### 1

#### Text: the United States federal government will repeal the travel ban, allow normal, unsubsidized exports of agriculture and medical products, end restrictions on remittances, and mandate a sunset review of the Helms-Burton Act.

#### Counterplan solves the case better

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Point 1. “Repeal the Travel Ban.” The travel ban is a result of the embargo and was codified into law in 2000, effectively removing the President’s authority to remove the ban without congressional approval. The travel ban is highly criticized because no other travel ban exists for Americans in the world. Americans are allowed to travel to other and more repressive countries like Iraq and North Korea if they choose to. Freedom to travel is a basic right of Americans. Allowing Americans to freely travel to Cuba will expose the Cuban people to our ideas, values, and culture, resulting in a major source of American influence. The federal travel licensing process should be lifted to allow this free flow of ideas, as well as ending all penalties associated with Americans traveling to Cuba without a license. Repealing the travel ban will remove barriers to increased agricultural, educational, professional and medical benefits associated to free markets. It will generate revenues that will go directly to private restaurants, taxis, artisans and home rentals that are owned and operated by the average Cuban citizen. It will increase U.S. exports by creating an increased demand of U.S. products introduced into the island as a secondary effect to lifting the ban. It will end the restrictions that limits Cuban exiles from traveling to the island only once a year and most importantly create opportunity for us to detect terrorist or drug cartel activities that may influence our borders. Point 2. “Allow normal, unsubsidized exports of agricultural and medical products.” To include private financing of agricultural and medical exports. U.S. law allows the sale of food and medicine to Cuba on a cash basis and under complicated restrictions and procedures that discourage American companies from engaging in the sale of food and medicine to Cuba. Allowing a normal exchange permits private American companies to decide, according to their own criteria, whether to assume the risk of financing products to Cuba. Point 2 also recommends ending the requirement for charity organizations and private companies to monitor the use of donated products to Cuba. Lastly, point 2 recommends ending the provisions of the Torricelli Bill that bans any ships visiting Cuba from entering a U.S. port with 180 days after departing Cuba. Point 3. “End restrictions on remittances.” Cuban Americans are only allowed to send $100 per month per household. The restriction is criticized as a U.S. government intrusion for imposing a monetary limit to Cuban exiles sending money to their family members. Remittances make a significant impact on the quality of life and economy of Cuba and have the additional benefit of freeing Cubans from government support. Ironically, this is another example of a failed policy in that this is the least observed and enforced law of the embargo. Remittances bring in an estimated $800 million into the Cuban economy, all coming from Cuban exiles in Miami who demanded the restriction in order to prevent Castro from using the dollars to fuel the economy. Point 4. “Sunset the Helms-Burton Act.” The Helms-Burton Act is controversial for the many reasons outlined in chapter two. The fundamental purpose of the Helms- Burton Act is the unconditional and instantaneous removal of Castro and the compensation of property. Helms-Burton should be reviewed and modified before we can hope to achieve freedom and prosperity for the Cuban people. The Cuba Working Group encourages the review of the act as one of the first steps towards change.

#### Gradualism solves best – quickness of the plan shocks Cuba and the rest of Latin America which turns the case

David A. Perez, Spring, ‘10, JD Yale Law School, currently serving as The Legal Advisor to the State Department (“America's Cuba Policy: The Way Forward: A Policy Recommendation for the U.S. State Department,” Harvard Latino Law Review, 13 Harv. Latino L. Rev. 187)

Ultimately, closed regimes survive not because they are constantly adapting to changed circumstances, but rather because they are able to maintain a certain level of consistency, both domestically and in their foreign relations. Rapid change in either sphere can become destabilizing. To that end, facilitating closer economic ties between the U.S. and Cuba could also function as an external shock to the Cuban regime. [n156](http://www.lexisnexis.com.er.lib.k-state.edu/lnacui2api/frame.do?reloadEntirePage=true&rand=1370198345415&returnToKey=20_T17518991751&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.165572.65577793302" \l "n156) External shocks promote reform by forcing the regime to adapt to rapidly changing circumstances, which may then open the Pandora's box of transformation.¶ Reformists will quickly gain credibility in the government and among the people if their policies begin to solve the island's economic woes. The reformists will be more able to sell their policies at the popular level, solidifying their power bases, which will then encourage more reform. [n157](http://www.lexisnexis.com.er.lib.k-state.edu/lnacui2api/frame.do?reloadEntirePage=true&rand=1370198345415&returnToKey=20_T17518991751&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.165572.65577793302" \l "n157) The notion of popular support will become especially important in a post-Castro environment where any successor will be particularly sensitive to popular discontent along with popular legitimacy. That being said, a successor government interested in reforming the system may still resort to kangaroo trials and heavy-handedness. As these reformists gain power, the U.S. should resist efforts to punish the regime when it resorts to classically repressive tactics to consolidate its power, or when it tries to goad the U.S. into a reaction it can later use to its advantage. [n158](http://www.lexisnexis.com.er.lib.k-state.edu/lnacui2api/frame.do?reloadEntirePage=true&rand=1370198345415&returnToKey=20_T17518991751&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.165572.65577793302" \l "n158) If the U.S. were to react hostilely to these measures, it would only destabilize the situation and encourage more violence.¶ Once the political situation has stabilized, violence is likely to subside, and the reformists can refocus their efforts on changing the system, rather than worrying about a U.S. intervention. Although Cuba poses no existential threat to America, the fear that America poses an existential threat to Cuba runs deep, especially among the regime's hardliners. Reactionaries attempting to truncate the onset of reforms may seek to entice the United States to overreact to their repressive tactics by either passing additional economic sanctions, or worse yet, intervening militarily. Both options, in the midst of a transition, however far along it may be, would be strategically catastrophic.

#### Cuban instability distracts focus from Asia and makes resolving the Taiwan crisis impossible

Gorrell 05 – Tim is a Lieutenant Colonel in the US Army. This paper is a strategy research project. (“Cuba: The Next Unanticipated Strategic Crisis?” March 18, 2005, http://www.dtic.mil/cgi-bin/GetTRDoc?AD=ADA433074)

Regardless of the succession, under the current U.S. policy, Cuba’s problems of a post Castro transformation only worsen. In addition to Cubans on the island, there will be those in exile who will return claiming authority. And there are remnants of the dissident community within Cuba who will attempt to exercise similar authority. A power vacuum or absence of order will create the conditions for instability and civil war. Whether Raul or another successor from within the current government can hold power is debatable. However, that individual will nonetheless extend the current policies for an indefinite period, which will only compound the Cuban situation. When Cuba finally collapses anarchy is a strong possibility if the U.S. maintains the “wait and see” approach. The U.S. then must deal with an unstable country 90 miles off its coast. In the midst of this chaos, thousands will flee the island. During the Mariel boatlift in 1980 125,000 fled the island.26 Many were criminals; this time the number could be several hundred thousand fleeing to the U.S., creating a refugee crisis. Equally important, by adhering to a negative containment policy, the U.S. may be creating its next series of transnational criminal problems. Cuba is along the axis of the drug-trafficking flow into the U.S. from Columbia. The Castro government as a matter of policy does not support the drug trade. In fact, Cuba’s actions have shown that its stance on drugs is more than hollow rhetoric as indicated by its increasing seizure of drugs – 7.5 tons in 1995, 8.8 tons in 1999, and 13 tons in 2000.27 While there may be individuals within the government and outside who engage in drug trafficking and a percentage of drugs entering the U.S. may pass through Cuba, the Cuban government is not the path of least resistance for the flow of drugs. If there were no Cuban restraints, the flow of drugs to the U.S. could be greatly facilitated by a Cuba base of operation and accelerate considerably. In the midst of an unstable Cuba, the opportunity for radical fundamentalist groups to operate in the region increases. If these groups can export terrorist activity from Cuba to the U.S. or throughout the hemisphere then the war against this extremism gets more complicated. Such activity could increase direct attacks and disrupt the economies, threatening the stability of the fragile democracies that are budding throughout the region. In light of a failed state in the region, the U.S. may be forced to deploy military forces to Cuba, creating the conditions for another insurgency. The ramifications of this action could very well fuel greater anti-American sentiment throughout the Americas. A proactive policy now can mitigate these potential future problems. U.S. domestic political support is also turning against the current negative policy. The Cuban American population in the U.S. totals 1,241,685 or 3.5% of the population.28 Most of these exiles reside in Florida; their influence has been a factor in determining the margin of victory in the past two presidential elections. But this election strategy may be flawed, because recent polls of Cuban Americans reflect a decline for President Bush based on his policy crackdown. There is a clear softening in the Cuban-American community with regard to sanctions. Younger Cuban Americans do not necessarily subscribe to the hard-line approach. These changes signal an opportunity for a new approach to U.S.-Cuban relations. (Table 1) The time has come to look realistically at the Cuban issue. Castro will rule until he dies. The only issue is what happens then? **The U.S. can little afford to be distracted by a failed state 90 miles off its coast**. The administration, given the present state of world affairs, does not have the luxury or the resources to pursue the traditional American model of crisis management. The President and other government and military leaders have warned that the GWOT will be long and protracted. These warnings were sounded when the administration did not anticipate operations in Iraq consuming so many military, diplomatic and economic resources. There is justifiable concern that Africa and the Caucasus region are potential hot spots for terrorist activity, so these areas should be secure. North Korea will continue to be an unpredictable crisis in waiting. We also cannot ignore China. What if China resorts to aggression to resolve the Taiwan situation? Will the U.S. go to war over Taiwan? Additionally, Iran could conceivably be the next target for U.S. pre-emptive action. These are known and potential situations that could easily require **all** or many of the **elements of national power to resolve**. In view of such global issues, can the U.S. afford to sustain the status quo and simply let the Cuban situation play out? The U.S. is at a crossroads: should the policies of the past 40 years remain in effect with vigor? Or should the U.S. pursue a new approach to Cuba in an effort to facilitate a manageable transition to post-Castro Cuba?

#### US support for Taiwan is critical to preventing war

Roy 12 – Dr. Denny Roy is a senior research fellow in Asian security issues with the East-West Center in Honolulu. (“Why the U.S. shouldn't abandon Taiwan”, December 6, 2012, <http://globalpublicsquare.blogs.cnn.com/2012/12/06/why-the-u-s-shouldnt-abandon-taiwan/>, Callahan)

China is the next superpower, the United States is in decline, and America needs to get on China’s good side. So say many analysts who have recently argued that in order to gain favor with Beijing, Washington should stop supporting Taiwan. The U.S. support at stake here includes two explicit policies and one implied policy. Since Taiwan cannot keep up with China’s massive military expansion, the United States sells arms to Taiwan. Washington also insists that any settlement of the Taiwan sovereignty issue must be agreeable to Taiwan’s people, not forced on them by Beijing. Finally, China understands that U.S. forces might intervene if Taiwan came under military attack. The argument for abandoning Taiwan may be superficially appealing in its cold-blooded logic. But it is terribly wrong. U.S. foreign policy has always been a reflection of American principles along with strategic and economic interests. Taiwan is a legitimate democracy, one with a long history of close friendship with the United States, threatened by a large authoritarian state demanding a political annexation that Taiwan’s people clearly do not want. If Americans will not stand by Taiwan, the principled component of U.S. foreign policy is dead. But abandoning Taiwan would not be merely immoral. Washington has economic, political and strategic interests in promoting democracy worldwide. In general, democratic governments make better international citizens than authoritarian states and are more likely to be partners than adversaries in America’s pursuit of its global agenda. Abandoning Taiwan would not only reduce the democratic world in concrete terms by throwing a community of 23 million people back over the barbed-wire fence. It would also signal that America is no longer serious about promoting democratization elsewhere. Some countries in the region are willing to stand up for their own interests against Chinese encroachment only if they have confidence in a long-term U.S. commitment to be a security partner. Other Asia-Pacific governments friendly to the United States would certainly take note if Washington sacrificed Taiwan to improve relations with China. Not only would the U.S. reputation for reliability suffer, but regional governments would perceive a shift in regional leadership from America to China. Absorption of Taiwan by China would make Taiwan an “unsinkable aircraft carrier” for the Chinese military. Taiwan anchors the “first island chain,” limiting the Chinese Navy’s access to the Pacific Ocean. Conversely, occupation of Taiwan would allow Chinese forces to straddle important sea lanes that are the economic lifelines of Japan and South Korea. Chinese control of Taiwan would greatly increase the pressure on Tokyo and Seoul, critically important U.S. allies, to accommodate Beijing’s strategic wishes. These alliances, and along with them the U.S. leadership role in the western Pacific, might become untenable. Although too small to act as a political “Trojan Horse” to massive China, as a vibrant Chinese democracy Taiwan is an influential model for China. It is easy for Chinese to dismiss the American or Western European democracies as unsuitable or unimaginable in a Chinese context, but Taiwan is a different matter. If the persistence of Taiwan as a political showcase (now viewed in person by almost two million mainland Chinese visitors annually) could constructively affect China’s political evolution toward democracy, this Taiwan contribution would be invaluable. But Taiwan requires help to safeguard its democratic system against Chinese pressure. Advocates of abandoning Taiwan may erroneously believe that halting U.S. military and diplomatic support for Taipei would reduce tensions in East Asia. This is certainly what Beijing would have us believe. According to Chinese officials and commentators, U.S. assistance to Taipei is all that stands in the way of peaceful unification, and without it the people of Taiwan would stop resisting and accept Beijing’s terms for unification. This premise, however, ignores an important reality: the main obstacle to unification is not U.S. arms sales, but rather Taiwanese nationalism and the wish of nearly all Taiwan’s people not to be ruled by the Chinese Communist Party. Thus, withdrawal of U.S. support would not necessarily lead to a peaceful resolution of the cross-Strait imbroglio. The opposite outcome is at least as likely. Deterrence against an attack by the People’s Liberation Army would be weakened, while Taiwan’s people may well choose to fight rather than capitulate. Another dubious assumption is that removing the Taiwan issue from U.S.-China relations would clear the way for a vastly improved bilateral relationship. It is true that Taiwan is the greatest single irritant in U.S.-China relations, that U.S. support for Taiwan reinforces Chinese suspicions of an American “containment” strategy, and that the cross-Strait war scenario is a major rationale for China’s military modernization and buildup. But neither U.S.-China relations nor Chinese regional behavior would improve much, if at all, as a result of a U.S. sellout of Taiwan. The Chinese would still have many other reasons to believe the United States is trying to keep China from rising, such as the U.S. alliances, increased American security cooperation with other governments in the region, and the alleged American “meddling” in the South China Sea dispute. There is no reason to expect that China would do more to further the American agenda on issues such as the North Korean and Iran nuclear weapons crises, since Chinese policy follows Chinese self-interests. Most importantly, Taiwan is not the source of China-U.S. friction. The two main Asia-Pacific powers are engaged in a rivalry for regional leadership and, even more fundamentally, in a struggle between two competing models for conducting international relations: one based on modern international laws and norms, and the other based on a return to the Sinocentric sphere of influence that prevailed for much of history. Rather than satisfying and pacifying Beijing, a U.S. concession regarding Taiwan might embolden Chinese demands for more concessions aimed at further weakening America’s strategic position in the Asia-Pacific region. Many observers see America in permanent decline and China as the anointed regional hegemon, but both of these outcomes are highly uncertain. Although now in the trough of an unemployment and fiscal crisis, the United States will probably recover. Conversely, China faces serious limits to its bid for regional leadership. These include internal vulnerabilities such as an aging population, the potential for large-scale political turmoil caused by groups angry at the Chinese government, and the necessity of making huge and painful adjustments to the Chinese economy. Externally, few states in Asia prefer Chinese to U.S. leadership. Unless China becomes overwhelmingly strong and American capabilities greatly diminish, security cooperation among the Asia-Pacific countries in defense of widely-accepted norms of international behavior will be sufficient to check those Chinese aspirations that are illegitimate in that they forcibly intrude on other people’s vital interests. One of these illegitimate aspirations is the notion that China cannot be a prosperous, secure great power without politically absorbing Taiwan, the last big piece of unfinished business from China’s “century of humiliation.” Abandoning Taiwan would, tragically, acquiesce to this notion. The threat of Taiwan independence is an unfortunate invention of the Chinese Communist Party. It is a fake threat. An autonomous Taiwan is not preventing massive increases in China’s prosperity and security. On the other hand, Beijing’s threat to militarily destroy the political system and political identity chosen by Taiwan’s people is real.

#### Taiwan crisis is the most likely scenario for nuclear war

Lowther 3/16 – William is a staff writer for the Taipei Times, citing a CSIS report. (“Taiwan could spark nuclear war: report”, 3/16/2013, http://www.taipeitimes.com/News/taiwan/archives/2013/03/16/2003557211)

**Taiwan is the most likely** potential **crisis that could trigger a nuclear war** betweenChina and the US, a new academic report concludes. “Taiwan remains the single most plausible and dangerous source of tension and conflict between the US and China,” says the 42-page report by the Washington-based Center for Strategic and International Studies (CSIS). Prepared by the CSIS’ Project on Nuclear Issues and resulting from a year-long study, the report emphasizes that Beijing continues to be set on a policy to prevent Taiwan’s independence, while at the same time the US maintains the capability to come to Taiwan’s defense. “Although tensions across the Taiwan Strait have subsided since both Taipei and Beijing embraced a policy of engagement in 2008, the situation remains combustible, complicated by rapidly diverging cross-strait military capabilities and persistent political disagreements,” the report says. In a footnote, it quotes senior fellow at the US Council on Foreign Relations Richard Betts describing Taiwan as “the main potential flashpoint for the US in East Asia.” The report also quotes Betts as saying that neither Beijing nor Washington can fully control developments that might ignite a Taiwan crisis. “This is a classic recipe for surprise, miscalculation and uncontrolled escalation,” Betts wrote in a separate study of his own. The CSIS study says: “For the foreseeable future Taiwan is the contingency in which nuclear weapons would most likely become a major factor, because the fate of the island is intertwined both with the legitimacy of the Chinese Communist Party and the reliability of US defense commitments in the Asia-Pacific region.” Titled Nuclear Weapons and US-China Relations, the study says disputes in the East and South China seas appear unlikely to lead to major conflict between China and the US, but they do “provide kindling” for potential conflict between the two nations because the disputes implicate a number of important regional interests, including the interests of treaty allies of the US. The danger posed by flashpoints such as Taiwan, the Korean Peninsula and maritime demarcation disputes is magnified by the potential for mistakes, the study says. “Although Beijing and Washington have agreed to a range of crisis management mechanisms, such as the Military Maritime Consultative Agreement and the establishment of a direct hotline between the Pentagon and the Ministry of Defense, the bases for miscommunication and misunderstanding remain and draw on deep historical reservoirs of suspicion,” the report says. For example, it says, it is unclear whether either side understands what kinds of actions would result in a military or even nuclear response by the other party. To make things worse, “neither side seems to believe the other’s declared policies and intentions, suggesting that escalation management, already a very uncertain endeavor, could be especially difficult in any conflict,” it says. Although conflict “mercifully” seems unlikely at this point, the report concludes that “it cannot be ruled out and may become increasingly likely if we are unwise or unlucky.” The report says: “With both sides possessing and looking set to retain formidable nuclear weapons arsenals, such a conflict would be tremendously dangerous and quite possibly devastating.”

### 2

#### Lifting the embargo would force liberalization upon Cuba, destroy its domestic industries, and integrate it into the global neoliberal order.

**GONZALEZ,** law prof, 2003 (Carmen, Assistant Professor, Seattle University School of Law, Tulane Environmental Law Journal, Vol. 16, p. 685, 2003, “Seasons of Resistance: Sustainable Agriculture and Food Security in Cuba”, <http://papers.ssrn.com/sol3/papers.cfm?abstract_id=987944>, ZBurdette)

Notwithstanding these problems, the greatest challenge to the agricultural development strategy adopted by the Cuban government in the aftermath of the Special Period is likely to be external—the renewal of trade relations with the United States. From the colonial era through the beginning of the Special Period, economic development in Cuba has been constrained by Cuba’s relationship with a series of primary trading partners. Cuba’s export-oriented sugar monoculture and its reliance on imports to satisfy domestic food needs was imposed by the Spanish colonizers, reinforced by the United States, and maintained during the Soviet era.410 It was not until the collapse of the socialist trading bloc and the strengthening of the U.S. embargo that Cuba was able to embark upon a radically different development path.

Cuba was able to transform its agricultural development model as a consequence of the political and economic autonomy occasioned by its relative economic isolation, including its exclusion from major international financial and trade institutions.411 Paradoxically, while the U.S. embargo subjected Cuba to immense economic hardship, it also gave the Cuban government free rein to adopt agricultural policies that ran counter to the prevailing neoliberal model and that protected Cuban farmers against ruinous competition from highly subsidized agricultural producers in the United States and the European Union.412 Due to U.S. pressure, Cuba was excluded from regional and international financial institutions, including the International Monetary Fund, the World Bank, and the Inter-American Development Bank.413 Cuba also failed to reach full membership in any regional trade association and was barred from the negotiations for the Free Trade Area of the Americas (FTAA).414 However, as U.S. agribusiness clamors to ease trade restrictions with Cuba, the lifting of the embargo and the end of Cuba’s economic isolation may only be a matter of time.415

It is unclear how the Cuban government will respond to the immense political and economic pressure from the United States to enter into bilateral or multilateral trade agreements that would curtail Cubansovereignty and erode protection for Cuban agriculture.416 If Cuba accedes to the dictates of agricultural trade liberalization, it appears likely that Cuba’s gains in agricultural diversification and food self-sufficiency will be undercut by cheap, subsidized food imports from the United States and other industrialized countries.417 Furthermore, Cuba’s experiment with organic and semi-organic agriculture may be jeopardized if the Cuban government is either unwilling or unable to restrict the sale of agrochemicals to Cuban farmers—as the Cuban government failed to restrict U.S. rice imports in the first half of the twentieth century.418

Cuba is once again at a crossroads—as it was in 1963, when the government abandoned economic diversification, renewed its emphasis on sugar production, and replaced its trade dependence on the United States with trade dependence on the socialist bloc. In the end, the future of Cuban agriculture will likely turn on a combination of external factors (such as world market prices for Cuban exports and Cuba’s future economic integration with the United States) and internal factors (such as the level of grassroots and governmental support for the alternative development model developed during the Special Period). While this Article has examined the major pieces of legislation that transformed agricultural production in Cuba, and the government’s implementation of these laws, it is important to remember that these reforms had their genesis in the economic crisis of the early 1990s and in the creative legal, and extra-legal, survival strategies developed by ordinary Cubans.419 The distribution of land to thousands of small producers and the promotion of urban agriculture were in response to the self-help measures undertaken by Cuban citizens during the Special Period. As the economic crisis intensified, Cuban citizens spontaneously seized and cultivated parcels of land in state farms, along the highways, and in vacant lots, and started growing food in patios, balconies, front yards, and community gardens. Similarly, the opening of the agricultural markets was in direct response to the booming black market and its deleterious effect on the state’s food distribution system. Finally, it was the small private farmer, the neglected stepchild of the Revolution, who kept alive the traditional agroecological techniques that formed the basis of Cuba’s experiment with organic agriculture. The survival of Cuba’s alternative agricultural model will therefore depend, at least in part, on whether this model is viewed by Cuban citizens and by the Cuban leadership as a necessary adaptation to severe economic crisis or as a path-breaking achievement worthy of pride and emulation.

The history of Cuban agriculture has been one of resistance and accommodation to larger economic and political forces that shaped the destiny of the island nation. Likewise, the transformation of Cuban agriculture has occurred through resistance and accommodation by Cuban workers and farmers to the hardships of the Special Period. The lifting of the U.S. economic embargo and the subjection of Cuba to the full force of economic globalization will present an enormous challenge to the retention of an agricultural development model borne of crisis and isolation. Whether Cuba will be able to resist the re-imposition of a capital-intensive, export-oriented, import-reliant agricultural model will depend on the ability of the Cuban leadership to appreciate the benefits of sustainable agriculture and to protect Cuba’s alternative agricultural model in the face of overwhelming political and economic pressure from the United States and from the global trading system.

#### The impact is extinction – neoliberalism reduces existence itself to property to be exchanged, producing a drive to a single way of knowing and being – that causes massive structural violence and environmental destruction

LANDER ‘2,

(Edgardo, Prof. of Sociology and Latin American studies at the Venezuelan Central University in Caracas, “Eurocentrism, Modern Knowledges, and the “Natural” Order of Global Capital, Nepantla: Views from South”, 3.2, muse)

Just as resources formerly considered to be commons, or of communal use, were privately appropriated through the enclosure and private appropriation of fields, rivers, lakes, and forests, leading to the expulsion of European peasants from their land and their forced conversion into factory workers during the Industrial Revolution, through biopiracy, legalized by the agreements protecting intellectual property, the ancestral collective knowledge of peoples in all parts of the world is being expropriated and converted into private property, for whose use its own creators must pay. This represents the dispossession or private appropriation of intellectual commons (Shiva 1997, 10). The potential—but also real—impact of these ways of defining and imposing the defense of so-called intellectual property are multiple, yet another expression of the tendency, in the current process of globalization, to concentrate power in Northern businesses and countries, to the detriment of the poor majorities in the South. At stake are matters as critical as the survival of life-forms and choices that do not completely fit within the universal logic of the market, as well as rural nutritional self-sufficiency and access to food and health services for the planet’s underprivileged majorities. As a consequence of the establishment of patents on varieties of life-forms, and the appropriation/expropriation of rural/communal knowledge, by transnational seed and agrochemical companies, the patterns of rural production are changing ever more quickly, on a global scale. Peasants become less and less autonomous, and they depend more and more on expensive consumables they must purchase from transnational companies (Gaia Foundation and GRAIN 1998). These companies have also developed a “terminator” technology deliberately designed so that harvested seeds cannot germinate, forcing peasants to buy new seeds for each planting cycle (Ho and Traavik n.d.; Raghavan n.d.). All of this has had a profound impact, as much on the living conditions of millions of people as on genetic diversity on the planet Earth. The “freedom of commerce” that the interests of these transnational companies increasingly impose on peasants throughout the world is leading to a reduction in the genetic variety of many staple food crops. This reduction in genetic diversity, associated with a engineering view of agriculture and based on an extreme, industrial type of control over each phase of the productive process—with genetically modified seeds and the intensive use of agrochemicals—drastically reduces the auto-adaptive and regenerative ability of ecological systems. And nevertheless, the conservation of biodiversity requires the existence of diverse communities with diverse agricultural and medical systems that utilize diverse species in situ. Economic decentralization and diversification are necessary conditions for biodiversity conservation. (Shiva 1997, 88) Agricultural biodiversity has been conserved only when farmers have total control over their seeds. Monopoly rights regimens for seeds, either in the form of breeders’ rights or patents, will have the same impact on in situ conservation of plant genetic resources as the alienation of rights of local communities has had on the erosion of tree cover and grasslands in Ethiopia, India and other biodiversity-rich regions. (99)12 As much as for preserving genetic diversity—an indispensable condition of life—as for the survival of rural and indigenous peoples and cultures all over the planet—a plurality of ways of knowing must coexist, democratically. Current colonial trends toward an intensified, totalitarian monoculture of Eurocentric knowledge only lead to destruction and death.

#### The alternative is an affirmation of the Cuban model of development. Cuba is a key symbol of resistance to the US neoliberal model – rather than assimilating Cuba, we should use its experience and history to re-imagine US economic relations and shatter neoliberalism’s stranglehold on our political imagination

VATTIMO & ZABALA 11

(Gianni, Prof. of Theoretical Philosophy @ U of Turin, Santiago, Prof. of Philosophy @ U of Barcelona, Hermeneutic Communism, pgs. 132-135)

The reasons for concluding this book by directing our attention to the recent South American revolutionary examples, in particular that of Chavez, should be quite evident to anyone who is unsatisfied with framed democracies. Chavez, together with his allies, provides an alternative and a model we could follow. However, our attention has been drawn not only by South American social politics but also by the excessive interest that the Obama administration (from which we are all still waiting for innovative changes)’° is putting into improving, consolidating, and establishing the U.S. military presence in South America. The recent U.S.-supported coup in Honduras, together with the new and powerful bases being opened in Colombia, are alarming, considering that none of these states, as Grandin explains, represents any military danger to the United States. This brings to mind “Operation Condor,” that is, of those politics that in the 1970s sustained the worst South American military dictatorships.” It is clear that the U.S. obsession with this region is motivated not only by strategic interest, that is, fear of extracapitalist political and economic formations, but also by a fear of the democratic example that these communist states provide. If “hermeneutic communism” must be proven practically we are convinced that it can be found in these Latin American democracies that have constructed themselves along the lines of the Cuban resistance. This explains the particular tenacity that characterizes U.S. foreign policy toward Venezuela, which has become the guiding force in Latin America. Although Venezuela’s exemplary social and democratic model is presented only here, at the end of our book, it constitutes the key of our thesis. Hermeneutic communism is not a theoretical discourse aiming merely to offer philosophical perspectives on those ideas of revolution or radical transformation of society that still manage to survive in our imaginary and imaginations. Rather, it is a theory capable of both updating classical Marxism and again rendering believable the effective possibility of communism. While at a theoretical level we have argued that a revolution may be correctly thought about only outside the scientific and metaphysical horizons that still dominate classical Marxism, at the practical level such a theoretical possibility can be linked to the effective examples of “new” communism in Latin America. In sum, this theory is nothing other than a reevaluation of our Marxist inheritance, stimulated and inspired by those realities that have been outlined in the “real America" of Chavez, Morales, and Lula; it must be pointed out that although Lula had to deal with Brazil’s vast and complex history which forced him to apply the same communist ideals in a much more circumscribed way he still became an alternative voice in international affairs.” Although we are not certain, it is quite possible that Cuban resistance, after fifty years of U.S. terrorist attacks and embargos,” made possible the birth of Chavez’s Bolivarian socialism and the other political transformations in Latin America. As Noam Chomsky explained: Cuba has become a symbol of courageous resistance to attack. Since 1959 Cuba has been under attack from the hemispheric superpower. It has been invaded, subjected to more terror than maybe the rest of the world combined-certainly any other country that I can think of-and it’s under an economic stranglehold that has been ruled completely illegal by every relevant international body It has been at the receiving end of terrorism, repression and denunciation, but it survives.” The Cuban revolution represents a small country’s triumphant resistance to moral exploitation, through which U.S. imperialism and the Batista regime forced it to become the “brothel for American businessmen.”" Just like Cuba, our weak or ghostlike communism is capable of resisting the dominant capitalist world. Belief in these effective alternative Latin American politics renders hermeneutic communism a seed of philosophical resistance to the impositions of conservative realist philosophies (and not the other way around); philosophical positions still convinced that the only possible order of the world is the capitalistic one are always prepared to exploit and dominate with a “human face,” as Zizek often emphasizes. And it is just through this human face that the excessive manipulation of the media (dependent and compromised by European pseudoleftist parties) has rendered unthinkable the idea of political transformations through communism. Such a possibility can only be thought about in those regions where European colonial dominance is resisted by original communities, in other words, where it is possible to construct true alternatives upon the ruins of Western industrial capitalism.

### 3

#### The US ignores customary international law now

Bradley 9-2

(Curtis A., William Van Alstyne Professor of Law – Duke Law School, “War Powers, Syria, and Non-Judicial Precedent,” Lawfare Blog, 2013, http://www.lawfareblog.com/2013/09/war-powers-syria-and-non-judicial-precedent/)

As an initial matter, we need to bracket the issue of whether Obama’s action will weaken his own power as a political matter. This is a complicated issue: on the one hand, it may signal weakness both to Congress and to other nations; on the other hand, if he obtains congressional authorization, he may be in an ultimately stronger political position, as Jack Goldsmith has pointed out. As I understand it, the claim being made by Spiro, Rothkopf, and others is that the power of the presidency more generally is being weakened. How might this happen? Not through an influence on judicial doctrine: Although courts sometimes take account of historic governmental practices when assessing the scope of presidential authority, they have consistently invoked limitations on standing and ripeness, as well as the political question doctrine, to avoid addressing constitutional issues relating to war powers. In the absence of judicial review, what is the causal mechanism by which the “precedent” of Obama seeking congressional authorization for the action in Syria could constrain future presidential action? When judicial review is unavailable, the most obvious way in which the President is constrained is through the political process—pressure from Congress, the public, his party, etc. In an extreme case, this pressure could take the form of impeachment proceedings, but it does not take such an extreme case for the pressure to have a significant effect on presidential decisionmaking. Indeed, it is easy to think of political considerations that might have motivated Obama to go to Congress with respect to Syria.

#### But the plan is consistent with it

Manchak 10

(Benjamin Manchak, Executive Editor of the Boston College Third World Law Journal, Now a managing partner at Pullman & Comley “COMPREHENSIVE ECONOMIC SANCTIONS, THE RIGHT TO DEVELOPMENT, AND CONSTITUTIONALLY IMPERMISSIBLE VIOLATIONS OF INTERNATIONAL LAW,” Spring 2012, 30 B.C. Third World L.J. 417, Lexis//MRG)

The right to development is an inalienable human right intrinsically linked to a peoples' sovereignty. n19 A state's right to development occupies an exalted position in international law; it is protected in several of international law's foundational documents including the U.N. Charter, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social, and Cultural Rights. n20 In addition to the legitimacy [\*425] as a principle of international law, which it derives from its inclusion in the International Bill of Human Rights, the right to development has been further entrenched as an international legal norm by later, more specific treaties and resolutions. n21 By the early 1970s, the right to development [\*426] was undergoing a more formal, comprehensive articulation in the specific language of human rights. n22 Over the course of the next fourteen years, the right to development was proclaimed in various texts, including regional multilateral instruments. n23 In 1986, the overwhelming majority of nations, acting through the U.N. General Assembly, built upon the foundation laid in the International Bill of Human Rights and certified the right to development as a human right. n24 Since the passage of the Declaration on the Right to Development, the right has become a fixture in the pantheon of internationally-recognized human rights, regularly appearing in such texts as multilateral treaties, declarations of international conferences and summits, annual resolutions of the General Assembly, reports of the Secretary General, and annual reports of the Human Rights Council. n25 [\*427] Because of its ubiquity and broad-based acceptance by the international community, the right to development has undoubtedly risen to the level of customary international law. n26 The development of norms of customary international law is a fluid, evolutionary process, which is ascertained by reference to the general practice of states rooted in a sense of legal obligation over a period of time. n27 The right to development is clearly traceable in this manner. n28 It has been over sixty years since the foundations of the right were laid in the U.N. Charter and the Universal Declaration of Human Rights, and over forty years since they were strengthened in the International Covenant on Civil and Political Rights [\*428] and the International Covenant on Economic and Social Rights. n29 It has been thirty-eight years since the right was proposed using the specific language of human rights, twenty-four years since the international community recognized the right in a formal, broad-based multinational instrument, and seventeen years since a consensus involving all governments was reached on the right to development. n30 The right is consistently invoked by states as a rule of international law. n31 Indeed, the right is so fundamental, so inviolable, and so broadly accepted, it may even be properly considered a jus cogens norm. n32 States are therefore bound both by treaty and customary international law to respect the fundamental right of other nations to pursue economic and social development in accordance with their own sovereign volition. n33 [\*429] Despite its near-universal acceptance as a legitimate norm of international human rights law, however, the United States remains hostile to the right to development. n34 The United States generally votes against any specific resolutions codifying, promoting, or otherwise invoking the right to development. n35 Relevant, too, is the fact that the United States has signed, but not ratified, the International Covenant on Economic, Social, and Cultural Rights. n36 While it both signed and ratified the International Covenant on Civil and Political Rights, it lodged a reservation declaring the agreement to be non-self-executing. n37 In no way, however, does the inimical stance the United States has taken toward the right to development relieve it of its international obligations with respect to that right. n38 First, customary international law dictates that, even in the absence of ratification, a state's signature on a treaty obligates it to refrain from activities that might defeat the object and purpose of that instrument. n39 Additionally, an assertion that a [\*430] treaty is not binding, either because a state lodged a declaration of non-self-execution or because the state did not sign and ratify it, is irrelevant when the norm in question is one of customary international law. n40 Regardless of a state's posture vis-a-vis a treaty (for example, as a non-signatory or a party subject to reservations), if that treaty also embodies customary international law, the state is bound. n41 The United States, therefore, is not exempt from its dual responsibilities under treaty and customary international law regarding the right to development. n42

#### Causes lasting incorporation

Porotsky ‘95

[Richard. Partner in the Dinsmore’s Litigation Department and a member of the Insurance Practice Group. JD – Vanderbilt 1996. “Economic Coercion and the General Assembly: a Post-Cold War Assessment of the Legality and Utility of the Thirty-Five-Year Old Embargo Against Cuba” *The Vanderbilt Journal of Transnational Law*, Vol 28 N901. Oct 1995 ln//GBS-JV]

This Note attempts to answer the question of whether the United States’¶ Cuban embargo violates customary international law. The author does so by¶ looking for a norm in international law over the past 30 years which prohibits the¶ use of unilateral economic coercion. The Note also examines whether there¶ might be a movement towards such a norm in the post-Cold War world.¶ Porotsky’s search fails to find such a norm despite several United Nations (U.N.)¶ resolutions which would have moved international law in that direction. Even a¶ series of U.N. resolutions from 1992-94, which criticized the U.S., provided little¶ or no evidence toward the establishment of such a norm.¶ The failure of such a norm to develop is likely due to the fact that powerful¶ nations, such as the U.S., have little reason to sign a treaty or to support such a¶ norm through other means. The development of such a norm would take away a¶ powerful nation’s ability to act in a unilateral manner. Given the positivist nature¶ of international law, it is thus difficult, if not impossible, for such a customary law¶ to come into existence. The lesson Porotsky draws from this experience, is that¶ underdeveloped nations such as Cuba will benefit much more from pursuing¶ international free trade, as opposed to trying to have an international legal norm¶ against economic coercion recognized.

#### Incorporation of CIL causes a massive increase in Alien Tort suits – those devastate competitiveness and cause economic collapse

D’Amore ‘6

(Carolyn, law at Akron, 39 Akron L. Rev. 593, lexis)

Tempered only by the Supreme Court's standard that the customary law at hand be "accepted by the civilized world and defined with a specificity comparable to the features of the 18th-century paradigms," [158](http://web.lexis-nexis.com/universe/document?_m=fd80405987f555559620c4784aff6e44&_docnum=17&wchp=dGLbVlz-zSkVA&_md5=1193aff314e9442881d3a0be45f22910#n158) the federal courts will continue to produce a wide array of decisions that stretch the concept of accepted customary international law. [159](http://web.lexis-nexis.com/universe/document?_m=fd80405987f555559620c4784aff6e44&_docnum=17&wchp=dGLbVlz-zSkVA&_md5=1193aff314e9442881d3a0be45f22910#n159) Because the Sosa decision failed to delineate a precise expectation of the discretion to be used, conflicting decisions in the lower courts are likely. [160](http://web.lexis-nexis.com/universe/document?_m=fd80405987f555559620c4784aff6e44&_docnum=17&wchp=dGLbVlz-zSkVA&_md5=1193aff314e9442881d3a0be45f22910#n160) The lower courts will undoubtedly produce erratic decisions and will allow claims other than those that have genuinely reached the level of customary law. [161](http://web.lexis-nexis.com/universe/document?_m=fd80405987f555559620c4784aff6e44&_docnum=17&wchp=dGLbVlz-zSkVA&_md5=1193aff314e9442881d3a0be45f22910#n161) In fact,<1StQuoteTXT>Experience teaches that the discovery of a new or forgotten judicial power is often marked by efforts to experiment with and, in some cases, abuse that power. Indeed, as a practical matter, lower courts that were willing to infer international law-based causes of action from the pure jurisdictional language of the ATS before Sosa may only be emboldened by the court's decision announcing that the federal courts possess an inherent lawmaking authority when it comes to policing the violation of customary international law norms the world over. [162](http://web.lexis-nexis.com/universe/document?_m=fd80405987f555559620c4784aff6e44&_docnum=17&wchp=dGLbVlz-zSkVA&_md5=1193aff314e9442881d3a0be45f22910#n162) The fluidity of the "residual common law discretion" signals hope for human rights advocates, [163](http://web.lexis-nexis.com/universe/document?_m=fd80405987f555559620c4784aff6e44&_docnum=17&wchp=dGLbVlz-zSkVA&_md5=1193aff314e9442881d3a0be45f22910#n163) threatens the deep pockets of multinational corporations, [164](http://web.lexis-nexis.com/universe/document?_m=fd80405987f555559620c4784aff6e44&_docnum=17&wchp=dGLbVlz-zSkVA&_md5=1193aff314e9442881d3a0be45f22910#n164) and has elicited opposition by the  [\*621]  executive branch of the U.S. government. [165](http://web.lexis-nexis.com/universe/document?_m=fd80405987f555559620c4784aff6e44&_docnum=17&wchp=dGLbVlz-zSkVA&_md5=1193aff314e9442881d3a0be45f22910#n165) 3. "The deed was done in Erie" [166](http://web.lexis-nexis.com/universe/document?_m=fd80405987f555559620c4784aff6e44&_docnum=17&wchp=dGLbVlz-zSkVA&_md5=1193aff314e9442881d3a0be45f22910#n166) The federal courts would be giving the ATS its most accurate interpretation by recognizing that the extinction of federal common law also destroyed any causes of action that arise from the customary international law suggested by the "law of nations" in the ATS. [167](http://web.lexis-nexis.com/universe/document?_m=fd80405987f555559620c4784aff6e44&_docnum=17&wchp=dGLbVlz-zSkVA&_md5=1193aff314e9442881d3a0be45f22910#n167) Limiting the ATS's substantive reach would be consistent with the Supreme Court's other efforts to restrict the "extraterritorial scope" of the courts, which can interfere with the policy considerations of the political branches. [168](http://web.lexis-nexis.com/universe/document?_m=fd80405987f555559620c4784aff6e44&_docnum=17&wchp=dGLbVlz-zSkVA&_md5=1193aff314e9442881d3a0be45f22910#n168) This approach would reduce the ATS to a statute  [\*622]  allowing the claims of aliens only for law of nations violations embedded in the original intent of the Framers: "Violations of safe conduct, infringement of the rights of ambassadors, and piracy." [169](http://web.lexis-nexis.com/universe/document?_m=fd80405987f555559620c4784aff6e44&_docnum=17&wchp=dGLbVlz-zSkVA&_md5=1193aff314e9442881d3a0be45f22910#n169) To do otherwise would perpetuate a modern trend of the federal courts to impinge on the duties more appropriately handled by the other branches of government: in this case making foreign policy decisions better left to the Executive. [170](http://web.lexis-nexis.com/universe/document?_m=fd80405987f555559620c4784aff6e44&_docnum=17&wchp=dGLbVlz-zSkVA&_md5=1193aff314e9442881d3a0be45f22910#n170) It is unlikely that the First Congress ever intended the ATS to create "federal substantive rights" or the "federal common law making" that the plurality's decision authorizes. [171](http://web.lexis-nexis.com/universe/document?_m=fd80405987f555559620c4784aff6e44&_docnum=17&wchp=dGLbVlz-zSkVA&_md5=1193aff314e9442881d3a0be45f22910#n171) Giving the statute an interpretation that is inconsistent with Erie is "a structurally objectionable step." [172](http://web.lexis-nexis.com/universe/document?_m=fd80405987f555559620c4784aff6e44&_docnum=17&wchp=dGLbVlz-zSkVA&_md5=1193aff314e9442881d3a0be45f22910#n172) The ATS should have new life as a viable  [\*623]  jurisdictional statute in U.S. courts only after Congress codifies those international law causes of action for which jurisdiction can apply. [173](http://web.lexis-nexis.com/universe/document?_m=fd80405987f555559620c4784aff6e44&_docnum=17&wchp=dGLbVlz-zSkVA&_md5=1193aff314e9442881d3a0be45f22910#n173) If a lack of authority for the federal courts to create federal common law were properly acknowledged, [174](http://web.lexis-nexis.com/universe/document?_m=fd80405987f555559620c4784aff6e44&_docnum=17&wchp=dGLbVlz-zSkVA&_md5=1193aff314e9442881d3a0be45f22910#n174) the courts could not recognize any causes of action under the ATS, even as extrapolation from the core conceptual basis of the Founder's "law of nations." [175](http://web.lexis-nexis.com/universe/document?_m=fd80405987f555559620c4784aff6e44&_docnum=17&wchp=dGLbVlz-zSkVA&_md5=1193aff314e9442881d3a0be45f22910#n175) B. The Alien Tort Statute's Modern Importance Regardless of the interpretation given to the ATS, the efforts of litigators have already resurrected the statute, and it will play a pivotal role in the United States approach to human rights violations, cooperation with multinational corporations, and its own foreign policy. [176](http://web.lexis-nexis.com/universe/document?_m=fd80405987f555559620c4784aff6e44&_docnum=17&wchp=dGLbVlz-zSkVA&_md5=1193aff314e9442881d3a0be45f22910#n176) Observers can glean the potential consequences of Sosa from the range of amicus curiae briefs filed in the case. [177](http://web.lexis-nexis.com/universe/document?_m=fd80405987f555559620c4784aff6e44&_docnum=17&wchp=dGLbVlz-zSkVA&_md5=1193aff314e9442881d3a0be45f22910#n177) 1. Human Rights Activists Emboldened By not seizing the opportunity to forever banish international human rights claims from federal courts, the Supreme Court sustained hope for numerous human rights victims and their supporting organizations. [178](http://web.lexis-nexis.com/universe/document?_m=fd80405987f555559620c4784aff6e44&_docnum=17&wchp=dGLbVlz-zSkVA&_md5=1193aff314e9442881d3a0be45f22910#n178) The ATS, when given the interpretation of the  [\*626]  Filartiga court or Justice Souter's "ajar door" approach, is "a basic tool to apply limited - but binding - standards to corporations in their international operations." [179](http://web.lexis-nexis.com/universe/document?_m=fd80405987f555559620c4784aff6e44&_docnum=17&wchp=dGLbVlz-zSkVA&_md5=1193aff314e9442881d3a0be45f22910#n179) The accessibility of federal courts to human rights victims has numerous positives. [180](http://web.lexis-nexis.com/universe/document?_m=fd80405987f555559620c4784aff6e44&_docnum=17&wchp=dGLbVlz-zSkVA&_md5=1193aff314e9442881d3a0be45f22910#n180) However, in order to preserve judicial resources and prevent abuse of the federal court system by litigious aliens, the courts must restrict this access by recognizing only those victims of the most widely accepted customary international law violations. [181](http://web.lexis-nexis.com/universe/document?_m=fd80405987f555559620c4784aff6e44&_docnum=17&wchp=dGLbVlz-zSkVA&_md5=1193aff314e9442881d3a0be45f22910#n181) Human rights activists will seize on to the ATS as a means to redress the violations of the host nations where multinational  [\*627]  corporations are often immersed in human rights predicaments. [182](http://web.lexis-nexis.com/universe/document?_m=fd80405987f555559620c4784aff6e44&_docnum=17&wchp=dGLbVlz-zSkVA&_md5=1193aff314e9442881d3a0be45f22910#n182) 2. Multinational Corporations Threatened The potential litigation against multi-national corporations under the ATS raises concern for American businesses and their continued competitiveness in the global economy. [**183**](http://web.lexis-nexis.com/universe/document?_m=fd80405987f555559620c4784aff6e44&_docnum=17&wchp=dGLbVlz-zSkVA&_md5=1193aff314e9442881d3a0be45f22910#n183) Despite activists' strong support for federal jurisdiction over human rights violations, concerns emerge as to the impact this course could have on major U.S. corporations, specifically those with multinational operations. [**184**](http://web.lexis-nexis.com/universe/document?_m=fd80405987f555559620c4784aff6e44&_docnum=17&wchp=dGLbVlz-zSkVA&_md5=1193aff314e9442881d3a0be45f22910#n184)  [\*628]  Multinational corporations risk exposure to human rights litigation by virtue of doing business in a country that perpetrates, sponsors, endorses, or even tolerates human rights abuses. [**185**](http://web.lexis-nexis.com/universe/document?_m=fd80405987f555559620c4784aff6e44&_docnum=17&wchp=dGLbVlz-zSkVA&_md5=1193aff314e9442881d3a0be45f22910#n185) If these multinational corporations are subject to alien tort claims, the magnitude of the damages would be noticeable in the U.S. economy. [**186**](http://web.lexis-nexis.com/universe/document?_m=fd80405987f555559620c4784aff6e44&_docnum=17&wchp=dGLbVlz-zSkVA&_md5=1193aff314e9442881d3a0be45f22910#n186) In the minds of the foremost trade and business organizations in the United States, "the erroneous interpretation and expansion of the [ATS] ... wreaks economic damage." [**187**](http://web.lexis-nexis.com/universe/document?_m=fd80405987f555559620c4784aff6e44&_docnum=17&wchp=dGLbVlz-zSkVA&_md5=1193aff314e9442881d3a0be45f22910#n187) Corporations are already settling suits [**188**](http://web.lexis-nexis.com/universe/document?_m=fd80405987f555559620c4784aff6e44&_docnum=17&wchp=dGLbVlz-zSkVA&_md5=1193aff314e9442881d3a0be45f22910#n188) to avoid  [\*629]  the escalating litigation successfully squeezed through the door for alien tort claims against multinational corporations in U.S. federal courts - suggesting that Justice Souter's slightly ajar door could easily be thrown open. [**189**](http://web.lexis-nexis.com/universe/document?_m=fd80405987f555559620c4784aff6e44&_docnum=17&wchp=dGLbVlz-zSkVA&_md5=1193aff314e9442881d3a0be45f22910#n189)

#### Extinction

Panzner ‘8

(faculty at the New York Institute of Finance, 25-year veteran of the global stock, bond, and currency markets who has worked in New York and London for HSBC, Soros Funds, ABN Amro, Dresdner Bank, and JPMorgan Chase (Michael, “Financial Armageddon: Protect Your Future from Economic Collapse,” p. 136-138)

Continuing calls for curbs on the flow of finance and trade will inspire the United States and other nations to spew forth protectionist legislation like the notorious Smoot-Hawley bill. Introduced at the start of the Great Depression, it triggered a series of tit-for-tat economic responses, which many commentators believe helped turn a serious economic downturn into a prolonged and devastating global disaster. But if history is any guide, those lessons will have been long forgotten during the next collapse. Eventually, fed by a mood of desperation and growing public anger, restrictions on trade, finance, investment, and immigration will almost certainly intensify. Authorities and ordinary citizens will likely scrutinize the cross-border movement of Americans and outsiders alike, and lawmakers may even call for a general crackdown on nonessential travel. Meanwhile, many nations will make transporting or sending funds to other countries exceedingly difficult. As desperate officials try to limit the fallout from decades of ill-conceived, corrupt, and reckless policies, they will introduce controls on foreign exchange. Foreign individuals and companies seeking to acquire certain American infrastructure assets, or trying to buy property and other assets on the cheap thanks to a rapidly depreciating dollar, will be stymied by limits on investment by noncitizens. Those efforts will cause spasms to ripple across economies and markets, disrupting global payment, settlement, and clearing mechanisms. All of this will, of course, continue to undermine business confidence and consumer spending. In a world of lockouts and lockdowns, any link that transmits systemic financial pressures across markets through arbitrage or portfolio-based risk management, or that allows diseases to be easily spread from one country to the next by tourists and wildlife, or that otherwise facilitates unwelcome exchanges of any kind will be viewed with suspicion and dealt with accordingly. The rise in isolationism and protectionism will bring about ever more heated arguments and dangerous confrontations over shared sources of oil, gas, and other key commodities as well as factors of production that must, out of necessity, be acquired from less-than-friendly nations. Whether involving raw materials used in strategic industries or basic necessities such as food, water, and energy, efforts to secure adequate supplies will take increasing precedence in a world where demand seems constantly out of kilter with supply. Disputes over the misuse, overuse, and pollution of the environment and natural resources will become more commonplace. Around the world, such tensions will give rise to full-scale military encounters, often with minimal provocation. In some instances, economic conditions will serve as a convenient pretext for conflicts that stem from cultural and religious differences. Alternatively, nations may look to divert attention away from domestic problems by channeling frustration and populist sentiment toward other countries and cultures. Enabled by cheap technology and the waning threat of American retribution, terrorist groups will likely boost the frequency and scale of their horrifying attacks, bringing the threat of random violence to a whole new level. Turbulent conditions will encourage aggressive saber rattling and interdictions by rogue nations running amok. Age-old clashes will also take on a new, more heated sense of urgency. China will likely assume an increasingly belligerent posture toward Taiwan, while Iran may embark on overt colonization of its neighbors in the Mideast. Israel, for its part, may look to draw a dwindling list of allies from around the world into a growing number of conflicts. Some observers, like John Mearsheimer, a political scientist at the University of Chicago, have even speculated that an “intense confrontation” between the United States and China is “inevitable” at some point. More than a few disputes will turn out to be almost wholly ideological. Growing cultural and religious differences will be transformed from wars of words to battles soaked in blood. Long-simmering resentments could also degenerate quickly, spurring the basest of human instincts and triggering genocidal acts. Terrorists employing biological or nuclear weapons will vie with conventional forces using jets, cruise missiles, and bunker-busting bombs to cause widespread destruction. Many will interpret stepped-up conflicts between Muslims and Western societies as the beginnings of a new world war.

### 1NC – Agriculture

#### 1AC Ergas card proves Uniqueness for the Turn—others are modeling now

#### The plan destroys Cuba’s ag system – NAFTA proves

McKibben, 5 – author, environmentalist, and activist. In 1988, he wrote The End of Nature, the first book for a common audience about global warming. He is the co-founder and Chairman of the Board at 350.org, an international climate campaign that works in 188 countries around the world (Bill, “The Cuba Diet”, Harper’s Magazine, April, reprinted here - <http://billtotten.blogspot.com/2005/04/cuba-diet.html>

One question is: How resilient is the new Cuban agriculture? Despite ever tougher restrictions on US travel and remittances from relatives, the country has managed to patch together a pretty robust tourist industry in recent years: Havana's private restaurants fill nightly with Canadians and Germans. The government's investment in the pharmaceutical industry appears to be paying off, too, and now people who are fed by ox teams are producing genetically engineered medicines at some of the world's more advanced labs. Foreign exchange is beginning to flow once more; already many of the bicycles in the streets have been replaced by buses and motorbikes and Renaults. Cuba is still the most unconsumer place I've ever been - there's even less to buy than in the old Soviet Union - but sooner or later Castro will die. What then?¶ Most of the farmers and agronomists I interviewed professed conviction that the agricultural changes ran so deep they would never be eroded. Perez, however, did allow that there were a lot of younger oxen drivers who yearned to return to the cockpits of big tractors, and according to news reports some of the country's genetic engineers are trying to clone White Udder herself from leftover tissue. If Cuba simply opens to the world economy - if Castro gets his professed wish and the US embargo simply disappears, replaced by a free-trade regime - it's very hard to see how the sustainable farming would survive for long. We use pesticides and fertilizers because they make for incredibly cheap food. None of that dipping the seedling roots in some bacillus solution, or creeping along the tomato rows looking for aphids, or taking the oxen off to be shoed. Our industrial agriculture - at least as heavily subsidized by Washington as Cuba's farming once was subsidized by Moscow - simply overwhelms its neighbors.¶ For instance, consider Mexico and corn. Not long ago the journalist Michael Pollan told the story of what happened when NAFTA opened that country's markets to a flood of cheap, heavily subsidized US maize: the price fell by half, and 1.3 million small farmers were put out of business, forced to sell their land to larger, more corporate farms that could hope to compete by mechanizing (and lobbying for subsidies of their own). A study by the Carnegie Endowment for International Peace enumerated the environmental costs: fertilizer runoff suffocating the Sea of Cortez, water shortages getting worse as large-scale irrigation booms. Genetically modified corn varieties from the United States are contaminating the original strains of the crop, which began in southern Mexico.

#### Shkolnick concedes the turn – If, for example, the price of corn were to skyrocket on the world market, Cuban officials indicate that if it made economic sense, they “would cover this island with corn.”

#### Kost also concedes the turn – indicates that opening to US markets would force Cuba to meet standard of different countries – destroys their system

#### Can’t solve in time – Roberts says its coming quickly – only a RISK of the turn

#### Cuba’s ag isn’t sustainable – government regulations cause a laundry list of problems

Cave 12 - Foreign correspondent for The New York Times. Covers Mexico, Central America and the Caribbean. Pulitzer Prize finalist. (Damien, “Cuba’s Free-Market Farm Experiment Yields a Meager Crop”, The New York Times, 12/8/2012, http://www.nytimes.com/2012/12/09/world/americas/changes-to-agriculture-highlight-cubas-problems.html?pagewanted=all&\_r=0)//JL

HAVANA — Cuba’s liveliest experiment with capitalism unfolds every night in a dirt lot on the edge of the capital, where Truman-era trucks lugging fresh produce meet up with hundreds of buyers on creaking bicycle carts clutching wads of cash.¶ Multimedia¶ ¶ “This place, it feeds all of Havana,” said Misael Toledo, 37, who owns three small food stores in the city. “Before, you could only buy or sell in the markets of Fidel.”¶ The agriculture exchange, which sprang up last year after the Cuban government legalized a broader range of small businesses, is a vivid sign of both how much the country has changed, and of all the political and practical limitations that continue to hold it back.¶ President Raúl Castro has made agriculture priority No. 1 in his attempt to remake the country. He used his first major presidential address in 2007 to zero in on farming, describing weeds conquering fallow fields and the need to ensure that “anyone who wants can drink a glass of milk.”¶ No other industry has seen as much liberalization, with a steady rollout of incentives for farmers. And Mr. Castro has been explicit about his reasoning: increasing efficiency and food production to replace imports that cost Cuba hundreds of millions of dollars a year is a matter “of national security.”¶ Yet at this point, by most measures, the project has failed. Because of waste, poor management, policy constraints, transportation limits, theft and other problems, overall efficiency has dropped: many Cubans are actually seeing less food at private markets. That is the case despite an increase in the number of farmers and production gains for certain items. A recent study from the University of Havana showed that market prices jumped by nearly 20 percent in 2011 alone. And food imports increased to an estimated $1.7 billion last year, up from $1.4 billion in 2006.¶ “It’s the first instance of Cuba’s leader not being able to get done what he said he would,” said Jorge I. Domínguez, vice provost for international affairs at Harvard, who left Cuba as a boy. “The published statistical results are really very discouraging.”¶ A major cause: poor transportation, as trucks are in short supply, and the aging ones that exist often break down.¶ In 2009, hundreds of tons of tomatoes, part of a bumper crop that year, rotted because of a lack of transportation by the government agency charged with bringing food to processing centers.¶ “It’s worse when it rains,” said Javier González, 27, a farmer in Artemisa Province who described often seeing crops wilt and rot because they were not picked up.¶ Behind him were the 33 fertile, rent-free acres he had been granted as part of a program Mr. Castro introduced in 2008 to encourage rural residents to work the land. After clearing it himself and planting a variety of crops, Mr. Gonzalez said, he was doing relatively well and earned more last year than his father, who is a doctor, did.¶ But Cuba’s inefficiencies gnawed at him. Smart, strong, and ambitious, he had expansion plans in mind, even as in his hand he held a wrench. He was repairing a tractor part meant to be grading land. It was broken. Again.¶ The 1980s Soviet model tractor he bought from another farmer was as about good as it gets in Cuba. The Cuban government maintains a monopoly on selling anything new, and there simply is not enough of anything — fertilizer, or sometimes even machetes — to go around.¶ Government economists are aware of the problem. “If you give people land and no resources, it doesn’t matter what happens on the land,” said Joaquin Infante of the Havana-based Cuban National Association of Economists.¶ But Mr. Castro has refused to allow what many farmers and experts see as an obvious solution to the shortages of transportation and equipment: Let people import supplies on their own. “It’s about control,” said Philip Peters, a Cuba analyst with the Lexington Institute, a Virginia-based research group.¶ Other analysts agree, noting that though the agricultural reforms have gone farther than other changes — like those that allow for self-employment — they remain constrained by politics.¶ “The government is not ready to let go,” said Ted Henken, a Latin American studies professor at Baruch College. “They are sending the message that they want to let go, or are trying to let go, but what they have is still a mechanism of control.”¶ For many farmers, that explains why land leases last for 10 years with a chance to renew, not indefinitely or the 99 years offered to foreign developers. It is also why many farmers say they will not build homes on the land they lease, despite a concession this year to allow doing so.¶ Mistrust is widespread. To get the growth Mr. Castro wants in agriculture and the economy, people need to trust the government, analysts say. But after half a century of strict control, many Cubans doubt proclamations from officials, who insist that this time, despite previous crackdowns, private enterprise will be supported.¶ Some farmers still wonder when the government is going to swoop in and take what they have built.¶ “What concerns me is that in a place like this, after five or six years the state might need the land to complete some kind of project,” said Reinaldo Berdecia, who is raising cows outside Havana.¶ Cubans also say they worry that the bureaucrats responsible for managing the country’s complex mix of state-run and private agriculture lack the knowledge needed to make the system work. In the fall, there were piles of bananas rotting all over Havana, for example. Farmers say the government guaranteed a price that was too high, failing to recognize that because bananas require less investment and their planting season is short, farmers would overproduce.

### 1NC—Relations

#### No impact to warming and CO2 is a negative feedback

Carter et al. 13, Idso, Craig D. Center for the Study of Carbon Dioxide and Global Change USA Carter, Robert M. Emeritus Fellow Institute of Public Affairs Australia Singer, S. Fred Science and Environmental Policy Project USA Ball, Timothy Research Fellow Frontier Centre for Public Policy Canada Easterbrook, Don J. Professor Emeritus of Geology Western Washington University USA Idso, Craig D. Center for the Study of Carbon Dioxide and Global Change USA Idso, Sherwood Center for the Study of Carbon Dioxide and Global Change USA Khandekar, Madhav Former Research Scientist Environment Canada Canada Kininmonth, William Science Advisor Australian Climate Science Coalition Australia de Lange, Willem Science and Engineering Department The University of Waikato New Zealand Lüning, Sebastian Geologist and Author Germany Lupo, Anthony School of Natural Resources University of Missouri USA Ollier, Cliff School of Earth and Geographical Sciences University of Western Australia Australia Soon, Willie Independent Scientist USA Armstrong, J. Scott Wharton School University of Pennsylvania USA D’Aleo, Joseph Co-chief Meteorologist Weatherbell Analytic USA Easterbrook, Don J. Professor Emeritus of Geology Western Washington University USA Green, Kesten International Graduate School of Business University of South Australia Australia McKitrick, Ross Department of Economics University of Guelph Canada Ollier, Cliff School of Earth and Geographical Sciences University of Western Australia Australia Segalstad, Tom Resource and Environmental Geology University of Oslo Norway Singer, S. Fred Science and Environmental Policy Project USA Spencer, Roy Principal Research Scientist University of Alabama in Huntsville USA Abdussamatov, Habibullo Space Research Laboratory Pulkovo Observatory Russian Academy of Sciences Russia Bastardi, Joe Co-chief Meteorologist Weatherbell Analytic USA Battaglia, Franco Professor of Environmental Chemistry University of Modena Italy Bowen, David Q. Professor Emeritus, School of Earth & Ocean Sciences Cardiff University UK Clark, Roy Ventura Photonics USA Courtillot, Vincent Professor Emeritus University Paris Diderot and Institut de Physique du Globe France Essex, Christopher Department of Applied Mathematics University of Western Ontario Canada Evans, David Independent Scientist, Sciencespeak.com, and Former Carbon Modeller Australian Greenhouse Office Australia Floderus, Sören Consultant SF Bureau Denmark Franks, Stewart W. School of Engineering University of Newcastle Australia Friis-Christensen, Eigil Professor Emeritus National Space Institute Technical University of Denmark Denmark Goldberg, Fred Swedish Polar Institute Sweden Gould, Laurence Professor of Physics University of Hartford USA Gray, William Emeritus Professor of Atmospheric Science Colorado State University USA Gray, Vincent Richard Climate Consultant New Zealand Hayden, Howard Professor of Physics Emeritus University of Connecticut USA Hovland, Martin Professor Emeritus Centre for Geobiology University of Bergen Norway Kärner, Olavi Atmospheric Sensing Group Tartu Observatory Estonia O’Brien, James Department of Earth, Ocean, and Atmospheric Science Florida State University USA Paltridge, Garth Emeritus Professor and Honorary Research Fellow University of Tasmania Australia Rapp, Donald Senior Research Scientist and Division Chief Technologist (retired) Jet Propulsion Lab USA Ribbing, Carl Department of Engineering Sciences, Solid State Physics Uppsala University Sweden Scafetta, Nicola Department of Physics Duke University USA Shade, John Industrial Statistics Consultant UK Sharp, Gary Independent Consultant Center for Climate/ Ocean Resources Study USA Solheim, Jan-Erik Professor emeritus Department of Physics and Technology University of Tromsø Norway Uriarte Cantolla, Antón Sociedad de Ciencias Naturales Aranzadi Spain Weber, Gerd-Rainer Independent Meteorologist Germany Editors Karnick , S.T. The Heartland Institute USA Bast, Diane Carol The Heartland Institute USA, (“Climate Change Reconsidered II: Physical Science”, http://climatechangereconsidered.org/#tabs-1-1, assorted documents – sort through the wesbite, September 2013) Kerwin

• Atmospheric carbon dioxide (CO2) is a mild greenhouse gas that exerts a diminishing warming effect as its concentration increases. • Doubling the concentration of atmospheric CO2 from its pre-industrial level, in the absence of other forcings and feedbacks, would likely cause a warming of ~0.3 to 1.1°C, almost 50% of which must already have occurred. • A few tenths of a degree of additional warming, should it occur, would not represent a climate crisis. • Model outputs published in successive IPCC reports since 1990 project a doubling of CO2 could cause warming of up to 6°C by 2100. Instead, global warming ceased around the end of the twentieth century and was followed (since 1997) by 16 years of stable temperature. • Over recent geological time, Earth’s temperature has fluctuated naturally between about +4°C and -6°C with respect to twentieth century temperature. A warming of 2°C above today, should it occur, falls within the bounds of natural variability. • Though a future warming of 2°C would cause geographically varied ecological responses, no evidence exists that those changes would be net harmful to the global environment or to human well-being. • At the current level of ~400 ppm we still live in a CO2-starved world. Atmospheric levels 15 times greater existed during the Cambrian Period (about 550 million years ago) without known adverse effects. • The overall warming since about 1860 corresponds to a recovery from the Little Ice Age modulated by natural multidecadal cycles driven by ocean-atmosphere oscillations, or by solar variations at the de Vries (~208 year) and Gleissberg (~80 year) and shorter periodicities. • Earth has not warmed significantly for the past 16 years despite an 8% increase in atmospheric CO2, which represents 34% of all extra CO2 added to the atmosphere since the start of the industrial revolution. • CO2 is a vital nutrient used by plants in photosynthesis. Increasing CO2 in the atmosphere “greens” the planet and helps feed the growing human population. • No close correlation exists between temperature variation over the past 150 years and humanrelated CO2 emissions. The parallelism of temperature and CO2 increase between about 1980 and 2000 AD could be due to chance and does not necessarily indicate causation. • The causes of historic global warming remain uncertain, but significant correlations exist between climate patterning and multidecadal variation and solar activity over the past few hundred years. • Forward projections of solar cyclicity imply the next few decades may be marked by global cooling rather than warming, despite continuing CO2 emissions.

#### Low relations is a decision by the U.S. – the plan might make the U.S. palatable to Latin America but it doesn’t change the indifference in U.S. policy

**Cárdenas 11** – former assistant administrator for Latin America at the U.S. Agency for International Development (José R., “The U.S. is MIA in Latin America” , Foreign Policy, December 29 2011, <http://shadow.foreignpolicy.com/posts/2011/12/29/the_us_is_mia_in_latin_america>) //WNM

**An end-of-the-year assessment of U.S. policy towards Latin America could possibly qualify for the world's shortest blog**. For a President who has clearly established that foreign policy is not something that gets him up in the morning (or appears to keep him awake at night), **Latin America must rank just above Antarctica in descending areas of interest.**

This uneven, s**poradic focus on the region has led to only adverse consequences for U.S. interests.** What e**ffort the administration does expend seems only directed toward placating a smattering of hostile populist regimes, while ignoring the interests of our friends.** Indeed, the predictable response is that **we have only emboldened our enemies and despaired those in the hemisphere who share the U.S. vision of open political systems**, **free markets, and robust trade.**

**Radical populists in Venezuela**, Ecuador, and Bolivia **have run roughshod over democratic institutions and the best Washington can come up with is asking for** the terms under which a **U.S. ambassador** would be allowed **to return** to their capitals. In Nicaragua, Daniel Ortega is likely chuckling at the feeble U.S. response to his recently rigged re-election.

It also appears **that the administration has lulled itself into complacency over** a cancer-stricken Hugo Chávez in Venezuela, ground zero for regional instability, seemingly content **to wait and see what happens after Chávez passes from the scene. But even as his circus antics continue, he is leaving behind what my colleague Roger Noriega calls a mountain of toxic waste that will take years to clean up.**

**Chávez's days may indeed be numbered, but his friends in Iran, Russia, China, and Cuba are certainly taking the long-term view of things.** **All four** have been **great beneficiaries of Chávez's political solidarity and oil-fueled largesse and can be counted on to want to maintain that access with or without him in power**. In other words, **don't count on them to support a democratic transition** away from Chavismo, only a succession. Every day, the United States stands idly on the sidelines, the chances they will succeed improve.

#### Many terminal alt causes to relations

**Shifter, 8 –** Professor of Latin American Studies at Georgetown (Micheal, “U.S.-Latin American Relations: Recommendations for the New Administration”, Inter-American Dialogue, October 27, 2008, http://www.thedialogue.org/page.cfm?pageID=32&pubID=1625)

**As if any further proof were needed, the ongoing financial crisis highlights the already diminished capacity of the United States to shape developm**ents in the rest of the world. With its own house in disorder, **the United States will struggle to get back on track as a responsible member of the international community.**¶ Still, **though the United States may be considerably chastened, it remains a superpower**, **whose decisions and actions have a huge global impact.** When it falls to the next US administration to deal with the rapidly changing situation in the Middle East, Europe, Asia, or even Africa, it will likely reassess US interests and frame strategic choices in light of new realities.¶ **But if the United States seriously undertakes such an effort for neighboring Latin America, it will mark the first time it has done so.** For reasons of geography, history and power disparity, Latin America has typically been treated as a discrete compartment, separate from interest-based foreign relations.¶ **Regardless of how one comes down on the issues of Cuba, immigration, drugs, and trade, the paternalistic impulse on the part of the United States has been unmistakable. Latin Americans find this tutorial attitude extremely irritating,** and their objections have prompted a more collegial tone from the United States in certain cases. **Unfortunately, it is still manifest in a variety of ways, from the overall diplomatic style to specific policies like drug cooperation decertification or suspending military training for countries that do not sign agreements that exempt US soldiers** from prosecution under the International Criminal Court.¶ **While domestic politics is never completely divorced from foreign policy, it has an inordinate and particularly distorting influence on Latin American policy.** Hardliners and liberals alike rarely consider the effects policies and statements will have on US-Latin American relations or the ultimate impact for US interests. The decision to build a “wall” along the US-Mexico border, for example, may have been politically expedient but was deeply insulting, not only to Mexico, but to the entire region.¶ **This ingrained reflex to dismiss Latin America as the “backyard” of the United States may have been understandable in a distant er**a, but today the region is wildly varied and defies lazy, superficial generalizations (e.g. “inflation is out of control” or “democracy is starting to take root”). **Whether or not the United States recognizes it, the fact is that different parts of Latin America are moving in markedly different directions simultaneously**.

#### U.S. influence in Latin America is stronger than ever

**Duddy and Mora 2013** – U.S. ambassador to Venezuela from 2007 until 2010 and is senior lecturer at Duke University; director of the Latin American and Caribbean Center at Florida International University [Patrick and Frank, “Latin America: Is U.S. influence waning?”, http://www.miamiherald.com/2013/05/01/3375160/latin-america-is-us-influence.html//cc]

Is U.S. influence in Latin America on the wane? It depends how you look at it.¶ As President Obama travels to Mexico and Costa Rica, it’s likely the pundits will once again underscore what some perceive to be the eroding influence of the United States in the Western Hemisphere. Some will point to the decline in foreign aid or the absence of an overarching policy with an inspiring moniker like “Alliance for Progress” or “Enterprise Area of the Americas” as evidence that the United States is failing to embrace the opportunities of a region that is more important to this country than ever.¶ The reality is a lot more complicated. Forty-two percent of all U.S. exports flow to the Western Hemisphere. In many ways, U.S. engagement in the Americas is more pervasive than ever, even if more diffused. That is in part because the peoples of the Western Hemisphere are not waiting for governments to choreograph their interactions.¶ A more-nuanced assessment inevitably will highlight the complex, multidimensional ties between the United States and the rest of the hemisphere. In fact, it may be that we need to change the way we think and talk about the countries of Latin America and the Caribbean. We also need to resist the temptation to embrace overly reductive yardsticks for judging our standing in the hemisphere.¶ As Moises Naim notes in his recent book, The End of Power, there has been an important change in power distribution in the world away from states toward an expanding and increasingly mobile set of actors that are dramatically shaping the nature and scope of global relationships. In Latin America, many of the most substantive and dynamic forms of engagement are occurring in a web of cross-national relationships involving small and large companies, people-to-people contact through student exchanges and social media, travel and migration.¶ Trade and investment remain the most enduring and measurable dimensions of U.S. relations with the region. It is certainly the case that our economic interests alone would justify more U.S. attention to the region. Many observers who worry about declining U.S. influence in this area point to the rise of trade with China and the presence of European companies and investors.¶ While it is true that other countries are important to the economies of Latin America and the Caribbean, it is also still true that the United States is by far the largest and most important economic partner of the region and trade is growing even with those countries with which we do not have free trade agreements.¶ An area of immense importance to regional economies that we often overlook is the exponential growth in travel, tourism and migration. It is commonplace to note the enormous presence of foreign students in the United States but in 2011, according to the Institute of International Education, after Europe, Latin America was the second most popular destination for U.S. university students. Hundreds of thousands of U.S. tourists travel every year to Latin America and the Caribbean helping to support thousands of jobs.¶ From 2006-2011 U.S. non-government organizations, such as churches, think tanks and universities increased the number of partnerships with their regional cohorts by a factor of four. Remittances to Latin America and the Caribbean from the United States totaled $64 billion in 2012. Particularly for the smaller economies of Central America and the Caribbean these flows can sometimes constitute more than 10 percent of gross domestic product.

#### Improving relations is impossible without reforming the entire foreign policy apparatus

**Gvosdev, 12 -** former editor of the National Interest, and a frequent foreign policy commentator in both the print and broadcast media. He is currently on the faculty of the U.S. Naval War College(Nikolas, “To Reset Latin America Policy, U.S. Must Think Big,” 4/20, World Politics Review, <http://www.worldpoliticsreview.com/articles/11867/the-realist-prism-to-reset-latin-america-policy-u-s-must-think-big>)

More generally, Obama’s Latin America policy is suffering from a lack of what George H.W. Bush famously called “the vision thing,” compounded by how the administration organizes the U.S. foreign policy apparatus. The president had an initial opening at his first Summit of the Americas in Trinidad, in 2009, to reset what had become a very problematic relationship between the United States and most of the rest of the hemisphere during the George W. Bush administration. Most regional leaders also made it clear they understood that, given the global financial crisis and the challenges of winding down America’s involvement in two Middle Eastern wars, Obama could not immediately pivot U.S. foreign policy to the region.

But as I noted two years ago, “There was insufficient follow-up to take advantage of the momentum generated by the Trinidad meeting.” Just as candidate George W. Bush’s rhetoric about the importance of Latin America understandably evaporated after Sept. 11, the Obama administration, in continuing to react to a series of crises elsewhere in the world, has also put the Western Hemisphere on the back burner.

As a result, according to Sean Goforth, America’s relations with the region appear to be adrift. “Many countries want and deserve a serious partnership with Washington. But President Obama is an unconvincing partner. . . . He has stalled on trade treaties with Latin American countries that still want preferred access to the U.S. market, and he’s made it clear that his strategic priority is a ‘pivot’ toward Asia.”

Worse still, no senior official within the administration, starting with the president himself, has articulated a clear, compelling and convincing vision for what a Western Hemispheric partnership would look like, beyond the expected bromides about peace, democracy and prosperity. What is the desired end state? There is no lack of compelling possibilities to choose from: free circulation for people, goods and capital from the Yukon to Tierra del Fuego; a greater push for regional independence, in terms of manufactured goods, services and energy; an arrangement that mimics the pre-Maastricht European Community.

#### Snowden could crush any chances at diplomacy and cooperation

**Llorente, 6/24, 2013** [Elizabeth, “Edward Snowden Scandal Could Create A Rift In U.S.-Latin American Relations”, http://latino.foxnews.com/latino/politics/2013/06/24/edward-snowden-could-be-political-weapon-for-ecuador-against-us/#ixzz2XMlCZFdq//cc]

What has become a nightmare for the U.S. government could be a godsend to nations, such as Ecuador, that welcome opportunities to shame the superpower, experts said.¶ The foreign minister of Ecuador – a country that has cracked down on government critics and journalists under President Rafael Correa -- said that the South American nation is considering granting asylum to former U.S., National Security Agency contractor Edward Snowden, wanted in the U.S. for revealing state secrets.¶ Snowden has been on the run since he revealed that the United States has collected data on the telephone calls and emails of its citizens. The United States has filed espionage charges against the 29-year-old Snowden, and is demanding his extradition.¶ At a press conference on Monday, Ecuador Foreign Minister Ricardo Patiño said his nation’s decision to give consideration to Snowden’s asylum request "has to do with freedom of expression and with the security of citizens around the world."¶ Patiño said weighing asylum for Snowden was more important than whatever ramifications it would face in U.S.-Ecuador relations. Ecuador has allowed Wikileaks founder Julian Assange, to whom it granted political asylum, to remain at its embassy in London for months. “Ecuador puts its principles above its economic interests,” Patiño said.¶ Experts on U.S.-Latin America relations said Ecuador is being opportunistic in taking a shot at the U.S.¶ “The chance to needle the United States is almost too irresistible,” said Michael Shifter, president of the Inter-American Dialogue, a political think tank in Washington D.C. ¶ “This is a tremendous temptation for countries like Ecuador, Cuba and Venezuela. It’s a way they can expose double standards, hypocrisy, a way to say 'the U.S. criticizes us because of clamping down on the press, but look at what the U.S. is doing.’”¶ Various published reports said that Snowden, who had been in Hong Kong, then traveled to Russia, was to leave for Havana on Monday. But he was not on the flight that was expected to take him to Cuba.¶ Reports said that he was going to go to Cuba, then Venezuela and possibly end up in Ecuador with hope of receiving asylum and being allowed to live there. Now reports say Snowden may travel to Cuba on Tuesday.¶ Political leaders in Cuba and Venezuela routinely have harsh words for the United States; former Venezuelan President Hugo Chavez, who died earlier this year, bolstered his international standing among nations that are adversaries of the United States by condemning and often mocking U.S. officials.¶ Chavez's successor, Nicolas Maduro, has continued the anti-U.S. barbs, even going so far as to accuse the United States of being somehow involved in the death of Hugo Chavez.¶ Cuban leader Fidel Castro, whose brother Raul succeeded him as president after he fell ill, often assailed U.S. lawmakers and said the U.S.-Cuba embargo amounted to terrorism.¶ Cuba has no diplomatic relations with the United States, and Havana airport officials often do not stamp traveling documents of Americans who go there in violation of the U.S. embargo and travel restrictions.¶ Snowden's fate may rest with one of these countries willing to take the political risk and open their doors to him.¶ “He [Snowden] doesn’t have a lot of choices,” said Robert Anello, a New York attorney who handles extradition cases and white collar crimes. “He’s a political hot potato for other countries. My sense is that it wasn’t his decision to leave Hong Kong. He’s left with those countries that see something to be gained from the political points he can offer them right now.”¶ And although Cuba and Venezuela may allow him in temporarily, and aid in his transport, they too may not be willing to offer him refuge and deal with long-term consequences, experts said.¶ Officials of both nations have been in recent talks with U.S. officials about improving aspects of their relations.¶ Cuba and the United States have been discussing direct mail service, as well as their migration policies.¶ And U.S. Secretary of State John Kerry, on his first trip to Latin America since taking office, met with Venezuela's foreign minister Elías José Jaua earlier this month to discuss restoring ambassador-level relations and ending more than a decade of steadily deteriorating ties.¶ Kerry said he was hopeful that a rapprochement could be achieved. The meeting, which came at Venezuela's request, took place just hours after Venezuela released from prison an American filmmaker who had been jailed on espionage charges, removing an immediate irritant in the relationship.¶ “If Snowden came to Venezuela, they would not hand him over to the United States, they would give him safe haven,” said David Smilde, a researcher with the Washington Office on Latin America, a political think tank.¶ “But if they gave him [permanent] safe haven, that would seriously harm improved relations.”¶ Some U.S. lawmakers assailed Snowden for seeking refuge in countries that are sworn enemies of the United States.¶ “It would not be surprising if the NSA leaker finds safe haven in Cuba or Venezuela, two regimes that have a longstanding history of giving refuge to fugitives from U.S. law," said U.S. Rep. Ileana Ros-Lehtinen in a statement. "Let us not forget that Phillip Agee, former CIA agent, leaked classified information about CIA personnel and fled the U.S. to seek refuge until he passed away in 2008 in Cuba."¶ "The cruel irony is that there are no press freedoms in either Cuba or Venezuela, yet Snowden who supposedly stands for transparency in government seeks refuge in police states like these two countries," the congresswoman said. "Those who misrule over Cuba and Venezuela, Raul Castro and Nicolas Maduro, do not allow independent free press, do not cooperate on terrorism related issues, disregard due process and an independent judicial system."¶ Kerry, indeed, warned about serious consequences for any nation that gives Snowden asylum or aids in his transport and evasion of extradition.¶ Giving Snowden support, said Shifter of the Inter-American Dialogue, would not do much to bolster the popularity of Raul Castro or Correa inside their own nations.¶ Correa, in particular, already is very popular in his country, having won reelection by a landslide.¶ “It’s basically about taking on a cause that puts the United States, from their point of view, in a questionable light,” he said. “And it’s trying to associated themselves with what they see as heroes, whistleblowers.”¶ That said, however, Smilde argued that the United States itself may not want to keep a bright spotlight on the Snowden saga for the long-run.¶ “Right now there’s a lot of bravado,” said Smilde in a telephone interview from Caracas, where he is conducting research. “Once he gets safe passage, given asylum by some country, this will die down.”¶ Plus, one must remember that the U.S. State Department is also walking a political tightrope right now, considering the damaging information Snowden revealed.¶ “This is not flattering to the United States,” said Smilde. “It defends democracy all over the world, and here is someone who has revealed extensive surveillance by the U.S. government of its citizens. They’ll want this to go away.”¶

### 1NC-Multilat

**The U.S. will never comply with multilateral institutions**

**Lake, 10–** Professor of Social Sciences, distinguished professor of political science at UC San Diego (David A., “Making America Safe for the World: Multilateralism and the Rehabilitation of US authority”, http://dss.ucsd.edu/~dlake/documents/LakeMaking AmericaSafe.pdf)

Retying the Knots

The safeguarding of US authority requires multilateralism that is broader and certainly deeper than in the 1990s—more like NATO than the ad hoc coalitions of the new world order. Indeed, absent the constraints exerted by competition with the Soviet Union, the institutional fetters through which the United States must bind its own hands will have to be even stronger than those in NATO. 47 The great paradox of contemporary international politics is that the unprecedented international power of the United States requires even more binding constraints on its policy if it is to preserve the authority that it has built over the last half-century and extend it to new areas of the globe.¶ The advanced military capabilities of the United States will make it a key actor in any such multilateral institution and will allow it to set the collective agenda. Since it is highly unlikely that anything will happen in the absence of US involvement, as in Bosnia where the Europeans dithered until the United States stepped to the fore, 48 Americans need not be overly concerned about “runaway” organizations or global mission creep. At the same time, if any organization is to be an effective restraint on the United States, other countries will have to make serious and integral contributions to the collective effort.Both sides to this new multilateral bargain will need to recognize and appreci-ate the benefits of a stable international order to their own security and prosperity and contribute to its success. The United States will need to continue to play a disproportionate role in providing international order, even as it accepts new restraints on its freedom of action. Other countries, however, must also contribute to the provision of this political order so that they can provide a meaningful check on US authority. ¶ Americans are likely to resist the idea of tying their hands more tightly in a new multilateral compact. After six decades, US leadership and its fruits—security, free trade, economic prosperity—have developed a taken-for-granted quality. It is hard for average Americans to tally the myriad benefits they receive from the country’s position of authority, but it is relatively easy for them to see multilateral institutions constraining the country’s freedom of action. Precisely because unipolarity makes coercion and unilateralism possible, and For some attractive, any constraints on US foreign policy may appear too high a price to bear. 49¶

**Multilateralism empirically fails–structural problems and ideological differences guarantee institutions will never solve**

Harvey, 4 – University Research Professor of International Relations, professor in the Department of Political Science, and the director of the Centre for Foreign Policy Studies at Dalhousie University (Frank, Smoke And Mirrors: Globalized Terrorism And The Illusion Of Multilateral Security, p. 43-45)

The typical argument favouring multilateralism is a simple one, sum- marized by Ramesh Thakur: ‘Because the world is essentially anarchi- cal, it is fundamentally insecure, characterized by strategic uncertainty and complexity because of too many actors with multiple goals and interests and variable capabilities and convictions. Collective action embedded in international institutions that mirror mainly U.S. value preferences and interests enhances predictability, reduces uncertainty, and cuts the transaction costs of intemational action.’" With respect to peacekeeping, for example, Thakur argues that if ‘the UN helps to mute the costs and spread the risks of the terms of intemational engagement to maximise these benefits, the United States will need to instill in others, as well as itself embrace, the principle of multilateralism as a norm in its own right: states must do X because the United Nations has called for X, and good states do what the United Nations asks them to do.’l2 But **there are several problems with** Thakur's **defence of collective action and associated policy recommendations, particularly in relation to multilateral approaches to security in a post-9/11 setting. First, and foremost, state leaders often refuse to do what the UN asks of them, are often more than prepared to have their publics suffer the consequences of whatever sanctions the UN can mount, and are rarely directly affected by the sanctions that are implemented** – assuming the permanent members of the Security Council find it in their collective interest to implement a sanctions regime in the first place**. The lessons from UN intervention and sanction efforts over the past decade are not at all encouraging in this regard. Second, many state and non-state actors fall outside the institutional constraints imposed on the system through global norms and regimes. As the capacity spreads for smaller and smaller groups to inflict increasingly devastating levels of damage on larger states, international institutions will lose the capacity to force or coerce compliance with international law**. **Consequently, leaders of major powers, such as the U**nited **S**tates, **will be compelled to respond to security threats through unilateral initiatives. This compulsion will force other powers to push that much harder to control American impulses by demanding that multilateral consensus remain the sole guarantor of legitimacy.** These **tensions will be exacerbated by the prevailing perception in the U**nited **S**tates **that these same multilateral institutions are constraining the power and capacity of the U.S. government to protect American citizens from emerging threats of terrorism and prolif**eration. **Third, the collective-action argument** put forward by Thai-cur typically (and erroneously) **assumes that most states are governed by a similar set of political priorities, share common concerns about similar combinations of security threats, are stimulated into action** (or inaction) **by the same set of economic imperatives, are inspired by a common set of interests and overarching values (such as peace, security, stability), and are encouraged by their respective publics to meet their demands for a common set of public goods. But the differences, tensions, and overall level of competition among states in the system are far greater than proponents of multilateralism acknowledge. Some states are more threatened by terrorism and proliferation than others, have more substantial and direct economic interest in particular regions, are less interested in securing peace, and experience pressure from their respective publics to pursue very distinct foreign and security policies**. Consequently, **there is no guarantee that a collection of states will have the same motivation to change the status quo**, or experience the same imperative to address the same security threats with the same level of resolve, commitment, or resources (relative to their size). In sum, **multi- lateral organizations are less likely today to act with the same level of urgency to address security threats that Washington considers imperative. The costs of inaction (derived from exclusive reliance on multilateral consensus) are now perceived as being higher than the costs of unilateralism**. Although similar threats may have guided collective action through multilateral alliances for much of the cold war, these imperatives were a product of a common Soviet threat. But **threats today are many and varied, and few states share the same concerns or face the same obligations to respond**. No case more clearly illustrates the growing divisions among former allies than the 2003 Iraq war. **Fourth,** decreasing transaction costs may be a valid argument in favour of multilateral cooperation in some cases (e. g., to facilitate post- conflict reconstruction, political reforms, democratization, elections run by the Organization for Security and Cooperation in Europe, food aid, water distribution, and the provision of medical supplies and facilities), but this is not true for all security challenges. **In a post-9/11 environment, the transaction costs that are saved through joint efforts will always be compared with the costs of depending exclusively on collective-action mechanisms that ultimately may fail - multilateralism is not free of costs or risks**. For example, **one of the many important lessons of the 2003 Iraq war,** at least for American officials, **is that there are no collective-security guarantees any longer, even from traditional allies. The UN Security Council did not function as a separate entity committed to facilitating and coordinating diplomatic exchanges towards a common good**. The UN functions in a highly competitive environment in which traditional power politics plays out. Proponents of multilateralism through the UNSC do not espouse that doctrine in the interest of global security; their **efforts are typically designed to use the institution to limit the capacity of the U.S. to act unilaterally to protect American interests. That level of competition, itself driven by competing interpretations of interests, values, and threats, does not lend itself well to the kind of multilateralism its proponents aspire to achieve**. Of course, if France shared the same concerns about terrorism, or if leaders in Paris were equally motivated to address the potential for WMD proliferation in and through Iraq, the transaction costs incurred by responding through the UN would be more acceptable. But **as threat perceptions continue to diverge, the risks associated with waiting for multilateral consensus are simply too high. The complex nature of contemporary security threats virtually guarantees that similar conflicts will plague multilateral institutions in the future**.

**Nowhere do they have a piece of internal link evidence that indicates that the plan is able to lead to the development of multilateral institutions, just that it's a step in the right direction.**

**Unilateralism is resilient–threats to credibility are overblown and challengers remain regional**

Walt 11 (Stephen, Professor of International Relations – Harvard University, “Does the U.S. still need to reassure its allies?” Foreign Policy, 12-5, http://walt.foreignpolicy.com/posts/2011/12/05/us\_credibility\_is\_not\_our\_problem, GDI File)

**A perennial preoccupation of U.S. diplomacy has been the perceived need to reassure allies of our reliability**. Throughout the Cold War, **U.S. leaders worried that any loss of credibility might cause dominoes to fall, lead key allies to "bandwagon" with the Soviet Union**, or result in some form of "Finlandization." Such concerns justified fighting so-called "credibility wars" (including Vietnam), where the main concern was not the direct stakes of the contest but rather the need to retain a reputation for resolve and capability. Similar fears also led the United States to deploy thousands of nuclear weapons in Europe, as a supposed counter to Soviet missiles targeted against our NATO allies. **The possibility that key allies would abandon us was almost always exaggerated**, **but U.S. leaders remain overly sensitive to the possibility**. So Vice President Joe Biden has been out on the road this past week, telling various U.S. allies that "**the United States isn't going anywhere**." (He wasn't suggesting we're stuck in a rut, of course, but saying that the imminent withdrawal from Iraq doesn't mean a retreat to isolationism or anything like that.) There's nothing really wrong with offering up this sort of comforting rhetoric, but **I've never really understood whyleaders were so worried about the credibility of our commitments to others**. For starters, **given our remarkably secure geopolitical position, whether U.S. pledges are credible is first and foremost a problem for those who are dependent on U.S. help**. **We should** therefore **take** our allies' occasional **hints about realignment or neutrality** with some skepticism; **they have every incentive to** try to **make us worry about it**, **but in most cases little incentive to actually do it**.

**Litany of alt causes–the US needs to take broader international steps to solve multilateralism**

**The plan's single instance of multilateralism doesn't spillover**

**Fettweis 8** (Christopher – professor of political science at Tulane, Credibility and the War on Terror, Political Science Quarterly, Winter)

Since Vietnam, **scholars have been generally unable to** identify **cases in which high credibility helped the** United States **achieve its goals. The shortterm aftermath of the Cuban Missile Crisis**, for example, **did not include** a string of **Soviet reversals**, or the kind of benign bandwagoning with the West that deterrence theorists would have expected. In fact, the perceived reversal in Cuba seemed to harden Soviet resolve. As the crisis was drawing to a close, Soviet diplomat Vasily Kuznetsov angrily told his counterpart, "You Americans will never be able to do this to us again."37 Kissinger commented in his memoirs that "the Soviet Union thereupon launched itself on a determined, systematic, and long-term program of expanding all categories of its military power .... The 1962 Cuban crisis was thus a historic turning point-but not for the reason some Americans complacently supposed."38 The reassertion of the credibility of the United States, which was done at the brink of nuclear war, had few long-lasting benefits. The Soviets seemed to learn the wrong lesson. There is actually scant evidence that other states ever learn the right lessons. Cold War history contains little reason to believe that the credibility of the superpowers had very much effect on their ability to influence others. Over the last decade, a series of major scholarly studies have cast further doubt upon the fundamental assumption of interdependence across foreign policy actions. Employing methods borrowed from social psychology rather than the economics-based models commonly employed by deterrence theorists, Jonathan **Mercer argued that threats are far more independent than is commonly believed and**, therefore, **that reputations are not likely to be formed on the basis of individual** actions.39 While policymakers may feel that their decisions send messages about their basic dispositions to others, most of the evidence from social psychology suggests otherwise. **Groups tend to interpret the actions of their rivals as situational,** dependent **upon the constraints of** place **and** time. Therefore, **they are not likely to form** lasting impressions of irresolution **from single, independent events**. Mercer argued that the interdependence assumption had been accepted on faith, and rarely put to a coherent test; when it was, it almost inevitably failed.40

**Multilateral engagement with Cuba won’t be sustained – The plan doesn’t change the indifference in U.S. policy**

**Cárdenas 11** – former assistant administrator for Latin America at the U.S. Agency for International Development (José R., “The U.S. is MIA in Latin America” , Foreign Policy, December 29 2011, <http://shadow.foreignpolicy.com/posts/2011/12/29/the_us_is_mia_in_latin_america>)

**An end-of-the-year assessment of U.S. policy towards Latin America could possibly qualify for the world's shortest blog**. For a President who has clearly established that foreign policy is not something that gets him up in the morning (or appears to keep him awake at night), **Latin America must rank just above Antarctica in descending areas of interest.**¶This uneven, s**poradic focus on the region has led to only adverse consequences for U.S. interests.** What e**ffort the administration does expend seems only directed toward placating a smattering of hostile populist regimes, while ignoring the interests of our friends.** Indeed, the predictable response is that **we have only emboldened our enemies and despaired those in the hemisphere who share the U.S. vision of open political systems**, **free markets, and robust trade.** ¶ **Radical populists in Venezuela**, Ecuador, and Bolivia **have run roughshod over democratic institutions and the best Washington can come up with is asking for** the terms under which a **U.S. ambassador** would be allowed **to return** to their capitals. In Nicaragua, Daniel Ortega is likely chuckling at the feeble U.S. response to his recently rigged re-election.¶ It also appears **that the administration has lulled itself into complacency over** a cancer-stricken Hugo Chávez in Venezuela, ground zero for regional instability, seemingly content **to wait and see what happens after Chávez passes from the scene. But even as his circus antics continue, he is leaving behind what my colleague Roger Noriega calls a mountain of toxic waste that will take years to clean up.**¶ **Chávez's days may indeed be numbered, but his friends in Iran, Russia, China, and Cuba are certainly taking the long-term view of things.** **All four** have been **great beneficiaries of Chávez's political solidarity and oil-fueled largesse and can be counted on to want to maintain that access with or without him in power**. In other words, **don't count on them to support a democratic transition** away from Chavismo, only a succession. Every day, the United States stands idly on the sidelines, the chances they will succeed improve.