A. is the interpretation – the affirmative must defend that jury nullification ought to be used in general. They may not parametricize to a specific advocacy of jurors nullifying in particular instances or a particular instance of injustice.

B. is the violation –

C. is the standards –

1. Research burdens – there are way too many laws in the U.S., **Kowal:**

Kowal Communications Inc. “How Many Federal Laws Are There? No One Knows.” February 7th 2013 http://www.kowal.com/?q=How-Many-Laws-Are-There3F JW

**No one knows how many laws there are in the U**nited **S**tates.  Apparently, no one can count that high. They’ve been accumulating, of course, for more than 200 years.  When federal laws were first codified in 1927, they fit into [a single volume](http://extent-of-regulation.dhwritings.com/).  **By the** 19**80s, there were** 50 volumes of[**more than 23,000 pages**](http://answers.yahoo.com/question/index?qid=20110729115543AARxhUi)**.** And today?  Online sources say that no one knows.  **The** [**Internal Revenue Code**](http://en.wikipedia.org/wiki/Internal_Revenue_Code) **alone**, first codified in [1874](http://s.iktmmny.com/click?v=VVM6MTA4MjU1Ojk5NTA6MTg3NDphNTFmOTkxNDZkNDcyOWI5Mjk3MzhhNTRkMzhiNjg3NTp6LTIyMDItNjk5NTAyNjU6d3d3Lmtvd2FsLmNvbTozMTA2NjM6N2EwNzk2ZWUyM2EwY2U0ZGQ0OWFkNGY2MjUyMDJlMWY6MWU4ZjE0ODY1NDQwNGM1YWIzNmYzM2Y0ZDVlZGVkNjk6MTpkYXRhX3NzLDcyOHgxMzY2O2RhdGFfcmMsMTtkYXRhX2ZiLG5vOzo1Nzc4MDg4OQ&subid=g-69950265-c10899a5d88f43a19179ff1a1c6b8465-&data_ss=728x1366&data_rc=1&data_fb=no&data_tagname=A&data_ct=link_only&data_clickel=link), contains more than 3.4 million words and, if printed 60 lines to the page, **is more than 7,500 pages long.** There are about[**20,000 laws**](http://www.brookings.edu/es/urban/publications/gunbook4.pdf)just **govern**ing the use and ownership of **guns.** New laws mean new crimes.  From the [start](http://www.kowal.com/?q=How-Many-Federal-Laws-Are-There%3F#23281468) of 2000 through 2007, Congress had created [at least 452 new crimes](http://wiki.answers.com/Q/How_many_laws_are_there_in_the_United_States), so that at that time **the total number of Federal crimes exceed[s]**ed **4,450.**

Specifying makes the topic limitless –the aff can prepare and frontline one advocacy while the neg has to be prepared for countless laws, which means I can’t prep to fairly compete for the ballot or get any clash, the unique education from a round.

2. Ground – Not only is prepping against every law impossible, specifying denies me generic prep as well – the core NC of the topic, rule of law, is dependent on nullification in general and not specific advocacies, **Fissell:**

Brenner Fissell (Georgetown University Law Center, Law School, Alumnus) “Jury Nullification and the Rule of Law” Legal Theory, 19 pp 21-241 JW

This has two implications for our discussion. First, it means that any analysis of the **rule of law’s compatibility with nullification cannot depend upon the** substantive quality of the **law or** the **jury action at issue.** The justice or injustice of a law or a nullifying jury cannot be determinative—it is the effect of the nullification on the eight *procedural* desiderata that matters, not its effect on justice. Second, it means that **we must conduct the rule of law analysis in** each and **every possible type of** substantive **nullification**, regardless of the substance. **We cannot limit** our frame of reference **to** only **one case**, as the rule of law will be affected in all of them. Because the rule of law is non-substantive, the **scope of inquiry must** be widened to **encompass all versions** of the phenomenon being discussed, and not just one species of it.

Moreover, specifying means they can defend trivially true affs – obviously the law isn’t perfect or perfectly applied, so I would have literally zero ground. Ground key to fairness since otherwise I don’t have arguments to win the ballot with.

3. Textuality – “Jury nullification” is unmodified by qualifiers, so specifying abandons the topic. Jurisdiction is a prima facie reason to reject the counter-interp if it’s non-textual since the judge literally can’t affirm the resolution. Further the text of the resolution is the basis of our prep so it’s key to fairness and clash.

D. is the voters – Fairness

**Fairness is a voting issue and is always the most important impact:**

A. It precludes knowing who did the better debating on any layer. Massey et al:

“Pre-Fiat Arguments” [same author quals] Emily Massey, Grant Reiter, Geoff Kristof 2/3/14 http://nsdupdate.com/2014/02/03/pre-fiat-arguments-by-emily-massey-grant-reiter-and-geoff-kristof/

Third, pre-fiat debaters claim that their impacts precede fairness. To see what’s wrong with this, we need just to remember why fairness matters in debate in the first place. **Fairness constrains substance since abuse skews** the judge’s **evaluation of who did the better debating** on the substantive layer. **It constrains pre-fiat impacts for** exactly **the same reason. Even if the better debater is the person who resists oppression the most, abuse skews the judge’s evaluation of who did** the better debating on **that** pre-fiat layer.

B. A topical, fair version of the aff solves since you can meet T but also still get good discussion relating to the medical choices the topic specs rather than non-medical reproductive ones.

C. No impact – I can gain education and learn about a particular role of the ballot out of round but fairness is a necessary practice in rounds.

D. Inclusivity: an unfair model of debate kills the incentive for people to debate in the first place. That link turns all their offense since there’s no incentive to do work, read and come to tournaments to learn anything. **Speice and Lyle**[[1]](#footnote-1)

As with any game or sport, creating a level playing field that afford[ing]s each competitor a fair chance of victory is integral to the continued existence of debate as an activity. If the game is slanted toward one **particular** competitor, the other[s] participants are likely to pack up their tubs and go home, as they don’t have a realistic shot of winning such a “rigged game.” Debate simply wouldn’t be fun if the outcome was pre-determined and certain teams knew that they would always win or lose. The incentive to work hard to develop new and innovative arguments would be non-existent because wins and losses would not relate to how much research a particular team did. TPD, as defined above, offers the best hope for a level playing field that makes the game of debate fun and educational for all participants.

Drop the debater on T since 1. substance is already skewed by unfairness we can’t go back to it 2. Deterrence – it’s the only way to deincentivize abuse 3. Even if we drop your advocacy you still lose the round because voting off anything else is functionally severance.

Use competing interpretations to evaluate the T debate 1. It’s about finding the best understanding of what terms in the res means so reasonability never works 2. Reasonability is arbitrary and invites judge intervention.

### Topicality key

1. A clearly defined topic is a prerequisite to debate itself. **Shively[[2]](#footnote-2)**

The **ambiguists** must say "no" to—they must reject and limit—some ideas and actions. In what follows, we will also find that they must say "yes" to some things. In particular, they must say "yes" to the idea of rational persuasion. This means, first, that they **must recognize the role of agreement** in political contest, or the basic accord that is necessary to discord. The mistake that the ambiguists make here is a common one. The mistake is in thinking that agreement marks the end of contest—that consensus kills debate. But this is true only if the agreement is perfect—if there is nothing at all left to question or contest. In most cases, however, our agreements are highly imperfect. We agree on some matters but not on others, on generalities but not on specifics, on principles but not on their applications, and so on. And this kind of limited **agreement is the starting condition of contest and debate**. As John Courtney Murray writes: We hold certain truths; therefore we can argue about them. It seems to have been one of the corruptions intelligence by positivism to assume that argument ends when agreement is reached. In a basic sense, the reverse is true. There can be no argument except on the premise, and within a context, of agreement. In other words, **we cannot argue about something** if we are not communicating: **if we cannot agree on the topic** and terms of argument or if we have utterly different ideas about what counts as evidence or good argument. At the very least, we must agree about what it is that is being debated before we can debate it. For instance, one cannot have an argument about euthanasia with someone who thinks euthanasia is a musical group. One cannot successfully stage a sit-in if one's target audience simply thinks everyone is resting or if those doing the sitting have no complaints. Nor can one demonstrate resistance to a policy if no one knows that it is a policy. In other words, contest is meaningless if there is a lack of agreement or communication about what is being contested. Resisters, demonstrators, and **debaters must have some shared ideas about the subject** and/or the terms of their disagreements. The participants and the target of a sit-in must share an understanding of the complaint at hand. And a demonstrator's audience must know what is being resisted. In short, **the contesting of an idea presumes** some **agreement about what that idea is** and how one might go about intelligibly contesting it. In other words, contestation rests on some basic agreement or harmony.

Impacts – A. jurisdiction – you can’t sign the ballot unless someone is doing the better debating but better debating means you agree to a topic B. precludes any productive dialogue if we don’t know what we’re conversing on the conversation is worthless.

1. Speice, Patrick [Wake Forest University], Lyle, Jim [Debate Coach, Clarion University] “Traditional Policy Debate: Now More Than Ever” (2003) [↑](#footnote-ref-1)
2. Shively, Michael [Prof Politics at Texas A&M]. “Partisan Politics and Political Theory” (p.181-2) [↑](#footnote-ref-2)