# Theory File – SDI

## \*\*\*Negative\*\*\*

### Counterplan – 1NC

#### -- The counterplan is conditional – proving the counterplan bad does not prove the plan good. The status quo should always be an option. Logic outweighs – it's a pre-requisite to good education

#### -- And, presumption stays Neg – it’s less change than the plan and tie goes to the runner

### PICs Good – Short 2NC

#### -- Neg flex – we need to test the plan from all angles. Outweighs Aff ground – they have structural advantages like first and last speech

#### -- Education: the devil is in the details. PICs focus debate on crucial issues

#### -- Best policy: differences between similar options are a key part of decision-making and academic literature

#### -- Eliminates all counterplans – every action includes some part of the plan – counterplans are key to fairness – without them, we’d always lose

#### -- Not trivial – it’s a different process; not a penny-less. Net-benefits prove it's significant

#### -- DAs don’t check – they can’t outweigh large harms

#### -- Not a voting issue – reject the argument, not the team

### PICs Good – Long 2NC

#### -- Neg flex --- we need to test the plan from every angle. Impact is fairness --- outweighs Aff ground because the Aff has structural advantages.

#### -- Makes debates about the plan –

#### A) Best for Aff ground – they should love debates on their turf and be prepared to defend it

#### B) Alternatives are worse ---- negs will just go for generics unrelated to the plan like condition, consult, or generic Ks that are unpredictable and impossible to beat.

#### -- Best policy option --- PICs are crucial to determine the desirability of the plan vis-à-vis alternatives. It’s key to real-world education because it’s the method of logical policymaking

#### -- Eliminates all counterplans ----

#### A) Every CP includes some part of the plan --- federal government, funding, etc.

#### B) Destroys fairness --- counterplans are critical negative ground because sometimes the status quo is indefensible.

#### -- Forces good plan writing ---

#### A) Their choice --- they chose their plan, they should have to defend it. It forces argumentative responsibility, which is key to education, and it’s most fair because they should have to defend the baggage that comes with their strategic choices

#### B) Rejecting PICs causes vague plan writing ---- they check expansive, unstrategic plans that cover broad areas ---- that undermines specificity of analysis which dilutes topic-education

#### -- Hard debate is good ---- it isn’t our job to make things easy --- makes debate more strategic, increasing education, and makes it more fun which is key to long-term participation.

#### -- Education: the devil is in the details. PICs focus debate on crucial issues

#### DEFENSE

#### -- No ground loss --- they can make solvency deficit arguments, or impact turn

#### -- No strategy skew ---- the counterplan is a self-contained strategy --- it doesn’t link more to or contradict any of our other arguments.

#### -- Disads don’t check --- the “murders bad” DA against an Aff that ‘provides assistance and shoots 9 people’ can’t outweigh without the counterplan.

#### -- Err Neg --- the Aff gets 1st and last speech, infinite prep, and the advantage of choosing their Aff.

#### -- Not a voting issue --- reject the argument, not the team

### Agent CPs Good

#### OFFENSE

#### 1. Education – agent debates are paramount policy questions because certain agents are better suited for particular policies and the process is often more relevant than the substance in real politics

#### 2. Democracy – debate over agent issues is of utmost importance because effective political action is not possible without understanding process

#### 3. Neg flex – agent ground is vital on a diverse and large topic with no predictable limit as well as the ability to offset literature biased impacts such as racism and sexism

#### 4. Avoids goal-setting – the CTBT was largely supported by academics, but ultimately derailed by a poor understanding of interbranch politics – agent debate bridges the gap

#### 5. Lobbying – knowing about substance only matters if you can create change – this vastly expands the impact of debate education

#### 6. Limits – agent CPs provide a natural limiting function on the topic size by weeding out insignificant cases – this is especially important on a non-list topic

#### DEFENSE

#### 1. Predictable – the affirmative choice of agent provides a predictable set of agent debates and ground for both sides

#### 2. Not Hard to Debate – a predictable, balanced, and large debate exists over the process of agent questions

#### 3. Not Trivial – our net benefits prove substance, congress versus the executive is far from trivial, and debate turns on small but important distinctions

#### 4. Not Generic – agent debates always center on solvency questions, very few other teams or argument styles are punished for being generic, and not defending their agent makes the AFF more generic

#### 5. DAs Aren’t Enough

#### A. Comparative necessity - backlash DAs don’t help decide which branch is better suited in foreign policy

#### B. CPs are needed to deal with entrenched status quo trends as well as understand different processes, instead of simply debating DAs every round that never get the heart of agent debates

#### The crux of policymaking education is found in agent and implementation issues – focus should be applied on resolving those issues

Schuck 99 (Peter H., Professor, Yale Law School, and Visiting Professor, New York Law School, Spring (“Delegation and Democracy” – Cardozo Law Review) http://www.constitution.org/ad\_state/schuck.htm

God and the devil are in the details of policymaking, as they are in most other important things—and the details are to be found at the agency level. This would remain true, moreover, even if the nondelegation doctrine were revived and statutes were written with somewhat greater specificity, for many of the most significant impacts on members of the public would still be indeterminate until the agency grappled with and defined them. Finally, the agency is often the site in which public participation is most effective. This is not only because the details of the regulatory impacts are hammered out there. It is also because the agency is where the public can best educate the government about the true nature of the problem that Congress has tried to address. Only the interested parties, reacting to specific agency proposals for rules or other actions, possess (or have the incentives to ac-quire) the information necessary to identify, explicate, quantify, and evaluate the real-world consequences of these and alternative proposals. Even when Congress can identify the first-order effects of the laws that it enacts, these direct impacts seldom exhaust the laws’ policy consequences. Indeed, first-order effects of policies usually are less significant than the aggregate of more remote effects that ripple through a complex, interrelated, opaque society. When policies fail, it is usually not because the congressional purpose was misunderstood. More commonly, they fail because Congress did not fully appreciate how the details of policy implementation would confound its purpose. Often, however, this knowledge can only be gained through active public participation in the policymaking process at the agency level where these implementation issues are most clearly focused and the stakes in their correct resolution are highest.

#### Their logic destroys democracy – delegation proves we need to focus on process

Schoenbrod 99 (David, Professor of Law, New York Law School, Adjunct Scholar, Cato Institute, Former Staff Attorney and Co-director, Project on Urban Transportation, Natural Resources Defense Council, Former Director of Program Development, Bedford Stuyvesant Restoration Corporation, Former Staff Attorney, Association of the Bar, City of New York Committee on Electric Power and the Environment, Former Professor, Yale Law School, and Member, American Tree Farmers’ Association, (“Delegation and Democracy: A Reply to My Critics” – Cardozo Law Review) http://www.constitution.org/ad\_state/schoenbrod.htm

Mashaw’s allocation of responsibility is wrong-headed on many levels. It is not as if voters get to choose between candidates who delegate and those who do not. When the Republicans in Congress think environmental regulation is too aggressive, they do not replace the Clean Air Act with a regulatory regime in which Congress takes responsibility or even use the Congressional Review Act to challenge regulations such as the new ambient air quality standards for ozone and particulate matter. Instead, they introduce legislation that would delegate in ways that would make it harder to regulate strictly. Indeed, the Washington Post took exception to a recent Republican environmental bill on the basis that the way for Congress to change the EPA’s priorities is to stop delegating and start taking some responsibility. That will not happen readily, however, because delegation gives the electoral advantage to those who duck the hard choices. As I said before, delegation is not so much an issue of left versus right as insiders versus outsiders. With insiders having such a significant stake in delegation, outsiders opposed to delegation face a tremendous organizational challenge. Moreover, it is hard to get ordinary voters to focus on the issue. It is human nature to care more about what a particular piece of legislation does to one directly rather than whether the process by which the legislation is passed will do indirect harm by undermining democracy in the long run. Even law students have to be hit on the head by us professors to get them to look beyond the direct consequences in cases about the structure of government and see the long-term stakes. Ordinary voters are apt to care more whether a particular bill seems to help them than whether it delegates. For example, even in 1970 when there was a public outcry against Congress because it had dropped the ball on air pollution by delegating broadly to agencies and Congress promised explicitly that it would make the “hard choices,” Congress easily got away with delegating again. The 1970 statute camouflaged its delegation with the kind of spurious detail that even an expert such as Jerry Mashaw confuses with nondelegation.

### Neg Fiat Good

#### -- Logical – counterplans test the opportunity cost of the Aff. It proves the government “should not” do the plan.

#### -- Kills fairness:

#### A) Counterplans are key ground – sometimes the status quo is indefensible – racism Affs prove

#### B) Fairness outweighs – without it, debate is impossible

#### -- Real world: policy-makers always compare ideas vis-a-vis alternatives

#### -- No Aff fiat – nothing about the resolution mandates it. Vote Neg on presumption

#### -- Counter-interpretation: we can only fiat \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. Solves all their offense

### International Fiat Good

#### -- Tests the resolution – it disproves “the U.S. should” – making it core ground and key to topic education

#### -- Education – it teaches foreign policy. International politics are crucial in a globalized world

Dauenhauer 96 (Bernard P., Professor of Philosophy – University of Georgia, Citizenship in a Fragile World, p. 195)

In the past, the citizen's sphere of action and responsibility has been bounded by his or her state's borders and population. Today, however, internationalization forces one who wants to be a good citizen to acknowledge a far larger and more complex sphere of responsibility. Though one's own state and fellow citizens retain a certain priority in the good citizen's concerns, this priority is neither absolute nor exclu­sive. The citizen's responsibility regularly extends to many other people and many other places. Sometimes it is global. Whatever gap may once have existed between what makes one a good citizen and what makes one a good person has thus been substantially narrowed, if not completely closed.

#### -- Neg flex – it checks Aff exploitation of the benefits of US action and one-sided harms

#### -- Functional limits: international counterplans provide a T-style check on topic explosion. Most Affs have no U.S. warrant.

#### -- Eurocentrism – they exclude non-U.S. perspectives – this should be rejected

#### -- Real world: the US frequently does not act because others should

#### DEFENSE

#### -- Predictable: literature, advocates, and net-benefits limit our options

#### -- U.S. key warrants check – they’re easy to find and beat every international actor

#### -- Decision-maker is wrong: the judge is an activist, not the government. It’s more “real world”, and avoids stupid arguments like intrinsicness that ruin debate. Also, there’s no singular actor who can do the Aff, so vote Neg on presumption

#### -- Not a voting issue: reject the argument, not the team

### Double Nation Fiat Good

#### -- Not topical – the counterplan does not fiat U.S. subsidy cuts. It tests the combined phrase – making it core ground and key to topic education

#### -- Forces “U.S. cuts key” arguments – 2 impacts:

#### A) Limits – few Aff have these, so it acts as a T-style check on topic explosion. Limits are key to ground and preparation

#### B) Solves Aff ground – they only need 1 card to beat the counterplan -- Neg flex – it checks Aff exploitation of the benefits of US action and one-sided harms. Outweighs Aff ground – they have structural advantages like 1st and last speech and infinite prep.

#### -- Education – learning to be both a domestic AND international citizen is crucial

Dauenhauer 96 (Bernard P., Professor of Philosophy – University of Georgia, Citizenship in a Fragile World, p. 195)

In the past, the citizen's sphere of action and responsibility has been bounded by his or her state's borders and population. Today, however, internationalization forces one who wants to be a good citizen to acknowledge a far larger and more complex sphere of responsibility. Though one's own state and fellow citizens retain a certain priority in the good citizen's concerns, this priority is neither absolute nor exclu­sive. The citizen's responsibility regularly extends to many other people and many other places. Sometimes it is global. Whatever gap may once have existed between what makes one a good citizen and what makes one a good person has thus been substantially narrowed, if not completely closed.

#### -- Real world: countries frequently take coordinated actions: Kosovo proves

#### DEFENSE

#### -- No ground loss: they can read add-ons like soft power, impact turn, or say it doesn’t solve trade

#### -- Predictable: literature, advocates, and net-benefits limit our options

#### -- U.S. key warrants check – they’re easy to find and beat every international actor

#### -- Decision-maker is wrong: the judge is an activist, not the government. It’s more “real world”, and avoids stupid arguments like intrinsicness that ruin debate. Also, there’s no singular actor who can do the Aff, so vote Neg on presumption

#### -- Not a voting issue: reject the argument, not the team

### Conditionality Good – 2NC

#### [Interpretation: we get 1 counterplan and the squo – they get the plan and a perm – its reciprocal and fair]

#### 1. Logic – proving the counterplan bad doesn’t prove the plan good. Status quo should always be an option. Logic outweighs – it key to make debate meaningful.

#### 2. Critical thinking – it tests the Aff from multiple angles, forcing the best arguments

#### 3. Neg flex – we need every option. Outweighs Aff ground – they have structural advantages like 1st and last speech and infinite prep.

#### 4. Real world: policy-makers always use conditional arguments

#### 5. No time or strategy skew – its inevitable: some debaters are faster, we’d read 3 T violations instead, and few good arguments are needed to win a debate

#### 6. Hard debate is good – it makes it more challenging and fun. As long as it isn’t impossible, we should win.

#### 7. Not a voting issue – just stick us with the counterplan

### Dispo Good – 2NC

#### OFFENSE

#### 1. Fair side balance – it balances against strategic advantage of case selection, AFF conditionality in the form of permutations, and many CPs would never be run without it

#### 2. Policy Analysis – hypothetical argumentation is the staple method of flexible questioning of policy and is best suited to debate

#### 3. Puts the AFF in control – they can determine the status of the CP just like a DA

#### 4. Logical decision making – not having the option of the status quo would constitute an extreme departure from natural decision making

#### 5. Critical thinking – it forces argument thought on the fly and understanding argument interactions

#### 6. Multiple perms worse – makes the AFF a moving target, creates strategy skew, and not reciprocal to our one CP

#### DEFENSE

#### 1. No strategic skew – CPs require time investment, arguments spillover to other issues even after the CP is gone, and time skews are inevitable

#### 2. CPs aren’t unique – most are less complex than major DAs or critiques, are susceptible to multiple attacks, and the 1AC is already an indict to the status quo

#### 3. Doesn’t reduce depth of education – teams inevitably go for arguments with little coverage, justifies only runnig disads, and throwaway arguments are inevitable

#### 4. No impact to multiple worlds – permutations create the same problem and complexity isn’t applied to critiques

#### 5. No potential for abuse – clear limits such as only one CP check and the status quo is a logical, limited, and consistent fallback

#### 6. Doesn’t justify AFF conditionality – permutations are a reciprocal form of conditionality, the plan must be the focus in order to ensure debate, and case selection is enough advantage

#### 7. Doesn’t force the AFF to debate themselves – they only have to defend the plan, straight turn checks, and its counterintuitive to let them vacate defense against the status quo

#### 8. Perms aren’t just tests – judges vote for them, this standard justifies intrinsicness, and the CP is also just a “test” of plan’s necessity

#### 9. No argument irresponsibility – straight turn checks, natural disincentives ensure no repugnant arguments, and other arguments don’t entail same responsibility

#### 10. Not a voting issue – just stick us to the CP

### Two Counterplans Good

#### -- Interpretation – the Neg gets 2 advocacies and the status quo – no more. Solves infinite regression and fairness

#### -- Neg flex: we need to test the Aff from multiple angles. Outweighs Aff ground – they have structural advantages like 1st and last speech and infinite prep.

#### -- Ideological flexibility – it’s key to read both a K and a CP in the same debate. They cause balkanization and fracturing of debate – destroying the community

#### -- Education – multiple tests increase breadth of debate. That ensures debates are drive by what the literature will support and refuses to foreclose rational arguments for either side

#### -- Logic – proving the counterplan bad doesn’t prove the plan good. Status quo should always be an option. Logic outweighs – it key to make debate meaningful.

#### -- Real world: policy-makers always use conditional arguments to find the best policy

#### -- Critical thinking – it tests the Aff in many ways, forcing the best arguments.

#### -- No time or strategy skew – its inevitable: some debaters are faster, we’d read 3 T violations instead, and few good arguments are needed to win a debate

#### -- Hard debate is good – it makes it more challenging and fun. As long as it isn’t impossible, we should win.

#### -- Not a voting issue – just stick us with one

### 2NC Counterplans Good

#### -- 2NC is a constructive – it’s for making arguments. They get the 1AR to respond. Its reciprocal and fair

#### -- Checks unpredictable add-ons – otherwise the Aff can sand-bag all their best offense, destroying fairness and making debate shallow

#### -- Critical thinking: it forces every advantage to be germane to the plan and makes the Aff think strategically – increasing education

#### -- CX checks – they can ask questions or clarify

#### -- No time or strategy skew – its inevitable: some debaters are faster, we’d read 3 T violations instead, and few good arguments are needed to win a debate

#### -- Best policy: the Aff should be tested regardless of when. Bad ideas shouldn't be allowed because its “too late”

#### -- No different than other arguments: new DAs or solvency arguments are common and harder to answer

#### -- Prevents Aff shifting: the threat of a counterplan checks late clarifications of the plan – destroys all fairness because it's the locus of debate

#### -- Hard debate is good – it makes it more challenging and fun. As long as it isn’t impossible, we should win.

#### -- Not a voting issue, reject the argument, not the team

### A2: Must Have Solvency Advocate

#### -- We meet: \_\_\_\_\_\_\_\_\_\_\_\_\_ suggests we should do the counterplan

#### -- They don’t meet: no single card assumes the exact plan, its implementation, timeframe, etc.

#### -- Arbitrary: there is no stable definition of an advocate. Forces judge intervention which destroys fairness

#### -- Literature checks: positions that have no academic defense are never read.

#### -- Other standards check – case-by-case decisions about the merits of certain counterplans are sufficient to maintain a balance of fairness and education

### Textual Competition Bad

#### -- Absurdity –

#### A) They allow stupid scramble perms and eliminate obviously competitive options like “ban the plan”

#### B) Plan-plus competes – the “ban nuclear weapons” Aff couldn’t permute the “ban weapons” counterplan

#### C) Outweighs – debate becomes stupid and detached from logic. Biggest impact because nothing will translate outside of debate

#### -- No reason its good:

#### A) Functional competition checks – it eliminates dumb counterplans

#### B) Bad counterplans can be beaten on theory – consult, condition, etc. are obviously bad will lose to good teams – a stupid competition scheme isn’t necessary to stop them

#### -- No impact to objectivity – subjective decisions are inevitable, and judges are supposed to make hard choices

### A2: DA Not Intrinsic

#### -- Our disad is intrinsic – the link proves that the plan results in \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

#### -- Destroys all ground –

#### A) No disad is intrinsic – “make-up calls” can be crafted to solve any link or impact – even purely reaction-based DAs like Relations can be avoided by having the government cut the offended nation a big check

#### B) Fairness outweighs – logical debate is worthless if the Neg always loses. Fairness protects the forum that makes debate educational

#### -- Moving target – intrinsicness makes the plan conditional – destroys fairness because it's the locus of debate

#### -- Not logical: no single actor can do the plan and other actions. Even Congress is made up of many individual legislators.

#### -- Empirical intrinsicness checks – the Aff can read evidence that Congress will react to the plan by taking action – but not fiat that it occurs

## \*\*\*AFF\*\*\*

### Extra T Good

#### Extra Topicality isn’t a voting issue

#### A. Increases NEG ground through DA links

#### B. They can always CP out or simply sever extra-topical parts

#### C. Increases policy analysis and education – every plan includes some extra topical part

### International Fiat Bad

#### -- International fiat is a voter –

#### A) Ground explosion – its infinite and unpredictable – there are thousands of countries they could fiat in any combination – crushes Aff ground

#### B) Role confusion – the ballot only has power over the resolutional agent – there would never be a decision-maker deciding between U.S. and international action – it divorces fiat from real-world processes

### Agent CPs Bad

#### Agent CPs are a voting issue

#### A. Eliminates Focus on Substantive Issues – instead of topic specific education, we debate politics and SOP every year

#### B. Trivializes Debate – their net benefits rely on minute distinctions in process rather than the heart of policy substance which forms the basis for different topics

#### C. Overly Generic – agent CPs can be run every year and against every case decreasing the amount of clash and in-depth analysis

#### D. No Offense – agent DAs, Federal Government ground, and years of agent debates check any ground or education loss

### PICs Bad

#### PICs are a voting issue

#### A. Reciprocal Ground – we defend the entirety of the plan, they should attack – PICs steal critical affirmative ground

#### B. Time Skew – PICs constitute a time skew from the 1AC – our entire harms contention is lost

#### C. Infinitely regressive – they justify trivial CPs that undermine education and any number of infinite methods, including penny-less CPs, to do the plan

#### D. No Offense – they can always run DAs and solvency arguments to test the plan and use micro-advantage CPs

### Conditionality Bad

#### -- Conditionality is a voter – creates time and strategy skews, not reciprocal, promotes argumentative irresponsibility, and dispo solves their offense

#### Or..

#### -- Conditionality is a voting issue

#### A. Education – the NEG only goes for what has the least coverage and analysis, preventing in-depth discussion

#### B. Strategic Skew – conditionality undermines AFF ability to generate offense and skews time allocation undermining AFF ability to hedge against the block

#### C. Advocacy – conditionality prevents the NEG from learning consistent advocacy and encourages argument irresponsibility

#### D. No Offense – pre-tournament research and dispositional CPs capture all NEG offense, while still preserving side balance

### Dispo Bad

#### Dispositionality is a voting issue

#### A. Education – the NEG only goes for what has the least coverage and analysis, preventing in-depth discussion

#### B. Strategic Skew – dispo undermines AFF ability to generate offense and skews time allocation undermining AFF ability to hedge against the block

#### C. Advocacy – dispo prevents the NEG from learning consistent advocacy and encourages argument irresponsibility

#### D. No Offense – pre-tournament research capture all NEG offense and straight turn option is hollow, since the NEG has the block and permutations are essential AFF defense

### A2: Plan Flaw

**Flaws mean nothing and will be corrected**

Leibenluft 9 (Jacob, Writer – Slate Magazine, “Does Congress E-Mail the President?”, Slate Magazine, 12-17, http://www.slate.com/id/2239060/)

What happens if the bill contains an error? If it is a simple typo that doesn't change the meaning of the bill—like a missing *shall* in this legislation authorizing an expansion of Vicksburg National Military Park—the president might issue a signing statement saying the executive branch will just **act as though the mistake was never made**. Corrections discovered before the bill reaches the president's desk are supposed to be made through a [concurrent resolution of both houses of Congress](http://congressnow.gallerywatch.com/docs/Enrollment_CRS.pdf) (PDF). In two recent cases, however, changes made by enrolling clerks without new votes have raised controversy—one involving [revisions to the 2005 Deficit Reduction Act](http://www.washingtonpost.com/wp-dyn/content/article/2006/03/21/AR2006032101763.html) and another related to a last-minute [change](http://thehill.com/leading-the-news/crs-memo-feeds-into-rep.-youngs-transportation-earmark-controversy-2007-10-16.html) in a highway bill allegedly requested by Alaska Rep. Don Young. Ever since an [1892 Supreme Court case](http://supreme.justia.com/us/143/649/case.html) concerning a tariff act that went to the president with a paragraph on tobacco taxes missing, the courts have generally [ruled](http://www.nytimes.com/2006/08/12/washington/12deficit.html) that the version of a bill signed by the officers of both houses of Congress and the president stands, even if the language differs from what Congress voted on. So, if the mistake changes the substance of the legislation, then the erroneous language is usually law unless Congress decides to do something about it. In that case, Congress can pass **"technical corrections"** in separate legislation to remedy the mistake. According to the Library of Congress' [Thomas](http://www.thomas.gov/) database, more than 20 technical-corrections bills have been introduced since the current Congress began last January.