Vanderbilt University JD Candidate, 2011

[Benjamin, Vanderbilt journal of transnational law editorial board executive development editor, Vol 44, “Due Process Rights and the Targeted Killing of Suspected Terrorists: The Unconstitutional Scope of Executive Killing Power” http://www.vanderbilt.edu/jotl/manage/wp-content/uploads/mckelvey-pdf.pdf, p.1378-9, accessed 9-15-13, TAP]

As the Aulaqi case demonstrates, any resolution to the problem ¶ of targeted killing

AND

the abuse of targeted killing without ¶ interfering with executive duties and authority.

Perhaps most importantly, a legislative solution would provide ¶ the branches of government and

AND

the use of all ¶ peaceful measures before lethal force is pursued.212

## 2ac

### 2ac – T – Restrictions

#### 1. We meet statutory restrictions.

Chehab, Georgetown Law Center, 2012

[Ahmad, 3-30-12, “Retrieving the Role of Accountability in the Targeted Killings Context: A Proposal for Judicial Review” http://papers.ssrn.com/sol3/papers.cfm?abstract\_id=2031572, p.26-7, accessed 9-15-13, TAP]

The creation of the Covert Operations Against American Citizens Court (COAACC) would help

AND

the use of electronic eavesdropping in the context of foreign intelligence gathering.121

#### 2. We meet judicial restrictions.

Guiora, University of Utah law professor, 2012

[Amos, Case Western Reserve Journal of Internal Law, vol 45, “Targeted Killing: When Proportionality Gets All Out of Proportion” http://law.case.edu/journals/JIL/Documents/45CaseWResJIntlL1&2.13.Article.Guiora.pdf, p.239, accessed 9-15-13, TAP]

The solution to this search for an actionable guideline is the strict ¶ scrutiny standard

AND

balance enabling the ¶ state to act sooner but subject to significant restrictions.

#### 3. Counter-interpretation – restriction means a limit and includes conditions on action.

Snow, COURT OF APPEALS OF ARIZONA judge, 8

(G. Murray, COURT OF APPEALS OF ARIZONA, DIVISION ONE, DEPARTMENT A, STATE OF ARIZONA, Appellee, v. JEREMY RAY WAGNER, Appellant., 2008 Ariz. App. Unpub. LEXIS 613, accessed 9-18-13, CMM)

P10 The term "restriction" is not defined by the Legislature for the purposes

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natural and obvious meaning, which may be discerned from its dictionary definition.").

P11 The dictionary definition of "restriction" is "[a] limitation or qualification

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dictate that the term "restriction" includes the ignition interlock device limitation.

### 2ac – Solvency EXTN – AT: Rubber Stamp

#### No impact to rubber stamping.

Guiora, University of Utah law professor, 2012

[Amos, Case Western Reserve Journal of Internal Law, vol 45, “Targeted Killing: When Proportionality Gets All Out of Proportion” http://law.case.edu/journals/JIL/Documents/45CaseWResJIntlL1&2.13.Article.Guiora.pdf, p.240, accessed 9-15-13, TAP]

While the model is different—a defense attorney cannot question ¶ state witnesses—

AND

an ¶ independent judiciary as a precursor to engaging in operational ¶ counterterrorism.

### Russia

#### Russian power and aggression is historically decoupled from their economy

Friedman, chief [intelligence officer](http://en.wikipedia.org/wiki/Intelligence_officer), financial overseer, and CEO of the private intelligence corporation [Stratfor](http://en.wikipedia.org/wiki/Stratfor), 9

(George, 7-27-09, Stratfor, “The Russian Economy and Russian Power,” http://www.stratfor.com/weekly/20090727\_u\_s\_policy\_continuity\_and\_russian\_response, accessed 10-27-10, CMM)

Russia has been an economic wreck for most of its history, both under the

AND

is not a matter of Russian political personalities but of Russian geopolitical necessity.

### 2ac – Fem IR K

AND, their root cause claims are wrong

Brian Martin, Professor of Science, Technology and Society at the University of Wollongong, ‘90 (<http://www.uow.edu.au/arts/sts/bmartin/pubs/90uw/uw13.html>)

In this chapter and in the six preceding chapters I have examined a number of

AND

the roots of war and developing strategies for grassroots movements to uproot them.

Case turns the K, not the other way around

J. Ann Tickner, University of Southern California Professor, November 2002, “Feminist Perspectives of 9/11,” International Studies Perspectives

So, if the story is not a simple one where gender and other ideological

AND

consequences that are frequently ignored by conventional accounts of war and civlizational clashes.

Ceding the political means the alt gets coopted and worse forms of gendered practices emerge

Catherine MacKinnon, University of Michigan Law School Elizabeth A. Long Law Professor, 2005, “Women’s Lives, Men’s Laws, p. 42-3

There is a legitimate question, though, about the relation between law and the

AND

recognize that women live here, too. Every day of our lives.

10. Turn: suppression backfires – avoiding threat-based thought makes those thoughts more likely

Psychology Today, ‘95

[Paul Roberts, May-June 1995 v28 n3 p34(12)]

Again, how strongly and negatively we react can depend on physiological or personality factors

AND

Wegner found, the more likely it is to become intrusive and repetitive.

### 2ac – Ex Post CP

#### 3. Doesn’t solve any of the aff – the cases would be dismissed due to lack of standing.

Opderbeck, Seton Hall University law professor, 2013

[David, 8-2013, “Drone Courts” <http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2305315>, p.55-6, accessed 8-28-13, TAP]

A related objection to a specialized court is that existing¶ judicial procedures can address

AND

statute providing for judicial review, of course,¶ would eliminate this concern.

#### 4. Doesn’t solve accountability – solves none of the aff.

Jaffer, American Civil Liberties Union center for democracy director, 2013

[Jameel, 126 Harv. L. Rev. F. 185, “Judicial Review of Targeted Killings” <http://www.harvardlawreview.org/issues/126/april13/forum_1002.php>, accessed 9-4-13, TAP]

This kind of review—ex post review in the context of a Bivens action

AND

” is a requirement, ex ante judicial review is infeasible by definition.)

#### It is impossible to drag someone from the FATA to the US.

Adelsberg, Yale University JD candidate, 2012

[Samuel, 6 Harv. L. & Pol'y Rev. 437, “SHORT ESSAYS: Bouncing the Executive's Blank Check: Judicial Review and the Targeting of Citizens” Lexis, accessed 9-15-13, TAP]

Solutions calling for the expatriation of citizens deemed to be terrorists are fraught with judicial

AND

a target would be effectively meaningless in the wake of a successful attack.

### 2ac – Isolation DA

#### Plan not key – situation on the ground determines drawdown trajectory – and planning in place for all scenarios avoids the impact

Price, McClatchy Foreign Staff, 9-19-13

[Jay, “U.S. ready to begin major drawdown of troops, equipment from Afghanistan”, <http://www.adn.com/2013/09/19/3083011/us-ready-to-begin-major-drawn.html>, accessed 9-21-13, AFB]

KABUL, AFGHANISTAN — As the United States

AND

passage with the countries to the north, Gamble said.

### 2ac – Yes Debt Ceiling DA

#### Either a last minute deal resolves or debt default inevitable – Obama not key

Marcus, Real Clear Politics, 9-20-13

(Ruth, “On Debt Ceiling, a Different Feel,” http://www.realclearpolitics.com/articles/2013/09/20/on\_debt\_ceiling\_a\_different\_feel\_120005.html, accessed 9-21-13, CMM)

Be afraid. Be very, very afraid.¶ This is my chilling, and

AND

existent. The ability to quickly concoct a mini-bargain is limited.

#### Shutdown inevitable – that thumps the link.

Linkins, Huff Post, 9-17-13

(Jason, “Boehner's Government Shutdown Calculus: Let Calamity Be The Cure,” http://www.huffingtonpost.com/2013/09/17/john-boehner-government-shutdown\_n\_3942752.html?utm\_hp\_ref=politics, accessed 9-19-13, CMM)

The growing clamor around the Beltway is that everyone should batten down the hatches and

AND

, in the end, a shutdown is in Boehner's interest, too.

#### No impact to shutdown – and it blocks debt default which is worse.

Klein Washington Post, 9-12-13

(Ezra, “A government shutdown just became a bit more likely. That might be a good thing.,” http://www.washingtonpost.com/blogs/wonkblog/wp/2013/09/12/a-government-shutdown-just-became-a-bit-more-likely-that-might-be-a-good-thing/, accessed 9-12-13, CMM)

We’re a bit closer to a government shutdown today. And that may not be such a bad thing. Here’s the deal:

1) House Republicans pulled their bill to fund the government. The House was

AND

much better equilibrium by the time the debt ceiling needs to be raised.

#### Turn – the plan is popular.

Hosenball, Reuters, 2-8-13

[Mark, “Support grows for U.S. "drone court" to review lethal strikes” <http://www.reuters.com/article/2013/02/09/us-usa-drones-idUSBRE91800B20130209>, accessed 9-4-13, TAP]

During a fresh round of debate this week over President Barack Obama's claim that he

AND

. citizen alleged to be a "senior operational leader of Al Qaeda."

#### 7. PC not key to the agenda.

Dickinson, Middlebury College political science professor and presidential scholar, 9

[Matthew, 5-26-9, Presidential Power, “Sotomayor, Obama, and Presidential Power,” <http://blogs.middlebury.edu/presidentialpower/2009/05/26/sotamayor-obama-and-presidential-power/> accessed 2-5-11, AFB]

What is of more interest to me, however, is what her selection reveals

AND

has already occurred, in the decision to present Sotomayor as his nominee.