# 1NC

## 1NC Topicality

Interpretation – economic engagement must be conditional

Shinn 96 [James Shinn, C.V. Starr Senior Fellow for Asia at the CFR in New York City and director of the council’s multi-year Asia Project, worked on economic affairs in the East Asia Bureau of the US Dept of State, “Weaving the Net: Conditional Engagement with China,” pp. 9 and 11, google books]

In sum, conditional engagement consists of a set of objectives, a strategy for

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105, no. 3 (1990), pp. 383-88).

“Cuba” does not include the Guantanamo base

CFR 6 – Code of Federal Regulations, 19CFR Ch. 1(4-1-06 Edition), p. 634

Subpart O—Flights to and From Cuba

§122.151 Definitions.

Under this subpart, the following definitions apply:

(a) United States. The term "U.S." includes the several States, the District of Columbia, the U.S. Virgin Islands, and Puerto Rico.

(b) Cuba. The term "Cuba" does not include the Guantanamo Bay Naval Station.

## 1NC QPQ CP

The United States Federal Government should offer to end the U.S. lease and return to Cuban jurisdiction of the land in Guantánamo Bay (originally leased under the 1903 Cuban-American Treaty) if and only if expropriated property in Cuba is paid and a transaction fee with Cuba is set up for a settlement fund.

Counterplan solves the case and doesn’t link to politics

Tomargo 12. Mauricio J. Tomargo, 14th Chairman of the Foreign Claims Settlement Commission, recognized authority on international law with particular expertise in international claims law and claims against foreign sovereigns, such as Iraq Claims, Cuba Claims, and Lybia Claims, “A Process to Begin Settling American Certified Claims Against Cuba,” 2/28/12 http://www.pobletetamargo.com/the-pt-law-blog/international-claims/settle-american-claims-against-cuba

The current commerce and travel being transacted between Cuba and the United States should be

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half a century sets a new and untenable precedent for future claims programs.

Engaging Cuba before resolving claims leads to global expropriations

JCC 6 A resource for information pertaining to certified Cuban claims. 2006.

http://web.archive.org/web/20060814030423/http://www.certifiedcubanclaims.org/faqs.htm

Q. Why is it in the interest of the U.S. Government to insist upon a settlement of claims before trade and diplomatic relations are restored? A. If the United States resumes trade and diplomatic relations without first resolving the claims issue, this might lead to future unlawful confiscations of American properties without compensation. Our government should not be sending a signal to other foreign nations that unlawful seizures of property can occur without consequence.

## 1NC Drones

Detention restrictions increases rendition and drone strikes—comparatively worse and turns cred

Goldsmith, 12 (Law Prof-Harvard, 6/29, Proxy Detention in Somalia, and the Detention-Drone Tradeoff, www.lawfareblog.com/2012/06/proxy-detention-in-somalia-and-the-detention-drone-tradeoff/

There has been speculation about the effect of the Obama administration’s pinched detention policy –

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of a detention-drone tradeoff will become harder and harder to defend.

## 1NC CP

Allen and I advocate that the United States federal government should release those detained in Guantanamo Bay who have already been cleared for release. We’ll clarify.

## 1NC Politics

Obama has effectively held off support for Iran sanctions, but republicans aren’t backing down

Dmitriy Shapiro, political analyst, 2/12 [“Closed-Door Deals May Undermine Iran Sanctions Effort,” http://www.algemeiner.com/2014/02/12/closed-door-deals-may-undermine-iran-sanctions-effort/]

JNS.org – Following a slow start mobilizing support to block bipartisan efforts in

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. But Menendez also criticized the Obama administration’s statements against his sanctions bill.

Closing Guantanamo Bay requires a massive input of political capital

Rogin 5/23 (Josh, senior correspondent for national security and politics for Newsweek and The Daily Beast, How Obama Bungled the Guantánamo Closing, 5/23/13, <http://www.thedailybeast.com/articles/2013/05/23/how-obama-bungled-the-guantanamo-closing.html>)

President Obama called today for a renewed effort to close the prison at Guantánamo Bay

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of those things that will bother him for the rest of his days.”

The GOP will exploit this to flip Democratic votes on Iran—causes sanctions

Josh Rogin, Daily Beast, 2/5/14, GOP Will Force Reid to Save Obama’s Iran Policy—Over and Over Again, www.thedailybeast.com/articles/2014/02/05/gop-will-force-reid-to-save-obama-s-iran-policy-over-and-over-again.html

Dozens of Republican senators joined Wednesday to demand that Harry Reid allow a floor vote on a new Iran sanctions bill. If he doesn’t, they are planning to make his life miserable.

The Republican Senate caucus is planning to use every parliamentary trick in the book to

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pushing the vote total past a veto-proof two-thirds supermajority.

New sanctions cause negotiation collapse and Middle East War

Rachel Kleinfeld, Carnegie Endowment For International Peace, 1/31/14, Sanctions Could Disrupt Negotiations With Iran, carnegieendowment.org/2014/02/03/sanctions-could-disrupt-negotiations-with-iran/h02v

Facing skyrocketing inflation, a collapsing currency and a sudden loss of imported goods, Iranians voted last year to kick out Mahmoud Ahmadinejad and elected a government they thought might jump-start their economy. The new government of President Hassan Rouhani is not "moderate" - but it is practical. It would like a nuclear weapon, but it wants economic relief more. Rouhani knows his only bargaining chip to end sanctions is to stop the nuclear weapons program.

But the Rouhani government is on a short leash. Iran's supreme leader, Ali

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is a vote for war - and for Iranian missile attacks on Israel.

Nuclear war

James A. Russell, Senior Lecturer, National Security Affairs, Naval Postgraduate School, ‘9 (Spring) “Strategic Stability Reconsidered: Prospects for Escalation and Nuclear War in the Middle East” IFRI, Proliferation Papers, #26, http://www.ifri.org/downloads/PP26\_Russell\_2009.pdf

Strategic stability in the region is thus undermined by various factors: (1)

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the peoples of the region, with substantial risk for the entire world.

# Case

## 1NC ROB

Our role is the ballot is that the debate should be decided on the desirability of the enactment of the plan.

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

Steinberg and Freeley ’13 David Director of Debate at U Miami, Former President of CEDA, officer, American Forensic Association and National Communication Association. Lecturer in Communication studies and rhetoric. Advisor to Miami Urban Debate League, Masters in Communication, and Austin, JD, Suffolk University, attorney who focuses on criminal, personal injury and civil rights law, *Argumentation and Debate*

*Critical Thinking for Reasoned Decision Making*, Thirteen Edition

Debate is a means of settling differences, so there must be a controversy,

AND

particular point of difference, which will be outlined in the following discussion.

Our model of debate has the most emanicapatory potential

Orly Lobel 7, University of San Diego Assistant Professor of Law, 2007, The Paradox of Extralegal Activism: Critical Legal Consciousness and Transformative Politics,” 120 HARV. L. REV. 937, http://www.harvardlawreview.org/media/pdf/lobel.pdf

V. RESTORING CRITICAL OPTIMISM IN THE LEGAL FIELD

“La critique est aisée; l’art difficile.”

A critique of cooptation often takes an uneasy path. Critique has always been and

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constantly redefining the boundaries of legal reform and making visible law’s broad reach.

## 1NC Util

The ends justify the means

Isaac 2 – (Jeffrey, Professor of PoliSci @ Indiana-Bloomington, Director of the Center for the Study of Democracy and Public Life, PhD Yale, “Ends, Means, and Politics,” Dissent Magazine Vol 49 Issue 2)

As a result, the most important political questions are simply not asked. It

AND

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

In the face of extinction you have to weigh consequences - outweighs all else

Bok 88 (Sissela Bok, Professor of Philosophy @ Brandeis University, 1988, Applied Ethical Theory, ed. Rosenthal and Shehadi, pg. 203)

The same argument can be made for Kant’s other formulations of the Categorical Imperative:

AND

to go against even the strictest moral duty precisely because of the consequences.

This is particularly true for policymakers

Ignatieff 4 (Michael, Carr Professor of Human Rights @ Harvard, Lesser Evils, p. 18-19)

As for moral perfectionism, this would be the doctrine that a liberal state should

AND

, and thus respect for one right might lead us to betray another.

Util is inevitable even with deontology

Joshua Green Assistant Professor Department of Psychology Harvard University, Joshua, November 2002 "The Terrible, Horrible, No Good, Very Bad Truth About Morality And What To Do About It", 314

Some people who talk of balancing rights may think there is an algorithm for deciding

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represents is either dogmatic in an esoteric sort of way or covertly consequentialist.

Survival of political order is key to ethics

Stenlisli 3 (“Pace nr.1” accessed onlinehttp://www.pacem.no/2003/1/debatt/stensli/ )

The debate on political realism, a set of ontological assumptions about international politics,

AND

ability to use power, be it hard or soft, is required.

Extinction outweighs – it’s the most horrible impact imaginable and precedes rights

Schell 82 (Jonathan, Professor at Wesleyan University, The Fate of the Earth, pages 136-137)

Implicit in everything that I have said so far about the nuclear predicament there has

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think about, coloring our thoughts and moods with its presence throughout our lives

## 1NC Case Proper

Wise’s account of debate is essentialist and wrong

Renee Martin 10, anti-racist, feminist blogger and freelancer, The Limitations of Tim Wise, November 29, http://www.womanist-musings.com/2010/11/limitations-of-tim-wise.html

As a Black woman, I am very aware that I am not Wise's target

AND

comfort zone and really see racism for the pure evil that it is.

Epistemology shouldn’t be evaluated first – causes paradigm wars

Wendt 98 (professor of international security – Ohio State University, Alexander, “On Constitution and Causation in International Relations,” British International Studies Association)

As a community, we in the academic study of international politics spend too much

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debate’ between Realists and Idealists, not second-order issues of method.

Unfortunately, it is no longer a simple matter for IR scholars to ‘just

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sparring over epistemology is often one-sided, intolerant caricatures of science.

## 1NC – Dickinson

No impact – democratic norms and civil society check the worst of totalitarianism and genocide

**Dickinson**, associate professor of history – UC Davis, **‘4**

(Edward, Central European History, 37.1)

In short, the continuities between early twentieth-century biopolitical discourse and the practices

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create “multiple modernities,” modern societies with quite radically differing potentials.91

## 1NC – A2 Bare Life

No impact to bare life

Jennifer Mitzen 11, PhD, University of Chicago, Associate Professor of Political Science at Ohio State University, Michael E. Newell, “Crisis Authority, the War on Terror and the Future of Constitutional Democracy,” PDF

But what Agamben has potentially overlooked is the conversation between the government, public and

AND

, Bush and his administration left, suggesting that popular sovereignty remained intact.

# 2NC

## ROB

### 2NC – Torture

#### Ending torture is evil – if we win a risk of the disad then it circumvents all their morality arguments

Jakab 2005, Andas Jakab, M. Garcia-Pelayo Fellow Centro de Estudio Politicos y Constitucionales, "Breaching Constititonal Law on Moral Ground in the Fight against Terrorism, 2005, http://www.juridicas.unam.mx/wccl/ponencias/6/99.pdf

Heroes needed. This position maintains that Torture is prohibited both by the constitution and

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will actually do that, should be left to his or her conscience.

## BioPtx

### 1AR – A2 Bare Life

#### No impact – people can assert agency in the face of state control – ignoring this disempowers the alt

Cesare Casarino, professor of cultural studies and comparative literature at the University of Minnesota AND Antonio Negri, author of numerous volumes of philosophy and political theory. “It’s a Powerful Life: A Conversation on Contemporary Philosophy” Cultural Critique 57. 2004

AN: I believe Giorgio is writing a sequel to Homo Sacer, and I

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continuously try to subtract or neutralize our resistance. [End Page 174]

### 1AR – No Impact

#### Biopower operates to sustain life, not kill it –rejecting it risks creating more atrocities

**Ojakangas**, 20**05** - PhD in Social Science and Academy research fellow @ the Helsinki Collegium for Advanced Studies at the University of Helsinki [Mika, “The Impossible Dialogue on Biopower: Foucault and Agamben,” May 2005, Foucault Studies, No. 2, http://wlt-studies.com/no2/ojakangas1.pdf]

In fact, the history of modern Western societies would be quite incomprehensible without taking

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will hardly be either places to which to flee, or foreign lands.

#### Empirics prove

**Dickinson**, associate professor of history – UC Davis, **‘4**

(Edward, Central European History, 37.1)

A comparative framework can help us to clarify this point. Other states passed compulsory

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not develop the dynamic of constant radicalization and escalation that characterized Nazi policies.

#### Prefer our evidence – theirs is a scare tactic based off false analysis of National Socialism

**Dickinson**, associate professor of history – UC Davis, **‘4**

(Edward, Central European History, 37.1)

What I want to suggest here is that the function of the rhetorical or explanatory

AND

not a problem, it does not need to be investigated or explained.

## Al-Qaeda

### 1NC – Ballot Fails

#### The ballot fails – no spillover

Ritter 13, JD – U Texas Law, B.A. cum laude – Trinity University, ‘13

(Michael J., “OVERCOMING THE FICTION OF “SOCIAL CHANGE THROUGH DEBATE”: WHAT’S TO LEARN FROM 2PAC’S CHANGES?,” National Journal of Speech and Debate, Vol. 2, Issue 1)

The structure of competitive interscholastic debate renders any message communicated in a debate round virtually

AND

fictions and adopt them only if they promote the activity and its purposes.

### 2NC – A2: Islamophobia

#### Their argument essentializes terror scholarship – it’s not a monolithic entity – defer to specific research

Michael J. Boyle '8, School of International Relations, University of St. Andrews, and John Horgan, International Center for the Study of Terrorism, Department of Psychology, Pennsylvania State University, April 2008, “A Case Against Critical Terrorism Studies,” Critical Studies On Terrorism, Vol. 1, No. 1, p. 51-64

Some CTS advocates have positioned the CTS project against something usually called ‘terrorism studies’

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terrorology’ or ‘Orthodox Terrorism Studies’ belies a narrow reading of the literature.

# 1NR

### 2NC – Overview

Deal collapse ensures Israel will strike

Robert Satloff, Washington Institute Executive Director, 11/25/14, Iran's Nuclear Program Is Still Growing, and America's Fist Is Shrinking , www.washingtoninstitute.org/policy-analysis/view/irans-nuclear-program-is-still-growing-and-americas-fist-is-shrinking

The key question is whether Netanyahu is so incensed that he will turn the cold

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In other words, the really tough part is yet to come.

Strikes trigger biological warfare and draw in Russia and China – subsumes their nuke war defense

Morgan 9 (Dennis Ray Morgan, Hankuk University of Foreign Studies, Yongin Campus - South Korea, Futures, Volume 41, Issue 10, December 2009, Pages 683-693)

This scenario has gained even more plausibility since a January 2007 Sunday Times report [

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retaliates with nuclear attacks on Russia and possibly on China as well.11

### 2NC – Turns Ethics

Sanctions are economic warfare on innocent Iranians

Richman 12/31 (Sheldon, Sonaran News, vice president and editor at The Future of Freedom Foundation, “Does Obama want an agreement with Iran or not?”, http://www.sonorannews.com/archives/2014/140101/guested-richman.html)

Sanctions are an attack on blameless people. “The existing sanctions regime is inflicting

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for a number of diseases such as haemophilia, multiple sclerosis and cancer.”

### 2NC DAT NUKE WARRRR

NUCLEAR MEANS THE DEATH OF EVERYBODY – Laundry list of warrants – STAR THIS CARDDDD

Germanos 13 (Andrea Germanos, Staff Writer for Common Dreams, Cites Studies by IPPNW and PSR based off of models from climate studies, “Nuclear War Could Mean 'Extinction of the Human Race'”, <https://www.commondreams.org/headline/2013/12/10-2>, ZS)

A war using even a small percentage of the world's nuclear weapons threatens the lives

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“In order to eliminate this threat, we must eliminate nuclear weapons.”

Nuclear war can’t be contained - it will escalate

Carl Sagan, B.A., B.S., and PhD University of Chicago, former professor of biology and genetics at Stanford and professor of astronomy and astro-physics at Harvard, former Director of the Laboratory for Planetary Studies at Cornell, two-time winner of the NASA medal for scientific achievement, Peabody award recipient, and Pulitzer prize winning author, 1984 (*Foreign Affairs*, “Nuclear War and Climatic Catastrophe” p. Lexis)

No one knows, of course, how many warheads with what aggregate yield would

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effects described below, however, can be triggered by much smaller wars.

AND - Most recent studies prove our argument - Any nuclear war causes global cooling, devastates the planet

Starr 10 (Steven Starr, writing for The Bulletin of Atomic Scientists, nationally renowned scientific journal, text taken from article titled “The Climactic Consequences of Nuclear War” published March 12th, 2010. Text taken from [http://www.thebulletin.org/web-edition/op-eds/the-climatic-consequences-of-nuclear-war])

Although the ongoing Nuclear Posture Review is supposed to include all aspects of the strategy

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world--including all of its territory--uninhabitable, is long overdue.

### 2NC Capital Key

The plan’s hit to Obama’s standing ensures Democratic defections

Josh Kraushaar, National Journal, 11/22/13, The Iran Deal Puts Pro-Israel Democrats in a Bind, http://www.nationaljournal.com/magazine/the-iran-deal-puts-pro-israel-democrats-in-a-bind-20131122

All of this puts Democrats, who routinely win overwhelming support from Jewish Americans on

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don't be surprised to see Democrats become less hesitant about going their own way.

Capital key

Peter Nicholas, WSJ, 1/21/14, The Missing Pieces in Obama’s Bully Pulpit, blogs.wsj.com/washwire/2014/01/21/the-missing-pieces-in-obamas-bully-pulpit/

Mr. Obama has never been one for strong-arm tactics:

AND

. He wants to pass an immigration bill, a promise left over from his 2008 campaign.

Conservative backlash draws dems away from Obama

David Rhode, The Atlantic, 1/15/14, Democrats Could Wreck Obama's Biggest Foreign-Policy Success, www.theatlantic.com/international/archive/2014/01/democrats-could-wreck-obamas-biggest-foreign-policy-success/283103/

By design or accident, it is increasingly clear

AND

But there is no need for Democratic senators to add to the chaos for political gain.

Your evidence oversimplifies political capital- it’s not just about personality and likeability- it’s about the structural advantages of the presidency

Light 99 – Senior Fellow at the Center for Public Service (Paul, the President’s Agenda, p. 24-25)

Call it push, pull, punch, juice, power, or clout –

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a neutral environment. Presidents bring certain advantages and disadvantages to the table.

Also- studies prove the theory of political capital

Eshbaugh-Soha, M. (2008). Policy Priorities and Presidential Success in Congress. Conference Papers -- American Political Science Association, 1-26. Retrieved from Political Science Complete database.

Presidential-congressional relations are a central topic in the scientific study of politics.

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before Congress—should be a primary determinant of presidential success in Congress.