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#### Interpretation – Economic engagement has to be government to government

**Daga, 13** - director of research at Politicas Publicas para la Libertad, in Bolivia, and a visiting senior policy analyst at the Heritage Foundation (Sergio, “Economics of the 2013-2014 Debate Topic:

U.S. Economic Engagement Toward Cuba, Mexico or Venezuela”, National Center for Policy Analysis, 5/15, <http://www.ncpa.org/pdfs/Message_to_Debaters_6-7-13.pdf>)

Economic engagement between or among countries can take many forms, but this document will focus on government-to-government engagement through 1) international trade agreements designed to lower barriers to trade; and 2) government foreign aid; next, we will contrast government-to-government economic engagement with private economic engagement through 3) international investment, called foreign direct investment; and 4) remittances and migration by individuals. All of these areas are important with respect to the countries mentioned in the debate resolution; however, when discussing economic engagement by the U.S. federal government, some issues are more important with respect to some countries than to others

Violation – They are not gov-to-gov

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#### Their fixation on national interests and apocalyptic scenarios justifies endless violence, totalitarianism, and nuclear war—the alternative is to vote neg as an intellectual criticism of their securitizing representations—that’s a prerequisite to policy analysis

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3. From securitisation to militarisation 3.1 Complicity

This analysis thus calls for a broader approach to environmental security based on retrieving the manner in which political actors construct **discourses of 'scarcity'** in response to **ecological, energy and economic crises** (critical security studies) in the context of the historically-specific socio-political and geopolitical relations of domination by which their power is constituted, and which are often **implicated in the acceleration of these very crises** (historical sociology and historical materialism). Instead, both realist and liberal orthodox IR approaches focus on different aspects of interstate behaviour, conflictual and cooperative respectively, but each lacks the capacity to grasp that the unsustainable trajectory of state and inter-state behaviour is only explicable in the context of a wider global system concurrently over-exploiting the biophysical environment in which it is embedded. They are, in other words, unable to address the relationship of the inter-state system itself to the biophysical environment as a key analytical category for understanding the acceleration of global crises. They simultaneously therefore cannot recognise the embeddedness of the economy in society and the concomitant politically-constituted nature of economics. Hence, they neglect the profound irrationality of collective state behaviour, which systematically erodes this relationship, **globalising insecurity on a massive scale - in the very process of seeking security**.85 In Cox's words, because positivist IR theory **'does not question the present order** [it instead] has the effect of legitimising and reifying it'.86 **Orthodox IR** **sanitises globally-destructive collective inter-state behaviour** as a normal function of instrumental reason -thus **rationalising what are clearly deeply irrational collective human actions that threaten** to permanently erode state power and security by destroying **the very conditions of human existence**. Indeed, the prevalence of orthodox IR as a body of disciplinary beliefs, norms and prescriptions organically conjoined with actual policy-making in the international system highlights the extent to which both **realism and liberalism are ideologically implicated in the acceleration of global systemic crises.** By the same token, the incapacity to recognise and **critically interrogate** how **prevailing social, political and economic structures** are driving global crisis acceleration has led to the **proliferation of symptom-led solutions** focused on the expansion of state/regime military-political power rather than any attempt to transform **root structural causes**.88 It is in this context that, as the prospects for meaningful reform through inter-statecooperation appear increasingly nullified under the pressure of actors with a vested interest in sustaining prevailing geopolitical and economic structures, states have resorted progressively more to **militarised responses** designed to protect the concurrent structure of the international system from dangerous new threats. In effect, the failure of orthodox approaches to **accurately diagnose global crises,** directly accentuates a **tendency to 'securitise' them** - and this, ironically, fuels the **proliferation of violent conflict** and militarisation responsible for magnified global insecurity. 'Securitisation' refers to a **'speech act'** - an act of labelling - whereby political authorities identify particular issues or incidents as an existential threat which, because of their extreme nature, justify going beyond the normal security measures that are within the rule of law. It thus legitimises resort to special extra-legal powers. By labelling issues a matter of 'security', therefore, states are able to move them outside the remit of democratic decision-making and into the realm of emergency powers, **all in the name of survival itself**. Far from representing a mere aberration from democratic state practice, this discloses a deeper 'dual' structure of the state in its institutionalisation of the capacity to mobilise extraordinary extra-legal military-police measures in purported response to an existential danger. The problem in the context of global ecological, economic and energy crises is that such levels of emergency mobilisation and militarisation have no positive impact on the very global crises generating 'new security challenges', and are thus entirely disproportionate.90 **All that remains to examine is on the 'surface'** of the international system (geopolitical competition, the balance of power, international regimes, globalisation and so on), phenomena which are dislocated from their structural causes by way of being unable to recognise the biophysically-embedded and politically-constituted social relations of which they are comprised. The consequence is that orthodox IR has no means of responding to global systemic crises **other than to reduce them to their symptoms.** Indeed, orthodox IR theory has largely responded to global systemic crises **not with new theory, but with the expanded application of existing theory to 'new security challenges'** such as 'low-intensity' intra-state conflicts; **inequality and poverty**; **environmental degradation**; international criminal activities including drugs and arms trafficking; **proliferation** of weapons of mass destruction; and international **terrorism**.91 Although the majority of such 'new security challenges' are non-military in origin - whether their referents are states or individuals - the inadequacy of systemic theoretical frameworks to diagnose them means they are primarily **examined through the lenses of military-political power.**92 In other words, the escalation of global ecological, energy and economic crises is recognised not as evidence that the current organisation of the global political economy is fundamentally unsustainable, requiring urgent transformation, but as vindicating the necessity for states to radicalise the exertion of their military-political capacities to maintain existing power structures, **to keep the lid on**.93 Global crises are thus viewed as amplifying factors that could mobilise the popular will in ways that challenge existing political and economic structures, which it is presumed (given that state power itself is constituted by these structures) deserve protection. This justifies the state's adoption of extra-legal measures outside the normal sphere of democratic politics. In the context of global crisis impacts, this counter-democratic trend-line can result in a growing propensity to problematise potentially recalcitrant populations - **rationalising violence** toward them as a control mechanism. Consequently, for the most part, the policy implications of orthodox IR approaches involve a redundant conceptualisation of global systemic crises purely as potential **'threat-multipliers' of traditional security issues** such as **'political instability** around the world, **the collapse of governments and** the creation of **terrorist safe havens'**. Climate change will serve to amplify the threat of international terrorism, particularly in regions with large populations and scarce resources. The US Army, for instance, depicts climate change as a 'stress-multiplier' that will 'exacerbate tensions' and 'complicate American foreign policy'; while the EU perceives it as a 'threat-multiplier which exacerbates existing trends, tensions and instability'.95 In practice, this generates an **excessive preoccupation** **not with the causes** of global crisis acceleration and how to ameliorate them through structural transformation, **but with their purportedly inevitable impacts**, and how to prepare for them by controlling problematic populations. Paradoxically, **this 'securitisation' of global crises does not render us safer**. Instead, by **necessitating more violence**, while **inhibiting preventive action**, **it guarantees greater insecurity**. Thus, a recent US Department of Defense report explores the future of international conflict up to 2050. It warns of 'resource competition induced by growing populations and expanding economies', particularly due to a projected 'youth bulge' in the South, which 'will consume ever increasing amounts of food, water and energy'. This will prompt a 'return to traditional security threats posed by emerging near-peers as we compete globally for depleting natural resources and overseas markets'. Finally, climate change will 'compound' these stressors by generating humanitarian crises, population migrations and other complex emergencies.96 A similar study by the US Joint Forces Command draws attention to the danger of global energy depletion through to 2030. Warning of ‘the dangerous vulnerabilities the growing energy crisis presents’, the report concludes that ‘The implications for future conflict are ominous.’97 Once again, the subject turns to demographics: ‘In total, the world will add approximately 60 million people each year and reach a total of 8 billion by the 2030s’, 95 per cent accruing to developing countries, while populations in developed countries slow or decline. ‘Regions such as the Middle East and Sub-Saharan Africa, where the youth bulge will reach over 50% of the population, will possess fewer inhibitions about engaging in conflict.’98 The assumption is that regions which happen to be both energy-rich and Muslim-majority will also be sites of violent conflict due to their rapidly growing populations. A British Ministry of Defence report concurs with this assessment, highlighting an inevitable ‘youth bulge’ by 2035, with some 87 per cent of all people under the age of 25 inhabiting developing countries. In particular, the Middle East population will increase by 132 per cent and sub-Saharan Africa by 81 per cent. Growing resentment due to ‘endemic unemployment’ will be channelled through ‘political militancy, including radical political Islam whose concept of Umma, the global Islamic community, and resistance to capitalism may lie uneasily in an international system based on nation-states and global market forces’. More strangely, predicting an intensifying global divide between a super-rich elite, the middle classes and an urban under-class, the report warns: ‘The world’s middle classes might unite, using access to knowledge, resources and skills to shape transnational processes in their own class interest.’99 Thus, the securitisation of global crisis leads not only to the **problematisation of particular religious and ethnic groups** in foreign regions of geopolitical interest, but potentially extends this problematisation to **any social group** which might challenge prevailing global political economic structures across racial, national and class lines. The previous examples illustrate how secur-itisation **paradoxically generates insecurity** by **reifying a process of militarization** against social groups that are constructed as external to the prevailing geopolitical and economic order. In other words, the internal reductionism, fragmentation and compartmentalisation that plagues orthodox theory and policy reproduces precisely these characteristics by externalising global crises from one another, **externalising states** from one another, externalising the inter-state system from its biophysical environment, and externalising new social groups as dangerous 'outsiders\*. Hence, a simple discursive analysis of state militarisation and the construction of new "outsider\* identities is insufficient to understand the causal dynamics driving the process of 'Otherisation'. As Doug Stokes points out, the Western state preoccupation with the ongoing military struggle against international terrorism reveals an underlying **'discursive complex**", where **representations about terrorism** and non-Western populations are premised on 'the construction of stark boundaries\* that 'operate to exclude and include\*. Yet these exclusionary discourses are 'intimately bound up with political and economic processes', such as strategic interests in **proliferating military bases in the Middle East**, economic interests in control of **oil**, and the wider political goal of **'maintaining American hegemony**\* by **dominating a resource-rich region critical for global capitalism.100** But even this does not go far enough, for arguably the construction of certain hegemonic discourses is mutually constituted by these geopolitical, strategic and economic interests — exclusionary discourses are politically constituted. New conceptual developments in genocide studies throw further light on this in terms of the concrete socio-political dynamics of securitisation processes. It is now widely recognised, for instance, that the distinguishing criterion of genocide is not the pre-existence of primordial groups, one of which destroys the other on the basis of a preeminence in bureaucratic military-political power. Rather, genocide is the intentional attempt to destroy a particular social group that has been socially constructed as different. As Hinton observes, genocides precisely constitute a process of 'othering\* in which an imagined community becomes reshaped so that previously 'included\* groups become 'ideologically recast' and dehumanised as threatening and dangerous outsiders, be it along ethnic, religious, political or economic lines — eventually **legitimising their annihilation**.102 In other words, genocidal violence is inherently rooted in a prior and ongoing ideological process, whereby exclusionary group categories are innovated, constructed and 'Otherised' in accordance with a specific socio-political programme. The very process of identifying and classifying particular groups as outside the boundaries of an imagined community of 'inclusion\*, justifying exculpatory violence toward them, is itself a political act without which genocide would be impossible.1 3 This recalls Lemkin's recognition that the intention to destroy a group is integrally connected with a wider socio-political project - or colonial project — designed to perpetuate the political, economic, cultural and ideological relations of the perpetrators in the place of that of the victims, by interrupting or eradicating their means of social reproduction. **Only by interrogating the dynamic** and origins of this programme to uncover the social relations from which that programme derives can the **emergence of genocidal intent** become explicable. Building on this insight, Semelin demonstrates that the process of exclusionary social group construction invariably derives from political processes emerging from deep-seated sociopolitical crises that undermine the prevailing framework of civil order and social norms; and which can, for one social group, be seemingly resolved by projecting anxieties onto a new 'outsider' group deemed to be somehow responsible for crisis conditions. It is in this context that various forms of **mass violence**, which may or may not eventually **culminate in actual genocide**, can become **legitimised as contributing to the resolution of crises**.105 This does not imply that the securitisation of global crises by Western defence agencies is genocidal. Rather, the same essential dynamics of social polarisation and exclusionary group identity formation evident in genocides are highly relevant in understanding the radicalisation processes behind mass violence. This highlights the fundamental connection between social crisis, the breakdown of prevailing norms, the formation of new exclusionary group identities, and the projection of blame for crisis onto a newly constructed 'outsider' group vindicating various forms of violence. While recommendations to **shift our frame of orientation** away from conventional **state-centrism** toward a **'human security' approach** are valid, this cannot be achieved without confronting the **deeper theoretical assumptions** underlying **conventional approaches to 'non-traditional' security issues**.106 By occluding the **structural origin** and **systemic dynamic** of global **ecological, energy and economic crises**, orthodox approaches are **incapable of transforming them**. Coupled with their excessive state-centrism, this means they operate largely at the level of 'surface' impacts of global crises in terms of how they will affect quite traditional security issues relative to sustaining state integrity, such as international **terrorism, violent conflict and population movements**. Global crises end up fuelling the **projection of risk onto social networks**, **groups and countries** that cross the geopolitical fault-lines of these 'surface' impacts - **which happen to intersect largely with Muslim communities**. Hence, regions particularly vulnerable to climate change impacts, containing large repositories of hydrocarbon energy resources, or subject to demographic transformations in the context of rising population pressures, have become the **focus of state security** planning in the context of counter-terrorism operations abroad. The intensifying problematisation and **externalisation of Muslim-**majority regions and populations by **Western security agencies - as a discourse** - is therefore not only interwoven with growing state perceptions of global crisis acceleration, but driven ultimately by an **epistemological failure** to **interrogate the systemic causes of this acceleration** in collective state policies (which themselves occur in the context of particular social, political and economic structures). This expansion of militarisation is thus coeval with the **subliminal normative presumption** that the social relations of the perpetrators, in this case **Western states, must be protected** and perpetuated **at any cost** - precisely because the efficacy of the prevailing geopolitical and economic order is ideologically beyond question. As much as this analysis highlights a direct link between global systemic crises, social polarisation and state militarisation, it fundamentally undermines the idea of a symbiotic link between natural resources and conflict per se. Neither 'resource shortages' nor 'resource abundance' (in ecological, energy, food and monetary terms) necessitate conflict by themselves. There are two key operative factors that determine whether either condition could lead to conflict. The first is the extent to which either condition can generate socio-political crises that challenge or undermine the prevailing order. The second is the way in which stakeholder actors choose to actually respond to the latter crises. To understand these factors accurately requires close attention to the political, economic and ideological **strictures of resource exploitation, consumption and distribution** between different social groups and classes. Overlooking the systematic causes of social crisis leads to a heightened tendency to **problematise its symptoms**, in the forms of challenges from particular social groups. This can lead to **externalisation of those groups**, **and** the **legitimisation of violence towards them**. Ultimately, this systems approach to global crises strongly suggests that conventional **policy 'reform' is woefully inadequate**. Global wanning and energy depletion are manifestations of a civilisation which is in overshoot. The current scale and organisation of human activities is breaching the limits of the wider environmental and natural resource systems in which industrial civilisation is embedded. This breach is now increasingly visible in the form of two interlinked crises in global food production and the global financial system. In short, industrial civilisation in its current form is unsustainable. This calls for a process of wholesale civilisational transition to adapt to the inevitable arrival of the post-carbon era through social, political and economic transformation. Yet conventional theoretical and policy approaches fail to (1) fully engage with the gravity of research in the natural sciences and (2) **translate the social science implications** of this research in terms of the embeddedness of human social systems in natural systems. Hence, **lacking capacity for epistemological self-reflection** and inhibiting the transformative responses urgently required, **they reify and normalise mass violence against diverse 'Others'**, newly **constructed as traditional security threats** enormously amplified by global crises - a process that guarantees the intensification and globalisation of insecurity on the road to **ecological, energy and economic catastrophe**. Such an outcome, of course, is **not inevitable**, but extensive new transdisciplinary research in IR and the wider social sciences - drawing on and integrating human and critical security studies, political ecology, historical sociology and historical materialism, while engaging directly with developments in the natural sciences - is urgently required to develop coherent conceptual frameworks which could **inform more sober, effective, and joined-up policy-making on these issues.**

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#### Immigration reform will pass now

Leopold 10/24 David, Immigration Attorney/Immigration Reform Advocate, past president & past general counsel, American Immigration Lawyers Association, Huffington Post, Immigration Reform Is Alive and Kicking on Capitol Hill, 10/24/13, http://www.huffingtonpost.com/david-leopold/immigration-reform-is-alive\_b\_4136478.html

As it turns out, reports of the death of immigration reform were greatly exaggerated. Rep. Mario Diaz-Balart (R-Fla.), Rep. Darrell Issa (R-Calif.) and other House Republicans and Democrats are reportedly working on various immigration plans, some of which, including a bill to be released next week by Issa, deal with the toughest issue of all -- what to do about the nation's 11.7 million undocumented immigrants. And Speaker John Boehner (R-Ohio) says that immigration reform could get to the floor of the House before the end of the year.¶ Is common sense breaking out on Capitol Hill? That might be too much to ask for. But at least the GOP leadership seems to be taking a hard look at political reality.¶ Here are four big reasons why an immigration overhaul is likely to happen by the end of the year:¶ 1. Immigration reform is a political win-win for Democrats and Republicans.¶ I can't say that either the Democrats or Republicans came out of last week's shutdown and debt limit brinksmanship looking good to the American people, but the whole debacle hurt the Republicans much more. A recent NBCNews/Wall Street Journal poll found that the public blames the GOP more than President Obama by 53 percent to 31 percent, a 21 point margin. And approval ratings for the Republican party are at an all-time low -- never before in the history of polling have the numbers shown such blatant disappointment.¶ Immigration reform gives the Republicans a unique opportunity to do something big, to reach across the aisle and work with House Democrats to pass real immigration reform either in a comprehensive package or as a series of bills that ultimately have a chance to fix what's wrong with our immigration system. It would be a colossal mistake for the House GOP not to seize the chance to lead on immigration reform. The American people want it, the country needs it, and it's a pathway to political redemption for the badly bruised Republican party.¶ 2. The immigration reform coalition is unified and ready to make the final push.¶ A broad coalition of business, labor, faith-based and ethnic groups are full of energy and ready to finish the job the Senate started in the spring. In the midst of the combined "shutdown and debt ceiling" crisis, thousands of Americans descended on Washington to join the "March for Dignity and Respect." Eight members of Congress, including civil rights icon John Lewis (D-Ga.), joined together in an historic act of civil disobedience and were arrested near the steps of the Capitol in a show of solidarity with the immigration reform movement. As Rep. Charles Rangel (D-N.Y.) wrote recently in his The Huffington Post column "Why I Went To Jail":¶ Some may call it a publicity stunt. Some may call it a political theater. For whatever reason some may think I stood out there with thousands of clergy and advocates calling for immigration reform, the fact is that it got attention. And immigration reform is a critical issue that desperately needs it. If eight Members of Congress getting thrown in jail is what it takes to get people talking about it, then I'll gladly sit in the slammer. We cannot let ourselves forget that our nation has been built by immigrants, and the story of America began with people from another nation traveling to our shores.¶ Congress needs to fix the twisted morass of rules and regulations that pass for America's immigration policy. No longer can we sit idle as our mess of a "system" ruthlessly breaks up American families, stifles economic growth, and compromises our nation's democratic principles. Now is the time.¶ 3. The DREAMERs have become doers.¶ A funny thing happened since the DREAM Act was first introduced in 2001. The DREAMERs grew up. And they grew up as Americans, watching football, going to homecoming dances, eating hotdogs on the 4th of July and dreaming about giving back to the country they've struggled against all odds to enrich. They are no longer the helpless children who were brought to the U.S. by their parents. Today they are, in effect, undocumented Americans.¶ Through masterful use of 21st century tools like Facebook and Twitter, coupled with old-fashioned organizing and courage, the DREAMERs have become a key voice in the struggle for immigration reform. They, more than any other group, deserve the lion's share of credit for pushing the administration to grant an administrative deportation reprieve to qualified undocumented youth last year.¶ For DREAMERs there is no giving up on their journey toward U.S. citizenship. They will no longer take no for an answer.¶ 4. Now is the time.¶ The passion is there, the energy is there, and, most of all, the American people are there. It's time for both parties to sit down together and create an immigration process that will protect our borders, keep our families safe and together, give our businesses the tools they need to compete in the global economy, and provide a road map to lawful immigration status for the 11 million aspiring citizens currently living in the shadows.¶ Now, not later. Now.

**The plan ends Obama’s ability to get an immigration bill**

**McAuliff, 7/8/**13 - Executive Director Fund for Reconciliation and Development (John, The Havana Note, “Are We Verging on the Verge? Will Snowden Undo It?” <http://thehavananote.com/2013/07/are_we_verging_verge_will_snowden_undo_it>)

Perhaps in a state of denial, I am still inclined to believe Obama is uniquely qualified to change history with Cuba.

His frustrating gradualism can either be ascribed to a methodic implementation of strategy or inability to grapple with the fundamental contradictions of US policy.

If it's strategy, the first step established unrestricted travel and remittances for Cuban Americans, transforming sentiment and politics in south Florida and accelerating development of non-state grass roots economy in Cuba embraced by reformers. The second step of people to people, university and religious travel opened institutional links on both sides, albeit with serious bureaucratic obstacles for all needing specific licenses from the Office of Foreign Assets Control.

The groundwork is laid, and the next steps are obvious: taking Cuba off the list of State Sponsors of Terrorism, authorizing a general license for all purposeful non-tourist travel, and ending harassment of third country banks that handle Cuba's dollars .

Delay in taking these steps is often ascribed to short term politics. The priority of passing a migration bill meant not alienating key Cuban American allies, Senators Menendez and Rubio. Yet both have strong reasons to stay on board and not be seen as sacrificing the top priority of Latino politics on the alter of their own ethnic special interest, especially when that same community has a uniquely privileged immigration status under the Cuban Adjustment Act.. In any case the action has moved to the House which could delay the process indefinitely.

#### Capital is key – allows Obama to thread the needle – there’s momemtum now

McMorris-Santoro 10/15 Evan, BuzzFeed Staff, Obama Has Already Won The Shutdown Fight And He’s Coming For Immigration Next, 10/15/13, http://www.buzzfeed.com/evanmcsan/obama-has-already-won-the-shutdown-fight-and-hes-coming-for

As the fiscal fight roiling Washington nears its end, the White House is already signaling that it plans to use the political momentum it has gained during the shutdown fight to charge back into the immigration debate. And this time, Democratic pollsters and advocates say, they could actually win.¶ The final chapter of the current crisis hasn’t been written yet, but Democrats in Washington are privately confident that they’ll emerge with the upper hand over the conservatives in Congress who forced a government shutdown. And sources say the administration plans to use its victory to resurrect an issue that was always intended to be a top priority of Obama’s second-term agenda.¶ Advocates argue the post-fiscal crisis political reality could thaw debate on the issue in the House, which froze in earlier this year after the Senate passed a bipartisan immigration bill that was led by Republican Sen. Marco Rubio and Democratic Sen. Chuck Schumer.¶ “It’s at least possible with sinking poll numbers for the Republicans, with a [GOP] brand that is badly damaged as the party that can’t govern responsibly and is reckless that they’re going to say, ‘All right, what can we do that will be in our political interest and also do tough things?’” said Frank Sharry, executive director of the immigration reform group America’s Voice. “That’s where immigration could fill the bill.”¶ The White House and Democrats are “ready” to jump back into the immigration fray when the fiscal crises ends, Sharry said. And advocates are already drawing up their plans to put immigration back on the agenda — plans they’ll likely initiate the morning after a fiscal deal is struck.¶ “We’re talking about it. We want to be next up and we’re going to position ourselves that way,” Sharry said. “There are different people doing different things, and our movement will be increasingly confrontational with Republicans, including civil disobedience. A lot of people are going to say, ‘We’re not going to wait.’”¶ The White House isn’t ready to talk about the world after the debt limit fight yet, but officials have signaled strongly they want to put immigration back on the agenda.¶ Asked about future strategic plans after the shutdown Monday, a senior White House official said, “That’s a conversation for when the government opens and we haven’t defaulted.” But on Tuesday, Press Secretary Jay Carney specifically mentioned immigration when asked “how the White House proceeds” after the current fracas is history.¶ “Just like we wish for the country, for deficit reduction, for our economy, that the House would follow the Senate’s lead and pass comprehensive immigration reform with a big bipartisan vote,” he said. “That might be good for the Republican Party. Analysts say so; Republicans say so. We hope they do it.”¶ The president set immigration as his next priority in an interview with Univision Tuesday.¶ “Once that’s done, you know, the day after, I’m going to be pushing to say, call a vote on immigration reform,” Obama said. He also set up another fight with the House GOP on the issue.¶ “We had a very strong Democratic and Republican vote in the Senate,” Obama said. “The only thing right now that’s holding it back is, again, Speaker Boehner not willing to call the bill on the floor of the House of Representatives.”¶ Don’t expect the White House effort to include barnstorming across the country on behalf of immigration reform in the days after the fiscal crisis ends, reform proponents predict. Advocates said the White House has tried hard to help immigration reform along, and in the current climate that means trying to thread the needle with Republicans who support reform but have also reflexively opposed every one of Obama’s major policy proposals.¶ Democrats and advocates seem to hope the GOP comes back to immigration on its own, albeit with a boost from Democrats eager to join them. Polls show Republicans have taken on more of the blame from the fiscal battle of the past couple of weeks. But Tom Jensen, a pollster with the Democratic firm Public Policy Polling, said moving to pass immigration reform could be just what the doctor ordered to get the public back on the side of the Republicans.¶ “We’ve consistently found that a sizable chunk of Republican voters support immigration reform, and obviously a decent number of Republican politicians do too,” Jensen said. “After this huge partisan impasse, they may want to focus on something that’s not quite as polarized, and immigration would certainly fit the bill since we see voters across party lines calling for reform.”

**Key to the economy**

**Krudy ‘13** [Edward. Politics for Reuters. “Analysis: Immigration Reform could Boost US Economic Growth” Reuters, 1/29/13 ln]

**The sluggish U.S. economy could get a lift** if President Barack Obama and a bipartisan group of senators succeed in what could be the biggest overhaul of the nation's immigration system since the 1980s. Relaxed immigration rules could **encourage entrepreneurship**, increase demand for housing, raise tax revenues and help reduce the budget deficit, economists said. By helping more immigrants enter the country legally and allowing many illegal immigrants to remain, the United States could help offset a slowing birth rate and put itself in a stronger demographic position than aging Europe, Japan and China. "**Numerous industries in the U**nited **S**tates **can't find the workers they need, right now even in a bad economy**, to fill their orders and expand their production as the market demands," said Alex Nowrasteh, an immigration specialist at the libertarian Cato Institute. The emerging **consensus among economists** is that **immigration** provides a net benefit. It **increases** **demand** and productivity, helps drive innovation and lowers prices, although there is little agreement on the size of the impact on economic growth. President Barack Obama plans to launch his second-term push for a U.S. immigration overhaul during a visit to Nevada on Tuesday and will make it a high priority to win congressional approval of a reform package this year, the White House said. The chances of major reforms gained momentum on Monday when a bipartisan group of senators agreed on a framework that could eventually give 11 million illegal immigrants a chance to become American citizens. Their proposals would also include means to keep and attract workers with backgrounds in science, technology, engineering and mathematics. This would be aimed both at foreign students attending American universities where they are earning advanced degrees and high-tech workers abroad. An estimated 40 percent of scientists in the United States are immigrants and studies show immigrants are twice as likely to start businesses, said Nowrasteh. Boosting legal migration and legalizing existing workers could add $1.5 trillion to the U.S. economy over the next 10 years, estimates Raul Hinojosa-Ojeda, a specialist in immigration policy at the University of California, Los Angeles. That's an annual increase of 0.8 percentage points to the economic growth rate, **currently stuck at about 2 percent**. REPUBLICANS' HISPANIC PUSH Other economists say the potential benefit to growth is much lower. Richard Freeman, an economist at Harvard, believes most of the benefits to the economy from illegal immigrants already in the United States has already been recorded and legalizing their status would produce only incremental benefits. While opposition to reform lingers on both sides of the political spectrum and any controversial legislation can easily meet a quick end in a divided Washington, the chances of substantial change seem to be rising. Top Republicans such as Governor Bobby Jindal of Louisiana are not mincing words about the party's need to appeal to the Hispanic community and foreign-born voters who were turned off by Republican candidate Mitt Romney's tough talk in last year's presidential campaign. A previous Obama plan, unveiled in May 2011, included the creation of a guest-worker program to meet agricultural labor needs and something similar is expected to be in his new proposal. The senators also indicated they would support a limited program that would allow companies in certain sectors to import guest workers if Americans were not available to fill some positions. An additional boost to growth could come from rising wages for newly legalized workers and higher productivity from the arrival of more highly skilled workers from abroad. Increased tax revenues would help federal and state authorities plug budget deficits although the benefit to government revenues will be at least partially offset by the payment of benefits to those who gain legal status. In 2007, the Congressional Budget Office estimated that proposed immigration reform in that year would have generated $48 billion in revenue from 2008 to 2017, while costing $23 billion in health and welfare payments. There is also unlikely to be much of a saving on enforcement from the senators' plan because they envisage tougher border security to prevent further illegal immigration and a crackdown on those overstaying visas. One way to bump up revenue, according to a report co-authored by University of California, Davis economist Giovanni Peri, would be to institute a cap-and-trade visa system. Peri estimated it could generate up to $1.2 billion annually. Under such a system, the government would auction a certain number of visas employers could trade in a secondary market. "A more efficient, more transparent and more flexible immigration system would help firms expand, contribute to more job creation in the United States, and slow the movement of operations abroad," according to a draft report, soon to be published as part of a study by the Hamilton Project, a think tank. There was no immediate sign that either the Obama or the senators' plan would include such a system. The long-term argument for immigration is a demographic one. Many developed nations are seeing their populations age, adding to the burden of pension and healthcare costs on wage-earners. Immigration in the United States would need to double to keep the working-age population stable at its current 67 percent of total population, according to George Magnus, a senior independent economic adviser at UBS in London, While Magnus says a change of that magnitude may prove too politically sensitive, the focus should be on attracting highly skilled and entrepreneurial immigrants in the way Canada and Australia do by operating a points system for immigrants rather than focusing mainly on family connections. "The trick is to shift the balance of migration towards those with education (and) skills," he added. HARD ROAD Academics at major universities such as Harvard and the Massachusetts Institute of Technology often lament that **many of their top foreign graduates end up returning to their home countries because visas are hard to get.** "We have so much talent that is sitting here in the universities," said William Kerr, a professor at Harvard Business School. "I find it very difficult to swallow that we then make it so hard for them to stay." The last big amnesty for illegal immigrants was in 1986 when President Ronald Reagan legalized about 3 million already in the country. Numerous studies have shown that subsequently their wages rose significantly. Research on how immigration affects overall wages is inconclusive. George Borjas at Harvard says immigration has created a small net decrease in overall wages for those born in the United States, concentrated among the low-skilled, while Giovani Peri at UC Davis found that immigration boosts native wages over the long run. Hinojosa-Ojeda stresses that any reform needs to make it easier for guest workers to enter the country to avoid a new build-up of illegal workers. "If we don't create a mechanism that can basically bring in 300,000 to 400,000 new workers a year into a variety of labor markets and needs, we could be setting ourselves up for that again," said Hinojosa-Ojeda. Nowrasteh at Cato also believes an expanded guest worker program would stem illegal immigration and allow industries to overcome labor shortages. He found that harsher regulations in recent years in Arizona were adversely affecting agricultural production, increasing financial burdens on business and even negatively impacting the state's struggling real estate market. Some large companies have fallen foul of tougher enforcement regulations. Restaurant chain Chipotle Mexican Grill Inc fired roughly 500 staff in 2010 and 2011 after undocumented workers were found on its payrolls. Putting the chill on other employers, it is now subject of an ongoing federal criminal investigation into its hiring. "**The current system doesn't seem to work for anyone**," Chipotle spokesman Chris Arnold said.

**Nuclear war**

**Harris and Burrows 9**

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Increased Potential for Global Conflict

Of course, the report encompasses more than economics and indeed believes the future is likely to be the result of a number of intersecting and interlocking forces. With so many possible permutations of outcomes, each with ample Revisiting the Future opportunity for unintended consequences, there is a growing sense of insecurity. Even so, **history may be more instructive than ever**. While we continue to believe that **the Great Depression** is not likely to be repeated, the **lessons** to be drawn from that period **include the harmful effects on fledgling democracies and multiethnic societies** (think Central Europe in 1920s and 1930s) **and** on the **sustainability of multilateral institutions** (think League of Nations in the same period). **There is no reason to think that this would not be true in the twenty-first as much as in the twentieth century.** For that reason, the ways in which **the potential for greater conflict could grow** would seem to be even more apt **in a constantly volatile economic environment** as they would be if change would be steadier. In surveying those risks, the report stressed the likelihood that terrorism and nonproliferation will remain priorities even as resource issues move up on the international agenda. **Terrorism’s appeal will decline if economic growth continues in the Middle East and youth unemployment is reduced.** For those terrorist groups that remain active in 2025, however, the diffusion of technologies and scientific knowledge will place some of the world’s most dangerous capabilities within their reach. **Terrorist groups** in 2025 **will** likely be a combination of descendants of long established groups\_inheriting organizational structures, command and control processes, and training procedures necessary to conduct sophisticated attacks\_and newly emergent collections of the angry and disenfranchised that **become self-radicalized, particularly in the absence of economic outlets that would become narrower in an economic downturn. The most dangerous casualty of any economically-induced drawdown of U.S. military presence would** almost certainly **be the Middle East**. Although Iran’s acquisition of nuclear weapons is not inevitable, **worries** about a nuclear-armed Iran **could lead states in the region to develop new security arrangements with external powers, acquire additional weapons, and consider pursuing their own nuclear ambitions**. It is not clear that the type of stable deterrent relationship that existed between the great powers for most of the Cold War would emerge naturally in the Middle East with a nuclear Iran. Episodes of low intensity **conflict** and terrorism taking place under a nuclear umbrella **could lead to an unintended escalation and broader conflict** if clear red lines between those states involved are not well established. **The close proximity of potential nuclear rivals** combined with underdeveloped surveillance capabilities and mobile dual-capable Iranian missile systems also **will produce inherent difficulties** in achieving reliable indications and warning of an impending nuclear attack. The lack of strategic depth in neighboring states like Israel, **short warning and missile flight times, and uncertainty** of Iranian intentions **may place more focus on preemption** rather than defense, potentially **leading to escalating crises.** 36 Types of **conflict** that the world continues to experience, such as **over resources, could reemerge**, particularly if **protectionism grows and there is a resort to neo-mercantilist practices. Perceptions** of renewed energy scarcity will drive countries to take actions to assure their future access to energy supplies. In the worst case, this **could result in interstate conflicts if government leaders deem assured access to energy resources,** for example, to be **essential for** maintaining domestic stability and the **survival of their regime**. Even actions short of war, however, will have important geopolitical implications. Maritime security concerns are providing a rationale for naval buildups and modernization efforts, such as China’s and India’s development of blue water naval capabilities. **If** the **fiscal stimulus focus for** these **countries indeed turns inward, one of the most obvious funding targets may be military. Buildup of regional** naval **capabilities could lead to increased tensions, rivalries, and counterbalancing moves**, but it also will create opportunities for multinational cooperation in protecting critical sea lanes. **With water** also **becoming scarcer in Asia and the Middle East, cooperation to manage changing water resources is likely to be increasingly difficult both within and between states in a more dog-eat-dog world.**

## 1NC

#### The United States federal government should amend Title 22 of US Code (22 U.S.C. 6065) so that a transition government in Cuba is defined as a government that is taking appropriate steps to restitute and/or compensate United States citizens for property taken by the Cuban government, as outlined in the following addendum. The United States federal government should offer to negotiate a Bilateral Investment Treaty with Cuba that includes a Step-Down Restitution Policy.

#### We’ll insert the description of the counterplan.

#### Current language

Title 22-FOREIGN RELATIONS AND INTERCOURSE CHAPTER 69A-CUBAN LIBERTY AND DEMOCRATIC SOLIDARITY (LIBERTAD) SUBCHAPTER II-ASSISTANCE TO FREE AND INDEPENDENT CUBA

§6065. Requirements and factors for determining transition government

(a) Requirements

For the purposes of this chapter, a transition government in Cuba is a government that-

(1) has legalized all political activity;

(2) has released all political prisoners and allowed for investigations of Cuban prisons by appropriate international human rights organizations;

(3) has dissolved the present Department of State Security in the Cuban Ministry of the Interior, including the Committees for the Defense of the Revolution and the Rapid Response Brigades; and

(4) has made public commitments to organizing free and fair elections for a new government-

(A) to be held in a timely manner within a period not to exceed 18 months after the transition government assumes power;

(B) with the participation of multiple independent political parties that have full access to the media on an equal basis, including (in the case of radio, television, or other telecommunications media) in terms of allotments of time for such access and the times of day such allotments are given; and

(C) to be conducted under the supervision of internationally recognized observers, such as the Organization of American States, the United Nations, and other election monitors;

(5) has ceased any interference with Radio Marti or Television Marti broadcasts;

(6) makes public commitments to and is making demonstrable progress in-

(A) establishing an independent judiciary;

(B) respecting internationally recognized human rights and basic freedoms as set forth in the Universal Declaration of Human Rights, to which Cuba is a signatory nation;

(C) allowing the establishment of independent trade unions as set forth in conventions 87 and 98 of the International Labor Organization, and allowing the establishment of independent social, economic, and political associations;

(7) does not include Fidel Castro or Raul Castro; and

(8) has given adequate assurances that it will allow the speedy and efficient distribution of assistance to the Cuban people.

(b) Additional factors

In addition to the requirements in subsection (a) of this section, in determining whether a transition government in Cuba is in power, the President shall take into account the extent to which that government-

(1) is demonstrably in transition from a communist totalitarian dictatorship to representative democracy;

(2) has made public commitments to, and is making demonstrable progress in-

(A) effectively guaranteeing the rights of free speech and freedom of the press, including granting permits to privately owned media and telecommunications companies to operate in Cuba;

(B) permitting the reinstatement of citizenship to Cuban-born persons returning to Cuba;

(C) assuring the right to private property; and

(D) taking appropriate steps to return to United States citizens (and entities which are 50 percent or more beneficially owned by United States citizens) property taken by the Cuban Government from such citizens and entities on or after January 1, 1959, or to provide equitable compensation to such citizens and entities for such property;

(3) has extradited or otherwise rendered to the United States all persons sought by the United States Department of Justice for crimes committed in the United States; and

(4) has permitted the deployment throughout Cuba of independent and unfettered international human rights monitors.

(Pub. L. 104–114, title II, §205, Mar. 12, 1996, 110 Stat. 811.)

#### Language post-counterplan

Title 22-FOREIGN RELATIONS AND INTERCOURSE CHAPTER 69A-CUBAN LIBERTY AND DEMOCRATIC SOLIDARITY (LIBERTAD) SUBCHAPTER II-ASSISTANCE TO FREE AND INDEPENDENT CUBA

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~~(Pub. L. 104–114, title II, §205, Mar. 12, 1996, 110 Stat. 811.)~~

#### Setting up a Bilateral Investment Treaty as a mechanism for compensation helps Cuba meet the only condition that is keeping the embargo in place

**Mowry, ’99** (David, Senior Counsel Xerox Corporation “Lifting the Embargo against Cuba Using Vietnam as a Model: A Policy Paper for Modernity” Brooklyn Journal of International Law, 25 Brooklyn J. Int'l L. 229, lexis)

The obstacles that prevent a President from lifting the embargo against Cuba arbitrarily would appear to be no more than a facade of legislation. n210 If the President determines that it is prudent for the United States to once again open trade relations with Cuba, then the President may, after the appropriate reports to Congress, lift the embargo. n211 Of course the American Congress has the power to override a Presidential decree by a two-thirds majority, and it seems that no President would take such a politically volatile step without extensive consultation with, and acquiescence of, Congressional leadership. n212 Given the normalization of relations with the Communist leadership of Vietnam, America's reasons for imposing the embargo against Cuba can no longer be said to hinge on the Communist ideology of Cuba's leadership. Rather, [\*259] the final issue yet to be resolved, or discussed by the United States and Cuba, surrounds the property claims resulting from the expropriation of property during the Castro revolution. As the statutory authority, specifically LIBERTAD, suggests, the settlement of claims for property seized during the beginning of Castro's rise to power are as yet unsettled. n213 International law is made up of international custom and international agreement. n214 Only states consenting to such agreements are bound by the agreements. n215 Accepted practices among states, as well as international tribunal decisions, can give rise to international custom. n216 International law requires a state to pay full compensation for "takings" of foreign owned property. n217 The Restatement (Third) of the Foreign Relations Law of the United States provides that a taking that is discriminatory, not for a public purpose, and not accompanied by "prompt, adequate, and effective" compensation is unlawful. n218 The United States maintains that the property seized by Cuba was part of an expropriation program that discriminated against U.S. nationals, was not for a public purpose, and compensation that was to have been prompt, adequate, and effective, has never been paid. n219 Though there are arguments from developing nations that "full" compensation should be a relative term so as not to upset a developing economy, [\*260] international tribunals have held that full compensation is the standard under international law. n220 The issue of settling the property claims against Cuba would seem to be as simple as Cuba signing an agreement with the United States, much as Vietnam did, promising to compensate the U.S. Government and its national claimants what it owes them. n221 For Vietnam, the amount was U.S. $ 208 million, in Cuba's case the amount is approximately U.S. $ 13 billion. n222 The amount of money owed by Cuba for the takings brings about a dilemma for the United States. Cuba, in its current economic state, would not be able to pay U.S. $ 13 billion; conversely, if the U.S. Government were to settle with Cuba for an amount less than that owed, the U.S. Government could be held liable to any of the over 5000 claimants to the taken property for the difference. n223 The potential liability of the U.S. Government may be the motivation that has kept the United States from negotiating a settlement with Cuba. As Cuba's economy has continued to grow, albeit at a slow pace, there appears to be little chance that the United States could negotiate a one-time payment from Cuba for what has continued to grow to well over U.S. $ 13 billion. However, utilizing a carefully planned business investment treaty, as well as a "road map" modeled on the tactics used with Vietnam, the United States could approach Cuba with a plan that would not only satisfy the claims for taken property and avoid American liability and litigation with the former property owners, but would sufficiently bolster the Cuban economy so that full compensation could be paid over time. The U.S. statutes currently in place do not require full [\*261] compensation for taken property before the embargo against Cuba may be lifted. n224 Phase one of the "road map" with Cuba, therefore, would consist of the United States approaching Cuba with a draft BIT, n225 as well as indications that the embargo will be lifted if certain steps are followed: Cuba will have to facilitate a change in policy towards the United States and indicate a willingness, by signing the BIT, to begin compensation for the taken property, as well as a willingness to consider multiparty elections. Phase two of the "road map" would consist of the partial lifting of the embargo against Cuba by having the United States alleviate travel restrictions, and open telecommunications lines and services with Cuba. This would begin to fuel the Cuban tourism economy, and would allow Cuba to begin updating its obsolete communications technology systems. n226 Conversely, Cuba would begin payments into a central compensation fund of a set amount per year, to be determined by the two governments. These payments would be compensation for any properties that Cuba is unwilling, or unable to restore, to the former owners. Cuba would also have to hold free elections with at least one other viable political party other than the Communist party. Phase three, the final phase, would consist of the transition of Cuba's Government from a one party oligarchy to a freely elected ruling body. The United States would then lift all trade restrictions against Cuba, as per the BIT. The influx of trade from the United States would strengthen Cuba's economy sufficiently so that the graduated repayments to former owners of property in Cuba would compensate them for their losses, and the U.S. Government would not be liable for any losses. [\*262]

#### Step-Down Restitution Policy is the best mechanism --- flexibility in payment ensures appropriate and quick redress and means Cuba says yes

**Espino, ‘8** (Daniel- JD Candidate Nova Southeastern University Shepard Broad Law Center, President and Chairman of the Board of Puente de Jovenes Profesionales Cubanos and President of the Hispanic Law Students Association, Spring, “Step-Down Restitution: A Proposal For An Equitable Resolution To Confiscated Cuban Property” Nova Law Review, 32 Nova L. Rev. 423, lexis)

[\*451] V. IMPLEMENTATION The Step-Down Restitution Policy should be implemented by way of a special tribunal or court established by agreement between the United States and Cuba. Such an agreement must include a provision in which both countries commit "to act in good faith so as to promote the mutual prosperity of their nations and citizens." n188 A post-Castro Cuban government must pledge to create a special court to resolve all confiscated property claims "by Cuban nationals who became nationals of the United States after the date of accrual of such claims." n189 This court will have independent and limited jurisdiction within the Cuban judicial system. n190 In implementing the Step-Down Restitution Policy, a future Cuban property claims court can turn to the lessons learned in Iran and Ethiopia, where similar courts were introduced to handle confiscated property claims. n191 A. Lessons from Iran In 1982, Iran and the United States established a dedicated tribunal for the redress of property claims akin to the one needed in Cuba to implement the Step-Down Restitution Policy. n192 The need for a claims tribunal in the case of Iran was prompted by the Islamic Revolution of 1979. Forces acting in support of the Ayatollah seized not only the U.S. Embassy in Tehran, but also many privately held American assets. Correspondingly, the necessity of claims tribunals in the case of Cuba was prompted by Castro's revolution in 1959, and the still-uncompensated property seizures that went along with it. The two situations thus present similarities in terms of the emotional and political aspects of the breakdown in relations. n193 Like the Iran-U.S. Claims Tribunal, a future Cuban property claims court implementing the Step-Down Restitution Policy will have to apply law and policy in a flexible manner, granting jurisdiction over a series of claims that arise in differing circumstances, taking law and policy from various sources including Cuban and international law, and granting different redress [\*452] depending on the circumstances. n194 However, in issuing remedies, a future Cuban property claims court should do well to consider that Cuba, unlike Iran, has low-valued currency and limited or no funds with which to pay compensation claims--claims that may include payment of the value of property, interest, lost profits, and/or past unpaid rent. n195 As such, the preferred remedy of direct restitution should be granted where possible. An important lesson Cuba can learn from Iran is that "much can be done with informal structures and the good will of [the] participants." n196 Because the Step-Down Restitution Policy does not provide for the expulsion of tenants and businesses on confiscated properties, informal mediations could facilitate the settlement of property claims where the true owner simply seeks reinstitution of title and would be content with collecting rent from tenants on the property. Given the proximity of Cuba to the United States and the sizeable Cuban/Cuban American population residing in the United States, relations with Cuba and the establishment of a Cuban property claims court will not likely suffer the delays and set-backs faced in Iran given the limited cultural boundaries and understood motivations amongst the groups with interests in Cuba. n197 B. Lessons from Ethiopia The Eritrea-Ethiopia Claims Commission is another example of a property claims tribunal created by bilateral treaty. n198 While the Ethiopian Commission was given broad jurisdiction--even so far as to include tort claims--in a post war scenario, a future Cuban property claims court implementing the Step-Down Restitution Policy may nevertheless find applicable case law stemming from the Ethiopian court because of their stance on confiscated property. n199 The Ethiopian Commission stated: A belligerent is bound to ensure insofar as possible that the property of protected persons is not despoiled or wasted. If private property of enemy nationals is to be frozen or otherwise impaired in wartime, it must be done by the State, and under conditions [\*453] providing for the property's protection and its eventual disposition by return to the owners or through post-war agreement. n200 Such a proclamation is at the heart of the Step-Down Restitution Policy and should be at the heart of any remediation treaty, program, or policy implemented by Cuba. VI. CONCLUSION Cuba will eventually take its first step towards the long road to a free market society. In this endeavor, Cuba should implement the Step-Down Restitution Policy as a means of achieving a prompt and efficient resolution to hundreds of thousands of property claims. The presumptive remedy of restitution will allow many Cuban exiles to take up their property and begin to make improvements to it immediately with the resources they have amassed while living elsewhere, mainly the United States. While situations may arise where former property owners find occupants currently living on the expropriated property, the Cuban government should take measures to prevent conflict between the parties and the eviction of these individuals. Given the poor housing sector, Cuba will likely have to implement legislation calling for the construction of affordable housing for Cuban Nationals living on the island currently oc-cupying confiscated property, who do not have their own confiscated property to which to return. Restitution is most appropriate for commercial properties which have undergone little or no change during the Castro regime. Given its proximity to the United States, Cuba will surely attract an enormous number of tourists from the United States and will most likely become a "stop" on the itineraries of many vacation cruise lines, like Puerto Rico and the Bahamas. With the potential for sudden interest in the country, Cuba will need to provide fast and efficient remedies to corporate claimants. With the award of direct restitution, corporate claimants may immediately use their property or alienate their property to corporations who have the resources and are ready to invest in industries such as tourism and mining. The greatest strength of restitution is the symbolism of the act. Restitution represents returning Cuba to its pre-Communist days of individual success and economic prosperity. The greatest strength of the Step-Down Restitution Policy, however, is the flexibility afforded to the fledgling democratic Cuban Government in its ability to award appropriate remedies on a case-by-case basis. With the adoption of such a policy, a healthy body of case law will quickly be established and allow for the dispensation of property claims based on differing scenarios. Although Cuba has limited land resources to offer in the form of substituted restitution, varying forms of compensation coupled with restitution or alternative remedies will allow Cuba to adequately, efficiently, and equitably handle confiscated property claims. The different types of claimants which will approach Cuba seeking restitution and the various forms of property expropriated during the Castro regime should force Cuba to avoid applying a one-size-fits-all resolution to confiscated property claims. Such a sweeping method aimed to settle all claims quickly will infuriate those on the short end of the remediation arrangement. The Step-Down Restitution Policy, with its varying remedies, allows for former owners to seek justice for Cuba's transgressions by allowing them to receive individualistic and equitable remediation.

#### The current embargo holds Cuba responsible for compensation for property taken during the Castro revolution – lifting the embargo and normalizing relations makes the US legally responsible for that compensation under the Takings Clause – that causes lawsuits against the federal government that collapses relations

**Smagula**, Associate with Totti, Rodriguez Diaz & Fuentes, **’95** (John, Fall, “Redirecting Focus: Justifying the U.S. Embargo Against Cuba and Resolving the Stalemate” North Carolina Journal of International Law & Commercial Regulation, 21 N.C.J. Int'l L. & Com. Reg. 66, lexis)

B. Full Compensation as an Inflexible Standard In extreme cases, full compensation may not be necessary. n227 The Restatement (Third) also notes that full compensation is required "in the absence of exceptional circumstances." n228 Comment d of the Restatement (Third) further discusses a very narrow range of "exceptional" circumstances, but exempts takings characteristic of those done by Cuba. n229 In INA Corp. v. Iran, n230 Judge Lagergren endorsed, in prin- [\*91] ciple, a lower standard of compensation in "large-scale nationalizations," in which a country simply cannot afford to pay full compensation. n231 In recent decisions, however, no arbitrator has argued that the amount of an award should be reduced due to economic effects on the expropriating state. n232 In the same arbitral decision, Judge Holtzmann soundly refuted Judge Lagergren's statement that in cases of "large scale" nationalizations full compensation need not be paid. n233 The International Court of Justice has described such partial compensation settlements as being sui generis and as such, they are no guide under international law. n234 Moreover, a country that claims it may pay partial compensation to those it has financially injured also violates the international legal principle of nemo judex in re sua. n235 Professor Wortley states: [A] State may exercise the liberty to accept less than is due to it or its nationals, should it so decide. In order to further peaceful relations, States have often done that. But the exercise of liberty by the creditor State is a different matter from saying that the debtor has a right to fix the terms of which he will be free from liability, especially when the seizure takes place in circumstances which themselves constitute an illegality. n236 C. U.S. Government Responsibility to the Property Owners The U.S. Executive Branch may, within limits that are not fully clear, settle the claims of its citizens against a foreign country. n237 If the [\*92] President were to enter into a partial compensation agreement, the U.S. government may then become liable to its citizens because of the Fifth Amendment protection of property interests. The Fifth Amendment provides that private property shall not "be taken for public use, without just compensation." n238 In First English Evangelical Lutheran Church of Glendale v. County of Los Angeles, n239 the Supreme Court referred to the "self-executing" character of the Fifth Amendment provision requiring compensation when a governmental taking of property has occurred. n240 In its discussion of the obligations imposed upon government by the Fifth Amendment, the Court held that this provision does not "prohibit the taking of property, but instead places a condition on the exercise of that power." n241 The Court reasoned: This basic understanding of the [Fifth] Amendment makes clear that it is designed not to limit the governmental interference with property rights per se, but rather to secure compensation in the event of otherwise proper interference amounting to a taking. Thus, government action that works a taking of property rights necessarily implicated the "constitutional obligation" to pay just compensation. n242 If the United States were to settle the claims of its citizens against Cuba, those claimants would be left with no existing property interests with respect to that nation. Any uncompensated portions of their claims would be canceled against Cuba and thus rendered valueless. Armstrong v. United States n243 provides a similar fact pattern, in which the federal government terminated a shipbuilding contract, thereby acquiring all the materials purchased by the shipbuilder to perform the contract. n244 The suppliers to the shipbuilder were, upon the govern- [\*93] ment's action, left with unenforceable liens against those materials because of the federal government's sovereign immunity. n245 The Supreme Court held that the government's action constituted a "taking" of the liens because the value of the liens was destroyed. n246 The Armstrong rule can be applied in an international context to a partial compensation agreement between Cuba and the United States. The court in Dames & Moore v. Regan upheld the President's action in dismissing pending litigation by U.S. companies against Iran for, among other things, property expropriations in that country, stating "though we conclude that the President has settled petitioner's claims against Iran, we do not suggest that the settlement has terminated petitioner's possible taking claim against the United States." n247 Justice Powell, concurring in part and dissenting in part, stated "the Government must pay just compensation when it furthers the Nation's foreign policy goals by using as "bargaining chips' claims lawfully held by a relatively few persons and subject to the jurisdiction of our courts." n248 In Shanghai Power Co. v. United States, n249 the Claims Court found that the U.S. government's settlement of a U.S. citizen's claim against the People's Republic of China for partial value did not give rise to a Fifth Amendment obligation to compensate the claimant for its uncompensated losses. n250 However, within a year of the decision in Shanghai Power, the U.S. Court of Appeals for the Federal Circuit in Langenegger v. United States n251 held that The Claims Court [in Langenegger] below incorrectly held that appellants' claim was nonjustifiable and that the extinguishment of a claim under international law cannot amount to a taking; the court relied on Shanghai Power Co. v. United States ... We note that the lower court's Shanghai Power decision does not present an absolute rule that the extinguishment of a claim under international law can never amount to a taking. n252 The Langenegger case reinforced well-settled law that requires each takings issue be resolved on a case-by-case basis. n253 Several factual diff- [\*94] erences existed between the settlement with the People's Republic of China and a potential settlement with Cuba in the post-Cold War era. n254 A major distinction is Cuba's willingness to allow foreign private investors to participate in its economy. n255 Such a willingness readily distinguishes China at the time of the Shanghai Power decision from Cuba, since property rights and private investment go hand in hand. n256 The Supreme Court has recently affirmed the constitutional commitment to property rights. Chief Justice Rehnquist stated in Dolan v. City of Tigard n257 that "we see no reason why the Takings Clause of the Fifth Amendment, as much a part of the Bill of Rights as the First Amendment or Fourth Amendment, should be relegated to the status of a poor relation." n258 The Environmental Protection Agency must comply with similar restraints mandating that the EPA provide full compensation for its takings and for its declaring private property unusable for various environmental purposes. n259 If the United States were to settle its citizens' claims against Cuba for less than their full value, the U.S. government could be held liable for the difference. In the current environment of budget cutting and deficit reduction, it is unlikely that the U.S. government would subject itself to such liability. Thus, the United States would be unwise to encourage such a settlement because the potentially enormous liability of the U.S. government would invariably cast a cloud over any progress in U.S.-Cuban relations.

#### Takings Clause suits collapse the War on Terror by undermining criminal law proceedings

**Little**, Legal Policy Analyst in the the Center for Legal & Judicial Studies at the Heritage Foundation, 9-22-**6** (Erica, “Federalizing "Gang Crime" Is Counterproductive and Dangerous,” www.heritage.org/Research/Crime/wm1221.cfm)

More broadly, Congress should discontinue its habit of expanding federal criminal law. The phenomenon of overfederalization of crime undermines state and local accountability for law enforcement, undermines more cooperative and creative efforts to fight crime (that is, allowing the states to act as "laboratories of democracy"), and injures America's federalist system of government. One of the more concrete problems that comes with federal overcriminalization is the misallocation of scarce federal law enforcement resources, which results in selective prosecution. New demands distract the Federal Bureau of Investigation, the U.S. Attorneys, and other federal law enforcers from national problems that undeniably require federal attention, such as the investigation and prosecution of espionage and terrorism. Moreover, federal prosecution is more expensive than state-level prosecution.

#### Nuclear terrorism causes global nuclear escalation

**Morgan**, Professor of Foreign Studies at Hankuk University, ‘**9** (Dennis Ray, December, “World on fire: two scenarios of the destruction of human civilization and possible extinction of the human race” Futures, Vol 41 Issue 10, p 683-693, ScienceDirect)

In a remarkable website on nuclear war, Carol Moore asks the question "Is Nuclear War Inevitable??" [10].4 In Section 1, Moore points out what most terrorists obviously already know about the nuclear tensions between powerful countries. No doubt, they've figured out that the best way to escalate these tensions into nuclear war is to set off a nuclear exchange. As Moore points out, all that militant terrorists would have to do is get their hands on one small nuclear bomb and explode it on either Moscow or Israel. Because of the Russian "dead hand" system, "where regional nuclear commanders would be given full powers should Moscow be destroyed," it is likely that any attack would be blamed on the United States" [10]. Israeli leaders and Zionist supporters have, likewise, stated for years that if Israel were to suffer a nuclear attack, whether from terrorists or a nation state, it would retaliate with the suicidal "Samson option" against all major Muslim cities in the Middle East. Furthermore, the Israeli Samson option would also include attacks on Russia and even "anti-Semitic" European cities [10]. In that case, of course, Russia would retaliate, and the U.S. would then retaliate against Russia. China would probably be involved as well, as thousands, if not tens of thousands, of nuclear warheads, many of them much more powerful than those used at Hiroshima and Nagasaki, would rain upon most of the major cities in the Northern Hemisphere. Afterwards, for years to come, massive radioactive clouds would drift throughout the Earth in the nuclear fallout, bringing death or else radiation disease that would be genetically transmitted to future generations in a nuclear winter that could last as long as a 100 years, taking a savage toll upon the environment and fragile ecosphere as well.

## Stability

**No extinction**

**Easterbrook, 03** – senior fellow at the New Republic, 03 [“We're All Gonna Die!”, <http://www.wired.com/wired/archive/11.07/doomsday.html?pg=1&topic=&topic_set>=]

If we're talking about doomsday - the end of human civilization - many scenarios simply don't measure up. A single nuclear bomb ignited by terrorists, for example, would be awful beyond words, but life would go on. People and machines might converge in ways that you and I would find ghastly, but from the standpoint of the future, they would probably represent an adaptation. Environmental collapse might make parts of the globe unpleasant, but considering that the biosphere has survived ice ages, **it wouldn't be the final curtain**. Depression, which has become 10 times more prevalent in Western nations in the postwar era, might grow so widespread that vast numbers of people would refuse to get out of bed, a possibility that Petranek suggested in a doomsday talk at the Technology Entertainment Design conference in 2002. But Marcel Proust, as miserable as he was, wrote *Remembrance of Things Past* while lying in bed.

#### **Multiple alt causes to hotspots – they cant solce caucus**

David **Bosco** **1AC author 2006** (a senior editor at Foreign Policy magazine) July 2006 “Forum: Keeping an eye peeled for World War III” <http://www.post-gazette.com/pg/06211/709477-109.stm_>

The understanding that small but violent acts can spark global conflagration is etched into the world's consciousness. The reverberations from Princip's shots in the summer of 1914 ultimately took the lives of more than 10 million people, shattered four empires and dragged more than two dozen countries into war. ¶ This hot summer, as the world watches the violence in the Middle East, the awareness of peace's fragility is particularly acute. The bloodshed in Lebanon appears to be part of a broader upsurge in unrest. Iraq is suffering through one of its bloodiest months since the U.S.-led invasion in 2003. Taliban militants are burning schools and attacking villages in southern Afghanistan as the United States and NATO struggle to defend that country's fragile government. Nuclear-armed India is still cleaning up the wreckage from a large terrorist attack in which it suspects militants from rival Pakistan. The world is awash in weapons, North Korea and Iran are developing nuclear capabilities, and long-range missile technology is spreading like a virus. ¶ Some see the start of a global conflict. "We're in the early stages of what I would describe as the Third World War," former House Speaker Newt Gingrich said recently. Certain religious Web sites are abuzz with talk of Armageddon. There may be as much hyperbole as prophecy in the forecasts for world war. But it's not hard to conjure ways that today's hot spots could ignite. ¶ Consider the following scenarios: ¶ Targeting Iran: As Israeli troops seek out and destroy Hezbollah forces in southern Lebanon, intelligence officials spot a shipment of longer-range Iranian missiles heading for Lebanon. The Israeli government decides to strike the convoy and Iranian nuclear facilities simultaneously. After Iran has recovered from the shock, Revolutionary Guards surging across the border into Iraq, bent on striking Israel's American allies. Governments in Syria, Jordan, Egypt and Saudi Arabia face violent street protests demanding retribution against Israel -- and they eventually yield, triggering a major regional war. ¶ Missiles away: With the world's eyes on the Middle East, North Korea's Kim Jong Il decides to continue the fireworks show he began earlier this month. But this time his brinksmanship pushes events over the brink. A missile designed to fall into the sea near Japan goes astray and hits Tokyo, killing a dozen civilians. Incensed, the United States, Japan's treaty ally, bombs North Korean missile and nuclear sites. North Korean artillery batteries fire on Seoul, and South Korean and U.S. troops respond. Meanwhile, Chinese troops cross the border from the north to stem the flow of desperate refugees just as U.S. troops advance from the south. Suddenly, the world's superpower and the newest great power are nose to nose. ¶ Loose nukes: Al-Qaida has had Pakistani President Pervez Musharraf in its sights for years, and the organization finally gets its man. Pakistan descends into chaos as militants roam the streets and the army struggles to restore order. India decides to exploit the vacuum and punish the Kashmir-based militants it blames for the recent Mumbai railway bombings. Meanwhile, U.S. special operations forces sent to secure Pakistani nuclear facilities face off against an angry mob. ¶ The empire strikes back: Pressure for democratic reform erupts in autocratic Belarus. As protesters mass outside the parliament in Minsk, president Alexander Lukashenko requests Russian support. After protesters are beaten and killed, they appeal for help, and neighboring Poland -- a NATO member with bitter memories of Soviet repression -- launches a humanitarian mission to shelter the regime's opponents. Polish and Russian troops clash, and a confrontation with NATO looms. ¶ As in the run-up to other wars, there is today more than enough tinder lying around to spark a great power conflict. The question is how effective the major powers have become at managing regional conflicts and preventing them from escalating. After two world wars and the decades-long Cold War, what has the world learned about managing conflict? ¶ The end of the Cold War had the salutary effect of dialing down many regional conflicts. In the 1960s and 1970s, every crisis in the Middle East had the potential to draw in the superpowers in defense of their respective client states. The rest of the world was also part of the Cold War chessboard. Compare the almost invisible U.N. peacekeeping mission in Congo today to the deeply controversial mission there in the early 1960s. (The Soviets were convinced that the U.N. mission was supporting a U.S. puppet, and Russian diplomats stormed out of several Security Council meetings in protest.) From Angola to Afghanistan, nearly every Cold War conflict was a proxy war. Now, many local crises can be handed off to the humanitarians or simply ignored.¶ But the end of the bipolar world has a downside. In the old days, the two competing superpowers sometimes reined in bellicose client states out of fear that regional conflicts would escalate. Which of the major powers today can claim to have such influence over Tehran or Pyongyang?¶ Today's world has one great advantage: None of the leading powers appears determined to reorder international affairs as Germany was before both world wars and as Japan was in the years before World War II.

**multiple alternate causalities to African conflict and escalation is empirically denied**

**AI, 07** (Amnesty International, Africa News, 5-24, Lexis)

At least a dozen countries in Africa were affected by armed conflict. Marginalization of certain communities, small arms proliferation and struggles for geo-political power and control of natural resources were some of the underlying causes of the conflicts. Although there were numerous peace and international mediation processes, Burundi, Central African Republic (CAR), Chad, Cte d'Ivoire, Democratic Republic of the Congo (DRC), Eritrea, Ethiopia, the Republic of Congo, Senegal, Sudan and Somalia were among the countries still engaged in or affected by conflict. In all these countries, civilians continued to suffer human rights abuses, and the most affected were women, children and the elderly. The conflicts in CAR, Chad, Sudan and Somalia (with the involvement of Ethiopia), represented an escalation of conflict in central and east Africa. Even in countries where peace processes were under way, such as in Cte d'Ivoire, the DRC and Sudan, civilians continued to face attacks and were inadequately protected by their governments. Conflict continued in the Darfur region of Sudan, despite the Darfur Peace Agreement. The Sudanese government failed to disarm the armed militia known as the Janjawid, which attacked civilians in Sudan and eastern Chad. Tens of thousands of Darfuris who escaped the killing, rape and pillage were living in refugee camps in CAR and Chad, unable to return to their villages. At least 200,000 people had died and 2.5 million internally displaced by the end of 2006. Armed opposition groups in Chad, Cte d'Ivoire and Sudan carried out human rights abuses, and in CAR, Chad and Sudan they continued to launch attacks against their respective government forces using other countries as bases. Despite presidential and legislative elections in the DRC in July and October, the peace process and future stability of the country remained under serious threat, particularly because of the failure to reform the new national army into a professional and apolitical force that respects human rights. The new army committed numerous serious human rights violations and the government failed to exclude suspected perpetrators from its ranks. Congolese armed groups, as well as foreign armed groups from Burundi, Rwanda and Uganda present in the DRC, also threatened the peace and committed human rights abuses. Lack of security limited humanitarian access to many areas in the east. Proliferation of small arms remained a serious problem, particularly in Burundi, the DRC, Somalia and Sudan, contributing to a vicious cycle of violence, instability, poor human rights situations and humanitarian crises. In Angola, the Memorandum of Understanding for Peace and Reconciliation in Cabinda was signed by the government and the Cabindan Forum for Dialogue, formally ending the armed conflict in Cabinda. However, sporadic attacks by both sides against civilians persisted. Despite intense diplomatic efforts, notably by the UN and the African Union (AU), human rights abuses continued to be reported in Cte d'Ivoire. Government security forces and the Forces Nouvelles (New Forces), a coalition of armed groups in control of the north since September 2002, were implicated. Both protagonists repeatedly postponed disarmament and demobilization, and the reintegration programme remained deadlocked because of disagreement over the timetable. In Somalia, the militias of the Union of Islamic Courts, which had conquered Mogadishu in June, were defeated in December by an Ethiopian force supporting the internationally recognized Transitional Federal Government. Uncertainties remained about the deployment of an AU peace support force to protect this government, as authorized by the UN Security Council. The border dispute between Ethiopia and Eritrea continued to be a source of tension.

**No Korean war**

**Kang & Cha, 03** – \*associate professor of Business at Dartmouth, AND \*\*associate professor of government Georgetown’s school of Foreign Service (May/June 2003, David C. Kang, Victor D. Cha, Foreign Policy, “Think Again: The Korea Crisis,” <http://www.ituassu.com.br/asia_fp1.pdf>, JMP)

“The DMZ Is the Scariest Place in the World” Yes, if looks could kill. When former U.S. President Bill Clinton called the border between the two Koreas the world’s scariest place, he was referring to the massive forward deployment of North Korean forces around the DMZ and the shaky foundations of the 50-year-old armistice—not peace treaty—that still keeps the peace between the two former combatants. Since the end of the Korean War in 1953, there have been more than 1,400 incidents across the DMZ, resulting in the deaths of 899 North Koreans, 394 South Koreans, and 90 U.S. soldiers. Tensions have been so high tha tin 1976 the United States mobilized bombers and an aircraft carrier battle group to trim one tree in the DMZ. The deployments and operational battle plans on both sides suggest that if a major outbreak of violence were to start, a rapid escalation of hostilities would likely ensue. In practice, however, no such outbreak has occurred. North Korea has faced both a determined South Korean military, and more important, U.S. military deployments that at their height comprised 100,000 troops and nuclear-tipped Lance missiles and even today include 37,000 troops, nuclear-capable airbases, and naval facilities that guarantee U.S. involvement in any Korean conflict. The balance of power has held because any war would have disastrous consequences for both sides. Seoul and Pyongyang are less than 150 miles apart—closer than New York is to Washington, D.C. Seoul is 30 miles from the DMZ and easily within reach of North Korea’s artillery tubes. Former Commander of U.S. Forces Korea Gen. Gary Luck estimated that a war on the Korean peninsula would cost $1 trillion in economic damage and result in 1 million casualties, including 52,000 U.S. military casualties. As one war gamer described, the death toll on the North Korean side would be akin to a “holocaust,” and Kim Jong Il and his 1,000 closest generals would surely face death or imprisonment. As a result, **both sides have moved cautiously and avoided major military mobilizations that could spiral out of control.** Ironically enough, as for the DMZ itself, although bristling with barbed wire and sown with land mines, it has also become a remarkable nature preserve stretching across the peninsula that is home to wild birds and a trove of other rare species.

**There is no bioterrorist threat**

**Mueller, 05** (John, Professor of Political Science at OhioState. May 2005. International Studies Perspectives, Volume 6 Issue 2 Page 208-234, Simplicity and Spook: Terrorism and the Dynamics of Threat Exaggeration)

Properly developed and deployed, biological weapons could indeed, if thus far only in theory, kill hundreds of thousands, perhaps even millions, of people. The discussion remains theoretical because biological weapons have scarcely ever been used even though the knowledge about their destructive potential as weapons goes back decades, even centuries in some respects (the English, e.g., made some efforts to spread smallpox among American Indians in the French and Indian War) (Christopher, Cieslak, Pavlin, and Eitzen, 1997:412).Belligerents have eschewed such weapons with good reason: biological weapons are extremely difficult to deploy and to control. Terrorist groups or rogue states may be able to solve such problems in the future with advances in technology and knowledge, but the record thus far is unlikely to be very encouraging to them. For example, Japan reportedly infected wells in Manchuria and bombed several Chinese cities with plague-infested fleas before and during the Second World War. These ventures may have killed thousands of Chinese, but they apparently also caused thousands of unintended casualties among Japanese troops and seem to have had little military impact.18 In the 1990s, Aum Shinrikyo, a Japanese cult that had some 300 scientists in its employ and an estimated budget of $1 billion, reportedly tried at least nine times over 5 years to set off biological weapons by spraying pathogens from trucks and wafting them from rooftops, hoping fancifully to ignite an apocalyptic war. These efforts failed to create a single fatality—in fact, nobody even noticed that the attacks had taken place.

## Multilateralism

#### Unilateralism is what sustains primacy – other states bandwagon with the US for fear of other rising powers. Moving towards multilateralism makes it unsustainable

**Seldena, 13** – assistant professor of political science at the University of Florida (Zachary, “Balancing Against or Balancing With? The Spectrum of Alignment and the Endurance of American Hegemony” Security Studies Volume 22, Issue 2, 2013, Taylor and Francis)//VP

Understanding which of these choices—soft balancing against the hegemon or alignment with the hegemon—is more prevalent among second-tier states has significant ramifications for the endurance of American hegemony. The record of the 2001–2009 period indicates that a wide range of second-tier states not only aligned with the United States, they strengthened their security cooperation in a manner that extended the reach of the us military at a time when American foreign policy was widely seen as unilateral. 3 In addition, they did so by incurring certain costs that helped to spread the burden of maintaining the American hegemonic system. This pattern of alignment with the United States has implications for the endurance of American hegemony because states aligned with the United States may have more at stake in the maintenance of American hegemony than the United States itself. A smaller American naval presence in the Asia Pacific region, for example, may be seen as a relatively minor shift in the United States with some beneficial budgetary savings. In Vietnam, Australia, or the Philippines, however, such a shift could prompt a wholesale reevaluation of national defense policy and have costly implications. Therefore, second-tier states have an incentive to participate in activities that extend the endurance of American hegemony, even if they do not receive a formal security guarantee for their efforts. This may have implications for American foreign policy. There are distinct policy recommendations flowing from the logic of those scholars and policy professionals who argue that a more proactive and unilateral foreign policy speeds the decline of American hegemony. The most important of these is that the United States should practice a policy of self-restraint that defers to international organizations, which would alleviate concerns about the current preponderance of the United States in the international system. 4 A policy of self-restraint would signal that the United States is not a threat to other major powers and preclude attempts at balancing. This policy would also help to set a norm for the behavior of future great powers and recognize the emerging reality of a multipolar world. 5 Another policy implication from this line of reasoning is that the United States should reduce its global military presence that both encourages balancing behavior by other states and speeds hegemonic decline by draining financial resources. 6 Yet, this policy of restraint may be precisely what would cause second-tier states to question the utility of their security relationship with the United States and move away from policies that help to maintain American hegemony. This could at least partially explain the trend of states moving to establish closer security relationships with the United States in the 2001–2009 period, when it was at its most proactive and least deferential to international organizations. States may logically conclude that a hegemon willing to project power regardless of international opinion will be likely to use its power in the defense of the hegemony that is in the interest of second-tier states. Second-tier states might be far less willing to contribute to the maintenance of American hegemony if the United States behaves in a manner that raises doubts as to the durability of its commitments or its willingness to use its power in the international arena. Thus, what would trigger a serious decline in the cooperation that helps to sustain American hegemony would be a self-imposed reduction in the ability of the United States to project power and an increased reluctance to use its power in support of its national interests.

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## Multilat

**Hegemony is sustain – the US is way ahead of everyone else**

**Brooks and Wohlforth, 08** (Stephen G Brooks & William C. Wohlforth Associate Professors in the Department of Government @ Dartmouth College. World Out of Balance, p. 27-31)

“Nothing has ever existed like this disparity of power; nothing,” historian Paul Kennedy observes: “I have returned to all of the comparative defense spending and military personnel statistics over the past 500 years that I compiled in The Rise and Fall of the Great Powers, and no other nation comes close.” Though assessments of U.S. power have changed since those words were written in 2002, they remain true. Even when capabilities are understood broadly to include economic, technological, and other wellsprings of national power, they are concentrated in the United States to a degree never before experienced in the history of the modern system of states and thus never contemplated by balance-of-power theorists. The United States spends more on defense that all the other major military powers combined, and most of those powers are its allies. Its massive investments in the human, institutional, and technological requisites of military power, cumulated over many decades, make any effort to match U.S. capabilities even more daunting that the gross spending numbers imply. Military research and development (R&D) may best capture the scale of the long-term investment that give the United States a dramatic qualitative edge in military capabilities. As table 2.1 shows, in 2004 U.S. military R&D expenditures were more than six times greater than those of Germany, Japan, France, and Britain combined. By some estimates over half the military R&D expenditures in the world are American. And this disparity has been sustained for decades: over the past 30 years, for example, the United States has invested over three times more than the entire European Union on military R&D. These vast commitments have created a preeminence in military capabilities vis-à-vis all the other major powers that is unique after the seventeenth century. While other powers could contest U.S. forces near their homelands, especially over issues on which nuclear deterrence is credible, the United States is and will long remain the only state capable of projecting major military power globally. This capacity arises from “command of the commons” – that is, unassailable military dominance over the sea, air, and space. As Barry Posen puts it, Command of the commons is the key military enabler of the U.S global power position. It allows the United States to exploit more fully other sources of power, including its own economic and military might as well as the economic and military might of its allies. Command of the commons also helps the United States to weaken its adversaries, by restricting their access to economic, military, and political assistance….Command of the commons provides the United States with more useful military potential for a hegemonic foreign policy than any other offshore power has ever had. Posen’s study of American military primacy ratifies Kennedy’s emphasis on the historical importance of the economic foundations of national power. It is the combination of military and economic potential that sets the United States apart from its predecessors at the top of the international system. Previous leading states were either great commercial and naval powers or great military powers on land, never both. The British Empire in its heyday and the United States during the Cold War, for example, shared the world with other powers that matched or exceeded them in some areas. Even at the height of the Pax Britannica, the United Kingdom was outspent, outmanned, and outgunned by both France and Russia. Similarly, at the dawn of the Cold War the United States was dominant economically as well as in air and naval capabilities. But the Soviet Union retained overall military parity, and thanks to geography and investment in land power it had a superior ability to seize territory in Eurasia. The United States’ share of world GDP in 2006, 27.5 percent, surpassed that of any leading state in modern history, with the sole exception of its own position after 1945 (when World War II had temporarily depressed every other major economy). The size of the U.S economy means that its massive military capabilities required roughly 4 percent of its GDP in 2005, far less than the nearly 10 percent it averaged over the peak years of the Cold War, 1950-70, and the burden borne by most of the major powers of the past. As Kennedy sums up, “Being Number One at great cost is one thing; being the world’s single superpower on the cheap is astonishing.”

## Stability

**Species extinction won't cause human extinction – humans and the environment are adaptable**

**Doremus, 00** (Holly, Professor of Law at UC Davis Washington & Lee Law Review, Winter 57 Wash & Lee L. Rev. 11, lexis)

In recent years, this discourse frequently has taken the form of the ecological horror story . That too is no mystery. The ecological horror story is unquestionably an attention-getter, especially in the hands of skilled writers [\*46] like Carson and the Ehrlichs. The image of the airplane earth, its wings wobbling as rivet after rivet is carelessly popped out, is difficult to ignore. The apocalyptic depiction of an impending crisis of potentially dire proportions is designed to spur the political community to quick action . Furthermore, this story suggests a goal that appeals to many nature lovers: that virtually everything must be protected. To reinforce this suggestion, tellers of the ecological horror story often imply that the relative importance of various rivets to the ecological plane cannot be determined. They offer reams of data and dozens of anecdotes demonstrating the unexpected value of apparently useless parts of nature. The moth that saved Australia from prickly pear invasion, the scrubby Pacific yew, and the downright unattractive leech are among the uncharismatic flora and fauna who star in these anecdotes. n211 The moral is obvious: because we cannot be sure which rivets are holding the plane together, saving them all is the only sensible course. Notwithstanding its attractions, the material discourse in general, and the ecological horror story in particular, are not likely to generate policies that will satisfy nature lovers. The ecological horror story implies that there is no reason to protect nature until catastrophe looms. The Ehrlichs' rivet-popper account, for example, presents species simply as the (fungible) hardware holding together the ecosystem. If we could be reasonably certain that a particular rivet was not needed to prevent a crash, the rivet-popper story suggests that we would lose very little by pulling it out. Many environmentalists, though, would disagree. Reluctant to concede such losses, tellers of the ecological horror story highlight how close a catastrophe might be, and how little we know about what actions might trigger one. But the apocalyptic vision is less credible today than it seemed in the 1970s. Although it is clear that the earth is experiencing a mass wave of extinctions, the complete elimination of life on earth seems unlikely. Life is remarkably robust. Nor is human extinction probable any time soon. Homo sapiens is adaptable to nearly any environment. Even if the world of the future includes far fewer species, it likely will hold people. One response to this credibility problem tones the story down a bit, arguing not that humans will go extinct but that ecological disruption will bring economies, and consequently civilizations, to their knees. But this too may be overstating the case. Most ecosystem functions are performed by multiple species. This functional redundancy means that a high proportion of species can be lost without precipitating a collapse.

## CP

#### We solve their solvency def Compensation alone is sufficient to ensure foreign investment that solves Cuba’s economy

**Santiago**, Attorney at American Tower Corporation, **2K** (Rolando, Spring, “Y2K, The Millennium for a Revised U.S.-Cuba Trade Policy: Grounds For Removing the Embargo” NAFTA: Law and Business Review of the Americas, 6 NAFTA L. & Bus. Rev. Am. 169, lexis)

Lifting the embargo will mean the return of American companies that have claims to property in Cuba, which is arguably the most problematic issue at the center of the embargo policy. The solution to this complex issue need not be so difficult. Companies that had their property seized may take one of three options. First, they can let bygones be bygones, and move forward to new investments in Cuba. Economic and political reality make this option a virtual impossibility, nevertheless, it is an available option. Second, the United States and the Cuban government could agree to make reparations to affected companies from Cuban accounts frozen in the United States. Foreign governments currently administering frozen Cuban accounts would also be free to make similar arrangements. For this option to work, interested companies must be willing to accept a compromise in the value of restitution that they are demanding from the Cuban government. In essence, any agreement for compensation of seized properties resolved from seized Cuban accounts has to leave both parties with the ability to save face. At the [\*183] end of the day, the Cuban government and the victim companies must leave with something to show for their efforts. Third, as a condition to lifting the embargo, the Cuban government could permit expropriated companies to regain title and control of properties. The repropriating process would require planning with the same care as is used when nations privatize state-owned entities. Pitfalls to avoid are unnecessary lapses in time between handovers from state-owned to private-owned entities, detrimental gaps in management, and draconian changes in management policy and personnel. Clearly, as private companies regain control of properties, they will most certainly invest large amounts of money to upgrade the property and related infrastructure. In turn, an astute Cuban government will raise revenue from reasonable taxes and acquire seed revenue from released assets in foreign banks. Revenue from formerly seized assets should be used to build, improve, and maintain infrastructure. Collectively, foreign investments and responsible Cuban fiscal policy will fuel a favorable trickle-down effect and create more jobs for Cubans by injecting the economy with large quantities of capital.

#### Independently, this is a DA to the aff – failure to reinstitute property rights decimates Cuba’s economy

**Espino**, JD Candidate Nova Southeastern University Shepard Broad Law Center, ‘**8** (Daniel- President and Chairman of the Board of Puente de Jovenes Profesionales Cubanos and President of the Hispanic Law Students Association, Spring, “Step-Down Restitution: A Proposal For An Equitable Resolution To Confiscated Cuban Property” Nova Law Review, 32 Nova L. Rev. 423, lexis)

[F]ull restitution of all non-materially altered industrial, commercial and agricultural properties to their legitimate owners will not only carry out the justice required for social peace, but it will also place the means of production in the hands of those entrepreneurs which had elevated Cuba to the top of nearly every socio-economic index in Latin America prior to the communist revolution. By creating constitu-tional and other legal incentives to encourage the unleashing of the creative energies of the Cuban people (both on the island and in exile), Cuba can rapidly earn foreign exchange through exports, produce abundantly for its own domestic consumption, employ workers at real jobs paying in a curren-cy that has value (unlike today's Cuban peso), and restore labor rights. The economic multiplier effect of this combined economic activity will rapidly return prosperity to the island. n171 Due to its location and natural resources, Cuba also attracts nearly two million tourists a year which "will appeal to hotel companies and cruise operators, as well as to corporate farmers in need of equatorial sunshine." n172 Bottom line, Cuba is a blank canvas ready for the paint of investment from international companies. Without the reinstitution of property rights, Cuba's economy will never fully recuperate as is evident by the continued decline in the number of foreign companies investing and operating in Cuba. n173 "Joint ventures between Cuba's communist state and foreign investors fell to 236 at the end of 2006, down from 258 a year ago and 313 at the end of 2004. n174 This trend will likely continue until Cuba makes the initial steps towards a free market society at which point it will have the capital and man power to implement a flexible remedial policy such as the Step-Down Restitution Policy, which will work in tandem with the blossoming economy.

Terrorists have the expertise

**Bunn and Wier 4** – Matthew Bunn is a Senior Research Associate in the Project on Managing the Atom at Harvard University’s John F. Kennedy School of Government From 1994–1996, Bunn served as an adviser to the White House Office of Science and Technology Policy, Anthony Wier is a Research Associate in the Project on Managing the Atom he was a Program Examiner in the International Affairs Division of the Ofﬁce of Management and Budget. He has a Master of Public Affairs from UT Austin and is a TRINITY ALUM, Securing the Bomb, PROJECT ON MANAGING THE ATOM BELFER CENTER FOR SCIENCE AND INTERNATIONAL AFFAIRS JOHN F. KENNEDY SCHOOL OF GOVERNMENT HARVARD UNIVERSITY COMMISSIONED BY THE NUCLEAR THREAT INITIATIVE, May, http://www.nti.org/e\_research/analysis\_cnwmupdate\_052404.pdf

Several weaknesses of al Qaeda have led some analysts to argue that it could not plausibly carry out an attack with an actual nuclear explosive. First, many of the organization’s recruits have little technical sophistication and expertise. For example, a 1999 **al Qaeda** progress **report** found in Afghanistan concludes that the attempt to make nerve gas weapons relying on the expertise the group could put together without recruiting specialists had “resulted in a waste of effort and money.” The report **recommended** **recruiting experts** as the “fastest, cheapest, and safest” way **to build** the capability to make such **weapons**. 54 Unfortunately, however, a number of **top al Qaeda personnel are technologically literate** (bin Laden deputy **al-Zawahiri is a medical doctor**, while reported 9/11 mastermind **Khalid Sheikh Muhammad**, now in U.S. custody, **is a U.S.-trained engineer**), 55 and **the group** has **repeatedly demonstrated** an **ability to carry out sophisticated research in the unclassiﬁed literature**. 56 The most detailed unclassiﬁed analysis of al Qaeda’s nuclear program concludes that it posed a serious threat while it was underway in the Afghanistan sanctuary, and could still succeed elsewhere. 57

**Small groups are all that’s needed.**

**Bunn and Wier 4** – Matthew Bunn is a Senior Research Associate in the Project on Managing the Atom at Harvard University’s John F. Kennedy School of Government From 1994–1996, Bunn served as an adviser to the White House Office of Science and Technology Policy, Anthony Wier is a Research Associate in the Project on Managing the Atom he was a Program Examiner in the International Affairs Division of the Ofﬁce of Management and Budget. He has a Master of Public Affairs from UT Austin and is a TRINITY ALUM, Securing the Bomb, PROJECT ON MANAGING THE ATOM BELFER CENTER FOR SCIENCE AND INTERNATIONAL AFFAIRS JOHN F. KENNEDY SCHOOL OF GOVERNMENT HARVARD UNIVERSITY COMMISSIONED BY THE NUCLEAR THREAT INITIATIVE, May, http://www.nti.org/e\_research/analysis\_cnwmupdate\_052404.pdf

Others argue that a group with al Qaeda’s structure of small cells would not be well-suited for what they argue would be a large, long-term project like making a nuclear bomb—particularly given the substantial disruptions al Qaeda has suffered from the international response to the 9/11 attacks. The deaths or arrests of a substantial number of senior al Qaeda leaders and operatives since 9/11, and the other disruptions of its operations, have undoubtedly reduced the probability of al Qaeda succeeding in pulling off a nuclear explosive attack. But the crucial question is: by how much? Unfortunately, as already noted, the **conclusion of repeated** **technical studies is that the group needed to** design and **fabricate a crude nuclear explosive**, once the needed materials were in hand, **might be** quite small—as **small as a single al Qaeda cell**. The ability of a cell-based organization like al Qaeda—**or even one of the** many **loosely afﬁliated regional groups** that now appear to be posing an increasing threat as the old central structure of al Qaeda is weakened—to make a crude nuclear explosive cannot be dismissed.

#### Destroys leverage – Espino proves Cuba has no incentive to ratify an investment treaty if the US has already removed the embargo – it’s a key incentive

**Currie, ’10** (Duncan, June 7, “Spare Not the Stick” National Review, EbscoHost)

The broader U.S. embargo should be used as a tool to incentivize Cuban liberalization. Latell reckons that most senior¶ members of the military and Communist¶ bureaucracy—including Raúl Castro—¶ favor Chinese-style economic reforms,¶ though they do not necessarily want Cuba¶ to become what China is today. But Fidel¶ rejects the Deng Xiaoping model, and any¶ large-scale implementation of that model¶ presupposes his death. Latell suspects that¶ if Fidel died and Raúl (who turns 79 on¶ June 3) were still in control as president,¶ Havana would adopt a more pragmatic¶ approach to the United States, and might¶ even be willing to free political prisoners¶ in return for U.S. investment.¶ If America ditched sanctions tomorrow¶ without first obtaining serious concessions, it would be rewarding the Cuban¶ government at a time when that government appears increasingly vulnerable. The¶ embargo may seem a hopeless anachronism. But it could prove a valuable bargaining chip, and it’s worth keeping at¶ least a little while longer.

#### Resolution of property must happen first

**Travieso-Diaz**, Partner at Shaw, Pittman, Potts & Trowbridge, **’95** (Matias- JD Columbia University and PhD Ohio State, Summer, “Some Legal And Practical Issues In The Resolution Of Cuban Nationals' Expropriation Claims Against Cuba” Journal of International Business Law, 16 U. Pa. J. Int'l Bus. L. 217, lexis)

The outstanding property claims of both U.S. and Cuban nationals raise an important issue that will need to be addressed in the early stages of Cuba's free-market transition. There are several reasons why the early resolution of this issue is urgent: (1) U.S. laws require resolution of U.S. citizen expropriation claims before foreign aid can resume; n16 (2) the Cuban Government will need to give early resolution to the outstanding expropriation claims to assure domestic order and [\*222] political and economic stability, expedite privatization, and foster foreign investment; n17 and (3) resolution of the claims issue will diminish the perceived political risks of investing in Cuba. Political risks are a matter of concern to prospective investors, traders, and financial institutions. n18

# 1NR

## Politics

#### Even if you give them collapse does not cause war it is two fold - Growth prevents conflict escalation – solves the case impacts

Griswold 7

Daniel, Trade Policy Studies @ Cato, 4/20/’7, Trade, Democracy and Peace, http://www.freetrade.org/node/681

A second and even more potent way that trade has promoted peace is by promoting more economic integration. As national economies become more intertwined with each other, those nations have more to lose should war break out. War in a globalized world not only means human casualties and bigger government, but also ruptured trade and investment ties that impose lasting damage on the economy. In short, globalization has dramatically raised the economic cost of war.

**Immigration shreds cooperation**

**Inter-American Dialogue 12 -** the Inter-American Dialogue is the leading US center for policy analysis, exchange, and communication on issues in Western Hemisphere affairs(“Remaking the Relationship The United States and Latin America”, April 2012, http://www.thedialogue.org/PublicationFiles/IAD2012PolicyReportFINAL.pdf)

Washington’s failure to repair the United States’ broken immigration system is breeding resentment across the region, nowhere more so than in the principal points of origin and transit: Mexico, Central America, and the Caribbean. Latin Americans find the idea of building a wall on the US-Mexico border particularly offensive. Despite bitter political battles over immigration in the United States, there is general agreement about what sensible reform would include . It combines effective border and employer enforcement, the adoption of a general worker program consistent with labor market needs in the United States, and a path toward residence and citizenship for the estimated 12 million unauthorized residents living in the country . This package is similar to the reform effort (unfortunately defeated in Congress) proposed under President George W . Bush . The complicated and divisive politics of the United States, compounded by the weakness of the US economy, have so far blocked this comprehensive approach . But more limited measures such as the Dream Act, allowing children brought to the United States without appropriate documentation an opportunity to qualify for citizenship, would not only be welcomed in US Latino communities and in Latin America, but it would demonstrate that the issue is being taken seriously and with a measure of compassion in Washington . Sensible US immigration policies promise to benefit the US economy . Migrants make up a significant percentage of younger workers. Their presence would improve the labor demographic and increase the US capacity for economic growth even while their contributions help sustain the US social security system. Immigration reform would also recognize the growing “Latinoamericanization” of the United States . Roughly one sixth of the population is currently of Latino descent . The cultural, demographic and family ties of those 50 million people will continue to deepen. The United States’ inability to respond to the policy challenge of immigration will have increasingly negative consequences, standing in the way of a more productive relationship with Latin America.

**Immigration turns the aff**

**Inter-American Dialogue 12 -** the Inter-American Dialogue is the leading US center for policy analysis, exchange, and communication on issues in Western Hemisphere affairs(“Remaking the Relationship The United States and Latin America”, April 2012, http://www.thedialogue.org/PublicationFiles/IAD2012PolicyReportFINAL.pdf)

Still another advance could come through US immigration reform. By better aligning the supply and demand for workers in critical industries and opening new opportunities for millions of currently unauthorized residents, a more pragmatic migration policy would significantly bolster the US economy . No other single policy measure would more clearly demonstrate US commitment to cooperation with Latin America. The comprehensive reform advocated by both the George W . Bush and the Obama administrations represents the best approach. More modest changes, however, could still be helpful.

**Political opposition outweighs the turn**

**Ratliff, 13 -** research fellow and former curator of the Americas Collection at the Hoover Institution. He is also a research fellow of the Independent Institute. An expert on Latin America, China, and US foreign policy, he has written extensively on how traditional cultures and institutions influence current conditions and on prospects for economic and political development in East/Southeast Asia and Latin America (William, “Cuba's Tortured Transition” 1/30,

<http://www.hoover.org/publications/defining-ideas/article/139281>

A New Policy to Cuba Since the early 1990s U.S. “proactive” policies have done more to stoke than reduce domestic tensions in Cuba, though we profess to seek a “peaceful transition.” Most U.S. legislators have supported pro-embargo Cuban-Americans even though Gallup polls have long shown that most Americans favor diplomatic relations with Havana and lifting the embargo. On balance, politicians don’t think Cuba policy is important enough to be worth stirring up the hornets in the still fairly militant and well-financed pro-embargo lobby. Not only have all presidential candidates including Obama supported the embargo, most have resisted even seriously discussing it.

**2) The Cuba lobby will block the plan – it costs capital to get past it**

**LeoGrande, 13 -** professor in the department of government at American University's School of Public Affairs in Washington, D.C.(William, “The Cuba Lobby” Foreign Policy, 4/11,

<http://www.foreignpolicy.com/articles/2013/04/11/the_cuba_lobby_jay_z>

Today, U.S. relations with Latin America are suffering from an equally irrational policy toward Cuba -- a policy designed in the 1960s to overthrow Fidel Castro's government and which, more than 50 years later, is no closer to success. Like U.S. policy toward China in the 1950s and 1960s, policy toward Cuba is frozen in place by a domestic political lobby, this one with roots in the electorally pivotal state of Florida. The Cuba Lobby combines the carrot of political money with the stick of political denunciation to keep wavering Congress members, government bureaucrats, and even presidents in line behind a policy that, as President Barack Obama himself admits, has failed for half a century and is supported by virtually no other countries. (The last time it came to a vote in the U.N. General Assembly, only Israel and the Pacific island of Palau sided with the United States.) Of course, the news at this point is not that a Cuba Lobby exists, but that it astonishingly lives on -- even during the presidency of Obama, who publicly vowed to pursue a new approach to Cuba, but whose policy has been stymied thus far. Like the China Lobby, the Cuba Lobby isn't one organization but a loose-knit conglomerate of exiles, sympathetic members of Congress, and nongovernmental organizations, some of which comprise a self-interested industry nourished by the flow of "democracy promotion" money from the U.S. Agency for International Development (USAID). And like its Sino-obsessed predecessor, the Cuba Lobby was launched at the instigation of conservative Republicans in government who needed outside backers to advance their partisan policy aims. In the 1950s, they were Republican members of Congress battling New Dealers in the Truman administration over Asia policy. In the 1980s, they were officials in Ronald Reagan's administration battling congressional Democrats over Central America policy. At the Cuba Lobby's request, Reagan created Radio Martí, modeled on Radio Free Europe, to broadcast propaganda to Cuba. He named Jorge Mas Canosa, founder of the Cuban American National Foundation (CANF), to chair the radio's oversight board. President George H.W. Bush followed with TV Martí. Sen. Jesse Helms (R-N.C.) and Rep. Dan Burton (R-Ind.) authored the 1996 Cuban Liberty and Democratic Solidarity Act, writing the economic embargo into law so no president could change it without congressional approval. Founded at the suggestion of Richard V. Allen, Reagan's first national security advisor, CANF became one of the most powerful ethnic foreign-policy organizations in the United States and was the linchpin of the Cuba Lobby until Mas Canosa's death in 1997. "No individual had more influence over United States policies toward Cuba over the past two decades than Jorge Mas Canosa," the New York Times editorialized. In Washington, CANF built its reputation by spreading campaign contributions to bolster friends and punish enemies. In 1988, CANF money helped Joe Lieberman defeat incumbent Sen. Lowell Weicker, whom Lieberman accused of being soft on Castro because he visited Cuba and advocated better relations. Weicker's defeat sent a chilling message to other members of Congress: challenge the Cuba Lobby at your peril. In 1992, according to Peter Stone's reporting in National Journal, New Jersey Democrat Sen. Robert Torricelli, seduced by the Cuba Lobby's political money, reversed his position on Havana and wrote the Cuban Democracy Act, tightening the embargo. Today, the political action arm of the Cuba Lobby is the U.S.-Cuba Democracy PAC, which hands out more campaign dollars than CANF's political action arm did even at its height -- more than $3 million in the last five national elections.

#### Politics DA is an opportunity cost

Stephenson, ’08 (Matthew C., Harvard Law Professor, Michigan Law Review, “Optimal political control of the bureaucracy,” 10-1-8, pg. 53(58) Vol. 107 No. 1, www.michiganlawreview.org/assets/pdfs/107/1/stephenson.pdf‎)//a-berg

The assumption of increasing marginal control costs is important to the subsequent results, so it is worth pausing to explain its justification. This assumption is premised on the notions that bureaucratic control costs are primarily opportunity costs--the diversion of time, effort, and political capital from other activities--and that the president tries to allocate these resources efficiently, sacrificing low-value activities before high-value activities. Imagine, for purposes of illustration, that the president has 100 units of political capital that she allocates to an array of tasks. If the president devotes a single unit of capital to influence a particular bureaucratic decision (so the president devotes 1 unit to bureaucratic control and 99 to other tasks), she will sacrifice whichever other activity was least valuable to her; to do otherwise would be irrational. The value of that foregone activity is the cost of devoting 1 unit of political capital to bureaucratic control. Now suppose the president devotes a second unit of political capital to bureaucratic control (so that she applies 2 units to bureaucratic control and 98 units to other tasks.) (67) Because the president has already foregone the lowest-valued of her original set of alternative activities, the opportunity cost of devoting this second unit of political capital to bureaucratic control will be higher than the opportunity cost of the first unit. Hence, the cost to the president of devoting 2 units of political capital to bureaucratic control is more than twice as great as the cost of devoting 1 unit to bureaucratic control. As long as the president rationally sacrifices low-value activities before high-value activities, then the marginal cost to the president of influencing the bureaucracy is increasing in the distance the president moves the bureaucracy's ideal point. (68)

#### 1) Spending PC is key– shapes uniqueness by creating momentum

Nakamura 10/24

David, Washington Post, Pressing House GOP, Obama evokes George W. Bush in immigration speech, 10/24/13, http://www.washingtonpost.com/blogs/post-politics/wp/2013/10/24/pressing-house-gop-obama-evokes-george-w-bush-in-immigration-speech/

For the second time in two weeks, President Obama called on House Republicans to support a broad overhaul of immigration laws, invoking his predecessor George W. Bush in a bid to restore momentum to a key second-term priority.¶ Obama didn't mention Bush by name, but he reminded his audience of immigration advocates in the East Room that the former president championed a similar, though ultimately unsuccessful, comprehensive immigration plan in 2006 and 2007.¶ "Some folks think, 'Well, if Obama's for it, then I'm against it,'" said Obama, who was joined by Vice President Biden. "I would remind everybody that my Republican predecessor was for it."¶ "I also believe that good policy is good politics in this instance," he added. "If folks are consumed with the politics of a broken immigration system, they should take a closer look at the polls because the American people support this. Everybody wins here if we work together to get this done."¶ Obama's remarks are part of a White House effort to gain traction for the president's domestic agenda in the wake of the end of the 16-day government shutdown last week. In addition to immigration, Obama called again for Congress to pass a farm bill.¶ House Republicans have said they will not support a bipartisan immigration plan, approved by the Senate in June, that features a 13-year path to citizenship for illegal immigrants. GOP leaders said they are instead working on a series of smaller-scale bills, including additional border security. But they have not yet put forward a bill that includes offering legal status or citizenship for the nation's 12 million undocumented immigrants.¶ "This isn’t just the right thing to do; it's the smart thing to do," Obama said. "But just because something is smart, good for the economy, fiscally responsible, supported by business, labor, evangelicals, Democrats and Republicans, that does not mean it will get done. This is Washington, after all. Everything tends to be viewed through a political prism."¶ Former president George W. Bush and his brother Jeb, the former Florida governor, have both spoken out this year in support of immigration reform. Bush has said his failure to get a comprehensive bill through Congress was one of the major regrets of his presidency.¶ Obama called on Congress to get a bill passed by year's end, but such a timetable appears unlikely — and with another round of budget negotiations slated for January, the window is tightening. Some advocates have said the immigration effort could spill into the spring, after the deadline for Congressional primary races.¶ With public opinion polls showing widespread frustration with the GOP in the wake of the government shutdown, the administration hopes to keep the political pressure on through immigration and other domestic priorities.

#### Obama stays out of budget fights

Munro 10/17 Neil, Daily Caller White House correspondent, Obama WALKS AWAY from new budget talks, setting stage for next shutdown showdown, 10/17/13, http://dailycaller.com/2013/10/17/obama-walks-away-from-new-budget-talks-setting-stage-for-next-shutdown-showdown-video/

President Barack Obama is minimizing his role in the high-stakes bipartisan budget negotiations that he helped schedule.¶ “The president will be as involved as he and members of the Congress believe to be useful,” White House spokesman Jay Carney said on Thursday.¶ However, Carney strongly hinted the president will remain absent from negotiations.¶ “The president has already demonstrated a level of seriousness through the budget he put forward [in April]… which includes tough choices for Democrats and Republicans,” Carney said. The White House’s view is that budgets are developed by the House and Senate, and they can run their own joint conference, he said.¶ The president’s absence will make it easer for him to instigate and exploit another partial government shutdown in January, when the October budget deal ends. Another shutdown can be ensured if congressional Democrats continue to demand cancellation of the 2011 “sequester” deficit-reduction deal, and an end to the December 2012 “fiscal cliff” tax deal.¶ if the GOP declines the Democrats’ revived demands for tax and spending increases, Obama can enter stage left, to repeated his October success, when he rallied his political and media allies to hammer the GOP’s poll ratings.¶ Prior to the October impasse, Obama stayed away from the budget fights. Once the partial shutdown began, he did little to craft a compromise, partly because Democrats’ leader in the Senate, Harry Reid, told him to avoid talks with the GOP.

**5) PC finite- legislative wins don’t spillover –empirics, true for Obama, too polarized**

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As Barack Obama prepares to be sworn in for the second time as president of the United States, he faces the stark reality that little of what he hopes to accomplish in a second term will likely come to pass. Mr. Obama occupies an office that many assume to be all powerful, but like so many of his recent predecessors, the president knows better. He faces a political capital problem and a power trap.¶ In the post-1960s American political system, presidents have found the exercise of effective leadership a difficult task. To lead well, a president needs support — or at least permission — from federal courts and Congress; steady allegiance from public opinion and fellow partisans in the electorate; backing from powerful, entrenched interest groups; and accordance with contemporary public opinion about the proper size and scope of government. This is a long list of requirements. If presidents fail to satisfy these requirements, they face the prospect of inadequate political support or political capital to back their power assertions.¶ What was so crucial about the 1960s? We can trace so much of what defines contemporary politics to trends that emerged then. Americans' confidence in government began a precipitous decline as the tumult and tragedies of the 1960s gave way to the scandals and economic uncertainties of the 1970s. Long-standing party coalitions began to fray as the New Deal coalition, which had elected Franklin Roosevelt to four terms and made Democrats the indisputable majority party, faded into history. The election of Richard Nixon in 1968 marked the beginning of an unprecedented era of divided government. Finally, the two parties began ideologically divergent journeys that resulted in intense polarization in Congress, diminishing the possibility of bipartisan compromise. These changes, combined with the growing influence of money and interest groups and the steady "thickening" of the federal bureaucracy, introduced significant challenges to presidential leadership.¶ Political capital can best be understood as a combination of the president's party support in Congress, public approval of his job performance, and the president's electoral victory margin. The components of political capital are central to the fate of presidencies. It is difficult to claim warrants for leadership in an era when job approval, congressional support and partisan affiliation provide less backing for a president than in times past. In recent years, presidents' political capital has shrunk while their power assertions have grown, making the president a volatile player in the national political system.¶ Jimmy Carter and George H.W. Bush joined the small ranks of incumbents defeated while seeking a second term. Ronald Reagan was elected in two landslides, yet his most successful year for domestic policy was his first year in office. Bill Clinton was twice elected by a comfortable margin, but with less than majority support, and despite a strong economy during his second term, his greatest legislative successes came during his first year with the passage of a controversial but crucial budget bill, the Family and Medical Leave Act, and the North American Free Trade Agreement. George W. Bush won election in 2000 having lost the popular vote, and though his impact on national security policy after the Sept. 11 attacks was far reaching, his greatest domestic policy successes came during 2001. Ambitious plans for Social Security reform, following his narrow re-election in 2004, went nowhere.¶ Faced with obstacles to successful leadership, recent presidents have come to rely more on their formal powers. The number of important executive orders has increased significantly since the 1960s, as have the issuance of presidential signing statements. Both are used by presidents in an attempt to shape and direct policy on their terms. Presidents have had to rely more on recess appointments as well, appointing individuals to important positions during a congressional recess (even a weekend recess) to avoid delays and obstruction often encountered in the Senate. Such power assertions typically elicit close media scrutiny and often further erode political capital.¶ Barack Obama's election in 2008 seemed to signal a change. Mr. Obama's popular vote majority was the largest for any president since 1988, and he was the first Democrat to clear the 50 percent mark since Lyndon Johnson. The president initially enjoyed strong public approval and, with a Democratic Congress, was able to produce an impressive string of legislative accomplishments during his first year and early into his second, capped by enactment of the Patient Protection and Affordable Care Act. But with each legislative battle and success, his political capital waned. His impressive successes with Congress in 2009 and 2010 were accompanied by a shift in the public mood against him, evident in the rise of the tea party movement, the collapse in his approval rating, and the large GOP gains in the 2010 elections, which brought a return to divided government.¶ By mid-2011, Mr. Obama's job approval had slipped well below its initial levels, and Congress was proving increasingly intransigent. In the face of declining public support and rising congressional opposition, Mr. Obama, like his predecessors, looked to the energetic use of executive power. In 2012, the president relied on executive discretion and legal ambiguity to allow homeowners to more easily refinance federally backed mortgages, to help veterans find employment and to make it easier for college graduates to consolidate federal student loan debt. He issued several executive orders effecting change in the nation's enforcement of existing immigration laws. He used an executive order to authorize the Department of Education to grant states waivers from the requirements of the No Child Left Behind Act — though the enacting legislation makes no accommodation for such waivers. Contrary to the outcry from partisan opponents, Mr. Obama's actions were hardly unprecedented or imperial. Rather, they represented a rather typical power assertion from a contemporary president.¶ Many looked to the 2012 election as a means to break present trends. But Barack Obama's narrow re-election victory, coupled with the re-election of a somewhat-diminished Republican majority House and Democratic majority Senate, hardly signals a grand resurgence of his political capital. The president's recent issuance of multiple executive orders to deal with the issue of gun violence is further evidence of his power trap. Faced with the likelihood of legislative defeat in Congress, the president must rely on claims of unilateral power. But such claims are not without limit or cost and will likely further erode his political capital.¶ Only by solving the problem of political capital is a president likely to avoid a power trap. Presidents in recent years have been unable to prevent their political capital from eroding. When it did, their power assertions often got them into further political trouble. Through leveraging public support, presidents have at times been able to overcome contemporary leadership challenges by adopting as their own issues that the public already supports. Bill Clinton's centrist "triangulation" and George W. Bush's careful issue selection early in his presidency allowed them to secure important policy changes — in Mr. Clinton's case, welfare reform and budget balance, in Mr. Bush's tax cuts and education reform — that at the time received popular approval.¶ However, short-term legislative strategies may win policy success for a president but do not serve as an antidote to declining political capital over time, as the difficult final years of both the Bill Clinton and George W. Bush presidencies demonstrate. None of Barack Obama's recent predecessors solved the political capital problem or avoided the power trap. It is the central political challenge confronted by modern presidents and one that will likely weigh heavily on the current president's mind today as he takes his second oath of office.