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# AC

Presume aff because affirming’s harder. Out of over 12,000 rounds last year affs won over 7% fewer rounds[[1]](#footnote-1). Prefer stats since there are an infinite number of analytic side bias arguments but stats determine whether they actually end up skewing rounds. Also, “Resolved” means firmly determined to do something, which means the res has already been proven true. This means you reject theory not weighed against side bias, since something that is slightly abusive is actually good because it just corrects for the side bias. And, debaters may only read theoretical presumption arguments; they may not read substantive or textual presumption arguments because they force the burden of proof to one debater, skewing ground and giving that debater a more difficult burden to win. Ground is key to fairness and education since it’s the basis of making arguments.

Part 1 is the Framework

I am unable to self-referentially understand myself absent an understanding of my relations to others. Norms and characteristics I use to define myself don’t solely belong to me – thus, the account of myself is never *truly* mine. **Butler**:[[2]](#footnote-2)

The norms by which I seek to make myself recognizable are not precisely mine. They are not born with me; the temporality of their emergence does not coincide with the temporality of my own life. So in living my life as a recognizable being, I live a vector of temporalities, one of which has my death as its terminus, but another of which con- sists of the social temporality of norms by which my recognizability is established. These norms are, as it were, indifferent to me, my life, and my death. This latter tempo- rality interrupts the time of my living, but it is, paradoxically, this interruption, this disorientation of the perspective of my life, this instance of an indifference in sociality, that sustains my living. In a sense, my account of myself is never fully mine, and is never fully for me, and Iwouldliketosuggestthatthis"interruption" oftheaccountalwaystakesplacethrough a loss of the sense of its being mine in any exclusive way. This interruption and dispos- session of my perspective as mine can take place in different ways. There is the opera- tion of a norm, invariably social, that conditions what will and will not be a recogniz- able account. And there can be no account of myself that does not, to some extent, conform to norms that govern the humanly recognizable, or that negotiate these terms in some ways, with various risks following from that negotiation. But, as I will try to explain later, it is also the case that I give an account to someone, and that the addressee of the account, real or imaginary, also functions to interrupt[s] the sense of this account of myself as mine. If it is an account of myself, and it is an accounting to someone, then I am compelled to give the account away, to send it off, to be dispossessed of it at the very moment that I establish it as my account. No account takes place outside the structure of address, even if the addressee remains implicit and unnamed, anonymous and unspeci- fied. If I try to give an account of myself, if I try to make myself recognizable and understandable, then I might begin with a narrative account of my life, but this narrative will be disoriented by what is not mine, or what is not mine alone. And I will, to some degree, have to make myself substitutable in order to make myself recognizable. The narrative authority of the "I" must give way to the perspective and temporality of a set of norms that contest the singularity of my story. We can surely still tell our stories-and there will be many reasons to do precisely that-but we will not be able to be very authoritative when we try to give an account with a narrative structure. The "I" cannot tell the story of its own emergence, and the conditions of its own possibility, without in some sense bearing witness to a state of affairs to which one could not have been present, prior to one's own becoming, and so narrating that which one cannot know. Fictional narration requires no referent to work as narrative, and we might say that the irrecoverability of the referent, its foreclosure to us, is the very condition of possibility for an account of myself, if that account is to take narrative form. It does not destroy narrative but produces it precisely in a fictional di- rection. So to be more precise, I would have to say that I can tell the story of my origin and even tell it again and again, in several ways; but the story of my origin I tell is not one for which I am accountable, and it cannot establish my accountability. At least, let's hope not, since, over wine usually, I tell it in various ways, and the accounts are not always consistent with one another. Indeed, it may be that to have an origin means precisely to have several possible versions of the origin-I take it that this is part of what Nietzsche meant by the operation of genealogy. Any one of those are possible narratives, but of no single one can I say with certainty that it is true.

Thus, because I will encounter this problem, I recognize that the Other will too, and so I am obliged to fully understand the Other as I recognize the limits of my own knowledge. **Butler 2**:[[3]](#footnote-3)

Can a new sense of ethics [can] emerge from that inevitable ethical failure? I suggest that it can, and that it would be spawned from a certain willingness to acknowledge the limits of acknowledgment itself, that when we claim to know and present ourselves, we will fail in some ways that are nevertheless essential to who we are, and that we cannot expect anything else from others. If we speak about an acknowledgment of the limits of acknowledgment itself, are we then assuming that acknowledgment in the first sense is full and complete in its determination of the limits of acknowledgment in the second? In other words, do we know in an unqualified way that acknowledgment is always quali- fied? Is the first kind of knowing qualified by the qualification that it knows? This would have to be the case, for to acknowledge one's own opacity or that of another does not transform opacity into transparency. To know the limits of acknowledgment is a self-limiting act and, as a result, to experience the limits of knowing itself. This can, by the way, constitute[s] a disposition of humility, and of generosity, since I will need to be forgiven for what I cannot fully know, what I could not have fully known, and I will be under a similar obligation to offer forgiveness to others who are also constituted in partial opacity to themselves.

Therefore, ethical inclusion must entail never-ending attempts to understand the Other and reconcile differences, even while I recognize the Other’s ever-changing nature and our ultimately permanent distinctions. **Butler 3**:[[4]](#footnote-4)

If the identity we say we are cannot possibly capture us, and marks immediately an excess and opacity that fall outside the terms of identity, then any effort made "to give an account of oneself' will have to fail in order to approach being true. As we ask to know the Other, or ask that the Other say, finally, who he or she is, it will be important not to expect an answer that will [n]ever satisfy. By not pursuing satisfaction, and by leting the question remain open, even enduring, we let the Other live, since life might be understood as precisely that which exceeds any account we may try to give of it. If letting the Other live is part of a new definition of recognition, then this version of recognition would be one that is based less on knowledge than on an apprehension of its limits. In a sense, the ethical stance consists in ask[s]ing the question, "Who are you?," and continuing to ask the question without any expectation of a full or final answer. This Other to whom I pose this question will not be captured by any answer that might arrive to satisfy the question. So if there is, in the question, a desire for recognition, this will be a desire which is under an obligation to keep itself alive as desire, and not to resolve itself through satisfaction. "Oh, now I know who you are": at this moment, I cease to address you, or to be addressed by you. Lacan infamously cautioned, "do not cede upon your desire." This is a complicated claim, since he does not say that your desire should or must be satisfied. He says only that desire should not be stopped. Indeed, sometimes satisfaction is the very means by which one cedes upon desire, but it can also be the means by which one turns against it, arranging for its death.

This implies that only the orientation of institutional arrangements, not solely the consideration of consequences, can solve oppression, because misrecognition is an improper way of relating our wills to how we act, not about events outside of what we will.

Thus, **the standard is consistency with norms that confirm the precariousness of our agency**. Precariousness is using the recognition of the limitations of our social position to determine our obligations to recognize the other. Further, a priori frameworks fail since we can no longer recognize those who are not like me. **Butler 4**:[[5]](#footnote-5)

The scene of moral judgment, when it is the judgment of persons that is at issue, is invariably one which establishes a clear moral distance between the one who judges and the one who is judged. If you consider, for instance, Simone de Beauvoir's question, "Must We Burn Sade?," matters become more complicated. It turns out that it may be that only through an experience of the Other under conditions of suspended judgment do we finally become capable of an ethical reflection on the humanity of the Other, even when that humanity has turned against itself. And though I am certainly not arguing that we ought never to make judgments-they are necessary for political and personal life alike: I make them, and I will-I think that it would be important, in rethinking the terms of the culture of ethics, to remember that not all ethical relations are reducible to acts of judgment. The capacity to make and justify moral judgments does not exhaust the sphere of ethics, of either ethical obligation or ethical relationality. Indeed, prior to judging an Other, we must be in some relation to him or her, and this relation will ground and inform the ethical judgments we finally do make. We will, in some way, have to ask the question, "Who are you?' If we forget that we are related to those we condemn, even those we must condemn, then we lose the chance to be ethically educated or "addressed" by a consideration of who they are and what their personhood says about the range of human possibility that exists, and even to prepare ourselves for or against such possibilities. We also forget that judging an Other is a mode of address: even punishments are pronounced and delivered to the face of the Other, requiring that Other's bodily presence. Hence, if there is an ethic to the address, and judgment, including legal judgment, is oneform of address, then the value ofjudgment will be conditioned by the form of address it takes.

My framework is thus a side constraint on action – only mine can resolve the ethical justification for agency. **Butler**:[[6]](#footnote-6)

The "frames" that work to differentiate the lives we can apprehend from those we cannot (or that produce lives across a continuum oflife) not only organize visual experience but also generate specific ontologies of the subject. Subjects are constituted through norms which, in their reiteration, produce and shift the terms through which subjects [they] are recognized. These normative conditions for the production of the subject produce an historically contingent ontology, such that our very capacity to discern and name the "being" of the subject is dependent on norms that facilitate that recognition. At the same time, it would be a mistake to understand the operation of norms as deterministic. Normative schemes are interrupted by one another, they emerge and fade depending on broader operations of power, and very often come up against spectral versions of what it is they claim to know: thus, there are "subjects" who are not quite recognizable as subjects, and there are "lives" that are not quite--or, indeed, are never-recognized as lives. In what sense does life, then, always exceed the normative conditions ofits recognizability? To claim that it does so is not to say that "life" has as its essence a resistance to normativity, but only that each and every construction of life requires time to do its job, and that no job it does can overcome time itself. In other words, the job is never done "once and for all." This is a limit internal to normative construction itself, a function of its iterability and heterogeneity, without which it cannot exercise its crafting power, and which limits the finality of any of its effects.

Thus, Butler’s method takes out and precludes critiques of the aff since my framework answers the fundamental nature of any type of oppression, that it’s caused by misrecognition of the ungrieved

In a space where people are excluded, judges must act in light of debaters’ circumstances. That means the only possibility for a fair round evaluation is for the judge to use my framework. When the judge evaluates, they have to endorse principles that move debate towards being better, else debate becomes less valuable. **Thus, the role of the ballot is to vote for the debater who best endorses the recognition of the ungrievable that will solve for their social position.** This means conditions of recognition come prior to ends-based evaluation of my advocacy, since we have to recognize people as moral agents prior to acting on that fact. To clarify, this doesn’t entail absolute equality, but rather only when certain people face obstacles to recognition, or when society deems them ungrievable, that my framework is violated.

Part 2 is Grievability

Three reasons to vote aff:

A. No matter their nature, speech codes destroy productive discourse that enable discussions that can actually change college atmosphere, meaning that the aff outweighs in terms of overall ability to redirect policy orientation. **ACLU ’16**:[[7]](#footnote-7)

And the ACLU believes that all campuses should adhere to First Amendment principles becauseacademic freedom is a bedrockof educationin a free society. How much we value the right of free speech is put to its severest test when the speaker is someone we disagree with most.Speech thatdeeplyoffendsour moralityor is hostileto our way of lifewarrants the same constitutional protection as other speech because the right of free speechis indivisible: When oneof usis denied this right, all of us aredenied. Since its founding in 1920, the ACLU has fought for the free expression of all ideas, popular or unpopular. That's the constitutional mandate. Where racist, sexist and homophobic speech is concerned, the ACLU believes that more speech -- not less -- is the best revenge. This is particularly true at universities, whose mission is to facilitate learning through open debate and study, and to enlighten. Speech codes are not the way to go on campuses, where all views are entitled to be heard, explored, supportedor refuted. Besides, when hate is out in the open, people can see the problem.Then they can organizeeffectively tocounter bad attitudes, possibly change them,and forge solidarity againstthe forces ofintolerance**.** College administrators may find speech codes attractive as a quick fix, but as one critic put it: "Verbal purity is not social change."

B. Speech restrictions end dissent and create a net worse environment for any type of activism. **Strossen ‘90**:[[8]](#footnote-8)

The experience with the University of Michigan's rule- the only campus hate speech rule that has an enforcement record- graphically illustrates this danger.8 2 Second, there is an inescapable risk that any hate speech regulation, no matter how narrowly drawn, will chill speech beyond its literal scope. Members of the university community may well err on the side of caution to avoid being charged with a violation. For example, there is evidence that the rule which the University of Wisconsin implemented in 1989 has had this effect, even though it has not yet been directly enforced. 8 3 A third problem inherent in any campus hate speech policy, as Professor Lawrence concedes,18 4 is that such rules constitute a precedent that can be used to restrict other types of speech. As the Supreme Court has recognized, the long-range precedential impact of any challenged governmental action should be a factor in evaluating its lawfulness.185 Further, in light of constitutional constraints, Any campus hate speech policy inevitably would apply to only a tiny fraction of all racist expression, and accordingly it would have only a symbolic impact.18 6 Therefore, in deciding whether to adopt such a rule, universities must ask whether that symbolic impact is, on balance, positive or negative in terms of constitutional values.1 87 On the one hand, some advocates of hate speech regulations maintain that the regulations might play a valuable symbolic role in reaffirming our societal commitment to racial equality' 8 (although this is debatable). 189 On the other hand, we must beware of even a symbolic or perceived diminution of our impartial commitment to free speech. Even a limitation that has a direct impact upon only a discrete category of speech may have a much more pervasive indirect impact – by undermining the first amendment's moral legitimacy.190 Recently, the Supreme Court ringingly reaffirmed the core principle that a neutral commitment to free speech should trump competing symbolic concerns. In United States v. Eichman, which invalidated the Flag Pro- tection Act of 1989, the Court declared: Government may create national symbols, promote them, and en- courage their respectful treatment. But the Flag Protection Act goes well beyond this by criminally proscribing expressive conduct because of its likely communicative impact. We are aware that desecration of the flag is deeply offensive to many. But the same might be said, for example, of virulent ethnic and religious epithets, vulgar repudiations of the draft, and scurrilous car- icatures. "If there is a bedrock principle underlying the First Amendment, it is that the Government may not prohibit the expression of an idea simply because society finds the idea itself offensive or disagreeable." Punishing desecration

C. Constitutionally protected speech on universities uniquely solves. **FIRE**:[[9]](#footnote-9)

The essentiality of freedom in the community of American universities is almost self-evident. No one should underestimate the vital role in a democracy that is played by those who guide and train our youth. To impose any strait jacket upon the intellectual leaders in our colleges and universities would imperil the future of our Nation… Teachers and students must always remain free to inquire, to study and to evaluate, to gain new maturity and understanding; otherwise our civilization will stagnate and die. Keyishian v. Board of Regents, State Univ. of N.Y., 385 U.S. 589 (1967) In Keyishian, the Court declared unconstitutional New York statutes and administrative rules designed to prevent employment of “subversive” teachers and professors in state educational institutions and to dismiss them if found guilty of “treasonable or seditious” acts. The Board of Regents of New York had prepared a list of subversive organizations, including the Communist Party, and determined that membership in these organizations was sufficient reason for a teacher’s disqualification. The Court held that the proscription of “treasonable or seditious” conduct and of “advocacy” of violent overthrow was unconstitutional for vagueness: A teacher could not foretell whether statements about abstract doctrine were prohibited, or whether only speech intended to incite action was grounds for dismissal. The Court observed: Our Nation is deeply committed to safeguarding academic freedom, which is of transcendent value to all of us and not merely to the teachers concerned. That freedom is therefore a special concern of the First Amendment, which does not tolerate laws that cast a pall of orthodoxy over the classroom. Healy v. James, 408 U.S. 169, 180 (1972) Central Connecticut State College’s president had denied official status to a left-wing student group associated with violence on other campuses. The president said the group’s philosophy was “antithetical to the school’s policies,” its independence from the national organization was “doubtful,” and it “would be a disruptive influence at the college.” Without official status, the group could not announce its activities in the campus newspaper, post notices on college bulletin boards or use campus facilities for meetings. In this decision, the Court first affirmed public college students’ First Amendment rights of free speech and association, saying those constitutional protections apply with the same force on a state university campus as in the larger community. The Court stated: [T]he precedents of this Court leave no room for the view that, because of the acknowledged need for order, First Amendment protections should apply with less force on college campuses than in the community at large. Quite to the contrary, “the vigilant protection of constitutional freedoms is nowhere more vital than in the community of American schools.”

Norms that reject our precariousness use frames of manipulation and corruption. The aff recognizes that we must resist these frames, that free speech is inseparable from its norms of usage. **Butler**:[[10]](#footnote-10)

The frame that seeks to contain, convey, and determine[s] what is seen (and sometimes, for a stretch, succeeds in doing precisely that) depends upon the conditions of reproducibility in order to succeed. And yet, this very reproducibility entails a constant breaking from context, a constant delimitation of new context, which means that the "frame" does not quite contain what it conveys, but breaks apart every time it seeks to give definitive organization to its content. In other words, the frame does not hold anything together in one place, but itself becomes a kind of perpetual breakage, subject to a temporal logic by which it moves from place to place. As the frame constantly breaks from its context, this self-breaking becomes part of the very definition. This leads us to a different way of understanding both the frame's efficacy and its vulnerability to reversal, to subversion, even to critical instrumentalization. What is taken for granted in one instance becomes thematized critically or even incredulously in another. This shifting temporal dimension of the frame constitutes the possibility and trajectory of its affect as well. Thus the digital image circulates outside the confines of Abu Ghraib, or the poetry in Guantanamo is recovered by constitutional lawyers who arrange for its publication throughout the world. The conditions are set for astonishment, outrage, revulsion, admiration, and discovery, depending on how the content is framed by shifting time and place. The movement of the image or the text outside of confinement is a kind of "breaking out," so that even though neither the image nor the poetry can free anyone from prison, or stop a bomb or, indeed, reverse the course ofthe war, they nevertheless do provide the conditions for breaking out of the quotidian acceptance of war and for a more generalized horror and outrage that will support and impel calls for justice and an end to violence. Earlier we noted that one sense of "to be framed" means to be subject to a con, to a tactic by which evidence is orchestrated so to make a false accusation appear true. Some power manipulates the terms of appearance and one cannot break out of the frame; one is framed, which means one is accused, but also judged in advance, without valid evidence and without any obvious means of redress. But if the frame is understood as a certain "breaking out," or "breaking from," then it would seem to be more analogous to a prison break. This suggests a certain release, a loosening of the mechanism of [from] control, and with it, a new trajectory of affect. The frame, in this sense, permits-even [the frame] requires-this breaking out. This happened when the photos of Guantanamo prisoners kneeling and shackled were released to the public and outrage ensued; it happened again when the digital images from Abu Ghraib were circulated globally across the internet, facilitating a widespread visceral tum against the war. What happens at such moments? And are they merely transient moments or are they, in fact, occasions when the frame as a forcible and plausible con is exposed, resulting in a critical and exuberant release from the force of illegitimate authority?” 10-11

Historical injustice commits us to historical rectification. This means we undo what has historically caused the problem. **Mills**:[[11]](#footnote-11)

Would it be in the least surprising, then, if the version of social contract theory that Rawls resurrects more than a century and a half later with the publication of Theory continues to be structured by this exclusionary normative blueprint? As the second wave of feminist political theorists pointed out (most famously Susan Moller Okin 1989), the substantive as against merely nominal inclusion of women required a redrawing of the contract’s assumptions about the demarcation of the public and private spheres, and the realms where justice did and did not apply. Gender justice neces- sitated a gender-based reconceptualization of the apparatus. My claim would be that racial justice requires a similarly profound rethinking, and that the crucial normative boundary here—the racial equivalent of the public/private demarcation—is temporal: the limitation of justice to the distributive and synchronic. For if racial oppression has indeed been central to the history and structure of the United States, or, more generally the Western “democracies” (putatively) that become Rawls’ normative reference-point, then the substantive normative inclusion of previously excluded non-White populations will require the correction of the disadvantages inherited diachronically from that history. Rectificatory justice will be their priority. I suggest, then, that the Whiteness of the Rawlsian theoretical temporality as originally formulated by Rawls, and subsequently developed in the secondary litera- ture by the overwhelmingly White community of political philosophers, inheres in the simple fact that the entire apparatus is oriented towards ideal distributive justice, not non-ideal rectificatory justice. Though Rawls (1999c) asserted at the start of Theory that ideal theory was the best foundation for doing non-ideal theory, he never made good on this claim. Nowhere in the two thousand pages of Rawls’ five authored books is there any discussion of rectificatory justice (“compensatory justice” for Rawls). For the four-stage sequence to provide a theoretical entrée for such matters, a self-conscious theorization of ill-ordered societies characterized by systemic oppression would be necessary, and an explanation of how the successive raising of different layers of the veil must modify—in the transition from the original position through the constitu- tional and legislative stages to the stage of the “application of rules to particular cases by judges and administrators” (Rawls 1999c, p. 175)—the two principles so as to derive appropriate norms of compensatory justice to remedy past wrongs and eliminate ongo- ing structural subordination. But no such account is provided. Instead, Rawls (1999c) tells us that “principles of partial compliance theory are discussed from the point of view of the original position after those of ideal theory have been chosen” (p. 175), and directs us to section thirty-nine, where we learn only that we should prioritize the remedying of the most extreme “deviations from perfect justice” guided by the “lexi- cal ranking of the ideal principles” (p. 216). But no details are given, unlike for “the cases of civil disobedience and conscientious refusal” (p. 175) which are discussed at length over five sections of the book (sections fifty-five to fifty-nine). Neither in Rawls nor his myriad commentators, exegetes, and disciples over the succeeding forty years has there been any attempt to work out what the principles of compensatory justice would be for “removing” (1999c, p. 216) the “pressing and urgent” injustices revealed by the final lifting of the veil, despite the fact that achieving “a systematic grasp” (p. 8) of the principles for guiding such removal was precisely the rationale for beginning with ideal theory in the first place. I submit that the complete lack of urgency about these matters makes clear that the “history” that has been permitted entry to the four-stage process is the sanitized and idealized White time of the modern Western liberal Euro-states, conceived of as “democracies” simpliciter rather than (in Pierre van den Berghe’s (1972 1978) famous phrase) Herrenvolk democracies, and purged of their actual history (undesirable and unacknowledged non-White time) of genocide, slavery, aboriginal expropriation, and absolutist colonial rule over people of color. The history of racial oppression cannot be admitted into the “socially shared moral geography” (Lipsitz 2011, p. 29) of the White mnemonic philosophical community, because of its foundational disruption of the notion of society as a cooperative venture created by human beings whose moral equality is reciprocally recognized. The contractarian framework fits with the “mental relief map,” the “norms of remembrance” (Zerubavel 2003, pp. 7, 5), of the modern Euro- narrative, completely amnesiac about—or, at best, radically revisionist of—the colonial past. The legitimacy of distributive justice as a classless entitlement of all White men is now admitted. The struggle of White women to expand this entitlement is challenge enough. The struggle of people of color not merely to be distributively included but to raise[s] the deeper question of making rectificatory rather than distributive justice central is too extreme even to be considered. Ideal theory establishes the coordinates for a White time map in which issues of rectificatory justice, the dikailogical concern most pressing for the non-White population, are literally off the map. It is a general manifestation of the socially privileged demography of the profession, and, with respect to race, its Whiteness. The very fact that the deep and flagrant racial injustice that has been central to modern world history is so undiscussed in the Rawls literature brings home how White this whole discourse is. It is the normative discourse of the non-enslaved, the non-expropriated, and the non-survivors victims of genocide— the discourse of the racially privileged Euro- and White settler population, whose normative temporality need pay no attention in determining questions of justice to a deeply non-ideal (non-admitted, non-mapped, non-theorized, and thus non-existent) past that has been altered not metaphysically but representationally, gated out of their moral consideration.

Part 3 is the Advocacy

**I advocate that public colleges and universities ought not restrict any constitutionally protected speech**. I’ll defend implementation or spec but they’re irrelevant to the AC framework. I’ll do so as long as I’m not forced to abandon the AC’s instantiation of the advocacy, just tell me to do so in CX.

Further, the aff’s stance is key – it’s a key step to start a culture shift that is necessary to begin any change in educational spaces, meaning the aff is independently a first step in the right direction. **Majeed ‘09**:[[12]](#footnote-12)

As discussed in the previous section, speech codes are often overbroad or vague or both. They typically fail to provide students with adequate notice of the categories of speech that are prohibited and the forms that remain permissible. Students must necessarily guess as to the scope of the speech code, and additionally, an administrator attempting to enforce the speech code in a particular case must arbitrate the imprecise language and uncertain reach of the code. Under these circumstances, “[m]embers of the university community may well err on the side of caution to avoid being charged with a violation.”[[130]](https://www.thefire.org/defying-the-constitution-the-rise-persistence-and-prevalence-of-campus-speech-codes/" \l "_ftn131" \o "_ftnref131) Some potential speakers may even refrain from speaking out altogether, as they become “so fearful of offending any person or group that they will effectively exercise self-censorship.”[[131]](https://www.thefire.org/defying-the-constitution-the-rise-persistence-and-prevalence-of-campus-speech-codes/" \l "_ftn132" \o "_ftnref132) This chilling effect prevents many crucial forms of discussion and debate from taking place, detracting from the university campus’s function as a true marketplace of ideas. Such chilling of expression is fundamentally impermissible under First Amendment law.[[132]](https://www.thefire.org/defying-the-constitution-the-rise-persistence-and-prevalence-of-campus-speech-codes/" \l "_ftn133" \o "_ftnref133)

Part 4 is the Underview

Neg abuse outweighs aff abuse: A. The aff has to reserve the right to collapse to one layer in the 1ar because it is too time crunched to win multiple layers. B. The neg will always win the weighing debate because of the 6 minute 2nr. The only way to give the aff even a chance of winning is to grant that their abuse story comes first. Otherwise, the 2n can just sandbag 6 minutes of weighing.

To affirm means “**to say that something is true.**”[[13]](#footnote-13) To negate means **“to deny the truth of”** which impliestruth testing is the only paradigm consistent with textuality, which means it is the only paradigm or role of the ballot you have jurisdiction to use since when you sign the ballot you are saying the better debating was done by the aff.

Solutions to critical issues must be discussed through pragmatic approaches within hegemonic power structures. Pragmatic policies constitute those, instead of criticizing discourse in vague terms, take tangible, implementable policies. This is key to realistically combat oppression. **Kapoor**:[[14]](#footnote-14)

There are perhaps several other social movement campaigns that could be cited as examples of a ‘hybridizing strategy’.5 But what emerges as important from the Chipko and NBA campaigns is the way in which they treat laws and policies, institutional practices, and ideological apparatuses as deconstructable. That is, they refuse to take dominant authority at face value, and proceed to reveal its contingencies. Sometimes, they expose what the hegemon is trying to disavow or hide (exclusion of affected communities in project design and implementation, faulty information gathering and dissemination). Sometimes, they problematize dominant or naturalized truths (‘development = unlimited economic growth = capitalism’, ‘big is better’, ‘technology can save the environment’). In either case, by contesting, publicizing, and politicizing accepted or hidden truths, they hybridize power, challenging its smugness and triumphalism, revealing its impurities. They show power to be, literally and figuratively, a bastard. While speaking truth to power, a hybridizing strategy also exploits the instabilities of power. In part, this involves showing up and taking advantage of the equivocations of power - conﬂicting laws, contradictory policies, unfulfilled promises. A lot has to do here with publicly shaming the hegemon, forcing it to remedy injustices and live up to stated commitments in a more accountable and transparent manner. And, in part, this involves nurturing or manipulating the splits and strains within institutions. Such maneuvering can take the form of cultivating allies, forging alliances, or throwing doubt on prevailing orthodoxy. Note, lastly, the way in which a hybridizing strategy works with the dominant discourse. This reﬂects the negotiative aspect of Bhabha’s performativity. The strategy may outwit the hegemon, but it does so from the interstices of the hegemony. The master may be paralyzed, but his paralysis is induced using his own poison/medicine. It is for this reason that cultivating allies in the adversarial camp is possible: when you speak their language and appeal to their own ethical horizons, you are building a modicum of common ground. It is for this reason also that the master cannot easily dismiss or crush you. Observing his rules and playing his game makes it difficult for him not to take you seriously or grant you a certain legitimacy. The use of non-violent tactics may be crucial in this regard: state repression is easily justified against violent adversaries, but it is vulnerable to public criticism when used against non-violence. Thus, the fact that Chipko and the NBA deployed civil disobedience — pioneered, it must be pointed out, by the ‘father of the nation’ (i.e. Gandhi) — made it difficult for the state to quash them or deﬂect their claims.

# 1AR - Overview

## FW

The aff framework concerns how we orient ourselves towards the other – my argument is that we always have to recognize the other. This is inescapable – extend Butler 1, that the norms that I use to define myself don’t solely belong to me, and thus I can never be sure if any account of myself is truly correct. Extend Butler 3, that says that the way we solve is through our infinite obligation to understand the Other within the context that our identities are ultimately unchangeably different. We can do so by recognizing that there are limits to my knowledge, and that the only coherent conception I can have of myself is by my recognition and inclusion of those who are not like me.

# CP Frontlines

## Generic

1. Extend Wright – two impacts: A. takes out their CP since my argument is that the aff is uniquely a prereq to the neg – the aff is independently a first step in the right direction, prior to even understanding if there are other methods that need to be addressed, since we need an action that will help people B. The CP doesn’t negate since even if they show that their advocacy is good, Gansen says that policymakers are always corrupt and bribed and will always misuse power, and so the only option is an absolute prohibition on nuclear power.
2. Doesn’t solve root cause of the problem, which is misrecognition – even if you use other methods, natives and workers will always be exploited as per their current situation. The only option is a mandate on a change in our thinking and why we should prohibit nuclear power.

# DA Frontlines

## General

Wright takes out all possible DAs and turns

# K Frontlines

## General

The aff method is a prereq to the kritik – Misrecognition concerns when people aren’t recognized, which means that to solve their harms, they must use my method of recognition of the ungrievable to solve. This is a voting issue – their argument is that their method is a reason to vote for them, my method is outlined by Butler and the role of the ballot.

# FW Frontlines

## General

1. Butler 1 takes their framework out – we cannot use a priori starting points since any conception of myself will ultimately fail absent relations with others

2. Extend my role of the ballot, that the judge must act in light to participatory inequity in the space. Means ROBs comes prior to the entirety of your framework since your framework just begs the question of the role of the judge in the space; judges can’t evaluate your framework if I say their evaluation should be tailored towards redistribution and recognition in the first place.

## AT Hobbes NC

1. I don’t defend state action – extend the definition of a country and the analytics that follow under the advocacy, means the NC doesn’t matter since it supposes that the aff should do what’s best for the sovereign, or the state, but I don’t care about that.
2. Recognition solves for Hobbes’ problem of violence in the state of nature, meaning I coopt their internal link – there will be no such violence if my framework is true, meaning only I determine how we can solve.
3. I control the internal link – the method that the sovereign has to use to reconcile the state of nature is through my framework, as this is the only way of truly ensuring inclusion.

## AT LHP Prohibition NC

1. I don’t defend the state so it doesn’t matter whether the state can enforce some prohibition, that was the conceded analytic under the definition of countries in the advocacy.
2. My burden isn’t to show that the enforcement of a prohibition is possible, but rather only that there are harms that exist that make a prohibition necessary – this is the thesis of the aff framework, which you’ve conceded, which means that the NC contention doesn’t link to the aff.
3. Your definition in the burden says that prohibit can be done by “other authority,” which means that it doesn’t have to be by the state, it can be through other organizations or even through individuals.
4. Normative framework determines the authority of anyone to act – prefer AC framework and offense under it since I say that the burden isn’t necessary

## AT Kant NC

# T/Theory Frontlines

## General

[If the shell links into ROB]

Reject their shell on face:

1. Their reasons why T and theory links into the role of the ballot must be explicit to the wording of my shell, they’re not, since they don’t show why their shell is necessary for recognition of the ungrievable
2. Shell must be compared against the aff substance –the AC is functionally 100% conceded, strength of link outweighs their NC shell since I have turns and terminal defense on theirs.

## AT Colt Peacemaker

Counterinterp: I don’t have to spec everything you talked about if I spec in CX

1. Aff flex: You literally kill the aff’s ability to win substance or theory – if I tell you exactly how arguments interact and how theory interacts, then the NC knows exactly what to go for. [Explanation for why their planks kill 1AR strategy] Aff flex and 1AR strategy is key – the 2N weighing means you can preempt all responses and cover all layers, means 2AR collapse is non-unique at best, and because I need equal access to the ballot.
2. Substantive ed: CX avoids friv theory and gets rid of the abusive aff arg, so we can debate on substance. You’ll say I skew your strategy creation, but A. I don’t know what you’ll ask me to spec, so my unfamiliarity trades off with your lost time B. CX outweighs a text: you can have a dialogue to clarify exactly what you want, rather than just one sentence C. You can ask me to spec a particular thing for turns, means even if I’m familiar with the aff, we can clash more

### AT Resolvability

1. Judges resolve debates with ks that don’t spec all the time – your arg is that it’s literally impossible to resolve
2. Not an independent voter – still impacts into fairness since the judge can’t evaluate your arguments as well.
3. My counterinterp solves – CX means there wouldn’t have been this shitty resolvability claim
4. Non-unique – arguments will always be difficult to flow and make arguments
5. Good judging checks – still can determine who’s ahead

### AT Engagement

1. You kill it – you force me into a terrible 1AR strategy, and the NC can go for the best strategy that will kill the aff’s ability to make arguments.
2. Not an independent voter – just begs the question of education since if we have more engagement it’s more educational for the round.

## AT Policy Option T

### Policymaking is bad:

1. Excludes those who can’t participate – means even if policy making is good in the abstract, conclusion is still that certain people are excluded

Roleplaying creates psychological violence and assumes an objective detachment from personal identity that causes imperialism. **Reid Brinkley 08**

* psychic violence to black who can’t defend usfg even if contingent
* serial policy failure – detachment = objectivity justifies imperialist policies where u make others conform to your values

Reid-Brinkley ‘8 (Dr. Shanara Reid-Brinkley, University of Pittsburgh Department of Communications, “THE HARSH REALITIES OF “ACTING BLACK”: HOW AFRICAN-AMERICAN POLICY DEBATERS NEGOTIATE REPRESENTATION THROUGH RACIAL PERFORMANCE AND STYLE” 2008,)

And participation does not result in the majority of the debate community engaging in activism around the issues they research. Mitchell observes that the stance of the policymaker in debate comes with a “sense of detachment associated with the spectator posture.”115 In other words, its participants are able to engage in debates where they are able to distance themselves from the events that are the subjects of debates. Debaters can throw around terms like torture, terrorism, genocide and nuclear war without blinking. Debate simulations can only serve to distance the debaters from real world participation in the political contexts they debate about. As William Shanahan remarks: …the topic established a relationship through interpellation that inhered irrespective of what the particular political affinities of the debaters were. The relationship was both political and ethical, and needed to be debated as such. When we blithely call for United States Federal Government policymaking, we are not immune to the colonialist legacy that establishes our place on this continent. We cannot wish away the horrific atrocities perpetrated everyday in our name simply by refusing to acknowledge these implications” (emphasis in original). The “objective” stance of the policymaker is an impersonal or imperialist persona. The policymaker relies upon “acceptable” forms of evidence, engaging in logical discussion, producing rational thoughts. As Shanahan, and the Louisville debaters’ note, such a stance is integrally linked to the normative, historical and contemporary practices of power that produce and maintain varying networks of oppression. In other words, the discursive practices of policy oriented debate are developed within, through and from systems of power and privilege. Thus, these practices are critically implicated in the maintenance of hegemony. So, rather than seeing themselves as government or state actors, Jones and Green choose to perform themselves in debate, violating the more “objective” stance of the “policymaker” and require their opponents to do the same.

Roleplaying is an addictive form of simulation that breeds self-hatred – causes tyranny. **Antonio 95**

* role play never change in real world – think we’re done here - terminal defense since they don’t use their education
* never question/critically think just follow someone else – slave morality allows tyranny to remain unquestioned

Robert J Antonio, PhD in sociology, professor of sociology at the University of Kansas, July 1995, “Nietzsche’s Antisociology: Subjectified Culture and the End of History,” American Journal of Sociology Volume 101 Number 1/

According to Nietzsche, the "subject" is Socratic culture's most central, durable foundation. This prototypic expression of ressentiment, master reification, and ultimate justification for slave morality and mass disci- pline "separates strength from expressions of strength, as if there were a neutral substratum . . . free to express strength or not to do so. But there is no such substratum; there is no 'being' behind the doing, ef- fecting, becoming; 'the doer' is merely a fiction added to the deed" (Nietzsche 1969b, pp. 45-46). Leveling of Socratic culture's "objective" foundations makes its "subjective" features all the more important. For example, the subject is a central focus of the new human sciences, appearing prominently in its emphases on neutral standpoints, motives as causes, and selves as entities, objects of inquiry, problems, and targets of care (Nietzsche 1966, pp. 19-21; 1968a, pp. 47-54). Arguing that subjectified culture weakens the personality, Nietzsche spoke of a "re- markable antithesis between an interior which fails to correspond to any exterior and an exterior which fails to correspond to any interior" (Nietzsche 1983, pp. 78-79, 83). The "problem of the actor," Nietzsche said, "troubled me for the longest time."'12 He considered "roles" as "external," "surface," or "foreground" phenomena and viewed close personal identification with them as symptomatic of estrangement. While modern theorists saw dif- ferentiated roles and professions as a matrix of autonomy and reflexivity, Nietzsche held that persons (especially male professionals) in specialized occupations overidentify with their positions and engage in gross fabrications to obtain advancement. They look hesitantly to the opinion of others, asking themselves, "How ought I feel about this?" They are so thoroughly absorbed in simulating effective role players that they have trouble being anything but actors-"The role has actually become the character." This highly subjectified social self or simulator suffers devastating inauthenticity. The powerful authority given the social greatly amplifies Socratic culture's already self-indulgent "inwardness." Integrity, [and] decisiveness, sponta neity, and pleasure are undone by ~~paralyzing~~ overconcern about possible causes, meanings, and consequences of acts and unending internal dialogue about what others might think, expect, say, or do (Nietzsche 1983, pp. 83-86; 1986, pp. 39-40; 1974, pp. 302-4, 316-17). Nervous rotation of socially appropriate "masks" reduces persons to hypostatized "shadows," "abstracts," or simulacra. One adopts "many roles," playing them "badly and superficially" in the fashion of a stiff "puppet play." Nietzsche asked, "Are you genuine? Or only an actor? A representative or that which is represented? . . . [Or] no more than an imitation of an actor?" Simulation is so pervasive that it is hard to tell the copy from the genuine article; social selves "prefer the copies to the originals" (Nietzsche 1983, pp. 84-86; 1986, p. 136; 1974, pp. 232- 33, 259; 1969b, pp. 268, 300, 302; 1968a, pp. 26-27). Their inwardness and aleatory scripts foreclose genuine attachment to others. This type of actor cannot plan for the long term or participate in enduring networks of interdependence; such a person is neither willing not able to be a "stone" in the societal "edifice" (Nietzsche 1974, pp. 302-4; 1986a, pp. 93-94). Superficiality rules in the arid subjectivized landscape. Neitzsche (1974, p. 259) stated, "One thinks with a watch in one's hand, even as one eats one's midday meal while reading the latest news of the stock market; one lives as if one always 'might miss out on something. ''Rather do anything than nothing': this principle, too, is merely a string to throttle all culture. . . . Living in a constant chase after gain compels people to expend their spirit to the point of exhaustion in continual pretense and overreaching and anticipating others." Pervasive leveling, improvising, and faking foster an inflated sense of ability and an oblivious attitude about the fortuitous circumstances that contribute to role attainment (e.g., class or ethnicity). The most mediocre people believe they can fill any position, even cultural lea seen do not see the seers). Foucault overlooked, however, the inherent power of social judo within this scenario. An inmate, after being officially counted ("on the count": he is asked to step outside of his cell for an official body count), is told to return to his cell, and the cell doors then close. But what if he stands outside, be it alone, in an act of resistance?J3 In this instance, all—prisoners, guards, other staff, any civilians working, and so forth—will be witness to anything that follows. In other words, a symmetrical form of power has been reestablished, albeit only temporary. Social judo is a strategy that can reduce harms of reduction and repression by the act of challenging the asymmetrical forms of power without necessarily increasing the overall amount of harm inflicted.

Role playing as policymakers supports the existing power structures, excluding opposing viewpoints – this turns their heuristic claims; their world-view is biased to favor the system **Smith 97**

Steve, University of Wales, Professor and Pro-Vice Chancellor of the University, University of Wales, Aberystwyth “Power and Truth, A Reply to William Wallace,” Review of International Studies, Vol. 23, No. 4 (Oct., 1997), p. 513 JD

Those academics who do get involved in talking truth to power must accept that in so doing they must adopt the agenda of those to whom they are talking. They will be involved in problem-solving, and thereby must accept the 'givens' of the policy debate. Policy-makers see certain things as givens; therefore if you write about them in order to influence the policy debate, you tend to have to write as if they are given as well. For academics such 'givens' are rarely seen as such. This has extremely important political and intellectual consequences since it questions the very notion of talking 'truth' to power. It is more a case of accepting the policy agenda of those to whom one is talking and then giving them a series of alternative ways of proceeding. I see no connection between this and speaking 'truth to power'. I can also admit the tendency to make what one says acceptable to those 'listening', so as to ensure that one is indeed 'listened to'. But more importantly, why should academics take the policy agenda of governments as the starting point? Why do we privilege that starting point rather than the needs and wants of the have-nots in our society or in the global political system? Indeed, maybe speaking 'truth to power' is itself a very political act, albeit in the name of academic neutrality, an act that supports the existing division of resources in the world. This situation is made all the worse once the possibility arises of getting funding from policy-making bodies, however much the individual academic wants to maintain the independence of his or her research. In my view, academics need a critical distance from which to look at the activities of governments. Perhaps the greatest form of isolation and self-righteousness is to accept the policy-makers' view of the world as the starting point, so that the academic sees the world as the policy-maker sees it. Where would questions of gender, famine, and racism fit into that world-view? Yet aren't these every bit as 'political' and 'international' as the traditional agenda? This seems to me to take us very far indeed from the idea of 'speaking truth to power'; the danger must be of telling the powerful what they want to hear and of working within their world-view. Of course, academics spend much time trying to avoid these dangers, and Wallace himself cannot be accused of simply adopting the agenda of the powerful, but surely he would admit that these dangers are profound and very difficult to avoid, especially if one wants to have influence and prestige within the policy-making community. My objection is really to those who pretend that any of this has anything to do with truth and academic objectivity.

Debater’s cognitive biases overestimate high impact scenarios – high magnitude focus distort debate's potential to speak to issues like oppression. **Cohn 13**

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So let me offer another possibility: the problem isn’t the topic, but modern policy debate. The unrealistic scenarios, exclusive focus on policy scholarship, inability to engage systemic impacts and philosophical questions. And so long as these problems characterize modern policy debate, teams will feel compelled to avoid it.¶ It might be tempting to assign the blame to “USFG should.” But these are bugs, not features of plan-focused, USFG-based, active voice topics. These bugs result from practices and norms that were initially and independently reasonable, but ultimately and collectively problematic. I also believe that these norms can and should be contested. I believe it would be possible for me to have a realistic, accessible, and inclusive discussion about the merits of a federal policy with, say, Amber Kelsie. Or put differently, I’m not sure I agree with Jonah that changing the topic is the only way to avoid being “a bunch of white folks talking about nuke war.”¶ The fact that policy debate is wildly out of touch—the fact that we are “a bunch of white folks talking about nuclear war”—is a damning indictment of nearly every coach in this activity. It’s a serious indictment of the successful policy debate coaches, who have been content to continue a pedagogically unsound game, so long as they keep winning. It’s a serious indictment of policy debate’s discontents who chose to disengage. ¶ That’s not to say there hasn’t been any effort to challenge modern policy debate on its own terms—just that they’ve mainly come from the middle of the bracket and weren’t very successful, focusing on morality arguments and various “predictions bad” claims to outweigh. ¶ Judges were receptive to the sentiment that disads were unrealistic, but negative claims to specificity always triumphed over generic epistemological questions or arguments about why “predictions fail.” The affirmative rarely introduced substantive responses to the disadvantage, rarely read impact defense. All considered, the negative generally won a significant risk that the plan resulted in nuclear war. Once that was true, it was basically impossible to win that some moral obligation outweighed the (dare I say?) obligation to avoid a meaningful risk of extinction.¶ There were other problems. Many of the small affirmatives were unstrategic—teams rarely had solvency deficits to generic counterplans. It was already basically impossible to win that some morality argument outweighed extinction; it was totally untenable to win that a moral obligation outweighed a meaningful risk of extinction; it made even less sense if the counterplan solved most of the morality argument. The combined effect was devastating: As these debates are currently argued and judged, I suspect that the negative would win my ballot more than 95 percent of the time in a debate between two teams of equal ability.¶ But even if a “soft left” team did better—especially by making solvency deficits and responding to the specifics of the disadvantage—I still think they would struggle. They could compete at the highest levels, but, in most debates, judges would still assess a small, but meaningful risk of a large scale conflict, including nuclear war and extinction. The risk would be small, but the “magnitude” of the impact would often be enough to outweigh a higher probability, smaller impact. Or put differently: policy debate still wouldn’t be replicating a real world policy assessment, teams reading small affirmatives would still be at a real disadvantage with respect to reality. . ¶ Why? Oddly, this is the unreasonable result of a reasonable part of debate: the burden of refutation or rejoinder, the responsibility of debaters to “beat” arguments. If I introduce an argument, it starts out at 100 percent—you then have to disprove it. That sounds like a pretty good idea in principle, right? Well, I think so too. But it’s really tough to refute something down to “zero” percent—a team would need to completely and totally refute an argument. That’s obviously tough to do, especially since the other team is usually going to have some decent arguments and pretty good cards defending each component of their disadvantage—even the ridiculous parts. So one of the most fundamental assumptions about debate all but ensures a meaningful risk of nearly any argument—even extremely low-probability, high magnitude impacts, sufficient to outweigh systemic impacts. ¶ There’s another even more subtle element of debate practice at play. Traditionally, the 2AC might introduce 8 or 9 cards against a disadvantage, like “non-unique, no-link, no-impact,” and then go for one and two. Yet in reality, disadvantages are underpinned by dozens or perhaps hundreds of discrete assumptions, each of which could be contested. By the end of the 2AR, only a handful are under scrutiny; the majority of the disadvantage is conceded, and it’s tough to bring the one or two scrutinized components down to “zero.”¶ And then there’s a bad understanding of probability. If the affirmative questions four or five elements of the disadvantage, but the negative was still “clearly ahead” on all five elements, most judges would assess that the negative was “clearly ahead” on the disadvantage. In reality, the risk of the disadvantage has been reduced considerably. If there was, say, an 80 percent chance that immigration reform would pass, an 80 percent chance that political capital was key, an 80 percent chance that the plan drained a sufficient amount of capital, an 80 percent chance that immigration reform was necessary to prevent another recession, and an 80 percent chance that another recession would cause a nuclear war (lol), then there’s a 32 percent chance that the disadvantage caused nuclear war. ¶ I think these issues can be overcome. First, I think teams can deal with the “burden of refutation” by focusing on the “burden of proof,” which allows a team to mitigate an argument before directly contradicting its content. ¶ Here’s how I’d look at it: modern policy debate has assumed that arguments start out at “100 percent” until directly refuted. But few, if any, arguments are supported by evidence consistent with “100 percent.” Most cards don’t make definitive claims. Even when they do, they’re not supported by definitive evidence—and any reasonable person should assume there’s at least some uncertainty on matters other than few true facts, like 2+2=4.¶ Take Georgetown’s immigration uniqueness evidence from Harvard. It says there “may be a window” for immigration. So, based on the negative’s evidence, what are the odds that immigration reform will pass? Far less than 50 percent, if you ask me. That’s not always true for every card in the 1NC, but sometimes it’s even worse—like the impact card, which is usually a long string of “coulds.” If you apply this very basic level of analysis to each element of a disadvantage, and correctly explain math (.4\*.4\*.4\*.4\*.4=.01024), the risk of the disadvantage starts at a very low level, even before the affirmative offers a direct response. ¶ Debaters should also argue that the negative hasn’t introduced any evidence at all to defend a long list of unmentioned elements in the “internal link chain.” The absence of evidence to defend the argument that, say, “recession causes depression,” may not eliminate the disadvantage, but it does raise uncertainty—and it doesn’t take too many additional sources of uncertainty to reduce the probability of the disadvantage to effectively zero—sort of the static, background noise of prediction.¶ Now, I do think it would be nice if a good debate team would actually do the work—talk about what the cards say, talk about the unmentioned steps—but I think debaters can make these observations at a meta-level (your evidence isn’t certain, lots of undefended elements) and successfully reduce the risk of a nuclear war or extinction to something indistinguishable from zero. It would not be a factor in my decision.¶ Based on my conversations with other policy judges, it may be possible to pull it off with even less work. They might be willing to summarily disregard “absurd” arguments, like politics disadvantages, on the grounds that it’s patently unrealistic, that we know the typical burden of rejoinder yields unrealistic scenarios, and that judges should assess debates in ways that produce realistic assessments. I don’t think this is too different from elements of Jonah Feldman’s old philosophy, where he basically said “when I assessed 40 percent last year, it’s 10 percent now.”¶ Honestly, I was surprised that the few judges I talked to were so amenable to this argument. For me, just saying “it’s absurd, and you know it” wouldn’t be enough against an argument in which the other team invested considerable time. The more developed argument about accurate risk assessment would be more convincing, but I still think it would be vulnerable to a typical defense of the burden of rejoinder. ¶ To be blunt: I want debaters to learn why a disadvantage is absurd, not just make assertions that conform to their preexisting notions of what’s realistic and what’s not. And perhaps more importantly for this discussion, I could not coach a team to rely exclusively on this argument—I’m not convinced that enough judges are willing to discount a disadvantage on “it’s absurd.” Nonetheless, I think this is a useful “frame” that should preface a following, more robust explanation of why the risk of the disadvantage is basically zero—even before a substantive response is offered.¶ There are other, broad genres of argument that can contest the substance of the negative’s argument. There are serious methodological indictments of the various forms of knowledge production, from journalistic reporting to think tanks to quantitative social science. Many of our most strongly worded cards come from people giving opinions, for which they offer very little data or evidence. And even when “qualified” people are giving predictions, there’s a great case to be extremely skeptical without real evidence backing it up. The world is a complicated place, predictions are hard, and most people are wrong. And again, this is before contesting the substance of the negative’s argument(!)—if deemed necessary.¶ So, in my view, the low probability scenario is waiting to be eliminated from debate, basically as soon as a capable team tries to do it.¶ That would open to the door to all of the arguments, previously excluded, de facto, by the prevalence of nuclear war impacts. It’s been tough to talk about racism or gender violence, since modest measures to mitigate these impacts have a difficult time outweighing a nuclear war. It’s been tough to discuss ethical policy making, since it’s hard to argue that any commitment to philosophical or ethical purity should apply in the face of an existential risk. It’s been tough to introduce unconventional forms of evidence, since they can’t really address the probability of nuclear war

Evaluate probability first –Their risks are constructed to preserve the status quo – it’s the same strategy used to block every activist movement like ending slavery saying that there will be a RISK of something bad happening which ensures nothing ever changes.

Counterinterp: If I read a whole res aff

1. Solves all their offense for fairness
2. Phil ed – policy option necessitates

On their interp:

1. I meet – I defend a prohibition which is inherently a policy, they never said I have to spec

## AT 2NR Responses

### General

1. No warrant for the distinction between AC theory spikes and normal args – you never know the impact of an AC framework arg because I might extend it as interactive with the NC. Impacts: A. Takes the arg out because it would lead to absurd conclusions like the 2NR can respond to uncontested AC arguments. B. At worst, if his spike is true, then it’s non-unique since the warrants aren’t aff-specific, meaning he justifies why I get new responses to NC arguments in the 2A.

2. If the argument is true, i.e. you’ve conceded a paragraph theory shell, then you cannot respond to that – you can only respond to the impact, so drop the debater or arg.

3. Debate would look terrible – if we abandon the maxim that conceded args are true, there would be no clash because then you could just respond to any arg later. Outweighs: a. db8 imp

4. It’s pragmatically bad – rounds are too short. There’s only one speech after the 2N to respond, so A. I have half the time as the 2N B. the round is irresolvable.

### AT Strat skew

1. Turn - I only have one 3 minute speech to 6 for new responses. That’s worse -
2. No strat skew – you only get to respond to the impact part anyway, but you cannot respond to the

### No 2NR weighing

1. The 2NR can just read long scripts that I can never prepare for or overcome, meaning that the 3 minute 2AR that has half the time of the 2NR is uniquely difficult.
2. The 2NR can always shift the implication of the NC shell, supercharged by the 6-3 skew between the 2N and 2A.

# Extra

1. http://vbriefly.com/side-bias/ [↑](#footnote-ref-1)
2. Butler, Judith. Giving an account of oneself. Oxford University Press. 2005. CS [↑](#footnote-ref-2)
3. Butler, Judith. Giving an account of oneself. Oxford University Press. 2005. CS [↑](#footnote-ref-3)
4. Butler, Judith. Giving an account of oneself. Oxford University Press. 2005. CS [↑](#footnote-ref-4)
5. Butler, Judith. Giving an account of oneself. Oxford University Press. 2005. CS [↑](#footnote-ref-5)
6. Frames of War” by Judith Butler 2009 [↑](#footnote-ref-6)
7. American Civil Liberties Union. “Hate Speech on Campus.” ACLU. CS [↑](#footnote-ref-7)
8. Strossen, Nadine. "Regulating Racist Speech on Campus: A Modest Proposal?." Duke Law Journal 1990.3 (1990): 484-573. [↑](#footnote-ref-8)
9. "State of the Law: Speech Codes." FIRE. N.p., n.d. Web. [↑](#footnote-ref-9)
10. “Frames of War” by Judith Butler 2009 [↑](#footnote-ref-10)
11. “White Time: The chronic Injustice of Ideal Theory” Du Bois Review. 2014 [↑](#footnote-ref-11)
12. Majeed, Azhar. "Defying the Constitution: The Rise, Persistence, and Prevalence of Campus Speech Codes." Georgetown Journal of Law & Public Policy 7.2 (2009). [↑](#footnote-ref-12)
13. Merriam Webster Dictionary, “affirm” [↑](#footnote-ref-13)
14. Kapoor, 2008 (Ilan, Associate Professor at the Faculty of Environmental Studies, York University, “The Postcolonial Politics of Development,” p. 138-139) [↑](#footnote-ref-14)