A. is the interpretation – if the affirmative defends that juries have an obligation to nullify in the face of injustice, then the negative may not defend an advocacy that involves simply repealing the law that the aff claims juries should nullify.

B. is the violation –

C. is the standards –

1. Topical ground – aff’s don’t have unique advantages to extend vs. your CP, which is trivially true and not even based in the topic lit, **Tomasi:**

A counterplan that I've heard people suggest is one that simply changes the laws the aff claims juries should nullify. For example, if the aff said that juries should nullify in favor of civil disobedients protesting what they see as unjust laws, the counterplan would say "The United States should repeal [the laws people are protesting]." That seems like a pretty devastating counterplan, and that is the problem. I'm a Policy debater. I have nothing wrong with advantage counterplans. For example, if the aff reads a warming advantage, the neg should get to present a non- topical policy alternative that's a solution to warming. Doing this is important for testing whether the aff is the best possible policy option; the very point of giving the neg counterplan ground *to begin with* is to test that. Advantage counterplans aren't too threatening to the aff when the aff has another advantage they can extend (one that the CP doesn't solve) or if they have excellent evidence proving the CP doesn't solve (advantage CPs for warming are predictable, so the aff probably had something to say). That said, **the repeal CP** for the jury nullification topic is an advantage counterplan gone too far. It **renders the entire topic** a **moot** point. Yes, **if a law is unjust, *obviously*** it'd make sense to just **repeal it. But** every shred of **aff offense is predicated on what individual jurors have a moral obligation to do *in the face of* an unjust law. The aff has no** separate **advantage to extend that the CP can't solve**, and there really is no answer to this position. So, were I to see a theory debate in which the aff contested the neg's ability to read a counterplan of this sort, I would heavily lean towards the Aff. Not only is **this counterplan** significantly unfair, but it's also **[is] in no way important to neg**ative **ground. The negative has the prosecutorial discretion CP.** Read that instead--it's a defensible argument. That counterplan is also much fairer because **there's a lot of literature supporting jury null over prosecutorial discretion, and vice versa.** If you're making this a theory argument, you absolutely need to clarify the counterplan ground the neg still gets under your interpretation, just as for Topicality you have to explain what a topical aff \*does\* look like, and what ground the aff gets under that. In lieu of a theory argument, the aff could claim a permutation like, “encourage jurors to nullify for defendants currently on trial because of [law], and repeal the law following these trials”. That, however, strikes me as convoluted, so theory might be a better route. Take it from someone who hates frivolous theory in LD; this counterplan is theoretically objectionable. It would ruin the topic.

Topical ground is the basis of all the arguments we have access to in the round, meaning it’s the only way for us to have access the ballot or clash.

2. Reciprocity – the central question of the topic is what individuals in the face of unjust laws should do, not whether bad laws should exist at all. Means that your government action counterplan is not a reciprocal exercise of fiat – counterplans should regard the same core questions of what individuals in the face of unjust laws must do. Reciprocity key to equal, fair access to the ballot.

D. is the voters – Fairness, drop the debater, competing interps, no RVIs