### PIC

#### CP: Public colleges and universities in the United States ought not restrict any constitutionally protected speech as an act against colonialism by introducing more underrepresented teacher and student perspectives except for perspectives that promote any form of colonialism.

### PIC 2

#### CP: Public colleges and universities in the United States ought not restrict any constitutionally protected speech as an act against colonialism by introducing more underrepresented teacher and student perspectives except for white supremacist perspectives.

### Spec

#### A. Interpretation: if the aff defends an advocacy that introduces more underrepresented teacher perspectives, they must specify what it means for a perspective to be underrepresented.

#### B. Violation: they don’t specify that.

#### C. The standard is shiftiness—

#### Theory outweighs and controls the internal link into the aff.

#### 1. You can’t adjudicate the truth value of the K because I was unable to engage, cross/aps are fallacious because they assume judge jurisdiction to endorse your role of the ballot.

#### 2. Fairness link turns the K; I can’t engage if the round’s unfair.

Galloway 7 Ryan Galloway, Samford Comm prof, Contemporary Argumentation and Debate, Vol. 28, 2007

Debate as a dialogue sets an argumentative table, where all parties receive a relatively fair opportunity to voice their position. Anything that fails to allow participants to have their position articulated denies one side of the argumentative table a fair hearing. The affirmative side is set by the topic and fairness requirements. While affirmative teams have recently resisted affirming the topic, in fact, the topic selection process is rigorous, taking the relative ground of each topic as its central point of departure. Setting the affirmative reciprocally sets the negative. The negative crafts approaches to the topic consistent with affirmative demands. The negative crafts disadvantages, counter-plans, and critical arguments premised on the arguments that the topic allows for the affirmative team. According to fairness norms, each side sits at a relatively balanced argumentative table. When one side takes more than its share, competitive equity suffers. However, it also undermines the respect due to the other involved in the dialogue. When one side excludes the other, it fundamentally denies the personhood of the other participant (Ehninger, 1970, p. 110). A pedagogy of debate as dialogue takes this respect as a fundamental component. A desire to be fair is a fundamental condition of a dialogue that takes the form of a demand for equality of voice. Far from being a banal request for links to a disadvantage, fairness is a demand for respect, a demand to be heard, a demand that a voice backed by literally months upon months of preparation, research, and critical thinking not be silenced. Affirmative cases that suspend basic fairness norms operate to exclude particular negative strategies. Unprepared, one side comes to the argumentative table unable to meaningfully participate in a dialogue. They are unable to “understand what ‘went on…’” and are left to the whims of time and power (Farrell, 1985, p. 114).

#### Outweighs your offense: A. probability-theory norms are set all the time since arguments go in and out of the meta but nobody ever stops oppression with one position, B. Scope- I lead to better kritikal discussion in future rounds.

#### 3. Rejecting theory causes judge intervention which destroys criticism. Instead, we should use theory as a tool for critique – your arguments just prove my specific shell might be wrong, not that theory in general is bad.

Dorasil and Henson 14 Paul Dorasil and Clifford Chad Henson “Theory in Theory” NSD Update February 3rd 2014 <http://nsdupdate.com/2014/02/03/theory-in-theory-by-paul-dorasil-and-clifford-chad-henson/> JW

Prior to the introduction of theory, blatantly unfair practices were common and handled (or mishandled) by explicit or implicit judge intervention. The alternative to today’s introduction of debate theory by debaters in debate rounds was the application of the judge’s own theoretical preferences after the round. This happened typically without the opportunity for the debaters to know these preferences (through the publication of judging paradigms that now exist) or select their judges on the basis of paradigmatic differences (through MPJ). We often hear debaters say things along the lines of “A judge shouldn’t vote on a bad theory argument.” or “A judge shouldn’t vote on an abusive position.” Debaters do not seem to realize that asking judges to do these things requires them to use their own discretion in ways that are unpredictable for both debaters. We are here to warn you all to not go down that road. We have been down that road. We know where it leads. You do not want to debate in that world. As you might imagine, many judges excluded things like “all kritiks,” “all counterplans,” and anything that did not reduce to whether morality or justice is more important. If these seem like reasonable standards, nothing we say here will change your mind. If this kind of judging deeply concerns you (as it concerns us), then our community needs to develop a clear conception of what a theory argument is, what it should do, and thus when it should be used. FAIRNESS Between two undifferentiated debaters, affirmative and negative, no person should have any expectation regarding which will win the round. This, and nothing more, is what is meant by “fairness.” A “fair” debate round is analogous to the flip of a “fair” coin: we know nothing but that there are two sides, and the two sides have an equal likelihood of being selected. The formal rules and unstated assumptions debaters and judges bring with them to the round should be such that the debate is fair. Debate theory that tends toward this is “good” theory while debate theory that tends away from or distracts from this is “bad” theory. Similarly, a debate topic that results in one side or the other being significantly advantaged is a “bad” topic. This is why we see theory arguments are more prevalent with “bad” topics. Debaters must use theory arguments to adjust the balance. Topicality, as another species of theory, is the effort to make the topic as fair as its wording will allow. An interpretation of the topic that generates fair debate is a “good” interpretation while an interpretation that generates unfair debate is a “bad” interpretation. It is currently en vogue, and has been for a long time in college, to ask who determines what is fair, and by what standard. It is almost certainly true that characteristics of debaters and judges will influence the likelihood that one side wins; the authors of this article have documented that judges at the TOC prefer debaters from their region, and it may be that there are racial and sex-based imbalances that we were not able to detect taking place at tournaments other than those we examined. If information about debaters and judges provides a reason for people to have an ex ante expectation regarding the winner of the round, to the extent this creates a problem, it is not a problem of debate theory. Structural problems such as resource disparities or a lack of minority representation are serious and should be addressed. However, theory arguments are not and have never been an effective means of addressing these problems. Indeed, only by making debate rounds otherwise fair will we be able to isolate the effects of these problems in order to address them. In an ideal debate world, debate theory is such that a perfectly fair topic would yield a perfectly fair debate round. All unfair positions would either be obviously non-topical or interpret the topic in such a way that it becomes a worse (less fair) topic than it can be. For example, if the only way to fairly debate a topic is to ban counterplans, then we should ban counterplans. And if we generally operate under the assumption that counterplans are not banned, then we should regard such a topic as bad (unfair). Since we can’t change the debate topic during the debate round, we have to use theory arguments to exclude arguments that are unfair given the topic. This implies that an argument as to why a particular practice is unfair must relate to how that practice makes fair debate of a particular topic impossible. Therefore, as Kuang suggests, generic theory shells that do not relate to a topic in any way should be viewed with suspicion and contempt. This does not mean that judges should reject them a priori. Rather, debaters should be able to easily answer them. However, it may also be that with respect to norm setting, some debate practices will tend toward fairness given a wider range of topics or would make it easier for fair topics to be written. Thus, some so-called generic theory arguments are reasons to reject/permit an entire species of argument irrespective of the topic. For example, it may be that banning performance (or topical counterplans, or linear disadvantages) as an argument type would make debate fairer, irrespective of the topic or the range of topics that are debated in practice. Reasonable people may disagree on which norms are preferable. But this is exactly why the discussion relevant to the outcome of the debate round should take place within the context of the debate round: leaving the norms of debate to in-round resolution gives debaters a say proportionate to their skill and level of participation in debate, and (presumably) coaches a say proportionate to their ability to train large numbers of skilled debaters. This is better than giving judges an unconstrained influence proportionate to their happening to end up in the back of the room. VOTING ISSUES AND REVERSE VOTING ISSUES Debaters should always tell judges exactly how a theory argument should function in the round. This function should be one of the primary focuses of the theory debate. One remedy may be excluding an argument from the debate round while another remedy may be voting a debater down for engaging in a particularly unfair practice. Specifically, debaters should explain exactly how a particular remedy will result in either a fairer debate round or a fairer debate norm. The choice of remedy is also strategic in nature. What theory does within our construct is say that a particular argument or case position should be excluded from debate. But excluding a good argument is just as bad as including a bad one. So, punishments should be reciprocal. A debater whose proposed norm would exclude a good argument should be punished exactly the same way as a debater whose proposed norm would include a bad argument. If a theory argument calls for a debater to be dropped, then it seems reasonable that answering the argument should result in the initial debater being dropped in order to promote reciprocity. Alternatively, if the theory argument only asks the judge to exclude a single contention, then reciprocity would not imply that answering the theory argument merits a reverse voting issue. Debaters essentially place bets on theory arguments when they select voters. Regardless of the remedy, it must relate to fairness because that is the singular goal of theory argumentation. Education is a joke of a voting issue. It has nothing to do with the purpose of theory and has created confusion within the community. That confusion has generated much of the frustration that Ms. Kuang legitimately voiced. When a good theory argument deters debaters from running unfair case positions, it increases fairness in the activity necessarily. However, there is no such thing as an anti-educational argument. So, no argument should be excluded on the basis that it is anti-educational. And no unfair argument should be included on the basis that it is education because it can always be substituted by a fair argument that provides an equal amount of education. CONLUSION Theory has two roles. The first role of theory is to provide a background set of norms that make it easy to write fair topics leading to fair debate. The second role of theory is topic-specific, to adjust that background set of norms when the topic would yield unfair debate given only those background norms with no adjustment. Debaters and judges should keep these roles in mind when writing, running, and evaluating theory arguments. This implies eschewing education as a voting issue and treating voting issues as strategically placed bets, which necessitates that judges use the same thresholds for reverse voting issues as they do for voting issues. We have a profound desire to know that when we leave the activity, it will be better than it was when we arrived. We have seen debate improve as an activity during our tenure as competitors, judges, and coaches. However, a sufficiently strong backlash against theory could reverse the progress that has been made over the past fifteen years. It is important that debaters remember that debate theory is inherently neither liberal nor conservative, friendly to neither large nor small schools, performance- or fiat-focused debaters, but has been considered the friend (and enemy) of each of these groups at various times. Whatever your beliefs about what is good for debate, debate theory is the vehicle with which, if you are right, you should be able to convince others – and thereby gain a strategic advantage.

determines the rules of the activity so it precedes your kritikal offense-3 warrants.

Filstrup 2k Emma Filstrup “He/Man Rhetoric” 2000 2000 - Privacy Protection Policy: Nowhere to Hide? <http://groups.wfu.edu/debate/MiscSites/DRGArticles/Filstrup2000.htm> JW

On the other hand, opponents argue that the ballot should not be the impact for three basic reasons. First, it is not the same as other issues because it does not fall within the realm of theory. Unlike conditionality or topicality, there are impact discussions within the literature that draw out reasons for why the use of the universal he may be acceptable or even preferred. Unlike debates over rhetoric, debates over theory produce[s] the rules of the game, which come before any other issue because they determine the very nature of the debate. Other analogies used by those who run this kritik only prove that it should be weighed against other issues in a substantive manner. For example, if it is really like a straight turn, the advocates of the kritik must prove that it outweighs the other arguments in the round; they cannot expect to win the round just because they turned one disadvantage. Second, other remedies may be more appropriate and may also avoid the overly harsh punishment of the ballot. As discussed above, many people believe that discarding pieces of evidence is punishment enough, and that an accompanying apology or docking of speaker points will teach them their lesson. In fact, they argue that the penalty of a loss may drive teams to reject the kritik as a legitimate argument, undermining its very basis. Third, many argue that the kritik destroys freedom of speech in debate round, censoring those who make mistakes and accidentally say "he" or read a piece of evidence with the word "man." This often compounds debaters' frustration at having their language choices labeled sexist because they do not feel that they should lose the round for a slip-up.

### Disclosure

#### A. Interpretation: if debaters say the aff they will be reading is the aff on their teammates wiki, they must minimally read the same plan text that is disclosed on that wiki. If they want to change the plan text, they must tell the debater the new plan text.

#### B. Violation: he changed the plan text form Shankar’s wiki when it said “private colleges and universities.” This plan text says “public.” I have screenshots from facebook to prove that he said it was the other aff.

#### C. Standard: pre-round prep.

A. Fairness

B. Education

### Effects T

#### Interpretation: the aff advocacy may not be effects topical. To clarify, their advocacy can’t only result in more free speech; it has to be lifting some kind of restriction on free speech.

#### Violation: their plan is effects T because the effect of the plan is more speech occurring, but there’s nothing intrinsic about increasing the number of students and faculty that are underrepresented that protects free speech. Having a not-diverse community isn’t a restriction on free speech because technically all kinds of speech are still allowed, it just means the discussions would be less fruitful. If their logic was correct, any time a college denied admittance to a student it would be a restriction of free speech but that’s obviously not how it works. They powertag a lot of cards in the aff as being about restrictions, but you can call for all of them after the round—they just prove that the aff would be a good idea, not that it has anything to do with the topic.

#### Standards:

#### 1. Limits. Effects T means there’s a functionally infinite # of affs—they can defend any action that might increase the amount of speech that occurs on campus

#### 2. Ground. If they aren’t bound by the strict resolution text as an action, they can cherrypick an advocacy that is tangentially related to the res but would cut out core neg ground—empirically confirmed in this instance because the hate speech DA doesn’t apply to the aff—all it does is increase the amount of minorities on campus—there’s no good way to answer this.