### 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

AND

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

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

AND

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

### 2ac – Yes Shutdown DA

#### Shutdown inevitable.

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

AND

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

#### Obama supports the plan.

Roberts, The Guardian, 5-24-13

[Dan, “Obama drone oversight proposal prompts concern over 'kill courts'” http://www.theguardian.com/world/2013/may/24/obama-drone-vetting-kill-courts, accessed 9-18-13, TAP]

The president has asked Congress to consider establishing a special court or oversight board to

AND

but raises serious constitutional issues about presidential and judicial authority," he said.

#### Obama is bleeding PC – only wins can right the ship.

Metzler, US News and World Report, 9-13-13

[Rebekah, “Obama's Plunging Approval Threatens Fall Agenda: Syria, other crises have sapped Obama's political capital” http://www.usnews.com/news/articles/2013/09/13/obamas-plunging-approval-threatens-fall-agenda, accessed 9-18-13, TAP]

Benghazi. The Internal Revenue Service's targeting of tea party groups. The stagnant economy

AND

depends on how quickly he can right the ship, the experts said.

#### Media spin is wrecking Obama now – only the plan overcomes

Byers, Politico, 9-16-13

 (Dylan, “Media doesn't hold back on President Obama,” http://dyn.politico.com/printstory.cfm?uuid=159E273B-2B0D-4F6D-96DC-01AB2CE1EF35, accessed 9-19-13, CMM)

President Barack Obama is damaging his presidency, weakening America’s standing in the world,

AND

bad coverage on the merits,” one senior-level Washington reporter said.

### 2ac – Executive CP

And Congress is critical to preventing ambiguity.

Anderson, American University law professor, 2009

[Kenneth, 5-11-09, “Targeted Killing in U.S. Counterterrorism Strategy and Law” <http://www.brookings.edu/~/media/research/files/papers/2009/5/11%20counterterrorism%20anderson/0511_counterterrorism_anderson.pdf>, p.31-3, accessed 9-22-13, TAP]

What Should Congress Do? ¶ Does this analysis offer any practical policy prescriptions for

AND

a certain ¶ deformation of the IHL concept of hostilities and armed conflict.

#### 3. Doesn’t solve – Group think – inter-branch process is key to effective drone use – they solve none of the Pakistan advantage.

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.22-5, accessed 9-15-13, TAP]

The argument put forth here, therefore, is that in light of the protections

AND

and cause executive officials to avoid making them in the first place.”111

#### 6. No solvency – Obama will ignore the CP.

Friedersdorf, The Atlantic, 5-24-13

[Conor, “A Skeptical Celebration of President Obama's Shifty Terrorism Speech” <http://www.theatlantic.com/politics/archive/2013/05/a-skeptical-celebration-of-president-obamas-shifty-terrorism-speech/276205/>, accessed 7-6-13, TAP]

All things considered, Thursday's developments were an improvement on the status quo. Obama

AND

if only in the ways that Obama says that he has constrained himself.

#### 9. Links to politics.

Cooper, University of Vermont political science professor, 99

(Phillip J., Federal News Service, October 28, 1999, “Prepared Testimony of Phillip J. Cooper Gund Professor of Liberal Arts Department of Political Science University of Vermont before the House Committee on the Judiciary Subcommittee on Commercial and Administrative Law, p. Lexis)

There is certainly the danger that excessive use of broad application of executive orders can

AND

to be maintained throughout if the tasks of government are to be accomplished.

### 2ac – Flexibility DA – Long

#### 2. Non-unique – large-scale crackdown is inevitable – that crushes flexibility – only the plan solves.

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.3, accessed 6-20-13, TAP]

Existing practices carry two major risks for U.S. interests that are¶

AND

U.S. officials to openly address concerns and¶ counter misinformation.

#### 3. Presidential powers low and more Congressional backlash coming.

Rothkopf, Foreign Policy CEO, 8-31-13

[David, “The Gamble” https://www.google.com/search?q=rothkopf&oq=rothkopf&aqs=chrome..69i57j0l3.1891j0&sourceid=chrome&ie=UTF-8, accessed 9-16-13, TAP]

Obama has reversed decades of precedent regarding the nature of presidential war powers -- and

AND

the imperial presidency than anything his predecessors or Congress have done for decades.

#### 5. Legal challenges to drone use are inevitable – drone court confirms flexibility.

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.22-5, accessed 9-15-13, TAP]

Judges are also both knowledgeable in the vagaries of the law and accustomed to dealing

AND

reinstate American moral legitimacy in its use of force against global terrorism.114

### 2ac – Security K

#### 2. Ethical policymaking must be grounded in consequences

Isaac, Indiana University James H. Rudy Professor of Political Science and Center for the Study of Democracy and Public Life director, Spring 2002

(Jeffrey C. “Ends, Means, and Politics,” Dissent Magazine Vol. 49 Issue 2, p32)

Power is not a dirty word or an unfortunate feature of the world. It

AND

not true believers. It promotes arrogance. And it undermines political effectiveness.

Changing representational practices won’t alter policy, looking to structures and politics is more vital

Tuathail, Department of Geography at Virginia Polytechnic Institute, Political Geography, 96 (Gearoid Tuathail, Department of Geography at Virginia Polytechnic Institute, Political Geography, 15(6-7), 664 )

While theoretical debates at academic conferences are important to academics, the discourse and concerns

AND

needs to always be open to the patterned mess that is human history.

A. Perm solves – rejection fails, the plan is key – declaring alternative approaches to security do not challenge status quo mentalities, political actions are necessary

Huysmans, Open University Politics Lecturer, March 1999

(Jef, “LANGUAGE AND THE MOBILISATION OF SECURITY EXPECTATIONS. THE NORMATIVE DILEMMA OF SPEAKING AND WRITING SECURITY,” [www.essex.ac.uk/ecpr/events/jointsessions/paperarchive/mannheim/w18/huysmans.pdf](http://www.essex.ac.uk/ecpr/events/jointsessions/paperarchive/mannheim/w18/huysmans.pdf), accessed 9-11-9)

Thus, the critical quality rests on the assumption that representations of the world make

AND

Are they possibly a constitutive part of the mastery of the dominant construction?

#### Terror rhetoric necessary- term key to create new forms of knowledge

Gunning, University of Wales Aberystwyth international politics professor, 2007

[Jeroen, “Babies and Bathwaters: Reflecting on the Pitfalls of Critical Studies on Terrorism” 2007, <http://www.aber.ac.uk/en/media/departmental/interpol/csrv/babies-and-bathwaters---isa2007.pdf>, p.5-6, accessed 9-22-13, TAP]

Usage of the term ‘terrorism’ also poses serious security problems for those conducting fieldwork

AND

earmarked for studying ‘terrorism’ should similarly not be left simply to others.

#### Threat con doesn’t apply – SCS is unique

Kaplan, senior fellow at the Center for a New American Security, 11

(Robert D., national correspondent for the Atlantic, and a member of the U.S. Defense Department's Defense Policy Board, Sept/Oct, Foreign Policy, “The South China Sea Is the Future of Conflict,” http://www.foreignpolicy.com/articles/2011/08/15/the\_south\_china\_sea\_is\_the\_future\_of\_conflict, accessed 9-5-11, CMM)

JUST AS GERMAN SOIL constituted the military front line of the Cold War, the

AND

nationalism, has a geographical home, it is the South China Sea.

## 1ar

### Security

#### 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

AND

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

#### No self-fulfilling prophecy

Blumenthal, current commissioner and former vice chairman of the U.S.-China Economic and Security Review Commission, 10-3-11

(Dan, “The Top 10 Unicorns of China Policy,” http://www.foreignpolicy.com/articles/2011/10/03/the\_top\_ten\_unicorns\_of\_china\_policy?page=full, accessed 10-5-11, CMM)

Here are my own top 10 China-policy unicorns: The self-fulfilling

AND

most fantastical claim about China policy and thus the No. 1 unicorn.