## 1NC

#### Obama is pushing against new Iran sanctions – failure undermines the interim deal and future negotiations

DeYoung and Warrick 12/1 Karen and Joby, Washington Post, As senators work on Iran sanctions bill, White House lobbies lawmakers not to act, 12/1/13, http://www.washingtonpost.com/world/national-security/as-senators-work-on-iran-sanctions-bill-white-house-lobbies-lawmakers-not-to-act/2013/12/01/eb3e9d5a-5927-11e3-835d-e7173847c7cc\_story.html

A bipartisan juggernaut of senior senators is spending the remaining week of the Thanksgiving recess forging agreement on a new sanctions bill that the senators hope to pass before breaking again for Christmas. The administration believes the legislation could scuttle the interim nuclear agreement reached with Iran on Nov. 23 and derail upcoming negotiations on a permanent deal — scheduled for completion in six months — to ensure that Iran will never be able to build a nuclear weapon.¶ “If you want to hold our feet to the fire on the final deal, fine, do that,” a senior administration official said. “If people have concerns about elements of a final agreement, come in and tell us. . . . But that is a separate discussion from passing a sanctions bill in the middle of negotiations.”¶ The administration contends that new sanctions not only would violate the terms of the interim agreement — which temporarily freezes Iran’s nuclear programs and modestly eases existing sanctions — but also could divide the United States from its international negotiating partners across the table from Iran and give the upper hand to Iranian hard-liners in upcoming talks.¶ “The purpose of sanctions from the outset was to create a dynamic so that you can get a change in policy from the Iran­ians,” David Cohen, the Treasury Department’s undersecretary for terrorism and financial intelligence. said in an interview. “It’s not sanctions for the sake of having sanctions.”¶ The White House has organized a full-court press between now and the Senate’s return Dec. 9 to persuade lawmakers not to act. In addition to briefings for anyone who wants one, Obama, Secretary of State John F. Kerry, national security adviser Susan E. Rice and other top officials are making personal calls. Kerry sent a video to his former Capitol Hill colleagues explaining the deal, “because some people are putting out some misinformation on it.”

#### The Cuba Lobby has huge sway - backlash will block other legislation

Leogrande 4/11 - the Dean of the American University School of Public Affairs and frequent publisher and expert on Latin America, Dean LeoGrande holds a B.A., an M.A., and a Ph.D, all from Syracuse University (William M. Leogrande, Foreign Policy, “The Cuba Lobby,” 4/11/13, http://www.foreignpolicy.com/articles/2013/04/11/the\_cuba\_lobby\_jay\_z?wp\_login\_redirect=0)//VP

Policy toward Cuba is frozen in place by a domestic political lobby with roots in the electorally pivotal state of Florida. The Cuba Lobby combines the carrot of political money with the stick of political denunciation to keep wavering Congress members, government bureaucrats, and even presidents in line behind a policy that, as President Obama himself admits, has failed for half a century and is supported by virtually no other countries. (The last time it came to a vote in the U.N. General Assembly, only Israel and the Pacific island of Palau sided with the United States.) Of course, the news at this point is not that a Cuba Lobby exists, but that it astonishingly lives on — even during the presidency of Obama, who publicly vowed to pursue a new approach to Cuba, but whose policy has been stymied thus far. Like the China Lobby, the Cuba Lobby isn’t one organization but a loose-knit conglomerate of exiles, sympathetic members of Congress and nongovernmental organizations, some of which comprise a self-interested industry nourished by the flow of “democracy promotion” money from the U.S. Agency for International Development. And like its Sino-obsessed predecessor, the Cuba Lobby was launched at the instigation of conservative Republicans in government who needed outside backers to advance their partisan policy aims. In the 1950s, they were Republican members of Congress battling New Dealers in the Truman administration over Asia policy. In the 1980s, they were officials in Ronald Reagan’s administration battling congressional Democrats over Central America policy. At the Cuba Lobby’s request, Reagan created Radio Martí, modeled on Radio Free Europe, to broadcast propaganda to Cuba. He named Jorge Mas Canosa, founder of the Cuban American National Foundation, to lead the radio’s oversight board. President George H.W. Bush followed with TV Martí. Sen. Jesse Helms, R-N.C., and Rep. Dan Burton, R-Ind., authored the 1996 Cuban Liberty and Democratic Solidarity Act, writing the economic embargo into law so no president could change it without congressional approval. Founded at the suggestion of Richard Allen, Reagan’s first national security adviser, CANF was the linchpin of the Cuba Lobby until Mas Canosa’s death in 1997. “No individual had more influence over United States policies toward Cuba over the past two decades than Jorge Mas Canosa,” The New York Times editorialized. In Washington, CANF built its reputation by spreading campaign contributions to bolster friends and punish enemies. In 1988, CANF money helped Connecticut’s Joe Lieberman defeat incumbent Sen. Lowell Weicker, whom Lieberman accused of being soft on Castro because he visited Cuba and advocated better relations. Weicker’s defeat sent a chilling message to other members of Congress: challenge the Cuba Lobby at your peril. In 1992, according to Peter Stone’s reporting in National Journal, New Jersey Democrat Sen. Robert Torricelli, seduced by the Cuba Lobby’s political money, reversed his position on Havana and wrote the Cuban Democracy Act, tightening the embargo. Today, the political action arm of the Cuba Lobby is the U.S.-Cuba Democracy PAC, which hands out more campaign dollars than CANF’s political action arm did even at its height — more than $3 million since 1996. In Miami, conservative Cuban-­Americans long have presumed to be the sole authentic voice of the community, silencing dissent by threats and, occasionally, violence. In the 1970s, anti-Castro terrorist groups such as Omega 7 and Alpha 66 set off dozens of bombs in Miami and assassinated two Cuban-Americans who advocated dialogue with Castro. Reports by Human Rights Watch in the 1990s documented the climate of fear in Miami and the role that elements of the Cuba Lobby, including CANF, played in creating it. Like the China Lobby, the Cuba Lobby has struck fear into the heart of the foreign-policy bureaucracy. The congressional wing of the Cuba Lobby, in concert with its friends in the executive branch, routinely punishes career civil servants who don’t toe the line. One of the Cuba Lobby’s early targets was John “Jay” Taylor, chief of the U.S. Interests Section in Havana, who was given an unsatisfactory annual evaluation report in 1988 by Republican stalwart Elliott Abrams, then assistant secretary of state for inter-American affairs, because Taylor reported from Havana that the Cubans were serious about wanting to negotiate peace in southern Africa and Central America. In 1993, the Cuba Lobby opposed the appointment of President Bill Clinton’s first choice to be assistant secretary of state for inter-American affairs, Mario Baeza, because he once had visited Cuba. Clinton dumped Baeza. Two years later, Clinton caved in to the lobby’s demand that he fire National Security Council official Morton Halperin, who was the architect of the successful 1995 migration accord with Cuba that created a safe, legal route for Cubans to emigrate to the United States. One chief of the U.S. diplomatic mission in Cuba told me he stopped sending sensitive cables to the State Department altogether because they so often leaked to Cuba Lobby supporters in Congress. Instead, the diplomat flew to Miami so he could report to the department by telephone. During George W. Bush’s administration, the Cuba Lobby completely captured the State Department’s Latin America bureau (renamed the Bureau of Western Hemisphere Affairs). Bush’s first assistant secretary was Otto Reich, a Cuban-American veteran of the Reagan administration and favorite of Miami hard-liners. Reich had run Reagan’s “public diplomacy” operation demonizing opponents of the president’s Central America policy as communist sympathizers. In 2002, Bush’s undersecretary for arms control and international security, John Bolton, made the dubious charge that Cuba was developing biological weapons. When the national intelligence officer for Latin America, Fulton Armstrong, (along with other intelligence community analysts) objected to this mischaracterization of the community’s assessment, Bolton and Reich tried repeatedly to have him fired. When Obama was elected president, promising a “new beginning” in relations with Havana, the Cuba Lobby relied on its congressional wing to stop him. Sen. Robert Menendez, D-N.J., the senior Cuban-American Democrat in Congress and now chairman of the Senate Foreign Relations Committee, vehemently opposes any opening to Cuba. In March 2009, he signaled his willingness to defy both his president and his party to get his way. Menendez voted with Republicans to block passage of a $410 billion omnibus appropriations bill, needed to keep the government running, because it relaxed the requirement that Cuba pay in advance for food purchases from U.S. suppliers and eased restrictions on travel to the island. To get Menendez to relent, Treasury Secretary Timothy Geithner had to promise in writing that the administration would consult Menendez on any change in U.S. policy toward Cuba.

#### Obama’s political capital is key – assumes all thumpers

Balakrishnan 12/1 Bhaskar, The Hindu Business Line, Time to end Iran's isolation, 12/1/13, Lexis

When the US Congress meets on December 9, it will no doubt take stock of the situation. Congress is the determining factor in easing general economic sanctions, something Iran desperately seeks, while the US President has powers to provide only limited relief. A Bill on more sanctions has been passed in the House by a huge bipartisan majority (400-22), and a similar Bill in the Senate is under active consideration. Considerable political capital and persuasion will be needed to get the Senate to hold off on more sanctions.¶ The gains¶ Iran has much to gain from a comprehensive agreement with the P5 plus Germany. (P5 refers to the five permanent members of the UN Security Council. Along with Germany — P5+1 — they are making diplomatic efforts over Iran's nuclear programme.) Lifting the sanctions would provide the benefits of economic growth for its population. The regime would find it easier to manage demands for greater freedom. A civil nuclear programme could grow rapidly. Conventional arms purchases and technology transfers would greatly strengthen the country. Its dominant position in the Gulf and as the leader of Shia Muslims would be recognised. The US and western allies would benefit from Iran's retreat from the nuclear weapons threshold. The nuclear non-proliferation movement would be strengthened and countries that emulate Iran's quest for nuclear weapons capability, discouraged. ¶ The success of diplomacy would stabilise the oil markets and boost world markets. Iran would be a counter to the Taliban-Al Qaeda influence in Afghanistan. ¶ Further, President Rouhani's success could well boost moderate candidates in the 2016 parliamentary elections in Iran.¶ However, Israel and Saudi Arabia oppose the interim agreement. ¶ The way forward¶ The US Congress is a major problem for the Obama administration in getting the sanctions lifted. There is deep suspicion over Iran's intentions, rightwing hostility, and bitter division over domestic issues such as healthcare and government spending. The approaching 2014 congressional election has also cast its shadow. Obama needs to be encouraged to go further by the international community. It is hoped that Iran's leaders will also realise the importance of gaining support from the US Congress.

#### Deal key to prevent war

Shank and Gould 9/12 Michael Shank, Ph.D., is director of foreign policy at the Friends Committee on National Legislation. Kate Gould is legislative associate for Middle East policy at FCNL, No Iran deal, but significant progress in Geneva, 9/12/13, http://communities.washingtontimes.com/neighborhood/cause-conflict-conclusion/2013/nov/12/no-iran-deal-significant-progress-geneva/

Congress should welcome, not stubbornly dismiss, diplomatic efforts to finalize the interim accord and support the continued conversation to reach a more comprehensive agreement. The sanctions that hawks on the Hill are pushing derail such efforts and increase the prospects of war. ¶ There is, thankfully, a growing bipartisan contingent of Congress who recognizes that more sanctions could undercut the delicate diplomatic efforts underway. Senator Carl Levin, D-Mich., chair of the Senate Armed Services Committee, cautioned early on that, “We should not at this time impose additional sanctions.” ¶ Senator Tim Johnson, D-S.D., chair of the Banking Committee, is still weighing whether to press forward with new sanctions in his committee. Separately, as early as next week, the Senate could vote on Iran sanctions amendments during the chamber’s debate on the must-pass annual defense authorization bill.¶ This caution against new sanctions, coming from these more sober quarters of the Senate, echoes the warnings from a wide spectrum of former U.S. military officials against new sanctions. There is broad recognition by U.S. and Israeli security officials that the military option is not the preferred option; a diplomatic one is. ¶ This widespread support for a negotiated solution was highlighted last week when 79 national security heavyweights signed on to a resounding endorsement of the Obama Administration’s latest diplomatic efforts.¶ Any member of Congress rejecting a diplomatic solution moves the United States toward another war in the Middle East. Saying no to this deal-in-the-works, furthermore, brings the world no closer toward the goal of Iran giving up its entire nuclear program. Rather, it would likely result in an unchecked Iranian enrichment program, while the United States and Iran would teeter perilously close on the brink of war. ¶ A deal to prevent war and a nuclear-armed Iran is within reach and it would be dangerous to let it slip away. Congress can do the right thing here, for America’s security and Middle East’s stability, and take the higher diplomatic road. Pandering to harsh rhetoric and campaign contributors is no way to sustain a foreign policy agenda. It will only make America and her assets abroad less secure, not more. The time is now to curb Iran’s enrichment program as well as Congress’s obstructionism to a peaceful path forward.

#### US-Iran war causes global nuclear war and collapses the global economy

Avery 11/6 John Scales, Lektor Emeritus, Associate Professor, at the Department of Chemistry, University of Copenhagen, since 1990 he has been the Contact Person in Denmark for Pugwash Conferences on Science and World Affairs, An Attack On Iran Could Escalate Into Global Nuclear War, 11/6/13, http://www.countercurrents.org/avery061113.htm

Despite the willingness of Iran's new President, Hassan Rouhani to make all reasonable concessions to US demands, Israeli pressure groups in Washington continue to demand an attack on Iran. But such an attack might escalate into a global nuclear war, with catastrophic consequences.¶ As we approach the 100th anniversary World War I, we should remember that this colossal disaster escalated uncontrollably from what was intended to be a minor conflict. There is a danger that an attack on Iran would escalate into a large-scale war in the Middle East, entirely destabilizing a region that is already deep in problems.¶ The unstable government of Pakistan might be overthrown, and the revolutionary Pakistani government might enter the war on the side of Iran, thus introducing nuclear weapons into the conflict. Russia and China, firm allies of Iran, might also be drawn into a general war in the Middle East. Since much of the world's oil comes from the region, such a war would certainly cause the price of oil to reach unheard-of heights, with catastrophic effects on the global economy.¶ In the dangerous situation that could potentially result from an attack on Iran, there is a risk that nuclear weapons would be used, either intentionally, or by accident or miscalculation. Recent research has shown that besides making large areas of the world uninhabitable through long-lasting radioactive contamination, a nuclear war would damage global agriculture to such a extent that a global famine of previously unknown proportions would result.¶ Thus, nuclear war is the ultimate ecological catastrophe. It could destroy human civilization and much of the biosphere. To risk such a war would be an unforgivable offense against the lives and future of all the peoples of the world, US citizens included.

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#### Interpretation – economic engagement only includes the use of economic tools for contact

Jakstaite, 10 - Doctoral Candidate Vytautas Magnus University Faculty of Political Sciences and Diplomacy (Lithuania) (Gerda, “CONTAINMENT AND ENGAGEMENT AS MIDDLE-RANGE THEORIES” BALTIC JOURNAL OF LAW & POLITICS VOLUME 3, NUMBER 2 (2010), DOI: 10.2478/v10076-010-0015-7)

The approach to engagement as economic engagement focuses exclusively on economic instruments of foreign policy with the main national interest being security. Economic engagement is a policy of the conscious development of economic relations with the adversary in order to change the target state‟s behaviour and to improve bilateral relations.94 Economic engagement is academically wielded in several respects. It recommends that the state engage the target country in the international community (with the there existing rules) and modify the target state‟s run foreign policy, thus preventing the emergence of a potential enemy.95 Thus, this strategy aims to ensure safety in particular, whereas economic benefit is not a priority objective. Objectives of economic engagement indicate that this form of engagement is designed for relations with problematic countries – those that pose a potential danger to national security of a state that implements economic engagement. Professor of the University of California Paul Papayoanou and University of Maryland professor Scott Kastner say that economic engagement should be used in relations with the emerging powers: countries which accumulate more and more power, and attempt a new division of power in the international system – i.e., pose a serious challenge for the status quo in the international system (the latter theorists have focused specifically on China-US relations). These theorists also claim that economic engagement is recommended in relations with emerging powers whose regimes are not democratic – that is, against such players in the international system with which it is difficult to agree on foreign policy by other means.96 Meanwhile, other supporters of economic engagement (for example, professor of the University of California Miles Kahler) are not as categorical and do not exclude the possibility to realize economic engagement in relations with democratic regimes.97 Proponents of economic engagement believe that the economy may be one factor which leads to closer relations and cooperation (a more peaceful foreign policy and the expected pledge to cooperate) between hostile countries – closer economic ties will develop the target state‟s dependence on economic engagement implementing state for which such relations will also be cost-effective (i.e., the mutual dependence). However, there are some important conditions for the economic factor in engagement to be effective and bring the desired results. P. Papayoanou and S. Kastner note that economic engagement gives the most positive results when initial economic relations with the target state is minimal and when the target state‟s political forces are interested in development of international economic relations. Whether economic relations will encourage the target state to develop more peaceful foreign policy and willingness to cooperate will depend on the extent to which the target state‟s forces with economic interests are influential in internal political structure. If the target country‟s dominant political coalition includes the leaders or groups interested in the development of international economic relations, economic ties between the development would bring the desired results. Academics note that in non-democratic countries in particular leaders often have an interest to pursue economic cooperation with the powerful economic partners because that would help them maintain a dominant position in their own country.98 Proponents of economic engagement do not provide a detailed description of the means of this form of engagement, but identify a number of possible variants of engagement: conditional economic engagement, using the restrictions caused by economic dependency and unconditional economic engagement by exploiting economic dependency caused by the flow. Conditional economic engagement, sometimes called linkage or economic carrots engagement, could be described as conflicting with economic sanctions. A state that implements this form of engagement instead of menacing to use sanctions for not changing policy course promises for a target state to provide more economic benefits in return for the desired political change. Thus, in this case economic ties are developed depending on changes in the target state‟s behaviour.99 Unconditional economic engagement is more moderate form of engagement. Engagement applying state while developing economic relations with an adversary hopes that the resulting economic dependence over time will change foreign policy course of the target state and reduce the likelihood of armed conflict. Theorists assume that economic dependence may act as a restriction of target state‟s foreign policy or as transforming factor that changes target state‟s foreign policy objectives.100 Thus, economic engagement focuses solely on economic measures (although theorists do not give a more detailed description), on strategically important actors of the international arena and includes other types of engagement, such as the conditional-unconditional economic engagement.

#### ‘Its’ means ownership

GEGT, 05 – Glossary of English Grammar Terms (2005, Using English, http://www.usingenglish.com/glossary/possessive-pronoun.html)//VP

Mine, yours, his, hers, its, ours, theirs are the possessive pronouns used to substitute a noun and to show possession or ownership. EG. This is your disk and that's mine. (Mine substitutes the word disk and shows that it belongs to me.)

#### Violation – the aff establishes a framework for future engagement without actually economically engaging – it just normalizes relations

#### Voting Issue-

#### A) Limits – including indirect incentives is a limits disaster

Resnik, 1– Assistant Professor of Political Science at Yeshiva University (Evan, Journal of International Affairs, “Defining Engagement” v54, n2, political science complete)

DEFINING ENGAGEMENT TOO BROADLY

A second problem associated with various scholarly treatments of engagement is the tendency to define the concept too broadly to be of much help to the analyst. For instance, Cha's definition of engagement as any policy whose means are "non-coercive and non-punitive" is so vague that essentially any positive sanction could be considered engagement. The definition put forth by Alastair lain Johnston and Robert Ross in their edited volume, Engaging China, is equally nebulous. According to Johnston and Ross, engagement constitutes "the use of non-coercive methods to ameliorate the non-status quo elements of a rising power's behavior."(n14) Likewise, in his work, Rogue States and US Foreign Policy, Robert Litwak defines engagement as "positive sanctions."(n15) Moreover, in their edited volume, Honey and Vinegar: Incentives, Sanctions, and Foreign Policy, Richard Haass and Meghan O'Sullivan define engagement as "a foreign policy strategy that depends to a significant degree on positive incentives to achieve its objectives."(n16)As policymakers possess a highly differentiated typology of alternative options in the realm of negative sanctions from which to choose--including covert action, deterrence, coercive diplomacy, containment, limited war and total war--it is only reasonable to expect that they should have a similar menu of options in the realm of positive sanctions than simply engagement. Equating engagement with positive sanctions risks lumping together a variety of discrete actions that could be analyzed by distinguishing among them and comparing them as separate policies.

#### B) Precision – only direct economic transfers are engagement – key to predictability

Resnik, 1– Assistant Professor of Political Science at Yeshiva University (Evan, Journal of International Affairs, “Defining Engagement” v54, n2, political science complete)

Thus, a rigid conceptual distinction can be drawn between engagement and appeasement. Whereas both policies are positive sanctions--insofar as they add to the power and prestige of the target state--engagement does so in a less direct and less militarized fashion than appeasement. In addition, engagement differs from appeasement by establishing an increasingly interdependent relationship between the sender and the target state. At any juncture, the sender state can, in theory, abrogate such a relationship at some (ideally prohibitive) cost to the target state.(n34) Appeasement, on the other hand, does not involve the establishment of contacts or interdependence between the appeaser and the appeased. Territory and/or a sphere of influence are merely transferred by one party to the other either unconditionally or in exchange for certain concessions on the part of the target state.

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#### U.S travel destroys Cuban environment

**Bovee, 13 –** Reporter (Michelle, “Tourism in Cuba?”, policymic, 3/27/13, [http://notenoughgood.com/2013/03/tourism-in-cuba/)//AB](http://notenoughgood.com/2013/03/tourism-in-cuba/%29//AB)

There are downsides, though, to increasing tourism in Cuba. The environment, for one, could suffer greatly from an influx of foreign tourists. Cuba’s strict laws prevent even locals from entering some areas, thus keeping them pristine and beautiful. A tourist boom–which seems inevitable if the US were to drop the travel embargo–would encourage the Cuban government to ease restrictions to allow travelers access to these natural paradises, which would then, of course, not be pristine paradises any longer. Additionally, as some have already noted, the increase in tourism just in the last 10 years has “prettified” some of the traditional Cuban landmarks, like the once-scruffy Dos Hermanos bar where Hemmingway reportedly drank. The Cuban Ministry of Tourism would have to work hard to ensure that Cuba retains the mystery and natural beauty that makes tourists so eager to visit, or else the tourism would not be sustainable. Once the draw of visiting a formerly forbidden country wears off, the cultural heritage sites and beautiful beaches must be enough to encourage future tourism.

#### Plan will collapse coral reefs

**Boom, 12** – director of the Caribbean Biodiversity Program and Bassett Maguire Curator of Botany at the New York Botanical Garden (Brian M., 8/14/2012, “Biodiversity without Borders”, Science and Diplomacy, http://www.sciencediplomacy.org/article/2012/biodiversity-without-borders)//VP

These ecosystems are threatened increasingly by habitat modification, the impact of tourism, overexploitation of marine fishes and other commercial seafood resources, the ramifications of climate change and rising sea levels, and pollution from land-based sources (e.g., unsustainable agricultural and forestry practices) and ocean-based sources (e.g., cruise ship waste). Increasing tourism especially threatens coral reefs. Despite some positive measures taken by the cruise industry in recent years, more cruise ships in the region still mean greater potential stresses to the marine and coastal environments. In addition to these and other shared ecosystems, many marine and terrestrial species are shared by Cuba and the United States. Examples include migratory, invasive, endangered, and disease vector species.

#### Coral reefs key internal link to biodiversity

**NOAA 08** (NOAA, March 25th, 2008, “Importance of Coral Reefs”, http://oceanservice.noaa.gov/education/kits/corals/coral07\_importance.html)

Coral reefs are some of the most diverse and valuable ecosystems on Earth. Coral reefs support more species per unit area than any other marine environment, including about 4,000 species of fish, 800 species of hard corals and hundreds of other species. Scientists estimate that there may be another 1 to 8 million undiscovered species of organisms living in and around reefs (Reaka-Kudla, 1997). This biodiversity is considered key to finding new medicines for the 21st century. Many drugs are now being developed from coral reef animals and plants as possible cures for cancer, arthritis, human bacterial infections, viruses, and other diseases. Storehouses of immense biological wealth, reefs also provide economic and environmental services to millions of people. Coral reefs may provide goods and services worth $375 billion each year. This is an amazing figure for an environment that covers less than 1 percent of the Earth’s surface (Costanza et al., 1997). In the 1890s, harvesting sponges was second only to cigar-making in economic importance in the Florida Keys. Nets of recently harvested marine sponges are drying on the top of the boat's wheelhouse. Click the image for a larger vew. (photo: Scott Larosa) Healthy reefs contribute to local economies through tourism. Diving tours, fishing trips, hotels, restaurants, and other businesses based near reef systems provide millions of jobs and contribute billions of dollars all over the world. Recent studies show that millions of people visit coral reefs in the Florida Keys every year. These reefs alone are estimated to have an asset value of $7.6 billion (Johns et al., 2001). The commercial value of U.S. fisheries from coral reefs is over $100 million (NMFS/NOAA, 2001). In addition, the annual value of reef-dependent recreational fisheries probably exceeds $100 million per year. In developing countries, coral reefs contribute about one-quarter of the total fish catch, providing critical food resources for tens of millions of people (Jameson et al., 1995). Coral reefs buffer adjacent shorelines from wave action and prevent erosion, property damage and loss of life. Reefs also protect the highly productive wetlands along the coast, as well as ports and harbors and the economies they support. Globally, half a billion people are estimated to live within 100 kilometers of a coral reef and benefit from its production and protection.

#### Biodiversity loss risks extinction

Walsh 10 [Bryan, covers environment, energy and — when the need arises — particularly alarming diseases for TIME magazine, Wildlife: A Global Convention on Biodiversity Opens in Japan, But Can It Make a Difference? October 18, 2010 http://ecocentric.blogs.time.com/2010/10/18/wildlife-a-global-convention-on-biodiversity-opens-in-japan-but-can-it-make-a-difference/#ixzz131wU6CSp]

The story of non-human life on the planet Earth over the past few decades is a simple one: loss. While there are always a few bright spots—including the recovery of threatened animals like the brown pelican, thanks to the quietly revolutionary Endangered Species Act—on a planetary scale biodiversity is steadily marching backwards, with extinctions rising and habitat destroyed. Species as diverse as the tiger—less than 3,500 live in the wild today—to tiny frogs could be gone forever if the trends keep heading downwards. In a bitterly ironic twist, back in 2002 the United Nations declared that 2010 would be the international year of biodiversity, and countries agreed to" achieve a significant reduction of the current rate of biodiversity loss at the global, regional and national level," as part of the UN Convention on Biological Diversity (CBD). At this paper in Science shows (download a PDF here), however, the world has utterly failed to reduce the rate of biodiversity loss, and by just about every measurement, things are getting worse all the time. (Read the Global Biodiversity Outlook if you really want to be depressed.) With that cheery backdrop, representatives from nearly 200 nations are meeting in the Japanese city of Nagoya—home to Toyota and not a whole lot else—for the 10th summit of the CBD, where they will set new goals for reducing species loss and slowing habitat destruction. At the very least, they should know how critical the biodiversity challenge is—as Japanese Environment Minister Ryo Matsumoto said in an opening speech: All life on Earth exists thanks to the benefits from biodiversity in the forms of fertile soil, clear water and clean air. We are now close to a 'tipping point' - that is, we are about to reach a threshold beyond which biodiversity loss will become irreversible, and may cross that threshold in the next 10 years if we do not make proactive efforts for conserving biodiversity. Ahmed Djoghlaf, the executive secretary of the CBD, struck an even darker note, reminding diplomats that they were on a clock—and time was running out: Let's have the courage to look in the eyes of our children and admit that we have failed, individually and collectively, to fulfil the Johannesburg promise made by 110 heads of state to substantially reduce the rate of loss of biodiversity by 2010. Let us look in the eyes of our children and admit that we continue to lose biodiversity at an unprecedented rate, thus mortgaging their future. But what will actually come out of the Nagoya summit, which will continue until Oct. 29? Most likely there will be another agreement—a new protocol—outlining various global strategies on sustaining biodiversity and goals on slowing the rate of species loss. (You can download a PDF of the discussion draft document that will be picked over at Nagoya.) It won't be hard for governments to agree on general ambitions for reducing biodiversity loss—who's against saving pandas?—but the negotiations will be much trickier on the question of who will actually pay for a more biodiverse planet? And much as we've seen in international climate change negotiations, the essential divide is between the developed and developing nations—and neither side seems ready to bend. The reality is that much of the world's biodiversity—the most fantastic species and the most complete forests—is found in the poorer, less developed parts of the world. That's in part because the world's poor have been, well, too poor to develop the land around them in the way rich nations have. (There was once a beautiful, undeveloped island off the East Coast of the U.S., with wetlands and abundant forests. It was called Mannahatta. It's a little different now.) As a result, the rural poor—especially in tropical nations—are directly dependent on healthy wildlife and plants in a way that inhabitants of developed nations aren't. So on one hand that makes the poor directly vulnerable when species are lost and forests are chopped down—which often results in migration to thronging urban areas. But on the other, poverty often drives the rural poor to slash-and-burn forests for agriculture, or hunt endangered species to sell for bush meat. Conservation and development have to go hand in hand. That hasn't always been the mantra of the conservation movement—as Rebecca Tuhus-Dubrow writes in Slate, conservation projects in the past sometimes displaced the human inhabitants over a reserve or park, privileging nature over people. But that's changed in recent decades—environmental groups like Conservation International or the Nature Conservancy now spend as much of their time working on development as they do in protecting nature. "Save the people, save the wildlife"—that's the new mantra. The missing ingredient is money—and that's what will be up for debate at Nagoya. As climate change has risen on the international agenda, funding for biodiversity has lagged—the 33 member nations of the Organization for Economic Co-operation and Development (OECD) donated $8.5 billion for climate change mitigation projects in 2008, but just $3 billion annually for biodiversity. One way to change that could be through "payment for ecosystem services." A biodiverse landscape, intact forests, clean water and air—all of these ebbing qualities of a healthy world are vital for our economies as well. (The Economics of Ecosystems and Biodiversity, a UN-funded study, estimates that nature degradation costs the world $2 trillion to $5 trillion a year, with the poorest nations bearing the brunt of the loss.) Rich countries could pay more biodiverse developing nations to keep nature running—allowing poorer countries to capitalize on their natural resources without slashing and burning. Will that work? I'm skeptical—the experience of climate change negotiations have shown that the nations of the world are great at high ideals and fuzzy goals, but not so hot at actually dividing up the pie in a more sustainable fashion. That doesn't mean there aren't smaller solutions—like Costa Rica's just-announced debt-for-nature deal—but a big bang from Japan this month doesn't seem too likely. The problem is as simple as it is unsolvable, at least so far—there's no clear path to national development so far that doesn't take from the natural world. That worked for rich nations, but we're rapidly running out of planet, as a report last week from the World Wildlife Fund showed. And there's something greater at stake as well, as the naturalist E.O. Wilson once put it: The one process now going on that will take millions of years to correct is the loss of genetic and species diversity by the destruction of natural habitats-this is the folly our descendants are least likely to forgive us. We're losing nature. And that loss really is forever.

## 1NC

#### Text: The United States Supreme Court should normalize its travel relations with Cuba by ruling the Cuban travel ban unconstitutional.

CP is competitive – they don’t spec their agent – vote neg because it kills agent CPs and branch specific DA’s AND hurts knowledge about implementation

#### Travel ban is unconstitutional – Courts are a prerequisite

**Crumpacker, 05** (Tom, Lawyer and M.A. in Latin American studies @ Georgetown U, A Constitutional Right to Travel to Cuba, 1/17/5, www.counterpunch.org/2005/01/15/a-constitutional-right-to-travel-to-cuba/)//VP

Magna Carta has been an important part of English law for almost eight centuries. When United States became a nation, English common law remained in effect here except insofar as it was changed by our Constitution, statutes and case law. The First Amendment to our Constitution (1791) provides that Congress shall make no law abridging the freedom of speech, or of the press, or of the right of the people to peaceably assemble. The right of assembly was construed broadly by our Supreme Court to include the right of association it implies. The right of travel to nations at peace with us was so clear and obvious that our government didn’t try to restrict it until the time of the Cold War, when both socialist and capitalist governments began preventing their citizens from learning what things were like on the other side of the Iron Curtain. However, efforts to prevent our travel to socialist countries including Cuba were declared unconstitutional by our Supreme Court. Concurring in Aptheker v. State, 378 US 500 (1964), Justice Douglas stated as regards the First Amendment (citations omitted): "Free movement by the citizen is of course as dangerous to a tyrant as free expression of ideas or the right of assembly and it is therefore controlled in most countries in the interests of security….Freedom of movement, at home and abroad, is important for job and business opportunities — for cultural, political, and social activities — for all the commingling which gregarious man enjoys. Those with the right of free movement use it at times for mischievous purposes. But that is true of many liberties we enjoy. We nevertheless place our faith in them, and against restraint, knowing that the risk of abusing liberty so as to give rise to punishable conduct is part of the price we pay for this free society. Freedom of movement is kin to the right of assembly and to the right of association. War may be the occasion for serious curtailment of liberty. Absent war, I see no way to keep a citizen from traveling within or without the country, unless there is power to detain him. This freedom of movement is the very essence of our free society, setting us apart. Like the right of assembly and the right of association, it often makes all other rights meaningful." The Fifth Amendment (1791) provides that no citizen shall be deprived of his liberty without due process of law. In Kent v. Dulles, 357 US 111 (1958), the Court held that foreign travel is necessarily implied as part of this "liberty," stating (citations omitted): "The right to travel is a part of the `liberty’ of which the citizen cannot be deprived without due process of law under the Fifth Amendment. . . . Freedom of movement across frontiers in either direction, and inside frontiers as well, was a part of our heritage. Travel abroad, like travel within the country . . . may be as close to the heart of the individual as the choice of what he eats, or wears, or reads. Freedom of movement is basic in our scheme of values.” We can’t be deprived of our Fifth Amendment liberty of travel "without due process of law." Due process in this situation is not afforded unless, as suggested in Magna Carta, the travel endangers national security. In Kent v. Dulles above, the Court indicated that restrictive legislation must be based on grave, immediate danger to the national security which is stated in explicit terms pursuant to the lawmaking function. The Court has never allowed a restriction of our travel where national security was not at such risk. Reagan currency restrictions. The Trading With the Enemy Act of 1917 (TWEA) allows our presidents after declaring a national emergency to prohibit or restrict not travel but "trade" with foreign nations, such trade being broadly defined as including any "money transactions." The TWEA has been used as authority for our presidents without consulting Congress to impose embargoes and other trade sanctions on various nations in emergencies. In 1982 the Reagan Administration promulgated regulations, under authority of TWEA, under which State Department licensed certain limited types of Cuba travel only, such as diplomats, full time journalists, academic research, educational conferences, family visits. The spending of money involved in unlicensed travel was criminalized by Treasury Department regulations and enforced by Treasury’s Office of Foreign Assets Control (OFAC). In 1984 the Court in Regan v. Wald, 468 US 222 (a 5-4 opinion) upheld the constitutionality of these currency restrictions under TWEA as part of the Cuba trade embargo, deferring (as courts must) to State’s opinion that the Cold War was an ongoing national emergency, Cuba had the military, political and economic support of the Soviet Union, and due process was afforded because national security was at substantial risk. The majority opinion by Chief Justice Rehnquist (first quoting Zemel v. Rusk which had been decided shortly after the Cuba missile crisis) stated (citations omitted): "’That the restriction which is challenged in this case is supported by the weightiest considerations of national security is perhaps best pointed up by recalling that the Cuban missile crisis of October 1962 preceded the filing of appellant’s complaint by less than two months.’ We see no reason to differentiate between the travel restrictions imposed by the President in the present case and the passport restrictions imposed by the Secretary of State in Zemel. Both have the practical effect of preventing travel to Cuba by most American citizens, and both are justified by weighty concerns of foreign policy….In the opinion of the State Department, Cuba, with the political, economic, and military backing of the Soviet Union, has provided widespread support for armed violence and terrorism in the Western Hemisphere. Cuba also maintains close to 40,000 troops in various countries in Africa and the Middle East.Given the traditional deference to executive judgment…, we think there is an adequate basis under the Due Process Clause of the Fifth Amendment to sustain the President’s decision to curtail the flow of hard currency to Cuba – currency that could then be used in support of Cuban adventurism — by restricting travel." By 1991 all these factors supposedly endangering our security were no longer in existence. The Cold War had ended in 1989. The Soviet Union had disappeared in 1991, along with its support of Cuba. Cuba "adventurism" in the hemisphere had ended at least by the early eighties. Cuban troops were removed from Africa and the Middle East (if ever there) in the mid-eighties. Since then they have been sending physicians, health care and literacy workers instead of soldiers. In 1994 and thereafter our Defense Department, after full review of all intelligence and full on-site investigations of Cuban military equipment, manpower and facilities, has continually certified that Cuba poses no risk to our national security.

#### The Supreme Court can do the aff and avoids politics

**Tushnet 8** (law professor at Harvard, Mark, “THE OBAMA PRESIDENCY AND THE ROBERTS COURT: SOME HINTS FROM POLITICAL SCIENCE: POLITICAL FOUNDATIONS OF JUDICIAL SUPREM-ACY: THE PRESIDENCY, THE SUPREME COURT, AND CONSTITUTIONAL LEADERSHIP IN U.S. HISTORY”, Summer, 25 Const. Commentary 343, lexis, Accessed 2/18/2013, rwg)

What can the courts do for a resilient regime? Presidents and Congress have limited time and political energy. They will spend them on what they regard as central issues. But at any time there will be "outliers" - geographic regions as yet uncommitted to the regime's constitutional understandings, or substantive areas that plainly require change if those understandings are to become deeply implanted in society, yet politically too touchy [\*347] or relatively unimportant to Congress. "For the affiliated leader, enhancing judicial authority to define and enforce constitutional meaning provides an efficient mechanism for supervising and correcting those who might fail to adhere to the politically preferred constitutional vision" (pp. 105-06). The courts can serve as a convenient but essentially administrative mechanism for bringing these outliers into the constitutional order. n16¶ In addition, the courts may have rhetorical resources unavailable to presidents. Their obligation to explain their decisions, and the fact that they make decision after decision, means that they have an opportunity to develop a reasonably general account of the resilient regime's constitutional understandings. In Whittington's words, "It is the classic task of judges within the Anglo-American tradition ... to render new decisions and lay down new rules that can be explicated as a mere working out of previously established legal principles" (p. 84). Presidents, in contrast, only sporadically make speeches illuminating those understandings.¶ More boldly, affiliated presidents may try to use the courts to "overcomee gridlock" (p. 124) caused by the strategic positions recalcitrant opponents of the new constitutional regime may occupy. And, if not "use the courts," at least rely on the courts to take the initiative, because "the Court can sometimes move forward on the constitutional agenda where other political officials cannot" (p. 125). "Coalition leaders might be constrained by the needs of coalition maintenance," but "judges have a relatively free hand" (p. 125). This "use" of the courts, though, poses risks. The courts may push the regime's constitutional principles further and faster than is politically wise, and the regime's political leaders may find themselves on the defensive. Indeed, in this way the courts can contribute to making a resilient regime vulnerable, which may be part of the story about the Warren Court and the demise of the New Deal/Great Society regime. n17¶ [\*348] Preemptive presidents face a special strategic problem. Sometimes they take office because they manage to persuade the public that they remain committed to a resilient regime's constitutional vision even if in their hearts they want to transform the regime. n18 At other times they take office as a regime becomes vulnerable, but do not themselves have the program, vision, or charisma to be reconstructive presidents themselves. n19 They are likely to face opposition in Congress and to some degree in the courts. But they can turn divided government to their advantage by seeking judicial confirmation of executive prerogative. The judges in place might be sympathetic to such claims for doctrinal and political reasons. They will have "inherited from affiliated administrations" (p. 169) doctrines supporting executive authority. And, though Whittington doesn't make this point explicitly, they may see the preemptive president as an accident, soon to be replaced by an affiliated one whose exercises of presidential power they will want to endorse. Finally, preemptive presidents need to get their authority from somewhere when they face congressional opposition, as they will. They don't have much of their own, but they can try "to borrow from the authority of the courts in order to hold off their political adversaries" (p. 195).¶ One final point before I move to some speculations about the future of judicial supremacy. Whittington emphasizes the growth of judicial supremacy during the twentieth century, both in terms of the judges' self-understanding and, perhaps more importantly, in terms of the degree of political commitment to judicial supremacy (p. 25). He suggests that politicians have had increasingly strong reasons to support the Supreme Court. The reconstructive presidency of Ronald Reagan was less ambitious than that of Franklin Roosevelt (p. 232), assuring the American people that Reagan's policies would strengthen rather than destroy the social safety nets that Roosevelt and Lyndon Johnson's regimes had created. Even a reconstructive president could hope that the Supreme Court would assist in articulating regime principles in the way the Court ordinarily does for affiliated presidents. Further, drawing again on Skowronek's account of the [\*349] ways in which regimes leave a residue even after they have been displaced, Whittington describes the doctrinal thickening that occurred during the twentieth century with respect to essentially every possible ideological and political commitment a President could have (p. 283). Doctrinal thickening means that every member of a ruling coalition will have some basis in constitutional law for its assertions that the Constitution requires satisfaction of its policy preferences, and that the Court cannot possibly satisfy all the demands on it. n20 So, for the future, we might expect Presidents to have increasingly ambivalent views about the Supreme Court. In the twenty-first century, the Supreme Court will be useful and annoying to every President - useful because the Court can do some policy work that Presidents would rather not expend time and political capital on, and annoying because the Court's failure to satisfy all the demands emanating from a President's political supporters will put pressure on the President to do something about the Court.

#### The reviewing and examining laws through ruling it unconstitutional is key to judicial independence

**Shetreet 89** (Shimon Shetreet. “Judicial Independence: The Contemporary Debate”. Chapter 33. 1985. Martinus Nijhoff. Google Books. http://books.google.com/books?id=jEG0KVCu\_soC&printsec=frontcover#v=onepage&q&f=false)//JuneC//

The Course and Framework of IBA Project¶ The judiciary has developed from a dispute-resolution mechanism, to a¶significant social institution with an important constitutional role which participates¶ along with other institutions in shaping the life of its community. Social, political¶ and economic exchanges, in recent times, in most countries, have confronted the¶ courts and judges with new challenges and new problems.¶ The centralization of the responsibility and supervision of court administration¶ and judicial administration has raised the issue of the relationship between the¶ judiciary and the executive, and made it necessary to examine and delineate the¶ boundaries of § the scope of executive control on judges, courts and judicial¶ administration; and court financing. It was also necessary to review the rules,¶ traditions, and practices governing the conduct of judges off the bench, in the¶ various areas of activities.¶ A modern conception of judicial independence cannot be confined to the¶ individual judge and to his substantive and personal independence, but must include¶ collective independence of the judiciary as a whole. The concept of collective¶ judicial independence may require a greater measure of judicial participation in the¶ central administration of the courts including the preparation of budgets for the¶ courts, and depending on one's view of the nature of judicial independence, the¶ extent of participation may range from consultation, joint responsibility¶ with the executive, or exclusive judicial responsibility. Examination of the law and practice of various countries, concerning issues¶ which have a Hearing on judges and judicial independence, reveals differences and¶ even conflicts.: These differences sometimes result from differences in conceptions¶ and perceptions, and sometimes stem from historical reasons or diversity of¶ circumstances,: including a lack of initiative to review old practices and introduce¶ reform. »¶ In recent: years, the problem of judicial independence has been highlighted by numerous incidents of violation of judicial independence in many parts of the world.¶ These violations of judicial independence took different forms, and occurred In¶ countries with different systems of government.¶ These events, the apparent diversities and conflicts between different¶ countries on the law and practice, concerning judges and judicial independence, and¶ generally the developments in modern society, In political and social conditions,¶ called for the review of conceptions, traditions and principles bearing on judicial¶ independence. Moreover, the concepts on the nature of judicial office and on the¶ role of the individual judge and the judicial branch have undergone changes. The¶ time was ripe for a crystallization of these changing concepts in a set of¶ International Minimum Standards of Judicial Independence.¶ These were the main reasons behind the decision of the International Bar¶ Association in August 1980 to embark upon a project for the development of an¶ international comprehensive code of minimum standards of judicial independence.¶ In i982 after over two years of intensive work since the initiation of the project, it¶ was possible to develop an international code of judicial independence based on the¶ General Report, on 29 National Reports, and 15 topical reports. The National¶ Reports followed the guidelines laid down by the General Rapporteur, detailing the¶ specific questions which the National Rapporteurs were requested to address.¶ It was in 1980 at the 18th Biennial Convention in Berlin that the International¶ Bar Association embarked upon the project for the development of an International¶ comprehensive code of minimum standards of judicial independence. 'l11e Project¶ was the responsibility of the Committee on Administration of Justice in the Section¶ of General Practice. Justice D.l{. l-laese of Australia, the Chairman of the¶ Committee acted as the Project Coordinator, and this author served as General¶ Rapporteur of the Project. Justice Haese succeeded Chief Justice L. King, also of¶ Australia, in the office of Project Coordinator, in the beginning of 1982.¶ National rapporteurs and topical Rapporteurs of the highest academic and¶ professional standing from over 30 countries took part in the Project. The¶ participating countries are geographically representative of the world, and fairly¶ represent the major legal families of judicial systems, as well as the major systems¶ of government. (The exception is the communist-bloc countries which abstained¶ from involvement in the project.)¶ After the initiation of the Project in August 1980 substantial work has already¶ been done. The first Draft of the Minimum Standards were presented by the¶ General Rapporteur to the Lisbon conference in May 1981, where the Draft¶ Standards were debated and revised Based on the resolutions in the Lisbon¶ Conference and other suggestions made in the course of the proceedings in that¶ conference, the General Rapporteur prepared the Jerusalem Revised Draft¶ Standards, for debate and approval in the Jerusalem Planning Conference in March¶ l982. The Jerusalem Approved Standards, the fruits of the Jerusalem Conference,¶ were submitted for final approval to the nineteenth IBA Biennial Convention in New¶ Delhi in October 1982, and were finally approved with slight changes.¶ I take this opportunity to acknowledge with gratitude the help of the National¶ Rapporteurs and of the Topical Rapporteurs and to express deep appreciation for¶ their moat significant contribution to the success of the IBA project. l am¶ particularly indebted to Chief Justice King and Justice Haee, the Project¶ coordinators, for their invaluable and indispensable work. Thanks are also due to the¶ IBA Head Office in London for their help throughout the period of work on the¶ project.¶ In the course of the Project we have been in touch with other organizations¶ involved in similar efforts such as the International Commission of Jurists in¶ Geneva, whose representatives attended our conferences in Lisbon in 1981 in¶ Jerusalem in March 1982 and In New Delhi in October 1982.¶

#### Judicial independence is key to human rights and de-escalates conflicts

**OSCE 12** (Organization for Security and Co-operation in Europe MISSION IN KOSOVO. “Independence of the Judiciary in Kosovo: Institutional and Functional Dimensions”. January 2012. http://www.osce.org/kosovo/87138)//JuneC//

I. INTRODUCTION¶ “Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.”¶Article 10, Universal Declaration of Human Rights (UDHR)¶This report addresses the topic of judicial independence in Kosovo, an issue which continues to impact upon the rule of law, access to justice and the equitable enjoyment of human rights. The report sets out to assess the current situation of the Kosovo judicial system in the light of significant developments which have taken place in recent years, as well as to identify outstanding problems which remain to be addressed, and make recommendations to that end.¶ Article Ten of the UDHR1 sets forth a well-known human rights principle, one so pervasive that not only the UDHR, but every regional human rights instrument and most constitutions around the world have codified it.2 The right to a fair trial by an independent and impartial tribunal is a cornerstone to governance systems based upon the rule of law.3 The basis of judicial independence is straightforward; it requires that the courts decide matters impartially, without restrictions, improper influence, inducements, pressures, threats or interference. Independence of the judiciary is an especially important human rights principle where individuals are pitted against the state and its authority. Where it is in place, the public generally has confidence in the ability of the justice system to perform an arbiter’s role in that society’s conflicts. The positive effects of an independent judiciary are numerous. For example it bolsters security both in business and personal relationships by providing parties in conflict with predictable and fair outcomes. It therefore fosters, inter alia, stability, peaceful resolution of conflicts, and economic development.

## Framing

#### Consequences first

**Issac 02**.,( Jeffery C. Professor of political science at Indiana-Bloomington & Director of the Center for the Study of Democracy and Public Life. PhD Yale University. From “Ends, Means, and Politics.” Dissent Magazine. Volume 49. Issue # 2. Available online @ subscribing institutions using Proquest. Herm

As a result, the most important political questions are simply not asked. It is assumed that U.S. military intervention is an act of "aggression," but no consideration is given to the aggression to which intervention is a response. The status quo ante in Afghanistan is not, as peace activists would have it, peace, but rather terrorist violence abetted by a regime--the Taliban--that rose to power through brutality and repression. This requires us to ask a question that most "peace" activists would prefer not to ask: What should be done to respond to the violence of a Saddam Hussein, or a Milosevic, or a Taliban regime? What means are likely to stop violence and bring criminals to justice? Calls for diplomacyand international law are well intended and important; they implicate a decent and civilized ethic of global order. But they arealsovague and empty, because they are not accompanied by any account of how diplomacy or international law can work effectively to address the problem at hand. The campus left offers no such account. To do so would require it to contemplate tragic choices in which moral goodness is of limited utility. Here what matters is not purity of intention but the intelligent exercise of power. Power is not a dirty word or an unfortunate feature of the world. It is the core of politics. Power is the ability to effect outcomes in the world. Politics, in large part, involves contests over the distribution and use of power. To accomplish anything in the political world, one must attend to the means that are necessary to bring it about. And to develop such means is to develop, and to exercise, power. To say this is not to say that power is beyond morality. It is to say that power is not reducible to morality. As writers such as Niccolo Machiavelli, Max Weber, Reinhold Niebuhr, and Hannah Arendt have taught, an unyielding concern with moral goodness undercuts political responsibility.The concern may be morally laudable, reflecting a kind of personal integrity, but it suffers from three fatal flaws: (1) It fails to see that the purity of one's intention does not ensure the achievement of what one intends.Abjuring violence or refusing to make common cause with morally compromised parties may seem like the right thing; but if such tactics entail impotence, then it is hard to view them as serving any moral good beyond the clean conscience of their supporters; (2) it fails to see that in a world of real violence and injustice, moral purity is not simply a form of powerlessness; it is often a form of complicity in injustice. This is why, from the standpoint of politics--as opposed to religion--pacifism is always a potentially immoral stand.In categorically repudiating violence, it refuses in principle to oppose certain violent injustices with any effect; and (3) it fails to see that politics is as much about unintended consequences as it is about intentions; it is the effects of action, rather than the motives of action, that is most significant. Just as the alignment with "good" may engender impotence, it is often the pursuit of "good" that generates evil. This is the lesson of communism in the twentieth century: it is not enough that one's goals be sincere or idealistic; it is equally important, always, to ask about the effects of pursuing these goalsand to judge these effects in pragmatic and historically contextualized ways. Moral absolutism inhibits this judgment. It alienates those who are not true believers. It promotes arrogance. And it undermines political effectiveness.

#### Rejecting consequences undermines responsibility, freedom and politics

**Williams, 2005-** Professor of International Politics at the University of Wales (Michael, “the realist tradition and the limits of international relations”, p 174-176)

A commitment to an ethic of consequences reflects a deeper ethic of criticism, of ‘self-clarification’, and thus of reflection upon the values adopted by an individual or a collectivity. It is part of an attempt to make critical evaluation an intrinsic element of responsibility. Responsibility to this more fundamental ethic gives the ethic of consequences meaning. Consequentialism and responsibility are here drawn into what schluchter, in terms that will be familiar to anyone conversant with constructivism in international relations, has called a ‘reflexive principle’. Inthe wilful realist vision, scepticism and consequentialism are linked in an attempt to construct not just a more substantial vision of political responsibility, but also the kinds of actors who might adopt it, and the kinds of social structures that might support it. A consequentialist ethic is not simply a choice adopted by actors: it is a means of trying to foster particular kinds of self-critical individuals and societies, and in so doing to encourage a means by which one can justify and foster a politics of responsibility. The ethic of responsibility in wilful realism thus involves a commitment to both autonomy and limitation, to freedom and restraint, to an acceptance of limits and the criticism of limits. Responsibility clearly involves prudence and an accounting for current structures and their historical evolution; but it is not limited to this, for it seeks ultimately the creation of responsible subjects within a philosophy of limits. Seen in this light, the realist commitment to objectivity appears quite differently. Objectivity in terms of consequentialist analysis does not simply take the actor or action as given, it is a political practice — an attempt to foster a responsible self, undertaken by an analyst with a commitment to objectivity which is itself based in a desire to foster a politics of responsibility. Objectivity in the sense of coming to terms with the ‘reality’ of contextual conditions and likely outcomes of action is not only necessary for success, it is vital for self-reflection, for sustained engagement with the practical and ethical adequacy of one’s views. The blithe, self-serving, and uncritical stances of abstract moralism or rationalist objectivism avoid self-criticism by refusing to engage with the intractability of the world ‘as it is’. Reducing the world to an expression of their theoretical models, political platforms, or ideological programmes, they fail to engage with this reality, and thus avoid the process of self-reflection at the heart of responsibility. By contrast, realist objectivity takes an engagement with this intractable ‘object’ that is not reducible to one’s wishes or will as a necessary condition of ethical engagement, self-reflection, and self-creation.7 objectivity is not a naïve naturalism in the sense of scientific laws or rationalist calculation; it is a necessary engagement with a world that eludes one’s will. A recognition of the limits imposed by ‘reality’ is a condition for a recognition of one’s own limits — that the world is not simply an extension of one’s own will. But it is also a challenge to use that intractability as a source of possibility, as providing a set of openings within which a suitably chastened and yet paradoxically energised will to action can responsibly be pursued. In the wilful realist tradition, the essential opacity of both the self and the world are taken as limiting principles. Limits upon understanding provide chastening parameters for claims about the world and actions within it. But they also provide challenging and creative openings within which diverse forms of life can be developed: the limited unity of the self and the political order is the precondition for freedom. The ultimate opacity of the world is not to be despaired of: it is a condition of possibility for the wilful, creative construction of selves and social orders which embrace the diverse human potentialities which this lack of essential or intrinsic order makes possible.8 but it is also to be aware of the less salutary possibilities this involves. Indeterminacy is not synonymous with absolute freedom — it is both a condition of, and imperative toward, responsibility.

#### Predictions are good – The inclusion of hypothetical impact scenarios supercharges the deliberative process by providing a normative means of assessing consequences

**Larsen et al 9** a KTH – Royal Institute of Technology, Department of Philosophy and History of Technology, Division of History of Science and Technology, Teknikringen 76, SE-100 44 Stockholm, Sweden b KTH – Royal Institute of Technology, Department of Urban Planning and Environment, Division of Environmental Strategies Research, Drottning Kristinas väg 30, SE-100 44 Stockholm, Sweden Habitat International Volume 33, Issue 3, July 2009, Pages 260–266 Climate Change and Human Settlements Climatechange scenarios and citizen-participation: Mitigation and adaptation perspectives in constructing sustainable futures

 In constructing normative scenarios a set of images are generated illustrating future ways of living, travelling and consuming products and services where certain goal such as a reduced climate impact is fulfilled. These are not predictions of the future, but can be used as a way to act in accordance to achieving a desired future development. They can also be a contribution to the general debate or foundations for policy decisions. These scenarios also often include an account of changes in terms of consumption patterns and behavioural change. In this sense, these scenarios are extended beyond socio-economic predictions and relations to environmental load dealt within other field, such as climatechange predictions in the work of IPCC. The scenarios in focus here build on some predictive elements, but in addition the sustainability focus when including behavioural change also includes some normative elements as how to achieve a sustainable society in the future. In essence, this also means that images of behavioural change are included, but not necessary including explanations on how these changes came about (Larsen & Höjer, 2007). The behavioural change is there formulated by describing level of acceptance (of introducing a new environmental tax) or new behaviour in daily travel patterns (new modes of transport). However, even though scenario construction is often a creative process including a range of participants demanding change, trust is built and ideas exchanged, these processes are seldom analyzed as deliberative processes. Deliberation takes places in communicative processes where participants with diverse opinions, but open to preference shifts, are seen as equal (see Hendriks, Dryzek, & Hunold, 2007). Process values such as learning and mutual understanding are created in addition to outputs such as policies. Experiences from exploring transition pathways towards sustainability distinguish between process management aspects of learning (learns how?), learning about policy options and the context in which decisions take place (learns what?), the subjects of learning (who learns?), and the results of learning (Van de Kerkhof & Wieczorek, 2005: 735). Especially questions such as who takes part in the process and whom these participants are to represent become important since the scenarios often expect great behavioural changes. Is it legitimate to expect all people to change even if they did not feel as they were represented? It is important to keep in mind that scenario making processes are not set up only to share ideas and create mutual understanding, they aim at solving specific targets such as minimizing climate change. Some writers (e.g. Hendriks et al., 2007) underline the importance of deliberative processes being open and diverse and do not put as much attention to the outcome. Understanding the importance of legitimacy we see the process as crucial, but aiming for goals such as minimized climatechange both the content and the impact of the output are also critical. Thus, we agree with Connelly and Richardson (in press) seeing effective deliberation as a process where stakeholders are engaged and the primary assessment should be regarding the process' “effectiveness in delivering an intended policy”. They also underline that governance as a whole should be assessed regarding its possibilities to take action and achieve legitimacy, where legitimacy is understood as “the recognised right to make policy” (Connelly & Richardson, in press). There are thus three dimensions Connelly and Richardson (in press) find important: content sustainability, capacity to act and legitimacy. We believe those dimensions are also important for participatory processes generating scenarios aiming at mitigation as well as adaptation to climatechange, otherwise they will not have any strong (and legitimate) impact on development. Hendriks et al. (2007) make an important distinction between partisan and non-partisan forums. We believe this distinction is important also when analysing scenario generating processes since it affects the legitimacy of the outcome. Partisans can be activists or belong to interest groups, organisations or associations, which strive for particular matters. Partisans are thus committed to certain agendas and are therefore often seen as poor deliberators (Hendriks et al., 2007: 362). However, from a democracy perspective they are seen as important since they legitimate processes by making sure that particular stakes are represented. While partisan forums are made up to represent interest groups in society, non-partisan forums consist of randomly selected citizens, which ideally have rather open preferences. When exploring one partisan and one non-partisan process Hendriks et al. (2007) found that contrary to common expectations, partisan forums can have substantial legitimacy and impact problems. They also found that non-partisan forums might be favourable in deliberative capacity but they might fall short in external legitimacy and policy impact. The fact was that partisan participants accepted that deliberation means that you must be willing to adjust preferences, but they failed to do so (Hendriks et al., 2007: 370). Both the partisan and non-partisan forums included participants who stuck to their positions, but non-partisan participants had greater autonomy “so their deliberative capacity can be judged superior to that of partisan forums” (Hendriks et al., 2007: 371). In the study by Hendriks et al. (2007: 372) legitimacy is defined and operationalized as: “the extent to which key-actors, decision-makers and the media accept and support the procedure and its outcomes.” In other words, the legitimacy (as defined in that study) is grounded on actors largely outside the forums active in the deliberation processes. This study also showed (by interviews of experts themselves) that the deliberation by citizens and capacity of lay people was questioned by some experts (Hendriks et al., 2007: 373–374). In addition to this distinction of external legitimacy, the concept of legitimacy is in the literature largely divided in strategic and institutional legitimacy (Suchman, 1995: 572). The strategic tradition stresses the managerial standpoint in how organisations making legitimate strategies resulting in manipulating to gain societal support. Hence, rather than emphasising participatory processes (and the inherent process values), these values and the participatory process can be by-passed by e.g. “astroturfing”1 or other strategic options adopted. The branch of institutional studies of legitimacy, instead, emphasizes the “normative and cognitive forces that constrain, construct, and empower the organizational actors” as described in Suchman (1995: 571) examining the two approaches. The conclusion of this examination of the two parallel domains of research on legitimacy concludes three categories: pragmatic (based on audience self-interest), moral (based on normative approval) and cognitive (based on comprehensibility and taken-for-grantedness). In practical cases one of these categories can be more protruding or legitimacy being a blend of these three. The external legitimacy category, discussed previously, share some common traits with the audience self-interest category (labelled pragmatic) in the sense that actors external to the deliberative process (the audience consisting of experts and media) has a strong saying in the legitimate value of the outcome. The constellations of forums and involvement of stakeholders in governance processes is also featured in studies recognised as communicative planning theory (Healey, 1996) and the question also becomes relevant when implementing future-oriented development in European metropolitan regions (Healey, 2000). Campbell (2006) underlines that conceptualization of justice in contemporary planning theory is much about procedural concerns. However, individual liberties may be in conflict or as Campbell (2006: 95) puts it: “In relation to planning matters, the nature of interests is often complex and problematic; for example, individuals generally both desire clean air and to be able to drive their car(s) freely. Our preferences are therefore often inconsistent and overlapping.” Also the previous work with Swedish futures studies construction in the 1960–1970s having aims at democratic scenario construction by proposing a “particular responsibility to society's weakest groups” (Andersson, 2006: 288). At that time these groups were discussed in terms of the “weakest groups” (including the poor, elderly, unemployed and the disabled). Other examples of relevance when discussing communication among actors can be found in game theory (Sally, 1995). Conditions where reciprocity and trust can help overcome self-interests are built by “cheap talk”. As we will see, content sustainability, capacity to act and legitimacy are intimately connected. Findings from studies of collective actions frequently find that “when the users of a common-pool resource organize themselves to devise and enforce some of their own basic rules, they tend to manage local resources more sustainably than when rules are externally imposed on them” (Ostrom, 2000: 148). Common-pool resources are in this case understood as “natural or humanly created systems that generate a finite flow of benefits where it is costly to exclude beneficiaries and one person's consumption subtracts from the amount of benefits available to others” (Ostrom, 2000: 148). The explanation from game theory is that individuals obtain results that are “better than rational” when they are allowed to communicate, or do “cheap talk” as some economists call it (see e.g. Ostrom, 1998). In other words, communicative approaches can make collaboration work better since people have the possibility to bond with each other. From this reasoning we conclude that in a process where participants are active, open to preference shifts and are allowed to actually influence the result, both the content sustainability and the capacity to act might increase.

#### Death is not inevitable – choice is key

**Paterson 3** Craig, Department of Philosophy, Providence College, Rhode Island “A Life Not Worth Living?”, Studies in Christian Ethics, <http://sce.sagepub.com>

In determining whether a life is worth living or not, attention should be focused upon an array of ‘interests’ of the person, and these, for the competent patient at least, are going to vary considerably, since they will be informed by the patient’s underlying dispositions, and, for the incompetent, by a minimal quality threshold. It follows that for competent patients, a broad-ranging assessment of quality of life concerns is the trump card as to whether or not life continues to be worthwhile. Different patients may well decide differently. That is the prerogative of the patient, for the only unpalatable alternative is to force a patient to stay alive. For Harris, life can be judged valuable or not when the person assessing his or her own life determines it to be so. If a person values his or her own life, then that life is valuable, precisely to the extent that he or she values it. Without any real capacity to value, there can be no value. As Harris states, ‘. . . the value of our lives is the value we give to our lives’. It follows that the primary injustice done to a person is to deprive the person of a life he or she may think valuable. Objectivity in the value of human life, for Harris, essentially becomes one of negative classification (ruling certain people out of consideration for value), allied positively to a broad range of ‘critical interests’; interests worthy of pursuing — friendships, family, life goals, etc. — which are subjected to de facto self-assessment for the further determination of meaningful value. Suicide, assisted suicide, and voluntary euthanasia, can therefore be justified, on the grounds that once the competent nature of the person making the decision has been established, the thoroughgoing commensuration between different values, in the form of interests or preferences, is essentially left up to the individual to determine for himself or herself.

## Advantage

#### They don’t solve the aff –

#### 1) Their Woods evidence is from ’96 and doesn’t assume status quo relevant policies

#### Specifically, democracy doesn’t spread throughout Cuba

Cason, 09 - a retired U.S. Foreign Service officer, most recently serving as Ambassador to Paraguay, a post he held from 2006 to 2008. Prior to that post, he was the Principal Officer of the US Interests Section in Havana (2002–2005). On January 20, 2011, he became the new mayor of Coral Gables, Florida. (James Cason, “The Case for not liberalizing travel to Cuba,” Presented at the University of Miami Institute for Cuban and Cuban-American Studies Seminar “U.S. Policy Towards Cuba: A Conversation with American Diplomats,” 1/23/09, http://ctp.iccas.miami.edu/website\_documents/Cason-lecture.pdf)//VP

We typically hear four arguments for liberalizing travel and trade with Cuba. The first assertion¶ is that flooding Cuba with American tourists will instill among Cubans a yearning for¶ democracy. Secondly, tourist spending, it is argued, will help average Cubans by improving¶ their living standards or wages. Third, some argue that our policy of isolating the regime has¶ failed, so we should try something different and they hold the belief that engagement will¶ promote positive change. Finally, libertarians will assert Americans have a Constitutional right¶ to go wherever they choose, including Cuba.¶ 2¶ These arguments are dead wrong and fundamentally reflect our inability to understand what it’s¶ like to live in a totalitarian society where all aspects of peoples’ lives are controlled and where¶ fear of state security is pervasive. As most Americans have never experienced totalitarianism,¶ they make assumptions about what can be achieved in such a state that are not grounded in¶ reality.¶ Impact of Tourism¶ Let’s examine he four arguments one by one, starting with the “Let’s flood them with tourist”¶ proposal. Why won’t this work to bring democracy to Cuba? Fundamentally because the Cuban¶ authorities strictly limit and harshly penalize the interaction of ordinary Cubans with foreigners.¶ The Law 80 of 1999 makes it a crime to take publications from foreigners and a 2004 Ministry of¶ Tourism internal memo to hotel workers prohibits them from interacting with foreigners outside¶ the workplace or from accepting gifts. And about the only Cubans tourists will meet are hotel¶ workers.¶ Almost all tourists to Cuba stay in four or five star hotels. These 103 hotels catering to foreign¶ tourists are located predominantly in isolated areas where ordinary Cubans are denied access.¶ About 67% of the tourist hotels are located in the remote Cays like Cayo Coco or in Varadero.¶ Castro has allocated only 18.6% of his tourist hotel rooms to Havana and vicinity. There are¶ only 5632 rooms for some 10,000 tourists in Havana, a city of 2.1 million plus. That works out¶ to one tourist per 210 Cubans. Tourists are diluted in this sea of ordinary Cubans, and can make¶ no meaningful impact on society even if they wanted to or were permitted access to Cubans.¶ Even though Raul Castro recently “allowed” Cubans at last to frequent previously off-limit¶ tourist hotels, this is a cosmetic measure designed to convince foreigners that Cuba is¶ liberalizing. In fact, it is not. The regime charges average Cubans the highest rack rate to stay in¶ tourist hotels which are expensive to begin with, and a night’s stay would require an average¶ Cuban’s salary for a year. So a foreigner will rarely encounter a regular Cuban in his or her¶ hotel.¶ The vast majority of foreign tourists spend most of their time in all-inclusive hotels where¶ regime-sponsored entertainment is brought in to amuse them. If they leave their isolated¶ enclaves, well guided tours to Potemkin villages where the guides control your experience and¶ retain their jobs by hoeing the regime line if asked inconvenient questions by curious tourists.¶ The Cubans the tourists are permitted to see and question are trained to say the right thing and¶ spontaneously hail Fidel and his regime and joyously sing Guantanamera to show the foreigner¶ how they enjoy life without freedom. Castro has put in place a tourist apartheid system that¶ monopolizes tourism’s benefits for the state while minimizing the potentially deleterious impact¶ of rich, free tourists mingling among poor, oppressed Cubans.

#### Aff only undermines Cuban democracy efforts

**Bustillo, 5/9** (Mitchell of Columbia University, majoring in Engineering with a minor in Economics on a Pre-Law track. He is a first-generation Cuban-American, a Hispanic Heritage Foundation Gold Medallion Winner, and a former United States Senate Page, appointed by Senator Kay Bailey Hutchison.) “Time to strengthen the Cuban embargo” http://www.internationalpolicydigest.org/2013/05/09/time-to-strengthen-the-cuban-embargo/)//VP

Despite being Chávez’s handpicked successor, Maduro only won by a narrow margin and will likely be forced to cut spending on social programs and foreign assistance in an effort to stabilize Venezuela’s dire economic problems. Therefore, now is the ideal time to take action. Without Venezuela’s support, the Cuban government will assuredly face an economic crisis. Strengthening the embargo to limit U.S. dollars flowing into Cuba would place further pressure on the Cuban government and has the potential to trigger an economic collapse. A change in the Cuban political climate is within reach.¶ According to U.S. [Senator Robert Menendez](http://www.menendez.senate.gov/newsroom/press/menendez-remarks-on-the-senate-floor-against-lifting-of-cuba-travel-restrictions), “Tourism to Cuba is a natural resource, akin to providing refined petroleum products to Iran. It’s reported that 2.5 million tourists visit Cuba – 1.5 million from North America…1 million Canadians…More than 170,000 from England…More than 400,000 from Spain, Italy, Germany, and France combined – All bringing in $1.9 billion in revenue to the Castro regime.” This behavior undermines the embargo, which is why the U.S. should urge other nations to adopt similar policies toward Cuba. A strong and unyielding embargo, supported by the U.S. and its allies, is necessary to incite political change. Furthermore, [Sen. Menendez argues](http://www.menendez.senate.gov/newsroom/press/menendez-remarks-on-the-senate-floor-against-lifting-of-cuba-travel-restrictions), “Those who lament our dependence on foreign oil because it enriches regimes in terrorist states like Iran, should not have a double standard when it comes to enriching a brutal dictatorship like Cuba right here in our own backyard.”¶ If the policy of the U.S. is to challenge these behaviors, then it must also stand up to Cuba. It would be a disservice to squander the progress of the past 50 years when opportunity is looming

#### **2) Alt causes to international law means they don’t solve government repression**

#### Guantanamo Bay

**Strong, 4/5** ­– Staff Writter at NBC World News (Bob “UN says US violating international law, calls for closure of Guantanamo,” <http://worldnews.nbcnews.com/_news/2013/04/05/17617277-un-says-us-violating-international-law-calls-for-closure-of-guantanamo?lite>)//VP

GENEVA -- The UN human rights chief called on the United States on Friday to close down the Guantanamo Bay prison camp, saying the indefinite imprisonment of many detainees without charge or trial violated international law.¶ Navi Pillay said the hunger strike being staged by some inmates at the Guantanamo Bay U.S. Naval Base in southeastern Cuba was a "desperate act" but "scarcely surprising."¶ "We must be clear about this: The United States is in clear breach not just of its own commitments but also of international laws and standards that it is obliged to uphold," the UN high commissioner for human rights said in a statement.

#### **Drones**

The Guardian, 6/21 (“Drone strikes threaten 50 years of international law, says UN rapporteur,” <http://www.guardian.co.uk/world/2012/jun/21/drone-strikes-international-law-un>)//VP

The US policy of using aerial drones to carry out targeted killings presents a major challenge to the system of international law that has endured since the second world war, a United Nations investigator has said.¶ Christof Heyns, the UN special rapporteur on extrajudicial killings, summary or arbitrary executions, told a conference in Geneva that President Obama's attacks in Pakistan, Yemen and elsewhere, carried out by the CIA, would encourage other states to flout long-established human rights standards.¶ In his strongest critique so far of drone strikes, Heyns suggested some may even constitute "war crimes". His comments come amid rising international unease over the surge in killings by remotely piloted unmanned aerial vehicles (UAVs).

#### **3) Doesn’t solve constitutions – empirically denied -** the 5th amendment has been broken multiple times in the past and the impact still hasn’t happened.

Friedersdorf, 12 – (Conor, “Scandal Alert: Congress Is Quietly Abandoning the 5th Amendment”, The Atlantic, 12/20, http://www.theatlantic.com/politics/archive/2012/12/scandal-alert-congress-is-quietly-abandoning-the-5th-amendment/266498/)//AB

It may seem like reiterating the right to due process contained in the 5th Amendment would be uncontroversial. It may seem like a United States senator would be widely ridiculed for suggesting that American citizens can be imprisoned indefinitely without chargers or trial, and that if numerous U.S. senators took that position, the press would treat the issue with at least as much urgency as "the fiscal cliff" or the possibility of a new assault weapons bill or likely nominees for Cabinet posts. It may seem like the American citizens who vocally fret about the importance of adhering to the text of the Constitution would object as loudly as anyone to the prospect of indefinite detention. But it isn't so. The casual news consumer cannot rely on those seemingly reasonable heuristics to signal that very old norms are giving way, that important protections are being undermined, perhaps decisively. We've lost the courage of our convictions -- we're that scared of terrorism (or of seeming soft on it). News junkies likely know that I'm alluding to a specific law that has passed both the Senate and the House, and is presently in a conference committee, where lawmakers reconcile the two versions. Observers once worried that the law would permit the indefinite detention of American citizens, or at least force them to rely on uncertain court challenges if unjustly imprisoned. In response, Senator Dianne Feinstein tried to allay these concerns with an amendment: An authorization to use military force, a declaration of war, or any similar authority shall not authorize the detention without charge or trial of a citizen or lawful permanent resident of the United States apprehended in the United States, unless an Act of Congress expressly authorizes such detention. You'd think the part about American citizens being protected from indefinite detention would be uncontroversial. It wasn't. But the amendment did manage to pass in the United States Senate. Afterward everyone forgot about it pretty quickly. But not Charlie Savage. He's a journalist at The New York Times. If every journalist were more like him the United States government would be far less able to radically expand the president's unchecked authority without many people noticing. Here is his scoop: Lawmakers charged with merging the House and Senate versions of the National Defense Authorization Act decided on Tuesday to drop a provision that would have explicitly barred the military from holding American citizens and permanent residents in indefinite detention without trial as terrorism suspects, according to Congressional staff members familiar with the negotiations. Says Adam Serwer, another journalist who treats these issues with the urgency that they deserve: Of the four main negotiators on the defense bill, only one of the Democrats, Rep. Adam Smith (D-Wash.), opposes domestic indefinite detention of Americans. The Chairman of the Senate Armed Services Committee, Senator Carl Levin (D-Mich.), believes detaining Americans without charge or trial is constitutional, and only voted for the Feinstein amendment because he and some of his Republican colleagues in the Senate convinced themselves through a convoluted legal rationale that Feinstein's proposal didn't actually ban the practice. Both of the main Republican negotiators, House Armed Services Committee Chairman Howard "Buck" McKeon (R-Calif) and Senator John McCain (R-Ariz) believe it's constitutional to lock up American citizens suspected of terrorism without ever proving they're guilty. There is a complication, as he notes: Civil liberties groups "aren't shedding any tears over the demise of the Feinstein-Lee amendment," because they objected to the fact that it protected only U.S. citizens and permanent residents, rather than all persons present in the United States. While I respect that principled stand, the more important thing is that this outcome puts us all at greater risk of having a core liberty violated, and that Senators McCain, Levin, and many other legislators suffer no consequences for failing to protect and defend the United States Constitution. As Serwer puts it, "The demise of the Feinstein-Lee proposal doesn't necessarily mean that Americans suspected of terrorism in the US can be locked up forever without a trial. But it ensures that the next time a president tries to lock up an American citizen without trial -- as President George W. Bush previously tried -- it will be left up to the courts to decide whether or not it's legal." Don't let the dearth of attention fool you -- this is a scandal. Congress has turned its back on safeguarding a core Constitutional protection and a centuries old requirement of Western justice. Rage, rage against the dying of the 5th.

# 2NC

## Framing

#### Evaluation of risk is enabling – prefer specific evidence

**Moser and Dilling** **11** The Oxford Handbook of Climate Change and Society Susanne Moser, Ph.D., is Director and Principal Researcher of Susanne Moser Research & Consulting in Santa Cruz, California. She is also a Social Science Research Fellow at the Woods Institute for the Environment at Stanford University and a Research Associate at the University of California-Santa Cruz Institute for Marine Sciences. Previously, she served as a Research Scientist at the National Center for Atmospheric Research in Boulder, Colorado; served as staff scientist for climate change at the Union of Concerned Scientists; was a research fellow at Harvard’s Kennedy School of Government and at the Heinz Center in Washington, DC. Susi's work focuses on adaptation to climate change, vulnerability, resilience, climate change communication, social change, decision support and the interaction between scientists, policy-makers and the public. She is a geographer by training (Ph.D. 1997, Clark University) with an interests in how social science can inform society's responses to this global challenge. She has worked in coastal areas, urban and rural communities, with forest-reliant communities, and on human health issues. Susi contributed to Working Group II of the Nobel prize-winning Intergovernmental Panel on Climate Change’s Fourth Assessment Report, and currently serves as Review Editor on the IPCC’s Special Report on “Managing the Risks of Extreme Events and Disasters to Advance Climate Change Adaptation.” She has advised the Obama Administration on communication of climate change, evaluated former Vice President Al Gore’s Climate Project on climate change communication, and is a frequent advisor to policy-makers and managers at all levels of government. She is a co-editor with Lisa Dilling (University of Colorado-Boulder) on a ground-breaking 2007 anthology on climate change communication, called Creating a Climate for Change: Communicating Climate Change and Facilitating Social Change (Cambridge University Press). Her work has been recognized through fellowships in the Aldo Leopold Leadership Program, the UCAR Leadership Academy, Kavli Frontiers of Science Program, and the Donella Meadows Leadership Program

 Clearly these findings pose difficult dilemmas for communicators: Should we avoid telling what scientists have established as facts and reasonable outlooks about the seriousness, pace, and long-term commitment of climate change? Should we instead only discuss energy- and money-saving actions and convey pictures of hope by focusing on the easy actions, the 'doability' of mitigation? Should we perpetuate the idea that there are fifty 'simple ways to save the planet,' just to spare lay publics rather appropriate anxiety? Existing research suggests otherwise. While neither alarmism nor Pollyannaism seem to yield desired results, wise integration of strategies may well result in greater engagement. First, communication that affirms rather than threatens the sense of self and basic world- views held by the audience has been shown to create a greater openness to risk information (Kahan and Braman 2008). Second, risk information and fear-evoking images should be limited and always be combined with messages and information that provide specific, pragmatic help in realizing doable solutions. These solutions must be reasonably effective in reducing the problem, especially together with other solutions being implemented. Importantly, communicators must establish a sense of collective response, especially by people in like social and cultural groups. Moreover, solutions should be broadly consistent with individuals' personal aspirations, desired social identity, and cultural biases (CRED 2009; Segnit and Ereaut 2007). Finally, given the ideological polarization around responses to climate change (discussed below), the legitimate experience of fear and being over- whelmed, and the deep and lasting societal changes required to address the problem, there is an important place for facilitated dialogue and structured deliberation of the issues as they emerge (Kahan and Braman 2006). Such deliberation has been shown to improve interpersonal knowledge and trust of people with very different values, provide critical social support and affirmation, increase openness to different opinions and risk information, and thus to enable decision making, rather than obstruct it (Nagda 2006).

#### Should avoid preventable death – contemplating it gives meaning to our life

**Kelsang 99**- internationally renowned teacher of Buddhism

Geshe, <http://dealingwithfear.org/fear-of-death.htm>

Preparing for Death Generally, our fear of death is an unhealthy and unrealistic fear-we don’t want to die, so we ignore the subject, deny it, or get morbidly obsessed by it and think that life is meaningless. However, right now we cannot do anything about dying, so there is no point fearing death itself. What kind of fear is useful? A healthy fear of death would be the fear of dying unprepared, as this is a fear we can do something about, a danger we can avert. If we have this realistic fear, this sense of danger, we are encouraged to prepare for a peaceful and successful death and are also inspired to make the most of our very precious human life instead of wasting it. This “sense of danger” inspires us to make preparations so that we are no longer in the danger we are in now, for example by practicing moral discipline, purifying our negative karma, and accumulating as much merit, or good karma, as possible. We put on a seat belt out of a sense of danger of the unseen dangers of traffic on the road, and that seat belt protects us from going through the windscreen.We can do nothing about other traffic, but we can do something about whether or not we go through the windscreen if someone crashes into us. Similarly, we can do nothing about the fact of death, but we can seize control over how we prepare for death and how we die. Eventually, through Tantric spiritual practice, we can even attain a deathless body. In Living Meaningfully, Dying Joyfully, Geshe Kelsang says: Dying with regrets is not at all unusual. To avoid a sad and meaningless end to our life we need to remember continually that we too must die. Contemplating our own death will inspire us to use our life wisely by developing the inner refuge of spiritual realizations; otherwise we shall have no ability to protect ourself from the sufferings of death and what lies beyond. Moreover, when someone close to us is dying, such as a parent or friend, we shall be powerless to help them because we shall not know how; and we shall experience sadness and frustration at our inability to be of genuine help. Preparing for death is one of the kindest and wisest things we can do both for ourself and others.

## DA

#### We control time frame and magnitude – deal failure draws in global powers and goes nuclear within months

PressTV 11/13

Global nuclear conflict between US, Russia, China likely if Iran talks fail, 11/13/13, http://www.presstv.ir/detail/2013/11/13/334544/global-nuclear-war-likely-if-iran-talks-fail/

A global conflict between the US, Russia, and China is likely in the coming months should the world powers fail to reach a nuclear deal with Iran, an American analyst says.¶ “If the talks fail, if the agreements being pursued are not successfully carried forward and implemented, then there would be enormous international pressure to drive towards a conflict with Iran before [US President Barack] Obama leaves office and that’s a very great danger that no one can underestimate the importance of,” senior editor at the Executive Intelligence Review Jeff Steinberg told Press TV on Wednesday. ¶ “The United States could find itself on one side and Russia and China on the other and those are the kinds of conditions that can lead to miscalculation and general roar,” Steinberg said. ¶ “So the danger in this situation is that if these talks don’t go forward, we could be facing a global conflict in the coming months and years and that’s got to be avoided at all costs when you’ve got countries like the United States, Russia, and China with” their arsenals of “nuclear weapons,” he warned. ¶ The warning came one day after the White House told Congress not to impose new sanctions against Tehran because failure in talks with Iran could lead to war.

#### Escalatory strikes and wars cause extinction

Toon, 07 chair – Department of Atmospheric and Oceanic Sciences – Colorado University, 4/19/’7 (Owen B, climate.envsci.rutgers.edu/pdf/acp-7-1973-2007.pdf)//VP

To an increasing extent, people are congregating in the world’s great urban centers, creating megacities with populations exceeding 10 million individuals. At the same time, advanced technology has designed nuclear explosives of such small size they can be easily transported in a car, small plane or boat to the heart of a city. We demonstrate here that a single detonation in the 15 kiloton range can produce urban fatalities approaching one million in some cases, and casualties exceeding one million. Thousands of small weapons still exist in the arsenals of the U.S. and Russia, and there are at least six other countries with substantial nuclear weapons inventories. In all, thirty-three countries control sufficient amounts of highly enriched uranium or plutonium to assemble nuclear explosives. A conflict between any of these countries involving 50-100 weapons with yields of 15 kt has the potential to create fatalities rivaling those of the Second World War. Moreover, even a single surface nuclear explosion, or an air burst in rainy conditions, in a city center is likely to cause the entire metropolitan area to be abandoned at least for decades owing to infrastructure damage and radioactive contamination. As the aftermath of hurricane Katrina in Louisiana suggests, the economic consequences of even a localized nuclear catastrophe would most likely have severe national and international economic consequences. Striking effects result even from relatively small nuclear attacks because low yield detonations are most effective against city centers where business and social activity as well as population are concentrated. Rogue nations and terrorists would be most likely to strike there. Accordingly, an organized attack on the U.S. by a small nuclear state, or terrorists supported by such a state, could generate casualties comparable to those once predicted for a full-scale nuclear “counterforce” exchange in a superpower conflict. Remarkably, the estimated quantities of smoke generated by attacks totaling about one megaton of nuclear explosives could lead to significant global climate perturbations (Robock et al., 2007). While we did not extend our casualty and damage predictions to include potential medical, social or economic impacts following the initial explosions, such analyses have been performed in the past for large-scale nuclear war scenarios (Harwell and Hutchinson, 1985). Such a study should be carried out as well for the present scenarios and physical outcomes.

#### Turns all your ethics impacts

Ted Nordhaus and Michael Shellenberger, Founders-Break Through Institute, 2008 (Break Through, p. 35)

Just as prosperity tends to bring out the best of human nature, poverty and collapse tend to bring the worst. Not only are authoritarian values strongest in situations where our basic material and security needs aren't being met, they also become stronger in societies experiencing economic downturns. Economic collapse in Europe after World War I, in Yugoslavia after the fall of communism, and in Rwanda in the early 1990s trigged an authoritarian reflex that fed the growth of fascism and violence. The populations in those countries, feeling profoundly insecure at the physiological, psychological, and cultural levels, embraced authoritarianism and other lower-order materialist values. This is also what occurred in Iraq after the U.S. invasion.

#### 2) PC prevents new sanctions

Zengerle and Gardner 11/13 Patricia and Timothy, Reuters, Members Of Congress Question Obama's Plea For Iran Sanctions Hold, 11/13/13, http://www.huffingtonpost.com/2013/11/13/congress-iran-sanctions\_n\_4270351.html

Senior U.S. lawmakers expressed sharp frustration with the Obama administration's call to delay new sanctions against Iran on Wednesday, underscoring the difficult sales job the Democratic president has as he pursues a rapprochement with Tehran.¶ Vice President Joe Biden, Secretary of State John Kerry and other top officials visited Capitol Hill to warn senators that implementing the new measures could scuttle delicate talks between Iran and world powers over Tehran's nuclear program.¶ "The risk is that if Congress were to unilaterally move to raise sanctions it could break faith in those negotiations and actually stop them and break them apart," Kerry told reporters before the closed-door briefing.¶ But some key lawmakers said after the meeting that they had not been convinced.¶ "It was a very unsatisfying briefing," said Senator Bob Corker, the top Republican on the Senate Foreign Relations Committee.¶ However, Corker, also a member of the Senate Banking Committee, which oversees the sanctions measures, said he had not yet made up his mind about whether they should go ahead now.¶ Democratic Senator Tim Johnson, the banking committee's chairman, said he was still undecided about whether to go ahead.¶ Senator Robert Menendez, a Democrat who is chairman of the foreign relations committee and a member of the banking committee, still wants the new sanctions, a spokesman said after the briefing.¶ President Barack Obama's administration wants a "temporary pause" on new sanctions on Iran to allow diplomats from the United States and five other world powers to negotiate with Tehran and test whether it might be possible to resolve a decade-long standoff over its nuclear program.¶ "We have the unity of the P5+1, Germany, Great Britain, France ... and Russia, China and the United States are all agreed on this proposal that's on the table," Kerry said.¶ "If all of a sudden sanctions were to be increased, there are members of that coalition who have put it in place who would think that we are dealing in bad faith, and they would bolt. And then the sanctions would fall apart," he said.¶ But Obama's diplomacy with Iran has been greeted with skepticism from many quarters, including U.S. allies Israel and Saudi Arabia, as well as among Democrats and Republicans on Capitol Hill, adding a new element to the White House's diplomatic calculations.

**Issues tradeoff for Obama**

**Walsh ’12** [Ken covers the White House and politics for U.S. News. “Setting Clear Priorities Will Be Key for Obama,” 12/20, http://www.usnews.com/news/blogs/Ken-Walshs-Washington/2012/12/20/setting-clear-priorities-will-be-key-for-obama]

And there is an axiom in Washington: Congress, the bureaucracy, the media, and other power centers can do justice to only one or two issues at a time. Phil Schiliro, Obama's former liaison to Congress, said Obama has "always had a personal commitment" to gun control, for example.¶ But Schiliro told the New York Times, "Given the crisis he faced when he first took office, there's only so much capacity in the system to move his agenda." So Obama might be wise to limit his goals now and avoid overburdening the system, or he could face major setbacks that would limit his power and credibility for the remainder of his presidency.

#### Prefer our studies – examines both presidential and congressional influence – their studies don’t.

**Lebo 10**. [Matthew J., Associate Professor, Department of Political Science, Stony Brook University, and Andrew O'Geen, PhD Candidate, Department of Political Science, Stony Brook University, “The President’s Role in the Partisan Congressional Arena” Journal of Politics -- online]

A similar perspective on the importance of legislative victories is shared by White House Chief of Staff Rahm Emanuel. His observation that ‘‘When a party fails to govern, it fails electorally,’’ is indicative of a view in Washington that electoral fortunes are closely tied to legislative outcomes. This view is echoed in theories of political parties in Congress (e.g., Cox and McCubbins 1993, 2005; Lebo, McGlynn, and Koger 2007). But the consequences of presidential failure to members of his party are largely unexplored in empirical research. Also, while the fairly deep literature on the causes of presidential success has focused a lot on the partisan environment within which the president’s legislative battles are won and lost, it pays less attention to theories of congressional parties. Our attempt to combine these theories with a view of the president as the central actor in the partisan wars is meant to integrate the literatures on the two institutions. Even as the study of parties in Congress continues to deepen our understanding of that branch, the role of the president is usually left out or marginalized. At the same time, research that centers on the president’s success has developed with little crossover. The result is that well-developed theories of parties in Congress exist but we know much less about how parties connect the two branches. For example, between models of conditional party government (Aldrich and Rohde 2001; Rohde 1991), Cartel Theory (Cox and McCubbins 1993, 2005), and others (e.g., Patty 2008), we have an advanced understanding of how parties are important in Congress, but little knowledge of where the president ﬁts. As the head of his party, the president’s role in the partisan politics of Congress should be central.

#### Capital is budgeted – plan would force a trade-off

Holland and Felsenthal 10/17

Steve and Mark, Reuters, Crisis averted, Obama says Americans 'completely fed up' with Washington, 10/17/13, http://www.reuters.com/article/2013/10/17/usa-fiscal-obama-idUSL1N0I716M20131017

Obama stressed that he is willing to work with lawmakers wherever they can agree, but the tone he struck amounted to a rebuke of Republicans, whom Americans largely blame for pushing the United States to the brink of an economic calamity.¶ "The American people are completely fed up with Washington," said Obama in a White House speech attended by many of the aides who worked day and night through the various stages of the latest fiscal stalemate.¶ Hours after he signed into law a bill hastily cobbled together to end the crisis, Obama said events over the past two weeks had inflicted "completely unnecessary" damage on the U.S. economy.¶ An increase in borrowing costs caused by the near-debt default was harmful and consumers cut back on spending with hundreds of thousands of government workers suddenly idled, he said.¶ "There was no economic rationale for all of this," he said.¶ Though bruised by the battle, Obama emerged as the clear winner. He immediately sought to use the political capital gained to advance a domestic policy agenda centered around a fresh round of budget talks and an effort to win approval of two stalled items, immigration reform and a farm bill.

**imperialism is inevitable – we aim to work within the globalized system in order to reject it**

Price 11 (John, Graduate in Commerce from Queen's University in Canada, has taught international business at Universidad de las Americas in Mexico City, “Globalization Is Here to Stay: Why Latin America Must Accept Its Globalized Destiny and Ready Itself to Compete," 8/19/11, https://umshare.miami.edu/web/wda/hemisphericpolicy/Task\_Force\_Papers/Price-GlobalizationTFPaper.pdf *slim*\_)

There exists a sizeable industry of academics, pundits, policy makers and journalists that debates the virtues and risks of globalization in Latin America, as if the region has a choice in the matter. It does not. Latin America is the most globalized region in the world and it became that way out of economic survival. And as globalized as Latin America’s trade and investment flows are today, the region would stand to gain from an even deeper embrace of open borders. Only competitive pressure will rekindle the spirit of reform that has sadly gone dormant in Latin America in today’s benign economic conditions of high commodity prices and cheap capital. Little Choice but to Globalize Both Latin America’s competitive strengths and weaknesses oblige it to open itself to trade and investment with other countries, particularly the industrialized world, including China. South America’s greatest strength is its abundant natural resources. As the head of agricultural promotion at PromPeru (Peru’s export promotion agency) once remarked, when asked why the country’s yields were so impressive, “God is almighty and benevolent, and also happens to be Peruvian.” The same retort could be repeated across the continent. South America is home to 20% of the world’s proven oil reserves1 (including the newly discovered Tupí and Jupiter oil fields off the Atlantic coast of Brazil), 26%2 of global mining investment and 25%3 of the world’s arable land. The obvious markets for Latin America’s natural abundance, however, are far away: northern China, Japan, South Korea, Eastern USA and Western Europe. To explore, extract and ship the region’s commodities to distant markets, Latin America needs access to cheap capital and the latest technology, that is, open capital markets and international strategic investors. To attract strategic investors to the mining and energy sectors, where it can take over 10 years to recapture initial investments, nations must build and maintain a sound business climate. When they fail to do so (e.g., Venezuelan and Mexican oil industries currently; Colombian mining industry during the 1990s), productivity and wealth creation drop.

#### 1) Obama will win on Iran sanctions now

Sargent 12/2 Greg, Washington Post, Will Senate Dems really undermine the White House on Iran?, 12/2/13, http://www.washingtonpost.com/blogs/plum-line/wp/2013/12/02/will-senate-dems-really-undermine-the-white-house-on-iran/

The Washington Post reports today that Senate Dems really do appear to be forging ahead with plans to vote on new sanctions on Iran, even though the White House fears that this could undermine the prospects for a long-term deal curbing Iran’s nuclear program.¶ Administration officials are aggressively lobbying Senate Dems — including Robert Menendez and Chuck Schumer — not to hold any vote on sanctions right now, even if those sanctions would only take effect after the six month deadline of the temporary deal expires:¶ The administration contends that new sanctions not only would violate the terms of the interim agreement — which temporarily freezes Iran’s nuclear programs and modestly eases existing sanctions — but also could divide the United States from its international negotiating partners across the table from Iran and give the upper hand to Iranian hard-liners in upcoming talks.¶ “The purpose of sanctions from the outset was to create a dynamic so that you can get a change in policy from the Iran­ians,” David Cohen, the Treasury Department’s undersecretary for terrorism and financial intelligence. said in an interview. “It’s not sanctions for the sake of having sanctions.”¶ The White House has organized a full-court press between now and the Senate’s return Dec. 9 to persuade lawmakers not to act.¶ There are a few ways I think this could play out.¶ One possibility: Harry Reid has referred the matter to the Senate Banking Committee, and the Committee could simply not act on any sanctions bill. The Committee’s chair, Senator Tim Johnson, has issued a statement that seemed sympathetic to the administration — his office said he supports a “diplomatic solution” and was “encouraged” by Obama’s announcement of a temporary deal — so it’s possible he’ll be receptive to the administration’s argument against a vote on new sanctions.¶ According to a source involved in the process, Senator Johnson is set for a private briefing next week on the Iran deal with Secretary of State John Kerry, and probably won’t make any decisions before then. “No decisions have been made,” the source says. Of course, if the committee didn’t act, there would be other ways for the Senate to pass new sanctions — such as via an amendment to a defense authorization bill — but this would make it hard for Obama to veto, and would entail Harry Reid directly bucking the administration in a very public, consequential way.¶ Another possibility: The Senate could pass a sanctions bill that is structured in a way that gives the White House the flexibility it needs. Here’s how this could work: The sanctions could be set up to kick in after the six month mark, but there could be a kind of escape hatch which allows for the sanctions to be deferred, if after the six months both sides agree a big, long term deal is within reach and want to keep talking. But hawks will loudly oppose this on the grounds that it could let Iran string the process out indefinitely.¶ A third possibility: Senate Dems could defer the vote, as per the scenario laid out by Dem Rep. and pro-Israel hawk Eliot Engel the other day. Dems would prepare a sanctions bill and threaten to vote on it if Iran is seen to be reneging on its end of the temporary bargain.¶ The last possibility, of course, is that the Senate could simply buck the administration’s request altogether and vote now on a full fledged sanctions bill that kick in after six months with no escape hatch (Obama could veto the bill, but this is a scenario the White House really doesn’t want, partly for the reasons outlined in the Post piece). This is a hard outcome to imagine. Senate Dems will insist that they are actually doing this to strengthen the administration’s position – not undermine it — by increasing the threat level associated with the failure to reach a long term deal.¶ But this is a tough case to make, given that the administration itself is asking Dems refrain from doing this, on the grounds that it could imperil the chances for a truly historic breakthrough. If it comes to this, Democrats will be asked to explain why the White House’s request for flexibility — given that it has come far enough to reach a temporary deal — is an unreasonable one.¶ If I had to guess right now, I’d say the second or third are the most likely outcomes. But there is a tremendous amount of pressure being brought to bear on Senate Dems from all sides, so the situation is very much in flux.

#### 2) No new sanctions yet – Obama PC succeeding

Dyer 11/20 Geoff, Financial Times, Obama in plea to postpone new Iran sanctions, 11/20/13, http://www.ft.com/intl/cms/s/0/585195a2-516f-11e3-9651-00144feabdc0.html#axzz2lKtMLrat

Barack Obama made a personal appeal to leading senators on Tuesday to postpone new sanctions on Iran.¶ The move came on the eve of crucial nuclear talks. However, the US president still faces fierce opposition from many Republicans in Congress.¶ The US administration had initially appeared to win some political breathing space over its nuclear negotiations after a leading Republican senator left a meeting with Mr Obama and said that no new sanctions were likely until at least next month.¶ However, by the evening a group of six Republican senators not at the meeting had introduced a new sanctions measure which accused the administration of being “deeply naive” in the way it was negotiating with Iran and called for Tehran to halt all enrichment of uranium.¶ The amendment to the annual Pentagon funding bill introduced on Tuesday evening was authored by Senator Mark Kirk and was also backed by Mitch McConnell, the leader of the Republicans in the Senate.¶ Capping another day of fierce lobbying in Washington over the Iran talks and new disagreements between the US and Israel, the amendment could set up a political confrontation between the White House and its Iran critics in Congress if it is put up for debate.¶ The Obama administration has warned that new sanctions on Iran could scupper the ongoing talks with the country over its nuclear programme, which many western governments believe is designed to eventually produce a nuclear weapon.¶ The new amendment was introduced just hours before diplomats from the US and six other world powers meet senior Iranian officials in Geneva to discuss an interim agreement, which would freeze important parts of Iran’s nuclear programme in return for modest sanctions relief, in order to buy around six months to try to negotiate a long-term deal.¶ Iran will be negotiating with the US, UK, Russia, China, France and Germany.¶ US officials have said that an agreement is “close”, but 10 days ago talks broke up without a deal despite high expectations.¶ In his effort to forestall new congressional action against Iran, Mr Obama met 10 leading senators from both parties on Tuesday. Although some of the senators said they disagreed with the administration’s approach, the initial response appeared to win some respite for Mr Obama.¶ Bob Corker, the senior Republican on the foreign affairs committee who has been a big critic of the negotiations, said after the meeting that the Senate would not pick up a new sanctions bill that has already passed the House of Representatives until after the Thanksgiving holiday at the end of this month at the earliest.¶ A Senate aide added that given the short calendar in December because of the Christmas holidays, little movement was expected before January.¶ Mr Corker also said that no Iran sanctions amendments were likely to be attached to a forthcoming Pentagon funding bill, which had been mooted by some senators as another route for new punitive measures against Iran.¶ John McCain, the Arizona Republican and another regular critic of Mr Obama’s foreign policy, also said he did not expect new sanctions immediately.¶ “You always have to listen to the president of the United States when he asks you to do something,” he told the Washington Examiner. “Of course we want to seriously consider doing what he wanted, especially in the midst of some serious negotiations.”¶ However, Mr Kirk’s amendment threatens new restrictions on Iran’s ability to access overseas funds and to acquire precious metals if it does not halt all uranium enrichment – which is also one of the central demands of the Israeli government.¶ “This proposal will give our diplomats the increased leverage they need to get a good deal at the negotiating table – a deal that peacefully brings Iran into full compliance with its international obligations,” said Mr Kirk.

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#### Individual decisions don’t undermine legitimacy:

**Baum 3** Department of Political Science, Ohio State University, June 2003¶ [“The Supreme Court in American Politics,” <http://arjournals.annualreviews.org/doi/full/10.1146/annurev.polisci.6.121901.085526;jsessionid=n1HzQqZJALRe>, rwg]

Unpopular decisions may cost the Court a degree of public support in the short run, but in the long run the Court's standing tends to hold up well. Thus, justices have reason to think that even under relatively difficult conditions, they can engage in policy interventions that they find appropriate without fear of serious consequences

#### Court legitimacy is resilient

**Fallon 5** prof. of Constitutional Law @ Harvard, Harvard Law Review, April 2005, 118 Harv. L. Rev. 1787; Lexis, rwg

The Relationship Between Institutional Legitimacy and the Substantive Sociological Legitimacy of Judicial Decisions. - Recent scholarship supports two interesting conclusions about the relationship between the institutional legitimacy of the Supreme Court and the substantive sociological legitimacy of particular decisions. First, although the Court's institutional legitimacy varies with public responses to particular rulings, it does so less sharply than earlier, less sophisticated studies had indicated. n183 For example, recent surveys show that Bush v. Gore has had almost no impact on "diffuse support" for the Court, notwithstanding critics' predictions. n184 The Court apparently **possesses** a reservoir of trust **that is not easily dissipated**. n185