# \*\*Topicality File\*\*

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## Usage Guidelines

Topicality functions in many ways like the rest of the novice packet, but does present a few unique circumstances that require attention. As with the rest of the packet, novices are limited to the definition arguments in this file but are not limited to the exact cards. In other words, as long as debaters find a new card that makes the same argument as a card in this file, they can use that card. When it comes to standards, students are limited to the standards presented here, but are not limited in the analysis. Analysis is presented in this file only for illustration and instruction purposes and need not be used. The same conditions are true for the voters. Note – there are two additional topicality files in the novice packet that provide in-depth evidence for a popular topicality debate over whether or not the term “engagement” must be a “quid pro quo” or exchange. Please see these files for additional evidence and arguments.

## Philosophy of Topicality

Taken from the Emory National Debate Institute Manual. Full text available online at: <http://www.debatemilwaukee.org/wp-content/uploads/2013/02/Emory-Policy-Debate-Manual.pdf>

**What Is Topicality? (a.k.a. “T”)**

Debate is about making good policy, and you can’t have a good policy unless you know what the key words of the policy mean. Some words are very difficult to define, and there are huge debates about them. How do you define “good” or “bad,” for example? It’s easy to understand this concept by thinking about a conversation you might have with your parents. Let’s say your parents tell you to be home “at a reasonable hour.” When you show up at 2:00 a.m., you get in big trouble. “But I was home at a reasonable hour,” you complain. “All my friends stay out until 4:00.” Your parents are not impressed by this argument. “Reasonable means midnight,” they say. How were you supposed to know what “reasonable” meant? Topicality deals with arguments about what words mean.

Every year there is a different resolution for high school policy debate. It is the affirmative’s job to come up with specific policies (or “plans”) that support the general idea of the resolution. What if the affirmative policy is a good idea, but it doesn’t support the resolution? For example, the affirmative might argue that every hungry child in America should be fed. This may seem like a good idea, but what if the resolution says we ought to make schools better? The plan is fine, but it doesn’t support the resolution. The negative would argue that the affirmative plan is “NOT TOPICAL.” This kind of argument can be even more powerful than a disadvantage.

**Arguing About Definitions**

Of course, most affirmative plans seem fairly topical at first. However, if you research different definitions for the words in the resolution, it is easy to find definitions that contradict what the affirmative plan does. For example, what if the resolution says we should increase aid to African nations? The affirmative might offer a plan to increase aid to Egypt. Is Egypt an African nation? Many people might say “yes,” since Egypt is on the continent of Africa. Many experts might say “no,” however, because Egyptian culture might be considered “Middle Eastern” instead of “African.” There is no right or wrong answer for what a word means, but it is possible to make arguments about which definition is better.

**Winning With Topicality**

Topicality exists to LIMIT what the affirmative may talk about so the negative can have a reasonable chance to argue against the case. If the affirmative could talk about anything, how could the negative prepare for the debate? The negative argues that topicality is a VOTING ISSUE.

In other words, they argue that the affirmative should lose the debate if the negative can prove that the affirmative plan does not support the resolution. You can win the debate by talking about definitions!

Topicality is a very powerful argument because the affirmative can lose the debate on topicality even if they are winning every other argument in the debate! After all, if the plan is not an example of the resolution, then who cares what a great idea it is? The judge would throw out all the affirmative arguments, just like a judge in a courtroom can throw out a case if it is irrelevant. This argument is referred to as “jurisdiction.” It means that the judge cannot vote for a non-topical plan because it is not in his or her jurisdiction.

## Affirmative Topicality Tips

1. Write your plan with an eye to topicality.

When you write your affirmative case, you make a series of strategic decisions. Most of these revolve around solving the problem your case identifies. Usually, you try to find the policy that solves the problem the best. Similarly, you should look for a policy that seems to be a clear example of the resolution. Does the plan sound like it takes the kind of action required by the resolution? Write the plan using as many of the words in the resolution as possible.

2. Research the words of the resolution.

The negative will research various definitions of the important words in the resolution. The affirmative should do the same thing. Look for definitions that clearly include the kind of action taken by the plan. Failing that, look for the broadest possible definitions.

3. Research “contextual” evidence.

Most people believe the function of topicality is to provide a reasonable limit on the number of cases the affirmative can run. If you can find evidence that talks about your policy and the words of the resolution in the same sentence or paragraph, you can read that evidence against topicality violations to make your case sound reasonable.

4. Remember: Advantages don’t make you topical.

Topicality focuses on what the PLAN does. The fact that your advantages talk about the same things as the resolution is largely irrelevant. Make sure your PLAN is topical.

5. Prepare your topicality answers ahead of time.

Anticipate the kinds of topicality arguments the negative is likely to run against you and write out answers and counter-definitions before the tournament.

## How to make a Topicality violation:

Glad to see that you have taken an interest in one of the most beneficial, but easily overlooked stock issues: Topicality. Here is some helpful advice when making a violation:

**You need to have 4 parts to a violation:**

1. A definition: Just take one from the list given in the packet.

2. Violation: Why the Aff team violates or doesn’t fit your definition. Go over their case before the tournament, and find out why their case fails to meet what your definition is.

3. Standards: Why your definition is better, basically you want to have two to three standards to tell the judge why he or she should vote for your argument. Those are included in the packet.

4. Voter: Why the judge should vote for topicality. These are also included in the packet and you should have two or three of these as well. You want to argue how important this argument is to debate and how the affirmative should defend their case.

**On the aff side…..**

You want to have a Topicality block that will answer the Negative topicality violation. Much like the Violation, the block has four parts…

1. Counterdefinition; use a definition that fits your case.

2. Now explain how you meet your own defintion and/or theirs.

3. Counterstandards: Two or three Standards that show why your defintion is better

4. Non-Voter; You now want to explain why topicality is not important and why you win it.

## Duties of each speaker on Topicality

**1AC** – The 1A just reads their case; they NEVER bring up topicality. It is just assumed.

**1NC** – Here is where the magic begins. The 1st Neg MUST BRING UP TOPICALITY HERE! Start off the speech by reading the topicality violation in full. If they fail to read the violation in full in this speech, the Neg team CANNOT BRING IT UP AT ALL FOR THE REST OF THE ROUND!

**2AC** – Now here, the 2nd Aff must respond to the Neg violation. Start off the speech by reading a block answering the specific violation by the Neg team. If they say you violate the word “increase”, then your block should answer why you are topical and have a different meaning to the word “increase.” Remember that a pre-written block is great, but you must address what was ACTUALLY SAID in the round. Adapt your responses accordingly. Also, TOPICALITY MUST BE ANSWERED IN THIS SPEECH. IF IT IS NOT, THE NEG TEAM CAN ADDRESS THIS IN THEIR SPEECHES AND WIN THE ROUND!

**2NC/1NR** – The 2nd Neg should ask this question to themselves; did the Aff team answer Topicality well. In order for the Aff team to have answered Topicality well, they would have had to argue your definition, standards, violation and voter. If they missed ONE of these at least, or they didn’t adapt their block well, then argue those points; argue why your subpoint is valid and wins and finally why you win topicality. Remember, silence means consent. If the Aff team did answer all the violation points, then simply restate briefly your main points of topicality, then argue why your definition is better. If you split the Neg Block, only one of these speeches needs to cover this.

**1AR**- this is where you defend why you are topical and why topicality does not matter in the round. Remember that if you do not address topicality and the Neg team brings this fact up and defends theirs, YOU WILL LOSE THE ROUND!

**2NR**- This the last speech where you get to prove why topicality is important and why it is one of the points that have won you the round. Most of the time, in novice rounds, it is because the Aff team has dropped this argument somewhere in the debate. You don’t just win because they dropped it in the round; you have to argue why it is even important to be voted on in the first place. Go back through the debate and argue why it is important and why it increases education, fairness or clash; or the principles of these.

**2AR** – By this time, if you and your partner have went through the debate and have answered the Negs arguments on topicality, some judges will just concede that you won topicality. To be sure, remember to extend your previous arguments from the 2AC and 1AR on topicality and explain why you win this argument with analysis. Give yourself enough time to answer other arguments the Neg team has brought up.

## Definitions

### Substantially

#### [ ] "Substantial" means actually of real worth, importance, and considerable value

West's Encyclopedia of American Law 2008

[Edition 2. Copyright 2008 The Gale Group, Inc. ]

Of real worth and importance; of considerable value; valuable. Belonging to substance; actually existing; real; not seeming or imaginary; not illusive; solid; true; veritable.

#### [ ] Substantially is without material qualification

Black’s Law 1991

(Dictionary, p. 1024)

Substantially - means essentially; without material qualification

#### [ ] Substantially means the main; most important

Cambridge Advanced Learner's Dictionary, 2009

["Substantially," http://dictionary.cambridge.org/define.asp?key=79480&dict=CALD, mss]

substantial (GENERAL) Show phonetics

adjective [before noun] FORMAL

relating to the main or most important things being considered:

The committee were in substantial agreement (= agreed about most of the things discussed).

### Substantial Increase – percentages

#### [ ] Substantial is 2%

Word and Phrases 1960

 'Substantial" means "of real worth and importance; of considerable value; valuable." Bequest to charitable institution, making 1/48 of expenditures in state, held exempt from taxation; such expenditures constituting "substantial" part of its activities. Tax Commission of Ohio v. American Humane Education Soc., 181 N.E. 557, 42 Ohio App.

#### [ ] Substantially increase is 30%

Damich, US Court of Federal Claims judge, 2001

[Edward J., UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT, 265 F.3d 1371; 2001 U.S. App. LEXIS 20590; 60 U.S.P.Q.2D (BNA) 1272, l/n, accessed 8-1-10, mss]

The term "to increase substantially" in claim 1 of the '705 patent refers to the claimed increase achieved by the invention in the relative productivity of the catalyst used in the Fischer-Tropsch process. The specification defines "substantially increased" catalyst activity or productivity as an increase of at least about 30%, more preferably an increase of about 50%, and still more preferably an increase of about 75%. '705 patent, col. 1, ll. 59-63. Based on that language from the specification, the trial court found, and the parties agree, that the term "to increase substantially" requires an increase of at least about 30% in the relative productivity of the catalyst. Notwithstanding that numerical boundary, the trial court found the phrase "to increase substantially" to be indefinite because the court concluded that there were two possible ways to calculate the increase in productivity, the subtraction method and the division method, and the patent did not make clear which of those ways was used in the claim.

#### [ ] Substantially means greater than 50%

Statement of Considerations,5

[<http://www.gc.energy.gov/documents/WA_05_048_INTERNATIONAL_BUSINESS_MACHINES_Waiver_of_the_Gove.pdf>]

The Subcontractor agrees to conduct research and development activities under this Subcontract principally in U.S.-based facilities. "Principally" is defined as greater than a ninety (90%) percent level of effort. Subcontractor also agrees that for a period of one (1) year following Subcontract completion, subsequent research and development by the Subcontractor for the purpose of commercializing technologies arising from the intellectual property developed under this Subcontract shall be performed substantially in U.S.-based facilities. "Substantially" is defined as greater than fifty (50%) percent level of effort. The Subcontractor further agrees that any processes and services, or improvements thereof, which shall arise from the intellectual property developed under this Subcontract when implemented outside the U.S., shall not result in a reduction of the Subcontractor's research workforce in the United States. Finally, it is understood between the DOE and the Subcontractor that any subsequent follow-on subcontracts and/or future phases of work under the Government's ASCI Program will be subject to a separate U.S. Competitiveness determination.

### Increase

#### [ ] Increase is to make greater

Dictionary.com Unabridged, 2010

[Based on the Random House Dictionary, Random House, Inc. 2010., "Increase," http://dictionary.reference.com/browse/increase, accessed 8-1-10, mss]

in·crease   [v. in-krees; n. in-krees] Show IPA verb, -creased, -creas·ing, noun

–verb (used with object)

1.**to make greater, as in number, size, strength, or quality; augment; add to**: to increase taxes.

#### [ ] “Increase” requires the Aff to make a pre-existing program greater—new policies are not an “increase”

Buckley, Attorney, 2006

(Jeremiah, Amicus Curiae Brief, Safeco Ins. Co. of America et al v. Charles Burr et al, http://supreme.lp.findlaw.com/supreme\_court/briefs/06-84/06-84.mer.ami.mica.pdf)

First, the court said that the ordinary meaning of the word “increase” is “to make something greater,” which it believed should not “be limited to cases in which a company raises the rate that an individual has previously been charged.” 435 F.3d at 1091. Yet the definition offered by the Ninth Circuit compels the opposite conclusion. Because “increase” means “to make something greater,” there must necessarily have been an existing premium, to which Edo’s actual premium may be compared, to determine whether an “increase” occurred. Congress could have provided that “ad-verse action” in the insurance context means charging an amount greater than the optimal premium, but instead chose to define adverse action in terms of an “increase.” That def-initional choice must be respected, not ignored. See Colautti v. Franklin, 439 U.S. 379, 392-93 n.10 (1979) (“[a] defin-ition which declares what a term ‘means’ . . . excludes any meaning that is not stated”). Next, the Ninth Circuit reasoned that because the Insurance Prong includes the words “existing or applied for,” Congress intended that an “increase in any charge” for insurance must “apply to all insurance transactions – from an initial policy of insurance to a renewal of a long-held policy.” 435 F.3d at 1091. This interpretation reads the words “exist-ing or applied for” in isolation. Other types of adverse action described in the Insurance Prong apply only to situations where a consumer had an existing policy of insurance, such as a “cancellation,” “reduction,” or “change” in insurance. Each of these forms of adverse action presupposes an already-existing policy, and under usual canons of statutory construction the term “increase” also should be construed to apply to increases of an already-existing policy. See Hibbs v. Winn, 542 U.S. 88, 101 (2004) (“a phrase gathers meaning from the words around it”) (citation omitted).

### Economic Engagement

#### [ ] Economic engagement requires quid pro quo- a demand for change in the target country in exchange for incentives

Haas and O'Sullivan, former senior aid to President George Bush, and Brookings Foreign Policy Studies Program fellow, 2000.

(Richard N., Meghan L., , Honey and Vinegar: Incentives, Sanctions, and Foreign Policy, http://brookings.nap.edu/books/0815733550/html/203.html#pagetop, 1-2)

The strategy of engagement, or the use of incentives alongside other foreign policy tools to persuade governments to change one or more aspects of their behavior, has received relatively little scrutiny.

#### [ ] Economic engagement is a subset of conditional engagement and implies a tit-for-tat exchange

Shinn 96 [James Shinn, C.V. Starr Senior Fellow for Asia at the CFR in New York City and director of the council’s multi-year Asia Project, worked on economic affairs in the East Asia Bureau of the US Dept of State, “Weaving the Net: Conditional Engagement with China,” pp. 9 and 11, google books]

In sum, conditional engagement consists of a set of objectives, a strategy for attaining those objectives, and tactics (specific policies) for implementing that strategy.

* The objectives of conditional engagement are the ten principles, which were selected to preserve American vital interests in Asia while accommodating China’s emergence as a major power.
* The overall strategy of conditional engagement follows two parallel lines: economic engagement, to promote the integration of China into the global trading and financial systems; and security engagement, to encourage compliance with the ten principles by diplomatic and military means when economic incentives do not suffice, in order to hedge against the risk of the emergence of a belligerent China.
* The tactics of economic engagement should promote China’s economic integration through negotiations on trade liberalization, institution building, and educational exchanges. While a carrots-and-sticks approach may be appropriate within the economic arena, the use of trade sanction to achieve short-term political goals is discouraged.
* The tactics of security engagement should reduce the risks posed by China’s rapid military expansion, its lack of transparency, the proliferation of weapons of mass destruction, and transnational problems such as crime and illegal migration, by engaging in arms control negotiations, multilateral efforts, and a loosely-structured defensive military arrangement in Asia.8

[To footnotes]

8. Conditional engagement’s recommended tactics of tit-for-tat responses are equivalent to using carrots and sticks in response to foreign policy actions by China. Economic engagement calls for what is described as symmetric tit-for-tat and security engagement for asymmetric tit-for-tat.

### Economic Engagement

#### [ ] Economic engagement is distinct from offering a quid pro quo

Celik 2011

[Arda Can, M.A in political science and international relations at Uppsala Univ. Sweden, “Economic sanctions and engagement policies,” http://www.grin.com/en/e-book/175204/economic-sanctions-and-engagement-policies]

Economic engagement policies are strategic integration behaviour which involves with the target state. Engagement policies differ from other tools in Economic Diplomacy. They target to deepen the economic relations to create economic intersection, interconnectness, and mutual dependence and finally seeks economic interdependence. This interdependence serves the sender state to change the political behaviour of target state. However they cannot be counted as carrots or inducement tools, they focus on long term strategic goals and they are not restricted with short term policy changes.(Kahler&Kastner,2006) They can be unconditional and focus on creating greater economic benefits for both parties. Economic engagement targets to seek deeper economic linkages via promoting institutionalized mutual trade thus mentioned interdependence creates two major concepts. Firstly it builds strong trade partnership to avoid possible militarized and non militarized conflicts. Secondly it gives a leeway to perceive the international political atmosphere from the same and harmonized perspective. Kahler and Kastner define the engagement policies as follows “’It is a policy of deliberate expanding economic ties with and adversary in order to change the behaviour of target state and improve bilateral relations’’.(p523-abstact).It is an intentional economic strategy that expects bigger benefits such as long term economic gains and more importantly; political gains. The main idea behind the engagement motivation is stated by Rosecrance(1977)in a way that ‘’the direct and positive linkage of interests of states where a change in the position of one state affects the position of others in the same direction’’¶ Although, much of the literature focuses on the effectiveness of economic sanctions, economic engagement strategies have rapidly gained momentum and gathers more and more attention(Kahler&Kastner,2006). Kirshner(2002) states that handful of studies examine the Hirchmanesque effects of economic relations and engagement policies therefore engagement policies are newly emerging alternative strategies against the economic sanctions. This literature is a composition of liberal and realist approaches. Liberals underline that Effectiveness of engagement policies are valid and ascending. On the other hand, Realists criticise the potential of engagement policies and does not give credits to the arguments of engagement strategies.¶

### Economic Engagement

#### [ ] Economic engagement provides economic incentives to shape behavior – it can be conditional or unconditional

Haass, Director of Foreign Policy Studies at the Brookings Institution, 2000

[Richard N. Haass, VP and, PhD from Oxford University, and Meghan L. O’Sullivan, Fellow with the Foreign Policy Studies program at Brookings, PhD in Politics from Oxford University, “Terms of Engagement: Alternatives to Punitive Policies,” Survival, vol. 42, no. 2, Summer 2000, http://www.brookings.edu/~/media/research/files/articles/2000/6/summer%20haass/2000survival.pdf]

¶ Many different types of engagement strategies exist, depending on who is engaged, the kind of incentives employed and the sorts of objectives pursued. Engagement may be conditional when it entails a negotiated series of exchanges, such as where the US extends positive inducements for changes undertaken by the target country. Or engagement may be unconditional if it offers modifications in US policy towards a country without the explicit expectation that a reciprocal act will follow. Generally, conditional engagement is geared towards a government; unconditional engagement works with a country’s civil society or private sector in the hopes of promoting forces that will eventually facilitate cooperation.¶ Architects of engagement strategies can choose from a wide variety of incentives. Economic engagement might offer tangible incentives such as export credits, investment insurance or promotion, access to technology, loans and economic aid.3 Other equally useful economic incentives involve the removal of penalties such as trade embargoes, investment bans or high tariffs, which have impeded economic relations between the United States and the target country. Facilitated entry into the economic global arena and the institutions that govern it rank among the most potent incentives in today’s global market. Similarly, political engagement can involve the lure of diplomatic recognition, access to regional or international institutions, the scheduling of summits between leaders – or the termination of these benefits. Military engagement could involve the extension of international military educational training in order both to strengthen respect for civilian authority and human rights among a country’s armed forces and, more feasibly, to establish relationships between Americans and young foreign military officers. While these areas of engagement are likely to involve working with state institutions, cultural or civil-society engagement entails building people-to-people contacts. Funding nongovernmental organisations, facilitating the flow of remittances and promoting the exchange of students, tourists and other non-governmental people between countries are just some of the possible incentives used in the form of engagement.

### Economic Engagement

#### [ ] Economic engagement is the exchange of goods, services, capital and labor- not policy oriented

Rose, UC Berkeley Haas School of Business Administration, 2008

[Andrew, and Mark Spiegel, "Non-Economic Engagement and International Exchange: The Case of Environmental Treaties," April 2008, [www.nber.org/papers/w13988.pdf?new\_window=1](http://www.nber.org/papers/w13988.pdf?new_window=1)]

Non-Economic Engagement and International Exchange: The Case of Environmental Treaties We examine the role of non-economic partnerships in promoting international economic exchange. Since far-sighted countries are more willing to join costly international partnerships such as environmental treaties, environmental engagement tends to encourage international lending. Countries with such non-economic partnerships also find it easier to engage in economic exchanges since they face the possibility that debt default might also spill over to hinder their non-economic relationships. We present a theoretical model of these ideas, and then verify their empirical importance using a bilateral cross-section of data on international cross-holdings of assets and environmental treaties. Our results support the notion that international environmental cooperation facilitates economic exchange. Countries, like people, interact with each other on a number of different dimensions. Some interactions are strictly economic; for instance, countries engage in international trade of goods, services, capital, and labor. But many are not economic, at least not in any narrow sense. For instance, the United States seeks to promote human rights and democracy, deter nuclear proliferation, stop the spread of narcotics, and so forth. Accordingly America, like other countries, participates in a number of international institutions to further its foreign policy objectives; it has joined security alliances like NATO, and international organizations such as the International Atomic Energy Agency. In this paper, we concentrate on the interesting and understudied case of international environmental arrangements (IEAs). We ask whether participation in such non-economic partnerships tends to enhance international economic relations. The answer, in both theory and practice, is positive.

#### [ ] Economic engagement is distinct from Development Assistance

**Balducci 2010** (Giuseppe, Phd @ University of Warwick, Department of Politics and International Studies, September 2010, “The EU’s promotion of human rights in China: a consistent and coordinated constructive engagement?,” <http://wrap.warwick.ac.uk/3895/1/WRAP_THESIS_Balducci_2010.pdf>)

In order to make this study manageable and meaningful for generalisation, this thesis employs a conceptualisation of consistency which refers to the ability of the EC to devise economic and development policies consistent with one another and with the EU’s objective to promote human rights in China. As the EU’s strategy of **constructive engagement** of China on human rights **was principally based on economic engagement** and **development assistance**, a concentration **on** these **two sectors** appears wholly justifiable. The appropriateness of concentrating on the European Community is also supported by the fact that, within the EU’s architecture, the EC has been primarily

### Economic Engagement

#### [ ] Economic engagement includes trade and aid

Milner and Tingley 2011

(Helen V. Milner and Dustin H. Tingley. Princeton International Organization 65, Winter 2011, pp 37–68 Who Supports Global Economic Engagement? The Sources of Preferences in American Foreign Economic Policy

http://www.princeton.edu/~hmilner/forthcoming%20papers/MilnerTingley%20%282011%29%20Who%20Supports%20Global%20Economic%20Engagement.pdf

Political economy factors, foreign policy concerns, and ideology help account for legislative voting on aid and trade, but they do so in different ways. Why? Interestingly, the same political economy factors operate in the two areas. Legislators seem to respond to the economic endowments of their constituents. As Stolper-Samuelson models predict, districts heavily endowed with high-skill workers gain from freer trade and more aid, and their legislator’s voting choices reflect this. Surprisingly, this is just as true for aid as for trade. Even though aid is a smaller part of the U.S. economy than trade, aid is often seen as an important means of economic engagement with the world economy. Legislators hence respond to the political economy pressures of their constituents similarly. This suggests that political economy factors might help shape a broad internationalist policy orientation across multiple policy areas.

#### [ ] Economic engagement includes trade, investment, and assistance

GAO 2013

(United States Government Accountability Office, Trends in U.S. and Chinese Economic Engagement, February 2013 <http://www.gao.gov/products/GAO-13-199>)

China’s economic ties with sub-Saharan Africa, including its rapidly rising trade and investment in the region, have drawn global attention. While U.S. trade with the region has also increased, the United States has generally focused on providing development and humanitarian assistance to African countries, directing more than a quarter of its foreign economic assistance to the region in 2010. Since 2001, China has substantially increased its economic engagement with sub-Saharan African countries, with strong growth in both imports and exports. According to some observers, China’s foreign assistance and investments throughout Africa since that time have been driven in part by the Chinese government’s desire to obtain a share in Africa’s natural resources as well as by its interest in establishing diplomatic relations with countries in the region. Various U.S. officials and members of the U.S. business community have questioned whether China’s role in the region is affecting U.S. interests and opportunities for U.S. firms in sub-Saharan Africa.

## Standards:

\*\*\*\* The analysis provided here is NOT evidence. Debaters may choose to use this analysis as a starting point, or choose to interpret the standard in a different way. Teams should be held only to the standards offered here, NOT to the logic that supports them.

**Field Context (our definition comes from a person or business that works with transportation)**

* Field contextual authors are qualified scholars who make a career of studying the resolutional subjects. They will know the correct meaning of the word better than anyone else.
* Field Context is bad because the authors have given their interpretation based on the argument they were trying to make at the time, meaning that their interpretation is biased and flawed.

**Legal Definitions (our definition comes from a legal source)**

* Legal definitions are the best because lawyers spend hours researching these words for use in court. They have been tested in a court of law therefore they are superior.
* Legal definitions are bad because they can contradict. Lawyers want to win and so will research opposite meanings of words to be better prepared. Since this is the case, the definition is not absolute.

**Bright Line (what is clearly topical from what is clearly not)**

* Prefer the definition that provides a clear distinction between what is topical and what is not topical.
* Brightlines are arbitrary; clear lines don’t mean good lines.

**Ground (what definition makes it easy and fair for both sides to debate)**

* Prefer the definition that provides the more equal division of ground. If one side get to play on more than half of the field, it is fundamentally unfair.

**Limits (what keeps the definition from being too vague)**

* Prefer the definition that gives the best limits to the round.
* Their definition is bad because it under limits the resolution.
* Their definition is bad because it over limits the resolution

## Voters/Non Voters:

\*\*\*\* Like with the standards, what is required is only the voting issue, not any of the sample analysis given here.

Education

* We learn the most by debating a topical Affirmative case. Since they affs aren't topical, they have harmed our education in this round.
* We learn the most by debating the policy we presented, not the minutia.

Fairness

* Topicality is about fundamental fairness. Since they aren't topical, it isn't fair to us to have to argue against it.
* Topicality is about fairness, but only to the extent that it keeps us honest. The WDCA requires us to use this plan text. That makes us fair.

Jurisdiction

* The Judge should only vote for plans that are topical. Even if it's a great plan, if it isn't topical, the judge lacks the jurisdiction to vote for it. The judge should look at Topicality first to see if the plan meets the resolution. If it isn't, the judge must vote neg.
* Topicality is not a voting issue. Debate judges are not court judges and jurisdiction does not apply to the debate setting.

## [Negative Example:] Substantially means 20%

1. *Definition: Substantial is twenty percent*

*Words & Phrases 1960*

*"Substantial" number of tenants engaged In production of goods for commerce means that at least 20 per cent. of building be occupied by tenants so engaged. Ullo v. Smith, D.C.N.Y., 62 F.Supp. 757, 760.*

*B. Violation: the affirmative team doesn’t prove that they increase investments by 20%*

*C. Standards:*

*1. Legal defintions are the best because lawyers spend hours researching these words for use in court. They have been tested in a court of law therefore they are superior.*

*2. Bright Line (what is clearly topical from what is clearly not)*

*Prefer the definition that provides a clear distinction between what is topical and what is not topical.*

*D. Voters:*

*1. Education*

*We learn the most by debating a topical Affirmative case. Since they affs aren't topical, they have harmed our education in this round.*

*2. Fairness*

*Topicality is about fundamental fairness. Since they aren't topical, it isn't fair to us to have to argue against it.*

## [Affirmative Example:] Substantially is by a large amount

1. *Counterdefinition: Substantially increase means by a large amount*

*NRC 3 (Office of Nuclear Material Safety and Safeguards Policy and Procedures, April 2003,)* [*http://www.fontana.org/main/dev\_serv/planning/ventana\_eir/appendix\_e.pdf*](http://www.fontana.org/main/dev_serv/planning/ventana_eir/appendix_e.pdf)

*“Substantial increase” means “important or significant in a large amount, extent, or degree,” and not resulting in insignificant or small benefit to the public health and safety, common defense and security, or the environment, regardless of costs. However, this standard is not intended to be interpreted in a way that would result in disapproval of worthwhile safety or security improvements with justifiable costs.2*

1. *We meet: Look at our case. We fit our definition by \_\_\_\_\_\_\_\_\_*

*\_\_\_\_\_\_\_\_\_\_\_\_\_\_. Therefore we increase by a large amount.*

*C. Counterstandards:*

*1.Ground (what definition makes it easy and fair for both sides to debate)*

*Prefer the definition that provides the more equal division of ground. If one side gets to play on more than half of the field, it is fundamentally unfair.*

*2.Limits (what keeps the definition from being too vague)*

*Prefer the definition that gives the best limits to the round.*

*D. Topicality is not a voter:*

*1. Fairness. Topicality is about fairness, but only to the extent that it keeps us honest. The WDCA requires us to use this plan text. That makes us fair.*

*2. Jurisdiction. Topicality is not a voting issue. Debate judges are not court judges and jurisdiction does not apply to the debate setting.*