**Contention 1: Inherency**

**Guantanamo Bay open – no closure coming**

**Herb 12**

(Jeremy, staff writer for the The Hill covering defense and national security, Obama faces long odds to close Guantánamo Bay if he tries again, 10/21/12 03:00 PM ET, Online, <http://thehill.com/blogs/defcon-hill/policy-and-strategy/263125-obama-faces-long-odds-to-close-gitmo-if-he-tries-again->, accessed 7/27/13) PE

Congressional Republicans are skeptical the president was serious about a renewed attempt to close Gitmo

AND

that some traction has been made on the issue in the past year.

**Plan**

**The United States federal government should negotiate with the Cuban government to determine an endpoint to the Cuban American Treaty.**

# Advantage 1: International Law

#### Guantanamo lease is in violation with international law, only doing the plan fully complies with international law

Danwall 4

(Hanna Danwall, faculty of law in public international law at the University of Lund. “Guantanamo Bay, a legal “black hole”?” University of Lund, Spring 2004, http://lup.lub.lu.se/luur/download?func=downloadFile&recordOId=1556904&fileOId=1564143)

Cuba claims that the United States holds Guantanamo Bay illegally and while doing so they

AND

Guantanamo Bay, forcing the United States to install water purification plants.48

**Closing Guantanamo Bay is the only way to ensure US compliance with international law**

**HRW 13**

(Human Rights Watch citing Kenneth Roth, the executive director of the Human Rights Watch. “US: Pledges to End ‘War,’ Close Guantanamo” May 24, 2013, http://www.hrw.org/news/2013/05/24/us-pledges-end-war-close-guantanamo)

In his speech, President Obama broke little new ground on the issue of prosecuting

AND

only the physical site of Guantanamo, but also the idea of Guantanamo.”

**Detainees have fundamental rights under international law – the US failure to comply has a spillover effect and causes other countries to ignore them too**

**LII 7**

(The Legal Information Institute is a public service of Cornell Law School. “Boumediene v. Bush (06-1195); Al Odah v. United States (06-1196)” December 5, 2007, http://www.law.cornell.edu/supct/cert/06-1195)

Amici for the detainees argue that international law entitles detainees to certain fundamental rights,

AND

the ICCPR and is therefore bound by these agreed-upon international obligations.

#### US violations on International Law spillover to regional and global compliance and cooperation

Guzman 7

Andrew Guzman, Harvard Ph. D. in economics, Professor of Law and Associate Dean at UC Berkeley School of Law, where he is also the Director of the Advanced Law Degree Programs, and Associate Dean for International and Advanced Degree Programs. *How International Law Works. A Rational Choice Theory.* 2007. DA- 11/7/13

The question of whether states have one or several reputations has implications for the effectiveness

AND

difficult to pursue whatever other objectives they may have in the international arena.

## Scenario 1: Nuclear War

#### International law prevents conflicts, solves extinction from nuclear war

Weeramantry et al 5

(Judge Christopher, former vice president of the International Court of Justice, “International Law and Peace: A Peace Lesson,” The Lawyer’s Committee on Nuclear Policy, July, http://lcnp.org/global/Law\_and\_Peace.pdf)

International law is an essential tool for the abolition of war. War has been

AND

and vested interests that stand in the way of world peace and harmony.

## Scenario 2: Genocide

#### International law discredits warmongers, dis-incentivizing future conflict and genocide

Akhavan 1

(Payam, Professor of Human Rights at McGill University, “Beyond Impunity: Can International Criminal Justice Prevent Future Atrocities?” American Society of International Law, January, http://www.asil.org/ajil/recon2.pdf)

Contrary to the simplistic myths of primordial “tribal” hatred, the conflicts in

AND

impunity that has hitherto implied the political acceptability of massive human rights abuses.

## Scenario 3: Trade

#### International law key to economic growth and global trade

United Nations 8

(“Understanding International Law,” United Nations Treaty Collection, http://treaties.un.org/doc/source/events/2008/Press\_kit/fact\_sheet\_5\_english.pdf)

WHAT ARE THE BENEFITS OF INTERNATIONAL LAW? Without it, there could be chaos

AND

this in various ways, defined by the terms of the relevant treaty.

#### Conclusive evidence indicates trade alleviates poverty

WTO 2k

6/13/2k, “Free trade helps reduce poverty, says new WTO secretariat study”

The following is a selection of the highlights of the study "Trade, Income

AND

incomes of the poor rise one-for-one with overall growth.

#### Free trade ends South Asian conflict

Brown 99

Keith Brown, Department of Economics at Texas A&M, “Free Trade and Foreign Policy,” 1999, http://www.independent.org/tii/students/GarveyEssay99Brown.html, accessed 9/1/03

India also makes good subject matter for another reason: they and Pakistan hate each

AND

less profitable, and the prospect of peace would be far more realistic.

#### **South Asian conflict goes nuclear- extinction**

Nabi Fai 1

Ghulam Nabi Fai, Kashmiri American Council, July 8, 2001, Washington Times

The foreign policy of the United States in South Asia should move from the lackadaisical

AND

an inclination to ratify an impending Fissile Material/Cut-off Convention.

#### Trade accelerates growth—consensus of economists

Lloyd 11

Peter Lloyd 11, professor of economics at the University of Melbourne, “Free Trade and Growth in the World Economy”

The unanimous view of trade economists today is that free trade is the best policy

AND

Countries by economists and institutions such as the World Bank and the IMF.

**Economic growth key to solve a laundry list of problems – war, proliferation, warming, disease and drug trafficking**

**Silk 93**

Leonard. “Dangers of Slow Growth.” Foreign Affairs. Vol 72 Issue 1. 1993/1994.

The last such asset deflation, credit crunch and wave of bankruptcies followed the Great

AND

, a healthier environment, and more liberal and open economies and societies.

**Warming causes extinction**

**Henderson 6**

Bill Henderson, Environmental Scientist. 8-16-2006. Counter Currents, “Runaway Global Warming Denial.” http://www.countercurrents.org/cc-henderson190806.htm

The scientific debate about human induced global warming is over but policy makers - let

AND

extinction of most flora and fauna beloved to man in the world we share

**Scenario 4 is Middle East**

**Strengthening International Law is key to the Middle East Peace Process**

**Lynk 1**

Michael Lynk, Notest for a Presentation on International Law and the Middle East conflict, CEPAL Annual Meeting, Parliament Hill, Ottawa, November 29, 2001, p. 7. Available from the World Wide Web at: <http://www.cepal.ca/documents/OttawaSpeechNov011.pdf>, accessed 1/10/05.

And fourth, reliance upon the relevant principles of international law would finally create something

AND

at a fair and lasting peace settlement between the Israelis and the Palestinians.

**Peace Process is key to avoid Mideast War – US credibility is key**

**Elsner 13**

-- former Reuters chief political correspondent

[Alan, 30-years’ experience in international journalism, former Reuters State Department correspondent, former professor at Princeton, Dartmouth, American and George Washington University, "Conditions Not Perfect for Israeli-Palestinian Peace -- But May Be as Good as They'll Get," Huffington Post, 7-17-13, www.huffingtonpost.com/alan-elsner/israel-palestine-peace-process\_b\_3606126.html, accessed 7-18-13, mss]

To those who argue that Israel should not make peace with Arab nations because they

AND

the rewards are so great that it would be criminal not to try.

**Middle East wars result in Extinction**

**Nassar 2**

(Bahig, coordinator of Arab coordination Center of NGOs) keynote paper, online: inesglobal.org)

Wars in the Middle East are of a new type. Formerly, the possession

AND

another global problem since all human civilisations depend mainly on this source of energy

# Advantage 2: Soft Power

**US Soft power is at an all-time low with a vacuum emerging**

**Hadas 12**

[Edward Hadas](http://www.slate.com/authors.edward_hadas.html), Nov. 19, ‘12, Economics Editor at Reuters, “Has the United States Lost Its Power to Peacefully Coerce Other Nations?,” Slate, [http://www.slate.com/blogs/breakingviews/2012/11/19/the\_disappearance\_of\_soft\_power\_has\_the\_united\_states\_lost\_its\_power\_ to.html](http://www.slate.com/blogs/breakingviews/2012/11/19/the_disappearance_of_soft_power_has_the_united_states_lost_its_power_%20to.html), ACC. 6-28-2013, JT//JEDI

Soft power is proving to be priceless - and scarce. The United States may

AND

internationally than at any time since the isolationist and Depression-struck 1930s.

#### Guantanamo cornerstone of US soft power

Engelbrekt & Hallenberg 7

Kjell Engelbrekt, Jan Hallenberg. Jan Hallenberg is Professor of Political Science at the Swedish National Defence College, and Adjunct Professor at Stockholm University. Kjell Engelbrekt is Senior Lecturer of Political Science at the Swedish National Defence College. *European Union and Strategy: An Emerging Actor.* December 27, 2007.

Neither its soft power, nor the legitimacy ascribed to it, is a function

AND

) will again stand for anything more than itself is to be determined.

#### Guantanamo Bay responsible for killing US influence globally

Fairfax 7

(Fairfax Media Limited [ASX:FXJ] is a leading multi-platform media company in Australasia. The group comprises metropolitan, rural, regional and community mastheads and serves its audiences through high-quality, independent journalism and offers dynamic venues for commerce and information. “How the mighty are fallen” http://www.smh.com.au/news/world/how-the-mighty-are-fallen/2007/01/23/1169330868042.html) SJH

Global opinion on American foreign policy and the role of the US in world affairs

AND

they believed the US provoked more conflict in the region than it prevented.

#### Guantanamo key starting point for US soft power

Armitage & Nye 7

Richard L. Armitage, president, Armitage International. Joseph S. Nye, Jr., distinguished service professor, Harvard University. CSIS Commission on Smart Power. 2007.

Second, American leaders ought to eliminate the symbols that have come to represent the

AND

planning for its closure should begin well before the next election takes place.

**Closing Guantanamo increases U.S. soft power**

**Barker 10**

(Dr. Peter Barker attended Oxford University in the United Kingdom, where he received a Bachelor of Arts degree in chemistry and then a Doctor of Philosophy degree in physical chemistry. He conducted his post doctoral research at California Institute of Technology *“Soft Power, Hard Power, and Our Image Abroad”* http://www.lagrange.edu/resources/pdf/citations/2010/22quirkpoliticalscience.pdf) SJH

Global perceptions the world held of the U.S. changed drastically since President

AND

which, as he understands it is a tactic, not an enemy”

## Scenario 1 is Engagement

#### Soft power is key to sustain U.S. engagement – this solves economic collapse, spread of disease, proliferation, and global WMD conflict

Reiss 8

(Mitchell B., Vice Provost of International Affairs – College of William & Mary, “Restoring America's Image: What the Next President Can Do”, Survival, October, 50(5))

But first, there is another question to be answered: why should Americans care

AND

and ally to other countries, better promote global prosperity, more forcefully.

#### Proliferation risks extinction- and even if they win their turns, benefits don’t justify the risks

Krieger 9

(David, Pres. Nuclear Age Peace Foundation and Councilor – World Future Council, “Still Loving the Bomb After All These Years”, 9-4, https://www.wagingpeace.org/articles/2009/09/04\_krieger\_newsweek\_response.php?krieger)

Jonathan Tepperman’s article in the September 7, 2009 issue of Newsweek, “Why

AND

Jong-Il and his successors are more rational than Mr. Tepperman?

## Scenario 2 is Democracy

**US soft power is key to promoting democracy**

**Nye 2**

(Joseph S. Nye is an American political scientist and former Dean of the John F. Kennedy School of Government at Harvard University. “Paradox of American Power: Why the World's Only Superpower Can't Go It Alone” Oxford University Press, 2002, http://site.ebrary.com/lib/michstate/Doc?id=10212058&ppg=172)

The promotion of democracy is also a national interest and a source of soft power

AND

belief in human rights and democracy helps to increase our soft power.

**Democracy solves war**

Nye 11

(Joseph S. Nye is an American political scientist and former Dean of the John F. Kennedy School of Government at Harvard University. “The Future of Power” New York: Perseus Books Group, 2011. 28-29. Print.)

Whether rooted in human nature as in the classic realism of Thucydides and Machiavelli or

AND

answer is yes, but not in all domains or on all issues.

## Scenario 3 is Disease

#### Soft power is key to mobilize action to solve all problems, including world war, disease and warming

Nye 8

Joseph Nye, professor of international relations at Harvard University, 2008 or later (n.d.) (“American Power After the Financial Crises,” [http://www.foresightproject.net/publications/articles/article.asp?p=3533)](http://www.foresightproject.net/publications/articles/article.asp?p=3533)

Power always depends on context, and in today's world, it is distributed in

AND

even the largest country cannot achieve its aims without the help of others.

#### Infections disease spread risks global extinction

Steinbruner 98

Senior Fellow at Brookings Institution

[John D., “Biological weapons: A plague upon all houses,” Foreign Policy, Dec 22, LN]

It is a considerable comfort and undoubtedly a key to our survival that, so

AND

but a fundamental security ¶ problem for the species as a whole.

# Advantage 3 is State of Exception

#### Guantanamo Bay serves as a state of exception- justifying the killing and dehumanization of those there

Vaughan-Williams 9

[Nick, Lecturer in International Relations in the Department of Politics- University of Exeter, UK, “The generalised bio-political border? Re-conceptualising the limits of sovereign power, Review of International Studies (2009), 35, 729–749]

As is by now well known, the US government established the detention centre at

AND

bare life: ‘we are all (virtually) homines sacri’.73

#### The impact is massive violence—sovereign power causes the evils they hope to prevent

Prozorov 9

Professor of Political Science at the University of Helenski

(Sergie, “The Appropriation of Abandonment: Girgio Agamben on the State of Nature and the Political”, February 15th, International Studies Association, http://www.allacademic.com/meta/p313215\_index.html)

Agamben’s radicalization of Schmitt’s ‘politicization’ of Hobbes’s concept of the state of nature carries

AND

the Good despite being the origin of the very evil it struggles against.

#### Plan solves- criticizing the state of exception and employing sovereignty strategically must be simultaneous to achieve solvency

Lombardi 96

(Mark Owen, Associate Political Science Prof @ Tampa, Perspectives on Third-World Sovereignty, p 161)

Sovereignty is in our collective minds. What we look at, the way we

AND

-area: the welfare and quality of life for the human race.