# 1NC vs KCKCC CG

## 1NC Framework

#### 1. Interpretation: the affirmative must defend a restriction in the president’s war power authority

#### 2. Violation: the affirmative uses an extrapolation of the powers of war which is disconnected from the presidents war power authority

#### 3. Vote Negative:

#### A) Decisionmaking - a limited topic of discussion that provides for equitable ground is key to decision-making and advocacy skills

Steinberg & Freeley 8

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Debate is a means of settling differences, so there must be a difference of opinion or a conflict of interest before there can be a debate. If everyone is in agreement on a tact or value or policy, there is no need for debate: the matter can be settled by unanimous consent. Thus, for example, it would be pointless to attempt to debate "Resolved: That two plus two equals four," because there is simply no controversy about this statement. (Controversy is an essential prerequisite of debate. Where there is no clash of ideas, proposals, interests, or expressed positions on issues, there is no debate. In addition, debate cannot produce effective decisions without clear identification of a question or questions to be answered. For example, general argument may occur about the broad topic of illegal immigration. How many illegal immigrants are in the United States? What is the impact of illegal immigration and immigrants on our economy? What is their impact on our communities? Do they commit crimes? Do they take jobs from American workers? Do they pay taxes? Do they require social services? Is it a problem that some do not speak English? Is it the responsibility of employers to discourage illegal immigration by not hiring undocumented workers? Should they have the opportunity- to gain citizenship? Docs illegal immigration pose a security threat to our country? Do illegal immigrants do work that American workers are unwilling to do? Are their rights as workers and as human beings at risk due to their status? Are they abused by employers, law enforcement, housing, and businesses? I low are their families impacted by their status? What is the moral and philosophical obligation of a nation state to maintain its borders? Should we build a wall on the Mexican border, establish a national identification can!, or enforce existing laws against employers? Should we invite immigrants to become U.S. citizens? Surely you can think of many more concerns to be addressed by a conversation about the topic area of illegal immigration. Participation in this "debate" is likely to be emotional and intense. However, it is not likely to be productive or useful without focus on a particular question and identification of a line demarcating sides in the controversy. To be discussed and resolved effectively, controversies must be stated clearly. Vague understanding results in unfocused deliberation and poor decisions, frustration, and emotional distress, as evidenced by the failure of the United States Congress to make progress on the immigration debate during the summer of 2007. Someone disturbed by the problem of the growing underclass of poorly educated, socially disenfranchised youths might observe, "Public schools are doing a terrible job! They are overcrowded, and many teachers are poorly qualified in their subject areas. Even the best teachers can do little more than struggle to maintain order in their classrooms." That same concerned citizen, facing a complex range of issues, might arrive at an unhelpful decision, such as "We ought to do something about this" or. worse. "It's too complicated a problem to deal with." Groups of concerned citizens worried about the state of public education could join together to express their frustrations, anger, disillusionment, and emotions regarding the schools, but without a focus for their discussions, they could easily agree about the sorry state of education without finding points of clarity or potential solutions. A gripe session would follow. But if a precise question is posed—such as "What can be done to improve public education?"—then a more profitable area of discussion is opened up simply by placing a focus on the search for a concrete solution step. One or more judgments can be phrased in the form of debate propositions, motions for parliamentary debate, or bills for legislative assemblies. The statements "Resolved: That the federal government should implement a program of charter schools in at-risk communities" and "Resolved: That the state of Florida should adopt a school voucher program" more clearly identify specific ways of dealing with educational problems in a manageable form, suitable for debate. They provide specific policies to be investigated and aid discussants in identifying points of difference. To have a productive debate, which facilitates effective decision making by directing and placing limits on the decision to be made, the basis for argument should be clearly defined. If we merely talk about "homelessness" or "abortion" or "crime'\* or "global warming" we are likely to have an interesting discussion but not to establish profitable basis for argument. For example, the statement "Resolved: That the pen is mightier than the sword" is debatable, yet fails to provide much basis for clear argumentation. If we take this statement to mean that the written word is more effective than physical force for some purposes, we can identify a problem area: the comparative effectiveness of writing or physical force for a specific purpose. Although we now have a general subject, we have not yet stated a problem. It is still too broad, too loosely worded to promote well-organized argument. What sort of writing are we concerned with—poems, novels, government documents, website development, advertising, or what? What does "effectiveness" mean in this context? What kind of physical force is being compared—fists, dueling swords, bazookas, nuclear weapons, or what? A more specific question might be. "Would a mutual defense treaty or a visit by our fleet be more effective in assuring Liurania of our support in a certain crisis?" The basis for argument could be phrased in a debate proposition such as "Resolved: That the United States should enter into a mutual defense treatv with Laurania." Negative advocates might oppose this proposition by arguing that fleet maneuvers would be a better solution. This is not to say that debates should completely avoid creative interpretation of the controversy by advocates, or that good debates cannot occur over competing interpretations of the controversy; in fact, these sorts of debates may be very engaging. The point is that debate is best facilitated by the guidance provided by focus on a particular point of difference, which will be outlined in the following discussion.

#### Discussion of specific policy-questions is crucial for skills development – it overcomes preconceived ideological notions and breaks out of traditional pedagogical frameworks by positing students as agents of decision-making

Esberg & Sagan 12

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These government or quasi-government think tank simulations often provide very similar lessons for high-level players as are learned by students in educational simulations. Government participants learn about the importance of understanding foreign perspectives, the need to practice internal coordination, and the necessity to compromise and coordinate with other governments in negotiations and crises. During the Cold War, political scientist Robert Mandel noted how crisis exercises and war games forced government officials to overcome ‘‘bureaucratic myopia,’’ moving beyond their normal organizational roles and thinking more creatively about how others might react in a crisis or conflict.6 The skills of imagination and the subsequent ability to predict foreign interests and reactions remain critical for real-world foreign policy makers. For example, simulations of the Iranian nuclear crisis\*held in 2009 and 2010 at the Brookings Institution’s Saban Center and at Harvard University’s Belfer Center, and involving former US senior officials and regional experts\*highlighted the dangers of misunderstanding foreign governments’ preferences and misinterpreting their subsequent behavior. In both simulations, the primary criticism of the US negotiating team lay in a failure to predict accurately how other states, both allies and adversaries, would behave in response to US policy initiatives.7 By university age, students often have a pre-defined view of international affairs, and the literature on simulations in education has long emphasized how such exercises force students to challenge their assumptions about how other governments behave and how their own government works.8 Since simulations became more common as a teaching tool in the late 1950s, educational literature has expounded on their benefits, from encouraging engagement by breaking from the typical lecture format, to improving communication skills, to promoting teamwork.9 More broadly, simulations can deepen understanding by asking students to link fact and theory, providing a context for facts while bringing theory into the realm of practice.10 These exercises are particularly valuable in teaching international affairs for many of the same reasons they are useful for policy makers: they force participants to ‘‘grapple with the issues arising from a world in flux.’’11 Simulations have been used successfully to teach students about such disparate topics as European politics, the Kashmir crisis, and US response to the mass killings in Darfur.12 Role-playing exercises certainly encourage students to learn political and technical facts\* but they learn them in a more active style. Rather than sitting in a classroom and merely receiving knowledge, students actively research ‘‘their’’ government’s positions and actively argue, brief, and negotiate with others.13 Facts can change quickly; simulations teach students how to contextualize and act on information.14

#### Switch-side is key - effective deliberation is crucial to the activation of personal agency and is only possible in a switch-side debate format where debaters divorce themselves from ideology to engage in political contestation – the impact is mass violence

Roberts-Miller 3

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Totalitarianism and the Competitive Space of Agonism¶ Arendt is probably most famous for her analysis of totalitarianism (especially her The Origins of Totalitarianism andEichmann in Jerusa¬lem), but the recent attention has been on her criticism of mass culture (The Human Condition). Arendt's main criticism of the current human condition is that the common world of deliberate and joint action is fragmented into solipsistic and unreflective behavior. In an especially lovely passage, she says that in mass society people are all imprisoned in the subjectivity of their own singular experience, which does not cease to be singular if the same experience is multiplied innumerable times. The end of the common world has come when it is seen only under one aspect and is permitted to present itself in only one perspective. (Human 58)¶ What Arendt so beautifully describes is that isolation and individualism are not corollaries, and may even be antithetical because obsession with one's own self and the particularities of one's life prevents one from engaging in conscious, deliberate, collective action. Individuality, unlike isolation, depends upon a collective with whom one argues in order to direct the common life. Self-obsession, even (especially?) when coupled with isolation from one' s community is far from apolitical; it has political consequences. Perhaps a better way to put it is that it is political precisely because it aspires to be apolitical. This fragmented world in which many people live simultaneously and even similarly but not exactly together is what Arendt calls the "social."¶ Arendt does not mean that group behavior is impossible in the realm of the social, but that social behavior consists "in some way of isolated individuals, incapable of solidarity or mutuality, who abdicate their human capacities and responsibilities to a projected 'they' or 'it,' with disastrous consequences, both for other people and eventually for themselves" (Pitkin 79). One can behave, butnot act. For someone like Arendt, a German-assimilated Jew, one of the most frightening aspects of the Holocaust was the ease with which a people who had not been extraordinarily anti-Semitic could be put to work industriously and efficiently on the genocide of the Jews. And what was striking about the perpetrators of the genocide, ranging from minor functionaries who facilitated the murder transports up to major figures on trial at Nuremberg, was their constant and apparently sincere insistence that they were not responsible. For Arendt, this was not a peculiarity of the German people, but of the current human and heavily bureaucratic condition of twentieth-century culture: we do not consciously choose to engage in life's activities; we drift into them, or we do them out of a desire to conform. Even while we do them, we do not acknowledge an active, willed choice to do them; instead, we attribute our behavior to necessity, and we perceive ourselves as determined—determined by circumstance, by accident, by what "they" tell us to do. We do something from within the anonymity of a mob that we would never do as an individual; we do things for which we will not take responsibility. Yet, whether or not people acknowledge responsibil¬ity for the consequences of their actions, those consequences exist. Refusing to accept responsibility can even make those consequences worse, in that the people who enact the actions in question, because they do not admit their own agency, cannot be persuaded to stop those actions. They are simply doing their jobs. In a totalitarian system, however, everyone is simply doing his or her job; there never seems to be anyone who can explain, defend, and change the policies. Thus, it is, as Arendt says, rule by nobody.¶ It is illustrative to contrast Arendt's attitude toward discourse to Habermas'. While both are critical of modern bureaucratic and totalitar¬ian systems, Arendt's solution is the playful and competitive space of agonism; it is not the rational-critical public sphere. The "actual content of political life" is "the joy and the gratification that arise out of being in company with our peers, out of acting together and appearing in public, out of inserting ourselves into the world by word and deed, thus acquiring and sustaining our personal identity and beginning something entirely new" ("Truth" 263). According to Seyla Benhabib, Arendt's public realm emphasizes the assumption of competition, and it "represents that space of appearances in which moral and political greatness, heroism, and preeminence are revealed, displayed, shared with others. This is a competitive space in which one competes for recognition, precedence, and acclaim" (78). These qualities are displayed, but not entirely for purposes of acclamation; they are not displays of one's self, but of ideas and arguments, of one's thought. When Arendt discusses Socrates' thinking in public, she emphasizes his performance: "He performed in the marketplace the way the flute-player performed at a banquet. It is sheer performance, sheer activity"; nevertheless, it was thinking: "What he actually did was to make public, in discourse, the thinking process" {Lectures 37). Pitkin summarizes this point: "Arendt says that the heroism associated with politics is not the mythical machismo of ancient Greece but something more like the existential leap into action and public exposure" (175-76). Just as it is not machismo, although it does have considerable ego involved, so it is not instrumental rationality; Arendt's discussion of the kinds of discourse involved in public action include myths, stories, and personal narratives.¶ Furthermore, the competition is not ruthless; it does not imply a willingness to triumph at all costs. Instead, it involves something like having such a passion for ideas and politics that one is willing to take risks. One tries to articulate the best argument, propose the best policy, design the best laws, make the best response. This is a risk in that one might lose; advancing an argument means that one must be open to the criticisms others will make of it. The situation is agonistic not because the participants manufacture or seek conflict, but because conflict is a necessary consequence of difference. This attitude is reminiscent of Kenneth Burke, who did not try to find a language free of domination but who instead theorized a way that the very tendency toward hierarchy in language might be used against itself (for more on this argument, see Kastely). Similarly, Arendt does not propose a public realm of neutral, rational beings who escape differences to live in the discourse of universals; she envisions one of different people who argue with passion, vehemence, and integrity.¶ Continued…¶ Eichmann perfectly exemplified what Arendt famously called the "banal¬ity of evil" but that might be better thought of as the bureaucratization of evil (or, as a friend once aptly put it, the evil of banality). That is, he was able to engage in mass murder because he was able not to think about it, especially not from the perspective of the victims, and he was able to exempt himself from personal responsibility by telling himself (and anyone else who would listen) that he was just following orders. It was the bureaucratic system that enabled him to do both. He was not exactly passive; he was, on the contrary, very aggressive in trying to do his duty. He behaved with the "ruthless, competitive exploitation" and "inauthen-tic, self-disparaging conformism" that characterizes those who people totalitarian systems (Pitkin 87).¶ Arendt's theorizing of totalitarianism has been justly noted as one of her strongest contributions to philosophy. She saw that a situation like Nazi Germany is different from the conventional understanding of a tyranny. Pitkin writes,¶ Totalitarianism cannot be understood, like earlier forms of domination, as the ruthless exploitation of some people by others, whether the motive be selfish calculation, irrational passion, or devotion to some cause. Understanding totalitarianism's essential nature requires solving the central mystery of the holocaust—the objectively useless and indeed dysfunctional, fanatical pursuit of a purely ideological policy, a pointless process to which the people enacting it have fallen captive. (87)¶ Totalitarianism is closely connected to bureaucracy; it is oppression by rules, rather than by people who have willfully chosen to establish certain rules. It is the triumph of the social.¶ Critics (both friendly and hostile) have paid considerable attention to Arendt's category of the "social," largely because, despite spending so much time on the notion, Arendt remains vague on certain aspects of it. Pitkin appropriately compares Arendt's concept of the social to the Blob, the type of monster that figured in so many post-war horror movies. That Blob was "an evil monster from outer space, entirely external to and separate from us [that] had fallen upon us intent on debilitating, absorb¬ing, and ultimately destroying us, gobbling up our distinct individuality and turning us into robots that mechanically serve its purposes" (4).¶ Pitkin is critical of this version of the "social" and suggests that Arendt meant (or perhaps should have meant) something much more complicated. The simplistic version of the social-as-Blob can itself be an instance of Blob thinking; Pitkin's criticism is that Arendt talks at times as though the social comes from outside of us and has fallen upon us, turning us into robots. Yet, Arendt's major criticism of the social is that it involves seeing ourselves as victimized by something that comes from outside our own behavior. I agree with Pitkin that Arendt's most powerful descriptions of the social (and the other concepts similar to it, such as her discussion of totalitarianism, imperialism, Eichmann, and parvenus) emphasize that these processes are not entirely out of our control but that they happen to us when, and because, we keep refusing to make active choices. We create the social through negligence. It is not the sort of force in a Sorcerer's Apprentice, which once let loose cannot be stopped; on the contrary, it continues to exist because we structure our world to reward social behavior. Pitkin writes, "From childhood on, in virtually all our institutions, we reward euphemism, salesmanship, slo¬gans, and we punish and suppress truth-telling, originality, thoughtful-ness. So we continually cultivate ways of (not) thinking that induce the social" (274). I want to emphasize this point, as it is important for thinking about criticisms of some forms of the social construction of knowledge: denying our own agency is what enables the social to thrive. To put it another way, theories of powerlessness are self-fulfilling prophecies.¶ Arendt grants that there are people who willed the Holocaust, but she insists that totalitarian systems result not so much from the Hitlers or Stalins as from the bureaucrats who may or may not agree with the established ideology but who enforce the rules for no stronger motive than a desire to avoid trouble with their superiors (see Eichmann and Life). They do not think about what they do. One might prevent such occurrences—or, at least, resist the modern tendency toward totalitarian¬ism—by thought: "critical thought is in principle anti-authoritarian" (Lectures 38).¶ By "thought" Arendt does not mean eremitic contemplation; in fact, she has great contempt for what she calls "professional thinkers," refusing herself to become a philosopher or to call her work philosophy. Young-Bruehl, Benhabib, and Pitkin have each said that Heidegger represented just such a professional thinker for Arendt, and his embrace of Nazism epitomized the genuine dangers such "thinking" can pose (see Arendt's "Heidegger"). "Thinking" is not typified by the isolated con¬templation of philosophers; it requires the arguments of others and close attention to the truth. It is easy to overstate either part of that harmony. One must consider carefully the arguments and viewpoints of others:¶ Political thought is representative. I form an opinion by considering a given issue from different viewpoints, by making present to my mind the standpoints of those who are absent; that is, I represent them. This process of representation does not blindly adopt the actual views of those who stand somewhere else, and hence look upon the world from a different perspective; this is a question neither of empathy, as though I tried to be or to feel like somebody else, nor of counting noses and joining a majority but of being and thinking in my own identity where actually I am not. The more people's standpoints I have present in my mind while I am ponder¬ing a given issue, and the better I can imagine how I would feel and think if I were in their place, the stronger will be my capacity for represen¬tative thinking and the more valid my final conclusions, my opinion. ("Truth" 241)¶ There are two points to emphasize in this wonderful passage. First, one does not get these standpoints in one's mind through imagining them, but through listening to them; thus, good thinking requires that one hear the arguments of other people. Hence, as Arendt says, "critical thinking, while still a solitary business, does not cut itself off from' all others.'" Thinking is, in this view, necessarily public discourse: critical thinking is possible "only where the standpoints of all others are open to inspection" (Lectures 43). Yet, it is not a discourse in which one simply announces one's stance; participants are interlocutors and not just speakers; they must listen. Unlike many current versions of public discourse, this view presumes that speech matters. It is not asymmetric manipulation of others, nor merely an economic exchange; it must be a world into which one enters and by which one might be changed.¶ Second, passages like the above make some readers think that Arendt puts too much faith in discourse and too little in truth (see Habermas). But Arendt is no crude relativist; she believes in truth, and she believes that there are facts that can be more or less distorted. She does not believe that reality is constructed by discourse, or that truth is indistinguishable from falsehood. She insists tha^ the truth has a different pull on us and, consequently, that it has a difficult place in the world of the political. Facts are different from falsehood because, while they can be distorted or denied, especially when they are inconvenient for the powerful, they also have a certain positive force that falsehood lacks: "Truth, though powerless and always defe ated in a head-on clash with the powers that be, possesses a strength of its own: whatever those in power may contrive, they are unable to discover or invent a viable substitute for it. Persuasion and violence can destroy truth, but they cannot replace it" ("Truth" 259).¶ Facts have a strangely resilient quality partially because a lie "tears, as it were, a hole in the fabric of factuality. As every historian knows, one can spot a lie by noticing incongruities, holes, or the j unctures of patched-up places" ("Truth" 253). While she is sometimes discouraging about our ability to see the tears in the fabric, citing the capacity of totalitarian governments to create the whole cloth (see "Truth" 252-54), she is also sometimes optimistic. InEichmann in Jerusalem, she repeats the story of Anton Schmidt—a man who saved the lives of Jews—and concludes that such stories cannot be silenced (230-32). For facts to exert power in the common world, however, these stories must be told. Rational truth (such as principles of mathematics) might be perceptible and demonstrable through individual contemplation, but "factual truth, on the contrary, is always related to other people: it concerns events and circumstances in which many are involved; it is established by witnesses and depends upon testimony; it exists only to the extent that it is spoken about, even if it occurs in the domain of privacy. It is political by nature" (23 8). Arendt is neither a positivist who posits an autonomous individual who can correctly perceive truth, nor a relativist who positively asserts the inherent relativism of all perception. Her description of how truth functions does not fall anywhere in the three-part expeditio so prevalent in bothrhetoric and philosophy: it is not expressivist, positivist, or social constructivist. Good thinking depends upon good public argument, and good public argument depends upon access to facts: "Freedom of opinion is a farce unless factual information is guaranteed" (238).¶ The sort of thinking that Arendt propounds takes the form of action only when it is public argument, and, as such, it is particularly precious: "For if no other test but the experience of being active, no other measure but the extent of sheer activity were to be applied to the various activities within the vita activa, it might well be that thinking as such would surpass them all" (Human 325). Arendt insists that it is "the same general rule— Do not contradict yourself (not your self but your thinking ego)—that determines both thinking and acting" (Lectures 3 7). In place of the mildly resentful conformism that fuels totalitarianism, Arendt proposes what Pitkin calls "a tough-minded, open-eyed readiness to perceive and judge reality for oneself, in terms of concrete experience and independent, critical theorizing" (274). The paradoxical nature of agonism (that it must involve both individuality and commonality) makes it difficult to maintain, as the temptation is great either to think one's own thoughts without reference to anyone else or to let others do one's thinking.¶ Arendt's Polemical Agonism¶ As I said, agonism does have its advocates within rhetoric—Burke, Ong, Sloane, Gage, and Jarratt, for instance—but while each of these theorists proposes a form of conflictual argument, not one of these is as adversarial as Arendt's. Agonism can emphasize persuasion, as does John Gage's textbook The Shape of Reason or William Brandt et al.'s The Craft of Writing. That is, the goal of the argument is to identify the disagreement and then construct a text that gains the assent of the audience. This is not the same as what Gage (citing Thomas Conley) calls "asymmetrical theories of rhetoric": theories that "presuppose an active speaker and a passive audience, a speaker whose rhetorical task is therefore to do something to that audience" ("Reasoned" 6). Asymmetric rhetoric is not and cannot be agonistic. Persuasive agonism still values conflict, disagreement, and equality among interlocutors, but it has the goal of reaching agreement, as when Gage says that the process of argument should enable one's reasons to be "understood and believed" by others (Shape 5; emphasis added).¶ Arendt's version is what one might call polemical agonism: it puts less emphasis on gaining assent, and it is exemplified both in Arendt's own writing and in Donald Lazere's "Ground Rules for Polemicists" and "Teaching the Political Conflicts." Both forms of agonism (persuasive and polemical) require substantive debate at two points in a long and recursive process. First, one engages in debate in order to invent one's argument; even silent thinking is a "dialogue of myself with myself (Lectures 40). The difference between the two approaches to agonism is clearest when one presents an argument to an audience assumed to be an opposition. In persuasive agonism, one plays down conflict and moves through reasons to try to persuade one's audience. In polemical agonism, however, one's intention is not necessarily to prove one's case, but to make public one' s thought in order to test it. In this way, communicability serves the same function in philosophy that replicability serves in the sciences; it is how one tests the validity of one's thought. In persuasive agonism, success is achieved through persuasion; in polemical agonism, success may be marked through the quality of subsequent controversy.¶ Arendt quotes from a letter Kant wrote on this point:¶ You know that I do not approach reasonable objections with the intention merely of refuting them, but that in thinking them over I always weave them into my judgments, and afford them the opportunity of overturning all my most cherished beliefs. I entertain the hope that by thus viewing my judgments impartially from the standpoint of others some third view that will improve upon my previous insight may be obtainable. {Lectures 42)¶ Kant's use of "impartial" here is interesting: he is not describing a stance that is free of all perspective; it is impartial only in the sense that it is not his own view. This is the same way that Arendt uses the term; she does not advocate any kind of positivistic rationality, but instead a "universal interdependence" ("Truth" 242). She does not place the origin of the "disinterested pursuit of truth" in science, but at "the moment when Homer chose to sing the deeds of the Trojans no less than those of the Achaeans, and to praise the glory of Hector, the foe and the defeated man, no less than the glory of Achilles, the hero of his kinfolk" ("Truth" 262¬63). It is useful to note that Arendt tends not to use the term "universal," opting more often for "common," by which she means both what is shared and what is ordinary, a usage that evades many of the problems associated with universalism while preserving its virtues (for a brief butprovocative application of Arendt's notion of common, see Hauser 100-03).¶ In polemical agonism, there is a sense in which one' s main goal is not to persuade one's readers; persuading one's readers, if this means that they fail to see errors and flaws in one' s argument, might actually be a sort of failure. It means that one wishes to put forward an argument that makes clear what one's stance is and why one holds it, but with the intention of provoking critique and counterargument. Arendt describes Kant's "hope" for his writings not that the number of people who agree with him would increase but "that the circle of his examiners would gradually be en¬larged" {Lectures 39); he wanted interlocutors, not acolytes.¶ This is not consensus-based argument, nor is it what is sometimes called "consociational argument," nor is this argument as mediation or conflict resolution. Arendt (and her commentators) use the term "fight," and they mean it. When Arendt describes the values that are necessary in our world, she says, "They are a sense of honor, desire for fame and glory, the spirit of fighting without hatred and 'without the spirit of revenge,' and indifference to material advantages" {Crises 167). Pitkin summarizes Arendt's argument: "Free citizenship presupposes the ability to fight— openly, seriously, with commitment, and about things that really mat¬ter—without fanaticism, without seeking to exterminate one's oppo¬nents" (266). My point here is two-fold: first, there is not a simple binary opposition between persuasive discourse and eristic discourse, the conflictual versus the collaborative, or argument as opposed to debate.¶ Second, while polemical agonismrequires diversity among interlocutors, and thus seems an extraordinarily appropriate notion, and while it may be a useful corrective to too much emphasis on persuasion, it seems to me that polemical agonism could easily slide into the kind of wrangling that is simply frustrating. Arendt does not describe just how one is to keep the conflict useful. Although she rejects the notion that politics is "no more than a battlefield of partial, conflicting interests, where nothing countfs] but pleasure and profit, partisanship, and the lust for dominion," she does not say exactly how we are to know when we are engaging in the existential leap of argument versus when we are lusting for dominion ("Truth" 263).¶ Like other proponents of agonism, Arendt argues that rhetoric does not lead individuals or communities to ultimate Truth; it leads to decisions that will necessarily have to be reconsidered. Even Arendt, who tends to express a greater faith than many agonists (such as Burke, Sloane, or Kastely) in the ability of individuals to perceive truth, insists that self-deception is always a danger, so public discourse is necessary as a form of testing (see especially Lectures and "Truth"). She remarks that it is difficult to think beyond one's self-interest and that "nothing, indeed, is more common, even among highly sophisticated people, than the blind obstinacy that becomes manifest in lack of imagination and failure to judge" ("Truth" 242).¶ Agonism demands that one simultaneously trust and doubt one' s own perceptions, rely on one's own judgment and consider the judgments of others, think for oneself and imagine how others think. The question remains whether this is a kind of thought in which everyone can engage. Is the agonistic public sphere (whether political, academic, or scientific) only available to the few? Benhabib puts this criticism in the form of a question: "That is, is the 'recovery of the public space' under conditions of modernity necessarily an elitist and antidemocratic project that can hardly be reconciled with the demand for universal political emancipa¬tion and the universal extension of citizenship rights that have accompa¬nied modernity since the American and French Revolutions?" (75). This is an especially troubling question not only because Arendt's examples of agonistic rhetoric are from elitist cultures, but also because of com¬ments she makes, such as this one from The Human Condition: "As a living experience, thought has always been assumed, perhaps wrongly, to be known only to the few. It may not be presumptuous to believe that these few have not become fewer in our time" {Human 324).¶ Yet, there are important positive political consequences of agonism.¶ Arendt' s own promotion of the agonistic sphere helps to explain how the system could be actively moral. It is not an overstatement to say that a central theme in Arendt's work is the evil of conformity—the fact that the modern bureaucratic state makes possible extraordinary evil carried out by people who do not even have any ill will toward their victims. It does so by "imposing innumerable and various rules, all of which tend to 'normalize' its members, to make them behave, to exclude spontaneous action or outstanding achievement" (Human 40). It keeps people from thinking, and it keeps them behaving. The agonistic model's celebration of achievement and verbal skill undermines the political force of conformity, so it is a force against the bureaucratizing of evil. If people think for themselves, they will resist dogma; if people think of themselves as one of many, they will empathize; if people can do both, they will resist totalitarianism. And if they talk about what they see, tell their stories, argue about their perceptions, and listen to one another—that is, engage in rhetoric—then they are engaging in antitotalitarian action.¶ In post-Ramistic rhetoric, it is a convention to have a thesis, and one might well wonder just what mine is—whether I am arguing for or against Arendt's agonism. Arendt does not lay out a pedagogy for us to follow (although one might argue that, if she had, it would lookmuch like the one Lazere describes in "Teaching"), so I am not claiming that greater attention to Arendt would untangle various pedagogical problems that teachers of writing face. Nor am I claiming that applying Arendt's views will resolve theoretical arguments that occupy scholarly journals. I am saying, on the one hand, that Arendt's connection of argument and thinking, as well as her perception that both serve to thwart totalitarian¬ism, suggest that agonal rhetoric (despite the current preference for collaborative rhetoric) is the best discourse for a diverse and inclusive public sphere. On the other hand, Arendt's advocacy of agonal rhetoric is troubling (and, given her own admiration for Kant, this may be intentional), especially in regard to its potential elitism, masculinism, failure to describe just how to keep argument from collapsing into wrangling, and apparently cheerful acceptance of hierarchy. Even with these flaws, Arendt describes something we would do well to consider thoughtfully: a fact-based but not positivist, communally grounded but not relativist, adversarial but not violent, independent but not expressivist rhetoric.

#### B. The magnitude of unlimiting is infinite – they allow any aff that can draw a metaphorical link to the topic - allows any number of affs which just say racism bad, sexism bad, etc, without any tie to the object of the topic. This form of unlimiting shifts debate too far in the affs favor and overloads and already stretched negative research burden.

#### Topical version of the aff is to restrict the war powers authority of the president and claim advantages based on the premises of restricted executive power in relation to identity – they can still access their whole aff

#### c. Ground - We don’t think they have to pretend to be the USFG, but they do have to defend a restriction on the legal war powers of the president is good. We should always be able to say an unrestricted president is good, it’s the only core predictable ground derived from the wording of the topic.

## 1NC Materialism K

#### **Movements around the world are taking place challenging capitalism -- it is your intellectual responsibility to align yourself with a paradigm of anti-capitalism. The alternative is multiple scenarios for extinction and destruction of value to life**

Lotta 13 (Raymond Lotta is a political economist, a writer for Revolution newspaper, “Vilifying Communism and Accommodating Imperialism The Sham and Shame of Slavoj Žižek’s “Honest Pessimism”, <http://zizekstudies.org/index.php/ijzs/article/view/435/475>, Volume Seven, Number Two of the International Journal of Zizek Studies, hhs-ab)

1. Real Stakes, Real Alternatives, and Real Responsibilities. The world is a horror. An environmental emergency threatens the very ecosystems of the planet; neocolonial wars waged by Western imperialism produce death, destruction, and dislocation; malnutrition and hunger stalk one billion human beings; women, half of humanity, are objectified, shrouded, trafficked, and degraded. The development of technology and the accumulation of human knowledge have brought human society to a threshold in which it is now possible to put an end to this and provide for a decent material and rich cultural life for all of humanity—and yet the profit-above-all system of world capitalism constrains and chokes this potential. Growing numbers of people, from Egypt to the Occupy movements, are resisting and questioning the existing social order. People are raising their heads and searching for solutions and alternatives. The responsibility of revolutionaries and all radical thinkers in relation to these movements is, most definitely, to unite with and work to build them in their overwhelmingly positive thrust. But it is also crucial to engage the obstacles and contradictions that these movements and struggles face—and work to provide direction to divert things onto a more fully and consciously revolutionary path. At the same time, there is pressing need to demarcate between genuinely radical and revolutionary discourse and politics—and that which would consign us to the world as it is.[2] There is a way out of the suffering and madness of this world. It is revolution, communist revolution. The first attempts in modern history to create societies free of exploitation and oppression—the Soviet revolution of 1917-56 and the Chinese revolution of 1949-76—were led by visionary vanguard parties and instantiated new liberating economies and governing institutions, new social relations based on cooperation and overcoming inequality, and tackled old ways of thinking—all against incredible ideological and material obstacles. These revolutions represent historic watersheds for oppressed humanity. Their accomplishments were both unprecedented and monumental. At the same time, there were problems and shortcomings in conception, method, and practice—some quite serious, some even grievous. How should all this be evaluated? This first wave of communist revolution was eventually defeated and capitalism restored. What were the underlying causes and factors? Bob Avakian has produced a body of work that in summing up the overwhelmingly positive but also negative lessons of this first wave of revolution, while also drawing from diverse spheres of human experience and endeavor, opens new pathways to go further and do better in a new stage of communist revolution. This is a new synthesis of communism. A radically transformative communism...that is unflinching in its determination to lead millions to take power through determined revolutionary struggle once the conditions emerge to do so...and that aims at nothing less than using that power to emancipate humanity and achieve a world where human beings can truly flourish. There is a monumental challenge, but a real basis, to fight for and to bring into being such a world. The stakes are real, as are the intellectual responsibilities. Professor Žižek shrinks from this challenge. What we get instead is his ill-founded and misdirected dabbling in analysis unmoored from the struggle to radically transform reality, a studied stance of “let’s not take ourselves too seriously,” and, ultimately, conciliation with this world with all its misery.

#### and, the affirmative’s claim to performatively effect change against capitalism locates agency in rhetorical performances like the precious 1ac. this shuts down materialist coalitional anti-capitalist movements.

GUNN AND CLOUD 2K10

[Joshua gunn and dana cloud, Phd Communicatoins, University of Texas Austin, Agentic Orientation as magical Voluntarism, Communication Theory]

Notably, Campbell’s statement on the status of agency does not attempt to reverse the posthumanist turn, but rather, sets out to reconcile the theoretical perspectives of Judith Butler and Michelle Balif with close textual reading practices that, until the crisis of agency, were assumed to have singular, self-transparent authors. Similarly,

John Lucaites’ call to jettison agency as a concept and locate power, instead, in historically particular rhetorical performances ‘‘in relationship to a set of perceived or constituted tensions . . . between cultural, institutional, and technological norms and structures’’ is a theoretical compromise: Agency is best understood on a caseby-case basis, leading to a multiplicity of conceptions of agency (Lucaites, 2003, paras. 1–2). Carolyn R. Miller’s (2007) recharacterization of agency as an attribution that makes certain kinds of symbolic action possible also ﬁgures a subject’s actions between the constraints of an exterior and the motives of an interior. The most widely known, explicitly dialectical positions on agency in rhetorical studies, however, are those of James Arnt Aune, Dana Cloud, and other Marxist critics. For example, critical of certain posthumanist theories of agency (namely, those of Greene 1998; 2004; 2007), Cloud, Macek, & Aune (2006) argue that social groups, especially class-based groups, harbor a capacity for political action grounded in their material circumstances: Either workers and their allies claim the real agency of that they possess and take the chance of making a world in which they are free in body as well as mind; or they resign themselves to generation after generation of grinding exploitation, settling for the meaningful but insufﬁcient consolations of sporadic, creative, ungrounded, and symbolic resistance. (2006, p. 81) Cloud, Macek, & Aune (2006) argue not only that ordinary people must mobilize collectively in order to pressure or overthrow employers and institutions, but also that it is the intersection of consciousness and experience that is generative of agency. In other words, as Cloud (2005) explains, working class agency is a product of both the experience of embodied labor and explicit political intervention and collective organizing. Agency in this view is not primarily characteristic of individuals; rather, the working class is a particular kind of collective agent that can manifest a real challenge to the capitalist system. In contrast, to believe that one can individually effect political change, or worse, to believe that one is powerless to effect political change, is to succumb to oppressive structures, economic and otherwise. Again, agency is located in the tensions between a larger structure and the (collective)

#### The alt is to foster historical consciousness which must be the ideological starting point for social change. This requires rejection of the 1ac

Istvan Meszaros, Professor at the University of Sussex, “The Challenge and Burden of Historical Time.” 2008 P.35-36,

No individual and no conceivable form of society today or in the future can avoid the objective determinations and the corresponding burden of historical time, together with the responsibility necessarily arising from them. In general terms, perhaps the greatest indictment of our given social order is that it degrades the inescapable burden of meaningful historical time-the life-time of both the individuals and of humanity---into the tyranny of capital's reified time-imperative~ irrespective of the consequences. Capital's historically unique mode of social metabolic reproduction must degrade time because the most fundamental objective determination of its own form of human interchange is the irrepressible drive to continued self-expansions defined by the intrinsic characteristics of this mode of societal interchange as necessary capital- expansion achievable in commodity society only through the exploitation of labor-time. Thus capital must become blind to all dimensions of time other than that of maximally exploitable surplus-labor and the corresponding labor-time. This is why all possible value and meaning potentially arising from historically created relations must be obliterated from capital's equations~ other than those directly linked to the systemic imperative of capital-accumulation. This is so whether the potential meaning and values involved are concerned with the personal relations of the individuals among themselves as separate individuals, or with the social groups of which the particular individuals form a part, or indeed with humanity in general when that relationship can be and must be consciously grasped, under determinate historical circumstances, like our own historical time today. Meaning and values become legitimate concerns in this reproductive system only if they are readily reducible to the capitalistically idealized cash nexus (as regards the isolated individuals), or to the imperative of profitability in general, when the issue at stake is the accumulation-securing class relation of structural domination and exploitation in the established social order. Naturally, our interest in this context is human historical time, and not some "metaphysical" or "cosmological" considerations of time. For us the time relations linked to the question of "cosmological contingency"-regarding, for instance, the possibility of other earth-like planets which might be capable of supporting advanced forms of life in far away solar systems: a well-known part of some ongoing astrophysical enquiry today-are totally irrelevant. But focusing on human historical time does not mean that any form of relativism is acceptable in our assessment of meaningful time relations. On the contrary, the question of historical necessity is a vital issue here, although it must be evaluated in a qualitatively different way from those who, with hostile ideological intent, try to ascribe a crude mechanical deterministic view to the Marxian-profoundly dialectical-conception of historical time. For the core meaning of human historical necessity is precisely that it is only historical, which means that it is an ultimately disappearing necessity (eine verschwindende Notwendigkeit in Marx's words l), and should not be treated on the model of naturalistic determinations.

## 1NC Buffalo Soldiers K

#### THE 1AC’S LYRICAL GLORIFICATION OF THE SO-CALLED “BUFFALO SOLDIERS,” AFRICAN-AMERICAN SOLDIERS WHO “SERVED” IN THE INDIAN WARS FROM THE 1860s to 1890s IS A GLORIFICATION AND AFFIRMATION OF IDENTITY WHICH IS DIRECTLY TIED TO NATIVE GENOCIDE. THIS IS RACIST, UNETHICAL, AND SHOULD BE REJECTED.

**Melendez 12**

[steve, president of the American Indian Genocide Museum and a member of the Paiute Nation of Pyramid Lake Tribe, sept 18, [http://indiancountrytodaymedianetwork.com/opinion/remember%3A-there-was-genocide-in-the-united-states,-too-134534](http://indiancountrytodaymedianetwork.com/opinion/remember%3A-there-was-genocide-in-the-united-states%2C-too-134534), a: today, cook]

Why is there a need for the Jewish Holocaust Museum? Does it exist in order “to play the guilt card”? Are reparations the goal? No, the purpose of the Holocaust Museum is to prevent history from repeating itself. Likewise, our museum, the American Indian Genocide Museum here in Houston, Texas exists for the same reason. Currently we have been protesting the Buffalo Soldiers Museum, also located here in Houston. The Buffalo Soldiers take great pride in dressing up in Cavalry uniforms and parading around as if hunting our people down and forcing them onto reservations was at one time, the patriotic thing to do. Dr. Quintard Taylor (who is black) of the University of Washington has put the whole situation in perspective when he said, “Here you have black men killing red men for the white man”. Has it been forgotten that the Buffalo Soldiers were so recently emancipated from 200 years of slavery by the white man at the time? Also, our museum has uncovered evidence that the earliest account of anyone ever claiming to have coined the phrase, ‘Buffalo Soldiers’ was by a white man. Former Texas Ranger, Ed Carnal wrote, “At Fort Richardson were stationed what we Texans called the ‘buffalo soldiers’—U.S. negro troops”. Ed Carnal died in 1921 at the age of 72. Thanks to Ed Carnal, we can put the bizarre myth to rest that our ancestors ‘honored’ those who hunted them with the name, “Buffalo Soldiers’. As long as America fails to admit the influence American history had on men like Adolf Hitler, then history will continue to repeat itself. America must learn from history that Hitler emulated the organized ethnic cleansing and genocide found in the history of America. Today, the indigenous people of the rain forests of Brazil continue to be forced off their land and killed just as it was done in America during the time of the Buffalo Soldiers. As in Nazi Germany, there existed a culture here in America that glorified extermination. William Henry Harrison, who would later become president remarked that most frontiersmen “consider the murdering of Indians in the highest degree meritorious”. In September of 1868 the Buffalo Soldiers killed 25 Apaches and were allowed after the battle to collect scalps and souvenirs by Lieutenant Cusack. Upon their return to Fort Davis, Texas, they were observed “rigged out’ in “full Indian costume with the most fantastic head-dresses” and their “faces painted in a comical style”. How did the Buffalo Soldiers differentiate between friendly Indians and hostile? The formula was simple: “Indians who rejected reservation life were regarded as hostile”. When genocide is not condemned, it is glorified. President Teddy Roosevelt once wrote of the Sand Creek Massacre, “…the so called Chivington or Sandy Creek Massacre, in spite of certain most objectionable details, was on the whole as righteous and beneficial a deed as ever took place on the frontier.”

#### AND, THE BUFFALO SOLDIERS WERE NOT JUST FORMER SLAVES FIGHTING FOR THEIR FREEDOM – ORAL NATIVE HISTORY TELLS OF THEIR RAPE OF DAKOTA WOMEN.

Wizgriz 2k12

[sept 18, [http://indiancountrytodaymedianetwork.com/opinion/remember%3A-there-was-genocide-in-the-united-states,-too-134534](http://indiancountrytodaymedianetwork.com/opinion/remember%3A-there-was-genocide-in-the-united-states%2C-too-134534), a: today, cook]

This is a great article. The truth about the Buffalo soldiers is a long time overdue. What people don't know is that the Buffalo Soldiers were in The Dakota's as well. I spoke to a man from the Crow Creek Reservation. He mention that the Buffalo soldiers raped Dakota women while they were in the territory. That memory still reasonates with the Lakota people to this day. I understand this story is well known throughout the Western Tribes. Great work. Wisgriz

## 1NC Case F/L

#### They take the position of the Maoist – the western intellectual who asserts her or his subalterity. We are all extremely privileged – we are college students, we can take a weekend off work to travel to a debate tournament, and so on – yet they assert their position alongside those victims of imperial war across the globe. This can only ensure oppression.

Chow 93

Rey Chow, Comparative Literature—Brown University, 1993

Writing Diaspora, p. 12-15

In the 1980s and 1990s, however, the Maoist is disillusioned to watch the China they sanctified crumble before their eyes. This is the period in which we hear disapproving criticisms of contemporary Chinese people for liking Western pop music and consumer culture, or for being overly interested in sex. In a way that makes her indistinguishable from what at first seems a political enemy, the Orientalist, the Maoist now mourns the loss of her loved object—Socialist China—by pointing angrily at living "third world" natives. For many who have built their careers on the vision of Socialist China, the grief is tremendous. In the "cultural studies" of the American academy in the 1990s, the Maoist is reproducing with prowess. We see this in the way terms such as "oppression," "victimization," and "subalternity" are now being used, Contrary to Orientalist disdain for contemporary native cultures of the non-West, the Maoist turns precisely the "disdained" other into the object of his/her study and, in some cases, identification. In a mixture of admiration and moralism, the Maoist sometimes turns all people from non-Western cultures into a generalized "subaltern" that is then used to flog an equally generalized West.\*\*21 Because the representation of "the other" as such ignores (1) the class and intellectual hierarchies within these other cultures, which are usually as elaborate as those in the West, and (2) the discursive power relations structuring the Maoist's mode of inquiry and valorization, it produces a way of talking in which notions of lack, subalternity, victimization, and so forth are drawn upon indiscriminately, often with the intention of spotlighting the speaker's own sense of alterity and political righteousness. A comfortably wealthy white American intellectual I know claimed that he was a "third world intellectual," citing as one of his credentials his marriage to a West-ern European woman of part-Jewish heritage; a professor of English complained about being "victimized" by the structured time at an Ivy League institution, meaning that she needed to be on time for classes; a graduate student of upper-class background from one of the world's poorest countries told his American friends that he was of poor peasant stock in order to authenticate his identity as a radical "third world" representative; male and female academics across the U.S. frequently say they were "raped" when they report experiences of professional frustration and conflict. Whether sincere or delusional, such cases of self-dramatization all take the route of self-subalternization, which has increasingly become the assured means to authority and power. What these intellectuals are doing is robbing the terms of oppression of their critical and oppositional import, and thus depriving the oppressed of even the vocabulary of protest and rightful demand. The oppressed, whose voices we seldom hear, are robbed twice—the first time of their economic chances, the second time of their language, which is now no longer distinguishable from those of us who have had our consciousnesses "raised." In their analysis of the relation between violence and representation, Armstrong and Tennenhouse write: "[The] idea of violence as representation is not an easy one for most academies to accept. It implies that whenever we speak for someone else we are inscribing her with our own (implicitly masculine) idea of order."22 At present, this process of "inscribing" often means not only that we "represent" certain historic others because they are/were "oppressed"; it often means that there is interest in representation only when what is represented can in some way be seen as lacking. Even though the Maoist is usually contemptuous of Freudian psychoanalysis because it is "bourgeois," her investment in oppression and victimization fully partakes of the Freudian and Lacanian notions of "lack." By attributing "lack," the Maoist justifies the "speaking for someone else" that Armstrong and Tennenhouse call "violence as representation." As in the case of Orientalism, which does not necessarily belong only to those who are white, the Maoist does not have to be racially "white" either. The phrase "white guilt" refers to a type of discourse which continues to position power and lack against each other, while the narrator of that discourse, like Jane Eyre, speaks with power but identifies with powerlessness. This is how even those who come from privilege more often than not speak from/of/as its "lack." What the Maoist demonstrates is a circuit of productivity that draws its capital from others' deprivation while refusing to acknowledge its own presence as endowed. With the material origins of her own discourse always concealed, the Maoist thus speaks as if her charges were a form of immaculate conception. The difficulty facing us, it seems to me, is no longer simply the "first world" Orientalist who mourns the rusting away of his treasures, but also students from privileged backgrounds Western and non-Western, who conform behaviorally in every respect with the elitism of their social origins (e.g., through powerful matrimonial alliances, through pursuit of fame, or through a contemptuous arrogance toward fellow students) but who nonetheless proclaim dedication to "vindicating the subalterns." My point is not that they should be blamed for the accident of their birth, nor that they cannot marry rich, pursue fame, or even be arrogant. Rather, it is that they choose to see in others' powerlessness an idealized image of themselves and refuse to hear in the dissonance between the content and manner of their speech their own complicity with violence. Even though these descendents of the Maoist may be quick to point out the exploitativeness of Benjamin Disraelis "The East is a career,"23 they remain blind to their own exploitativeness as they make "the East" their career. How do we intervene in the productivity of this overdetermined circuit?

#### **Their role of the ballot calls upon us to confess our identity. This is a blackmail to confess your identity. This only serves as an operator of visibility, forcing us to bare our soul before the panel.**

Baudrillard '01 (Jean, “Dust Breeding” Ctheory.)

Foucault used to refer to self-expression as the ultimate form of confession. Keeping no secret. Speaking, talking, endlessly communicating. This is a form of violence which targets the singular being and his secrecy. It is also a form of violence against language. In this mode of communicability, language loses its originality. Language simply becomes a medium, an operator of visibility. It has lost its symbolic and ironic qualities, those which make language more important than what it conveys.

 The worst part of this obscene and indecent visibility is the forced enrollment, the automatic complicity of the spectator who has been blackmailed into participating. The obvious goal of this kind of operation is to enslave the victims. But the victims are quite willing. They are rejoicing at the pain and the shame they suffer. Everybody must abide by society's fundamental logic: interactive exclusion. Interactive exclusion, what could be better! Let’s all agree on it and practice it with enthusiasm!

 If everything ends with visibility (which, similar to the concept of heat in the theory of energy, is the most degraded form of existence), the point is still to make such a loss of symbolic space and such an extreme disenchantment with life an object of contemplation, of sidereal observation (sidération), and of perverse desire. "While humanity was once according to Homer an object of contemplation for the Gods, it has now become a contemplation of itself. Its own alienation has reached such a degree that humanity’s own destruction becomes a first rate aesthetic sensation" (Walter Benjamin).

#### **The term “introduce” in their role of the ballot points to a problematic understanding of identity. Any identity that can be introduced into politics must be fascistically sliced apart, discarding those components of our identities that do not fit neatly into prefabricated political discourse. Their role of the ballot is violence against the untamed dissidence of wild identity that refuses to be categorized.**

MacLure 2010 (Maggie MacLure, Manchester Metropolitan University, “Qualitative inquire: where are the ruins?” http://www.esri.mmu.ac.uk/respapers/nzareRuins.pdf)

So I want to look at the relation of language and materiality, and particularly at what happens when the body surfaces in language. I’m going to suggest that attention to the bodily entanglements of language can be put to work to perform a particular form of productive ruin - namely, the ruin of representation. This phrase echoes the title of Dorothea Olkowski’s (1999) book, ‘Gilles Deleuze and the Ruin of Representation’. What might it mean, then, to research with, and within, the ruin of representation? For Olkowski and Deleuze, representation doesn’t just refer to the mediation of reality by language. Representation is the entire logic of static hierarchy that – in Olkowski’s words - ‘subsume(s) all difference under the one, the same and the necessary’ (1999: 185). In the terminology of Deleuze and Guattari, representation is tree-like or arborescent (1987: 18). It organises life in terms of genus and species, categories and instances, and can only cope with difference through relations of identity, similarity, analogy or opposition: that is, relations based on resemblance or difference among already-formed entities. Within the schema of representation, things are frozen in the places allotted to them by the structure that comprehends them, and are not able to deviate and divide from themselves to form anything new. Olkowski wants to bring about the ruin of representation so that she can develop ‘an ontology of change and becoming’ that engages the dynamism and creative force of matter and difference without going through the deadening detour of representation (211). <<< But language is nevertheless a key element in the way representation captures difference for sameness. It’s hard to escape the ‘common language of order-words’ as Olkowski (1999: 124) puts it, citing Bergson. Order-words are those words that are always already legitimated by institutions, issuing from a ready-made self. Lyotard had something similar in mind when he compared everyday language to Orwell’s ‘newspeak’. Newspeak is the mode of the ‘already-said’ through which the status quo attempts to control the threat of difference – of that which resists or exceeds meaning (Lyotard, 1992: 107; see also MacLure, 2006). Delezue argued that there is another, non-representational dimension or tendency that subsists in language, hidden by the tremendous power of representation to cut into the flow of difference to bring forth stable referents, meanings and speaking subjects. Deleuze calls this other tendency a ‘wild discourse’ or a becoming-mad of language that slides over its referents and transcends its own limits, restoring language to the open potential of becoming (2004: 3, 4). This wild discourse does not mediate anything. It does not refer outside of itself, or build towards some higher fulfilment. And it does not emanate from, or attach itself to, an already formed, phenomenological subject.

#### Our criticism is uniquely true for queer bodies. The introduction of queer identity into the political results only in violence and destroys queer progressivism – gay marriage struggles prove

Yep 2003 (Gust A. **Yep et al.,** **Professor of Communications,** Karen E. Lovaas, Associate Professor of Communications. John P. Elia, Associate Professor @ Department of Health Education all **at San Francisco State** University.

“A Critical Appraisal of Assimilationist and Radical Ideologies Underlying Same-Sex Marriage in LGBT Communities in the United States” Journal of Homosexuality, 45: 1, 45 — 64. 200**3.)**

The decision to place the right to marry at the front of efforts by gay and lesbian organizations is, from the perspective of Michael Warner and numerous other queer authors and activists, antithetical to the principles upon which queer thought and action have been based. These principles, as enunciated by Warner (1999), include recognition of the ways in which the institution of marriage has been idealized; affirmation of and respect for a variety of intimate relationships; and resistance to the application of the norms and standards associated with straight culture to the lives of queers.

In this section, three of the rationales offered in critique of the same-sex marriage movement are explored. These are: (1) That marriage is an inherently flawed, oppressive institution; (2) That should the pursuit of same-sex marriage succeed, the potential consequences are more negative than positive; and (3) That alternative relationship structures have significant advantages over marriage.

Michael Warner’s interrogation of the notion of same-sex marriage in *The Trouble with Normal: Sex, Politics, and the Ethics of Queer Life* (1999) is perhaps the most extensive one to date. The work of several other lesbian and gay writers is also drawn from; however, this summary does not purport to be an exhaustive review of the literature.

Of course, arguments against the institution of marriage did not originate with the lesbian, gay, bisexual and transgender movements of the 1970s; the free love movement of the mid-19th century was a contemporary of significant efforts to reform the legal and economic inequities of the marriage system. Women have had particular reasons to critique marriage. Echoing Gayle Rubin’s landmark 1975 article, “The Traffic in Women: Notes on the ‘Political Economy’ of Sex,” Catherine Saalfield writes: “Marriage is embedded within heterosexuality, property relations, dependence, monogamy, and traditional parenthood, all of which affect women in a particularly debilitating way” (1993, p. 191).

This is the same reasoning underlying the first argument against gays and lesbians struggling for access to marriage, i.e., that participation in such a historically patriarchal and heterosexist institution will do more to perpetuate a state governed system of unequal relations than to reform it from within (Walters, 2001**). Individuals tend to view marriage as a private and separate relation**, its form shaped by the will of the individuals involved and safe from the intrusive arm of the state. As Warner says, “**The recognition drama of marriage also induces a sort of amnesia about the state and the normative dimensions of marriage**” (1999, p. 133**). Gays and lesbians working to legalize same-sex marriage may be buying into this viewpoint and ignoring the extent to which marriage invites the state to exercise a right to extend or withhold sanctions over the most intimate aspects of our lives.** And marriage is no guarantor of a happy union. Regardless of its structure, label, and social status, one faces similar kinds of challenges in any intimate relationship: “In a dishonest or repressed relationship you’re just as vulnerable on Sunday nights as someone in a nontraditional situation” (Saalfield, 1993, p. 189). Saalfield goes on to quote Emma Goldman’s contention that “**S”** (p. 193).

The second rationale for rejecting same-sex marriage is that there would be significant negative consequences in the wake of the legalizing of same-sex marriage. Queer writers such as Paula Ettelbrick point to two primary harmful outcomes. **First, the greater degree of assimilation resulting from same-sex marriage is less likely to advance queer interests than it is to reinforce dominant social norms, defang queer movements, and increase queer invisibility.** As Carmen Vasquez warns,

“**We must stop pretending that that our assimilation into this culture will tame the hate-filled hearts**” (1999, p. 278). And would, could queers effectively push for recognition of diverse kinds of relationships? Second**, it would create a new hierarchy within queer communities, with the highest tier reserved for those cushioned by the respectability of marriage and further marginalize those who have chosen alternative relationships** (Butler, 2001a; Walters, 2001). Again quoting Ettelbrick, “we would be perpetuating the elevation of married relationships and of “couples’ in general, and further eclipsing other relationships of choice” (1997, p. 121). Would single queers suffer the same kind of condescension and condolences formerly reserved for unmarried dubbed “old maids”? Or worse:

You tell mom that you’re just like her, that you’re married, that she doesn’t have to accept lesbians or lesbianism, but if she can just see herself in your pseudo-heterosexual, familial scenario, everything will be all right. That leaves the rest of us dykes to be seen as difficult, unacceptable, disease-spreading, sex-crazed, pathological, unstable, adolescent, unfocused, unsuccessful, slutty perverts. (Saalfield, 1993, p. 194)

The third rationale for rejecting same-sex marriage celebrates the advantages of other relational networks. Fundamentally, **in contrast with the bonds of marriage, queer relationships are, according to Jeffrey Weeks, “freely chosen by autonomous individuals**” (1995, p. 35). While marriage, particularly in the post-industrialization eras, has been closely aligned with the nuclear family structure and predicated monogamous relationships, queers have, by necessity and by choice, created a range of alternative social support networks. Frank Browning (1997) writes, “We gay folk tend to organize our lives more like extended families than nuclear ones. We may love our mates one at a time, but our ‘primary families’ are often our ex-lovers and our ex-lover’s ex-lovers” (p. 133). Michael Bronski might agree. In *The Pleasure Principle*, Bronski (1998) claims that a number of benefits accrue from being unencumbered by the norms of heterosexual society:

These include less restrictive gender roles; nonmonogamous intimate relationships and more freedom for sexual experimentation; family units that are chosen, not biological; and new models for parenting. But most important, homosexuality offers a vision of sexual pleasure completely divorced from the burden of reproduction: sex for its own sake, a distillation of the pleasure principle. (p. 9) A number of authors have argued similarly that to attempt to recreate the straight, ostensibly monogamous nuclear family is to lose what is valuable in less sexually constraining lifestyles. Warner suggests we remember the “important pleasures and intimacies in promiscuous sex”; enjoying nonmonogamous relationships need not be a means of “rejecting all of society–only a hostile and restrictive version of morality” (1999, p. 137). Saalfield proclaims, “I would rather feel exhilarated about the loves that constitute the fabric of my life than nostalgic for some tame ideal of what it means to be family” (1993, p. 195). How, then, do the scales of queer opponents of the legalization of same-sex measure the advantages of and disadvantages of this campaign? Are there sufficient benefits to outweigh the potential collective and individual costs? According to Vasquez, to opt for the social sanction that marriage may provide is not a worthwhile tradeoff for queer desires: “I will not exchange my sexuality for citizenship” (1999, p. 272).

Before embarking on an exploration of the implications of the assimilationist position on relationship construction, we must first turn *Yep, Lovaas, and Elia 55* to the sexual attitudes that undergird it. The proponents of same-sex marriage treat sexuality–particularly nonheteronormative sexual expression– as dangerous and downright evil. Rotello (1997) proposes using marriage to abate HIV/AIDS and sexually transmitted diseases among gay men. Rauch (1997) urges gay men to rush to the altar to prevent shifty sexual encounters with other men, and at the same time marriage creates and maintains tamed, civilized men. Sullivan (1995, 1996) maintains that marriage provides an anchor for married gay men and a stabilizing force for society. One does not have to read too much between the lines to realize that an anti-sex theme runs throughout their arguments.

There is also the theme of containment and social control. One is reminded of Gayle Rubin’s (1993) notion of the *charmed circle* and the *outer limits,* mentioned earlier. The assimilationists want desperately to fit into the *charmed circle*, primarily because of the perceived social benefits and medical advantages. Even though gays are automatically excluded from the *charmed circle*, there is nevertheless a valiant attempt to adopt as many of the trappings of heterosexual life as possible in an effort to gain equality and social acceptability, not to mention “immunity” from unbridled sexual expression and HIV/AIDS and other sexually transmitted diseases.

**The ideology that undergirds the assimilationist position has a distinct impact on the way relationships are constructed and maintained**. As outlined previously, it is clear that those who support the idea of same-sex marriage wish to reproduce the heterosexual marital experience. The idea is that gays and lesbians are no different than heterosexuals.

While this sounds appealing at first, a closer analysis reveals that it is myopic. Aping traditional heterosexual marriage has implications for gays and lesbians. First, **being that marriage has been afforded only to heterosexuals, it is reasonable to believe that same-sex marriages might reproduce conventional gender roles, thereby reinforcing the binary gender system.** In many ways, same-sex marriage is contrary to the queer conception of relationship construction, which deeply challenges the taken-for-granted traditional notions of sex, sexuality, and gender. Second, such an arrangement reproduces the kind of containment and control that has been so much a part of heterosexuality (Rubin, 1993) along the lines of role conformity, monogamy, viewing partners as property, and other signifiers of traditional marriage. Accepting the notion that same-sex couples be permitted to share the same privileges as heterosexually married people means that many lifestyle options become *officially* foreclosed.

Another pitfall with same-sex marriage as proposed by the assimilationists is that it reproduces a custom that is not on *terra firma*. As we know from legal documents, the popular press, and Gallup polls, at least half of all marriages in the United States end in divorce. The lives of the children in these unions are often severely disrupted. The legal process of divorce takes up an enormous amount of time and is often destructive. These are just a few of the problems that often result. Why would same-sex marriage proponents want to imitate an institution that is often unworkable?

Same-sex marriage would perpetuate a brand of sexual and relationship hierarchy. According to some of the assimilationists–namely Rotello (1997) and Rauch (1997)–sexual expression, particularly among gay men, is dangerous, potentially “out of control,” and often seedy.

According to them, being married creates a sociomedical safe zone, which is respectable and socially appropriate. This, of course, reinforces the notion that sexuality–particularly homosexuality or queer sexuality–is dangerous and suspect, and that sexual appropriateness (defined and prescribed by hegemonic heteronormative folks) can only be attained within a marital union. The traditional relationship construction of marriage is never problematized by Sullivan, Rotello, Rauch, and others. Assimilationism–and not questioning or breaking free from social and sexual conventions–seems to be the road to equality, sexual bliss, and social acceptability for many proponents of same-sex marriage. It is clear that many gays and lesbians are pushing for same-sex marriage in the hope of attaining legal rights, social acceptability, and equality. However**, same-sex marriage may be a mirage in a cultural desert. It is assuredly not a panacea to cure sexual prejudice, gain social acceptance, and achieve widespread personal fulfillment**. Perhaps, the road to greater freedom, social equality, and the acceptance of sexual pluralism, can be better achieved by taking seriously the work of queer theorists, and what they propose in terms of destabilizing gender and sexual categorization.

#### **You should welcome the 1AC gesture of speaking their identity, refuse their role of the ballot. Discerning the potential of their performance from the yardstick measurement of the role of the ballot is key to transformative politics**

Hogeven 2006 (Bryan, Sociology at U of Alberta with Andrew Woolford Sociology at U of Manitoba “Critical Criminology and Possibility in the Neo-liberal Ethos” [Canadian Journal of Criminology and Criminal Justice](http://www.synergiescanada.org/fr/journals/utp/120324) 48.5)

Thus, it is first imperative that criminologists reflect on the powers of, and limits on, thought under neo-liberal conditions - including those that burden their discourse. Wary from the hard lessons won of past engagements with the criminal-justice field, the criminologist should now move toward a criminology of possibility (Pavlich 2001b). This involves thinking and pushing the limits of the possible, which simultaneously includes thinking the impossible. But let us not get caught up in expecting an annulment of contemporary relations of domination from attempts at mind conversion through "social" education or from a vast logotherapy (Bourdieu 1997). It is delusory to maintain that the scaffolding of tyranny can be vanquished solely with the weapons of consciousness - it is both more insidious and firmly entrenched. Altering existing relations requires that the ways of meaning making - the vision of the world and the practical means through which suppression is (re)produced - be disjoined. Critical criminological efforts should thus be directed toward jimmying open the naturalized order, and doing so "by encountering experiences that peer past thresholds into vast seas of indeterminacy" (Pavlich 2005a: 112). To break out beyond the current limits of the human condition, beaten down into doxic submission by neo-liberal conditions, commands a denouncement of the silent, arbitrary, and taken-for-granted presuppositions and institutions of repression. Critical thought must, as Wacquant has urged, tirelessly pose the question of the social costs and benefits of the policies of economic deregulation and social dismantling which are now presented as the assured road to eternal prosperity and supreme happiness under the aegis of "individual responsibility" (2004:101) Discerning the mental structures that perpetually recreate the social order and the contingent arrangements therein is a precursor to liberating thought from the weight of doxa. To push the limits of what is and reveal what may be possible, critical criminology, in the throes of neo-liberalism, must analytically extirpate criminal-justice institutions, pronouncements, discourse, policy, practice, and vocabularies in order that their contingency be revealed, their lies uncovered, and their contradictions exposed. It must tirelessly question what is and what is yet to come, so as to rethink the world instead of being bound and constrained by it. It must be a criminology of possibility that transcend the giveness of the doxic order so as to interrogate the criminal-justice "reality" that emanates from it. Creating new criminal(?)-justice meaning horizons that puncture current ontology presents itself as a potentially fruitful direction for contemporary praxis. What configuration would criminal "justice" take if it did not rely on existing discourse and doxa as its point of departure? What conduct would be censured (i.e., incivility, disregard for the environment)? What would being "just" mean under such a formulation (e.g., respect for the "other")? What ethic would guide decision making and understanding? Whatever assault on the status quo reveals itself through criminology committed to possibility, it remains, nevertheless, imperative that such calculations remain open and subject to perpetual scrutiny (Pavlich 2005a). Making the world: Our argument should not be taken as fodder for criminologists who wish to sidestep "the political." We believe that today there is an enormous amount to do in all domains where alterity is (r)ejected and the powerful dispossess the marginalized in full face of the law (indeed, employing law to this end). It is in relation to this call of the other, or the dispossessed and downtrodden - those ravaged by the neo-liberal ethos - that calls to "justice" and for responsibility emerge. However, we do not offer an ontological substitute but counter that the possibilities of alternatives should remain open, even as "[they remain] empty, living on borrowed time, awaiting the content to fill [them] in" (Zizek 2000: 324). But our purposeful refusal to advance an a priori replacement or to utter the name of "the" universal subject of humanity who will liberate the totality should not be confused with a loss of nerve. Ours is a radical proposal - especially in criminological circles. What has been taken and understood as critical engagement - particularly as it relates to politics and its supporting ideologies - has been concerned with a priori rejection of all things present and ancient, such that new dogmas may take their place (Kristeva 1999). Interventions must develop in context, rather than approaching a particular (political) problem with a ready-made grid of intelligibility to lay over it and through which to judge its ultimate success (or failure?). To do otherwise holds the distinct possibility of legitimizing all manner of calamity and oppression in the name of the revolution or the spirit of the times. Merleau-Ponty's (1946) "wager," for example, seems to suggest Stalin's show trials were defensible in light of the greater good of revolutionary ends. If not legitimizing calamity, we can certainly question upon which "universal" sensibility foundations, criteria, and judgements are founded (Pavlich 2001a). Emancipatory gestures predicated upon revolutionizing the present in accordance with axiomatic idioms are negations that contain the trace of the present and threaten to swallow the drive to be otherwise whole. That is, such and such proposals are created out of the cloth of "the what is." The present becomes the muse and the spectre of the revolution. Instead of breaking beyond the present, reactive policy is forever fettered to it. Instead of employing one or another yardstick to judge the success and failure of critical moments, it is necessary to affirm and denounce the world as it is - "not to weigh out as best one can equal amounts of submission and revolt, and always end up halfway between reform and accommodation, but to make the world into place" (Nancy 1997: 158). That is, to manifest an art of critique that involves destabilizing seemingly well-anchored relations into new patterns of being that do not pander to established social logics or rely upon reactive judgements. Taken thus, criminology would multiply, not judgements about existing policy, programs, institutions, or societal structures, but logics of being; "it would summon them, drag them from their sleep. Perhaps it would invert them sometimes - all the better" (Foucault 1997: 323). Indeed, one could conceive a criminal justice beyond criminal justice, without recourse to law(yers), institutionalization, probation, and so on, which would take social harm, incivility, and environmental destruction to task without affirming its absolute certitude. This world would never remain still but would be perpetually (re)opened to its own aporias, irrationalities, and internal contradictions. Achievements that accrue from political engagement should never be considered fait accompli, such that the criminologist can sit back and admire her or his work. There is much to do. The outcomes of complacency are evident in the discourse of multiculturalism. Canada's version may seem, on first reading, an opening to the "other" that welcomes and offers hospitality. But, as Nandana Dutta (2004) argues, this position permits complacency and smugness to creep into our relations with the other. That is, with the Multiculturalism Act in tow, Canada as a country is a priori immune from claims of racism and intolerance. In other words, multiculturalism is finally reducible to a bland "rights-for-all" or a "live and let live" state that is quite immune to the other because, instead of celebrating difference and inviting a minutely calibrated response, it simply tolerates it. (Dutta 2004: 439) Multiculturalism is, then, an alibi for the continued inequalities between dominant and other. We are in no way negating the emancipatory effects of "multiculturalism" and its corresponding ontic, but we are making the point that every emancipatory step must be followed by reflexivity and further emancipatory movement. As it stands, the Multiculturalism Act promises that "every individual is equal before and under the law and has the right to the equal protection and benefit of the law without discrimination ... and guarantees those rights and freedoms equally to male and female persons" (Preamble). However, spending an hour in docket court or in your local remand centre will put an end to any illusion of tolerance and respect for/of the other heralded by the act. Quite simply, some groups are more equal than "others." As a result, we can never fully be aware in advance what is to be accomplished and to what ends, but the logic of intervention and investigation never closes off dialogue, debate, and critique. Rather, "each advance in politicization obliges one to reconsider, and so to reinterpret the very foundations of law such as they had previously been calculated or delimited" (Derrida 1997: 62). This mode of analysis permits us to think the political and think emancipation by granting space - even if it is cramped - to maneuver beyond the symbolic and hegemonic. But what will become of the criminal-justice field or of multiculturalism - even if they remain tied to these signs - is not something we can know in advance, and we can no longer be lulled into believing that we can predict or command the movement of the carnivorous beast. We can, however, act and intervene in a way that allows for the possibility of some illegality, the breaking of an implicit contract buttressing the established order, which, in effect, will disrupt the peaceful (symbolic) order of things. Efforts should not be directed solely toward fighting politically correct battles for inclusion that, while important in their own right, in effect maintain the foundational ontology of the neo-liberal order. Capital is expanding with increasing ruthlessness, leaving poverty, racism, homelessness, and general social misery in its wake. Attending to the latter while neglecting the former’s complicity in fostering conditions ripe for the spread of the vilest oppression diverts our attention. Thus, intervention should not fall into the trap of conceiving of programs that work well within the current ethos (Zˇ izˇek 1999). Rather, it is imperative to extend critique and thought beyond current ontological limits into the open spaces beyond criminal justice, law, and multiculturalism, using irrationality and contradictions as chaperon and source of urgency. We are certain that today’s criminal justice is spawning new and potentially more explosive contradictions. A long series of facts comes immediately to mind, including, but not limited to, the gross over-representation of Aboriginal peoples in the system, the almost exclusive targeting of the poorest segments of the population by the state’s policing arm, and the eerie absence of the most powerful from the courtroom – other than as officials whose Critical Criminology and Possibility in the Neo-liberal Ethos 695 main purpose it is to adjudicate and pass judgement upon the marginalized. The contradictions of criminal justice overflow the levies constructed to lend it the appearance of propriety, justice, fairness, blindness, and inevitability. The criminal-justice field is none of these things. It is in this realization that a criminology of possibility intervenes, unveiling the irrationalities and contradictions of the system in order to disrupt ontology and rethink the possibility of justice beyond what is.

# 2NC

## 2NC Buffalo K --- Discourse Key

#### Use this round as an instructional moment to critically voice dissent against the celebration of native genocide two hours down I70 from this very spot and in the rhetoric of the 1ac.

**Mohawk Nation News 2k12**

[<http://mohawknationnews.com/blog/2012/08/24/mnn-obama-buffalo-soldier-chief/>, Obama, Buffalo Soldier in Chief, a: today, cook]

US President Obama obeys his masters just like the Buffalo Soldiers. So grand is the illusion of freedom that they don’t’ even know they’re still slaves. According to the myth, the Buffalo Soldiers were freedom fighters. In 1865 the Civil War was over. US President, Abraham Lincoln, freed the slaves. [Emancipation Proclamation]. White soldiers were deserting because they were terrified of fighting Indians. In 1866 the 10th Cavalry Regiment of Black soldiers was set up at Fort Leavenworth in Kansas. Lincoln promised the Blacks their freedom, 40 acres of our land and a mule, which they never got. Over 150,000 joined, to prove they were just as blood-thirsty as their white masters in stealing from us and murdering us without mercy. As former victims of racism, the Buffalo Soldiers became the champions of rape, genocide, brutality and mass murder of innocent people. They took pride in killing people who never did anything to them. They forgot all about the help we gave them because slavery is a violation of our Great Law. The Choctaw, Cherokee and Shawnee helped them escape from their slave masters to the north. We were called “non-reformable savages”. They were told there is a time when it is okay to kill Indians and those who did so were a force for good. With pride and fervor, they attacked us 127 times to try to exterminate us. Between 1866 to 1890 ten Buffalo Soldiers were awarded the Medal of Honor for slaughtering our men, women and children. They were at the Wounded Knee massacre in 1890.

General Colin Powell was inspired by these hired thugs. He kept a statue of a Buffalo Solider in his office and called him the “wind beneath my wings”.Obama is the Buffalo Soldier Commander-in-Chief who brags about murdering, torturing and butchering anyone he chooses. As a Mohawk Rotiskenrakete said, should a civil war break out in the US, he felt that, “the Buffalo Soldiers would join their masters”. They always do what they’re told. The invaders and forced invaders will probably stand together. The mule and everything they were promised, they will not get! Today websites are devoted to their exploits for protecting white settlers and starving and killing Indigenous. Every year they celebrate at Fort Riley, Kansas, to remind their white masters, “Look! We’re still here, ready to stand with you”.

## 2NC Buffalo K --- Turns Case

#### And, the buffalo soldiers were also imperialists, serving in Cuba with Roosevelt looting and murdering for pleasure and in the Philippines in our covert overthrow of a democratically elected government and endless genocide.

**Melendez 2k11**

[American Indian Genocide Museum: The Confederate Flag, Buffalo Soldiers at Wounded Knee and Clarifying History, <http://bsnorrell.blogspot.com/2011/12/american-indian-genocide-museum.html>

Was Teddy Roosevelt a force for good when he charged up San Juan Hill in Cuba? The Buffalo Soldiers served with him. Perhaps if there wasn’t such a disconnect from history we wouldn’t have men like Byron Thomas displaying the Confederate flag or dressing up in a Cavalry uniform. In 1901, Buffalo Soldier, William Fulbright wrote from Manila in the Philippines, “This struggle on the islands has been naught but a gigantic scheme of robbery and oppression”. The struggle on the islands was a continuation of the Indian Wars the Buffalo Soldiers are so proud of. In 1896 Teddy Roosevelt was quoted in Century Magazine: “We should annex Hawaii immediately. It was a crime against the United States; it was a crime against white civilization, not to annex it two years and a half ago. The delay did damage that is perhaps irreparable; for it meant that at the critical period of the islands’ growth the influx of population consisted, not of white Americans, but of low cast laborers from the yellow races.” The truly sad part of this whole situation is that we have men, the descendants of the victims of racism, becoming the champions of the right to display the very symbols of racism that once oppressed their ancestors. Sadly, they see themselves as champions of free speech. In fact, they are the products of a racist educational system that lifts up only the positive of one group while teaching only the negative about another. Teaching a propagandized version of history will always result in people not only living a lie but unwittingly propagating the expansion of the lie. Paul Matthews became aware or the Buffalo Soldiers at Prairie View. He said, “I read two paragraphs about the Buffalo Soldiers, and I thought, ‘Man, the world needs to know about these people”. He is right; the world does need to know about these people. The late Howard Zinn wrote, “Mass murder for a good cause is one of the sicknesses of our time.” Byron Thomas can continue displaying his Confederate flag just as Paul Matthews can continue dressing up in his George Custer styled Cavalry uniform but in so doing, they display a profound ignorance of history. It shows that we as a people have become an Orwellian, “double-think” nation that can vacation by reservations and debate both sides of the issue of the redistribution of wealth. The similarity between the reservations and the Nazi concentration camps is the farthest thing from the American mind even though the Jewish Holocaust was American history repeating itself. How so? On October 17, 1941, Adolph Hitler said, “As for the natives, we’ll have to screen them carefully. The Jew, that destroyer, we shall drive out…There’s only one duty: to Germanise this country by the immigration of Germans, and to look upon the natives as Redskins”. The horrifying thing about Hitler is that he was emulating American history. In reality, the American Holocaust has never really ended. Last month it was reported by BBC News that indigenous leader Nisio Gomes was shot dead in front of his community in Brazil. The news report read, “Nisio Gomes , 59, was part of a Guarani Kaiowa group that returned to their ancestral land at the start of this month after being evicted by ranchers. He was killed by a group of up to 40 masked gunmen who burst into the camp, witnesses said. Land disputes between indigenous groups and ranchers are common in Mato Grosso do Sul State. Mr. Gomes was shot in the head, chest, arms and legs and his body was then driven away by the gunmen, community members said…Unconfirmed reports say two other Guaranis were abducted by the gunmen and may also have been killed… The group had been camping on a roadside following their eviction until they decided to return to their land at the beginning of November. The killing has been condemned by the international group Survival, which campaigns for indigenous rights. ‘It seems the ranchers won’t be happy until they’ve eradicated the Guarani,’ Survival’s director Stephen Corry said.” My questions to Mr. Paul Matthews of the Buffalo Soldiers Museum and the commissioners of the Texas Department of Motor Vehicles is this: How do we stop the killing if we do not admit that there is a problem? Will you be part of the solution or a part of the problem? To contact the Texas Department of Motor Vehicles, write to 4000 Jackson Ave. Austin, Texas 78731 the DMV can also be reached at 1888-368-4689 The Buffalo Soldiers are currently trying to gain back door deceptive credibility by having legislation passed in the U.S. Congress which would honor them not for their motorcycle chapters or their history of killing Indians but for their " role in the national parks". To easily oppose U.S. House Bill # 1022, click here. https://www.popvox.com/bills/us/112/hr1022 To easily oppose U.S. Senate Bill # 544 click here. <https://www.popvox.com/bills/us/112/s544> And, there’s no risk of offense or redeployment or perm solvency – the Buffalo Soliders recently met with the Southern Apache Museum and had no explanation of their false glorification of indian extinction. The native people expressed their great displeasure with the Buffalo Soldier Museum representatives referring to our ancestors with the term “hostile” because that was a designation given to all Indians who “rejected reservation life." Capt. Matthews was shown a picture of a Ku Klux Klan parade in the nation’s capital in 1939 which showed thousands of hooded Klansmen marching down Pennsylvania Ave. He was asked if people dressed like that, marching down the street would bother him. His reply was , “I don’t mind, it’s a free country." When Capt. Matthews stated that the Buffalo Soldiers chased robbers, thieves and Mexican bandits, he was asked on whose land they were on when they did that, he had no answer. When Capt. Matthews told how the Buffalo Soldiers also strung telegraph lines, laid railroads, and guarded stage coaches, he was told that that was a lie. “We didn’t string telegraph lines? How is that a lie?” He was told that it was a lie because it was a half-truth. He was told that in order to be truthful, he should say, “The Buffalo Soldiers strung telegraph lines on Indian land. They laid railroad tracks on Indian land and that they guarded stage coaches on Indian land.”

## 2NC Buffalo K --- Genocide Impact

#### and, memorializations of the legacy of the Buffalo Soldiers like the 1ac whitewash Native genocide.

Sanghi 2k10

<http://quicktake.wordpress.com/2010/02/07/buffalo-soldier-gets-arlington-burial-after-100-years-cnn-com/>

In 1889, he was part of a small detachment assigned to protect a U.S. Army pay wagon, which was caught in an ambush by a band of bandits. A gunfight ensued and almost all the soldiers were wounded or killed. Mays was shot in both legs. The bandits made off with $29,000 in gold coins. (via [Buffalo Soldier gets Arlington burial after 100 years – CNN.com](http://www.cnn.com/2009/US/05/29/missing.soldier.buried/index.html?iref=allsearch)). After the American Civil War, as African [slaves in America were ‘freed’](http://2ndlook.wordpress.com/2008/02/11/end-of-slavery-in-europe-usa/), they were left with little or no economic opportunities. Except killing. In the US Armed forces. As Buffalo soldiers. To [kill ‘Red Indians’](http://2ndlook.wordpress.com/2007/11/19/scorched-earth-incidents-in-history-what-they-reveal/). A 100 years later, CNN still describes these ‘Red Indians’ fighting for their survival as ‘bandits’. But [the White colonizers and aggressors](http://2ndlook.wordpress.com/2008/02/07/country-business-model-of-the-west/) were the ‘brave’ frontiersmen’ whose ‘saga’ is told and re-told in countless ‘cowboy’ books and ‘Westerns’ by Hollywood. Will the [‘Desert Bloc’ ever stop](http://2ndlook.wordpress.com/2008/02/26/the-great-unease/) these killings or [whitewashing these genocides](http://2ndlook.wordpress.com/2008/09/15/elephants-in-the-room/)? Of course, there will always be [the apology option](http://quicktake.wordpress.com/2009/02/07/demonize-genocide-and-apologize/)!!

# 1NR

## 1NR Framework --- Echo Chamber DA

#### 2) Makes the debate into an echo-chamber – destroys fairness, education, and turns the aff

Talisse 5

Professor of Philosophy @Vandy¶ Robert, Philosophy & Social Criticism, Deliberativist responses to activist challenges, 31(4) p. 429-431

The argument thus far might appear to turn exclusively upon different conceptions of what reasonableness entails. **The deliberativist view** I have sketched hold that reasonableness **involved some degree of** what we may call **epistemic modesty. On this** view, **the reasonable citizen seeks to have her beliefs reflect the best available reasons,** and so she enters into public discourse **as a way of testing her views against the objections** and questions of those who disagree; hence she implicitly hold that **her present view is open to reasonable critique** and that others who hold opposing views may be able to offer justifications for their views that are at least as strong as her reasons for her own. Thus any mode of **politics that presumes that discourse is extraneous to questions of justice and justification is unreasonable**. The activist sees no reason to accept this. Reasonableness **for the activist** consists in the ability to act on reasons that upon due reflection seem adequate to underwrite action; **discussion with those who disagree need not be involved**. **According to the activist,** there are certain cases in which he does in fact know the truth about what justice requires and in which **there is no room for reasoned objection.** Under such conditions, **the deliberativist’s demand for discussion can only obstruct justice; it is therefore irrational**. It may seem that we have reached an impasse. However, there is a further line of criticism that the activist must face. To the activist’s view that at least in certain situations he may reasonably decline to engage with persons he disagrees with (107), the deliberative democrat can raise the phenomenon that Cass Sunstein has called ‘group polarization’ (Sunstein, 2003; 2001A; ch. 3; 2001b: ch. 1). To explain: consider that political **activists cannot eschew deliberation altogether; they often engage in rallies,** demonstrations, teach-ins, workshops, and other activities in which they are called to make public the case for their views. Activists also must engage in deliberation among themselves when deciding strategy. Political movement must be organized, hence those involved must decide upon targets, methods, and tact’s; they must also decide upon the content of their pamphlets and the precise messages they most wish to convey to the press. **Often the audience in both of these deliberative contexts will be a self-selected and sympathetic group of like-minded activists**. **Group polarization** is a well-documented phenomenon that **has ‘been found all over the world** and is many diverse tasks’; it means that ‘members of a deliberating group predictably move towards a more extreme point in the direction indicated by’ predeliberation tendencies’ (Sunstein, 2003: 81-2). Importantly, **in group that ‘engage in repeated discussions’** over time, **the polarization is even more pronounced** (2003: 86). Hence discussion in a small but devoted activist enclave that meets regularly to strategize and protest ‘should produce a situation in which individuals hold positions more extreme than those of an individual member before the series of deliberations began’ (ibid.).17 The fact of group polarization is relevant to our discussion because the activist has proposed that **he may reasonably decline to engage in discussion with those with whom he disagrees** in cases in which the requirement of justice are so clear that he can be confidents that has the truth .Group polarization suggest that even deliberatively confronting those with whom we disagree is essential even we have the truth. **For even if we have the truth, if we do not engage opposing views,** but instead deliberate only with those with whom we agree, our view will shift progressively to a more extreme point, and thus we lose the truth ,In order to avoid polarization, deliberation must take place within heterogeneous ‘argument pools’ (Sunstein, 2003: 93). This of course does not mean that there should be no groups devoted to the achievement of some common political goal; it rather suggest that a engagement with those with whom one disagrees is essential to the proper pursuitof justice. Insofar as the activist denies this, he is unreasonable.

## 1NR Framework --- Dialogue DA

#### Fairness is key to effective dialogue---monopolizing strategy makes discussion one-sided and subverts inclusion of the neg--- turns their inclusion arguments

Galloway 7

Samford Comm prof (Ryan, 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 dialoguethat 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). Hugh Duncan furthers this line of reasoning:¶ **Opponents not only tolerate but honor and respect each other because in doing so they enhance their own chances of thinking better and reaching sound decisions**. Opposition is necessary because it sharpens thought in action. We assume that argument, discussion, and talk, among free an informed people who subordinate decisions of any kind, because **it is only through such discussion that we reach agreement which binds us to a common cause…If we are to be equal…relationships among equals must find expression in many formal and informal institutions** (Duncan, 1993, p. 196-197).¶ **Debate compensates for the exigencies of the world by offering a framework that maintains equality for the sake of the conversation** (Farrell, 1985, p. 114).¶ For example, **a**n affirmative **case** on the 2007-2008 college topic **might defend neither state nor** international **action** in the Middle East, andyet claim to be germane to the topic **in some way. The case essentially denies the arguments that state action is oppressive or that actions** in the international arena **are philosophically or pragmatically suspect. Instead of allowing for the dialogue to be modified by the interchange of the affirmative case and the negative response, the affirmative** subverts any meaningful role to the negative team**, preventing them from offering effective “counter-word” and undermining the value of a meaningful exchange of speech acts. Germaneness and other substitutes for topical action do not accrue the dialogical benefits of topical advocacy**.

## 1NR Framework --- Sequencing DA

#### The premise of their response to framework is that issues of identity/race/culture should be protected from exposure to reason-giving debate---this impedes the culture of democratic debate that’s key to effective decisionmaking in a pluralistic society---it’s also simply wrong to claim that framework oppresses identity or alternate styles---our argument is style-neutral---it simply asks that narrative/experience/etc be used to support a policy conclusion which solves their offense as well as ours

Anderson 6

Amanda Anderson 6, Andrew W. Mellon Professor of Humanities and English at Brown University, Spring 2006, “Reply to My Critic(s),” Criticism, Vol. 48, No. 2, p. 281-290

MY RECENT BOOK, The Way We Argue Now, has in a sense two theses. In the first place, the book makes the case for the importance of debate and argument to any vital democratic or pluralistic intellectual culture. This is in many ways an unexceptional position, but the premise of the book is that the claims of reasoned argument are often trumped, within the current intellectual terrain, by appeals to cultural identity and what I gather more broadly under the rubric of ethos, which includes cultural identity but also forms of ethical piety and charismatic authority. In promoting argument as a universal practice keyed to a human capacity for communicative reason, my book is a critique of relativism and identity politics, or the notion that forms of cultural authenticity or group identity have a certain unquestioned legitimacy, one that cannot or should not be subjected to the challenges of reason or principle, precisely because reason and what is often called "false universalism" are, according to this pattern of thinking, always involved in forms of exclusion, power, or domination. My book insists, by contrast, that argument is a form of respect, that the ideals of democracy, whether conceived from a nationalist or an internationalist perspective, rely fundamentally upon procedures of argumentation and debate in order to legitimate themselves and to keep their central institutions vital. And the idea that one should be protected from debate, that argument is somehow injurious to persons if it does not honor their desire to have their basic beliefs and claims and solidarities accepted without challenge, is strenuously opposed. As is the notion that any attempt to ask people to agree upon processes of reason-giving argument is somehow necessarily to impose a coercive norm, one that will disable the free expression and performance of identities, feelings, or solidarities. Disagreement is, by the terms of my book, a form of respect, not a form of disrespect. And by disagreement, I don't mean simply to say that we should expect disagreement rather than agreement, which is a frequently voiced-if misconceived-criticism of Habermas. Of course we should expect disagreement. My point is that we should focus on the moment of dissatisfaction in the face of disagreement-the internal dynamic in argument that imagines argument might be the beginning of a process of persuasion and exchange that could end in agreement (or partial agreement). For those who advocate reconciling ourselves to disagreements rather than arguing them out, by contrast, there is a complacent-and in some versions, even celebratory-attitude toward fixed disagreement. Refusing these options, I make the case for dissatisfied disagreement in the final chapter of the book and argue that people should be willing to justify their positions in dialogue with one another, especially if they hope to live together in a post-traditional pluralist society. One example of the trumping of argument by ethos is the form that was taken by the late stage of the Foucault/Habermas debate, where an appeal to ethos-specifically, an appeal to Foucault's style of ironic or negative critique, often seen as most in evidence in the interviews, where he would playfully refuse labels or evade direct answers-was used to exemplify an alternative to the forms of argument employed by Habermas and like-minded critics. (I should pause to say that I provide this example, and the framing summary of the book that surrounds it, not to take up airtime through expansive self-reference, but because neither of my respondents provided any contextualizing summary of the book's central arguments, though one certainly gets an incremental sense of the book's claims from Bruce Robbins. Because I don't assume that readers of this forum have necessarily read the book, and because I believe that it is the obligation of forum participants to provide sufficient context for their remarks, I will perform this task as economically as I can, with the recognition that it might have carried more weight if provided by a respondent rather than the author.) ¶ The Foucauldian counter-critique importantly emphasizes a relation between style and position, but it obscures (1) the importance or value of the Habermasian critique and (2) the possibility that the other side of the debate might have its own ethos to advocate, one that has precisely to do with an ethos of argument, an ideal of reciprocal debate that involves taking distance on one's pre-given forms of identity or the norms of one's community, both so as to talk across differences and to articulate one's claims in relation to shared and even universal ideals. And this leads to the second thesis of the book, the insistence that an emphasis on ethos and character is interestingly present if not widely recognized in contemporary theory, and one of the ways its vitality and existential pertinence makes itself felt (even despite the occurrence of the kinds of unfair trumping moves I have mentioned). We often fail to notice this, because identity has so uniformly come to mean sociological, ascribed, or group identity-race, gender, class, nationality, ethnicity, sexuality, and so forth. Instances of the move toward character and ethos include the later Foucault (for whom ethos is a central concept), cosmopolitanism (whose aspiration it is to turn universalism into an ethos), and, more controversially, proceduralist ethics and politics (with its emphasis on sincerity and civility). Another version of this attentiveness to ethos and character appears in contemporary pragmatism, with its insistence on casualness of attitude, or insouciance in the face of contingency-recommendations that get elevated into full-fledged exemplary personae in Richard Rorty's notion of the "ironist" or Barbara Herrnstein Smiths portrait of the "postmodern skeptic." These examples-and the larger claim they support-are meant to defend theory as still living, despite the many reports of its demise, and in fact still interestingly and incessantly re-elaborating its relation to practice. This second aspect of the project is at once descriptive, motivated by the notion that characterology within theory is intrinsically interesting, and critical, in its attempt to identify how characterology can itself be used to cover or evade the claims of rational argument, as in appeals to charismatic authority or in what I identify as narrow personifications of theory (pragmatism, in its insistence on insouciance in the face of contingency, is a prime example of this second form). And as a complement to the critical agenda, there is a reconstructive agenda as well, an attempt to recuperate liberalism and proceduralism, in part by advocating the possibility, as I have suggested, of an ethos of argument. ¶ Robbins, in his extraordinarily rich and challenging response, zeroes in immediately on a crucial issue: who is to say exactly when argument is occurring or not, and what do we do when there is disagreement over the fundamentals (the primary one being over what counts as proper reasoning)? Interestingly, Robbins approaches this issue after first observing a certain tension in the book: on the one hand, The Way We Argue Now calls for dialogue, debate, argument; on the other, its project is "potentially something a bit stricter, or pushier: getting us all to agree on what should and should not count as true argument." What this point of entry into the larger issue reveals is a kind of blur that the book, I am now aware, invites. On the one hand, the book anatomizes academic debates, and in doing so is quite "debaterly" This can give the impression that what I mean by argument is a very specific form unique to disciplinary methodologies in higher education. But the book is not generally advocating a narrow practice of formal and philosophical argumentation in the culture at large, however much its author may relish adherence to the principle of non-contradiction in scholarly argument. I take pains to elaborate an ethos of argument that is linked to democratic debate and the forms of dissent that constitutional patriotism allows and even promotes. In this sense, while argument here is necessarily contextualized sociohistorically, the concept is not merely academic. It is a practice seen as integral to specific political forms and institutions in modern democracies, and to the more general activity of critique within modern societies-to the tradition of the public sphere, to speak in broad terms. Additionally, insofar as argument impels one to take distance on embedded customs, norms, and senses of given identity, it is a practice that at once acknowledges identity, the need to understand the perspectives of others, and the shared commitment to commonality and generality, to finding a way to live together under conditions of difference.¶ More than this: the book also discusses at great length and from several different angles the issue that Robbins inexplicably claims I entirely ignore: the question of disagreement about what counts as argument. In the opening essay, "Debatable Performances," I fault the proponents of communicative ethics for not having a broader understanding of public expression, one that would include the disruptions of spectacle and performance. I return to and underscore this point in my final chapter, where I espouse a democratic politics that can embrace and accommodate a wide variety of expressions and modes. This is certainly a discussion of what counts as dialogue and hence argument in the broad sense in which I mean it, and in fact I fully acknowledge that taking distance from cultural norms and given identities can be advanced not only through critical reflection, but through ironic critique and defamiliarizing performance as well. But I do insist-and this is where I take a position on the fundamental disagreements that have arisen with respect to communicative ethics-that when they have an effect, these other dimensions of experience do not remain unreflective, and insofar as they do become reflective, they are contributing to the very form of reasoned analysis that their champions sometimes imagine they must refuse in order to liberate other modes of being (the affective, the narrative, the performative, the nonrational). If a narrative of human rights violation is persuasive in court, or in the broader cultural public sphere, it is because it draws attention to a violation of humanity that is condemned on principle; if a performance jolts people out of their normative understandings of sexuality and gender, it prompts forms of understanding that can be affirmed and communicated and also can be used to justify political positions and legislative agendas.

## 1NR Framework --- Limits DA

#### Independent of governmental politics, the aff’s view of debate destroys limits which spills over into all facets of life which means framework outweighs and turns the aff

Harris 13

(“Scott Harris NDT Final Round Ballot” April 5, 2013 <http://www.cedadebate.org/forum/index.php?topic=4762.msg10255#msg10255>, KB)

I understand that there has been some criticism of Northwestern’s strategy in this debate round. This criticism is premised on the idea that they ran framework instead of engaging Emporia’s argument about home and the Wiz. I think this criticism is unfair. Northwestern’s framework argument did engage Emporia’s argument. Emporia said that you should vote for the team that performatively and methodologically made debate a home. Northwestern’s argument directly clashed with that contention. My problem in this debate was with aspects of the execution of the argument rather than with the strategy itself. It has always made me angry in debates when people have treated topicality as if it were a less important argument than other arguments in debate. Topicality is a real argument. It is a researched strategy. It is an argument that challenges many affirmatives. The fact that other arguments could be run in a debate or are run in a debate does not make topicality somehow a less important argument. In reality, for many of you that go on to law school you will spend much of your life running topicality arguments because you will find that words in the law matter. The rest of us will experience the ways that word choices matter in contracts, in leases, in writing laws and in many aspects of our lives. Kansas ran an affirmative a few years ago about how the location of a comma in a law led a couple of districts to misinterpret the law into allowing individuals to be incarcerated in jail for two days without having any formal charges filed against them. For those individuals the location of the comma in the law had major consequences. Debates about words are not insignificant. Debates about what kinds of arguments we should or should not be making in debates are not insignificant either. The limits debate is an argument that has real pragmatic consequences. I found myself earlier this year judging Harvard’s eco-pedagogy aff and thought to myself—I could stay up tonight and put a strategy together on eco-pedagogy, but then I thought to myself—why should I have to? Yes, I could put together a strategy against any random argument somebody makes employing an energy metaphor but the reality is there are only so many nights to stay up all night researching. I would like to actually spend time playing catch with my children occasionally or maybe even read a book or go to a movie or spend some time with my wife. A world where there are an infinite number of affirmatives is a world where the demand to have a specific strategy and not run framework is a world that says this community doesn’t care whether its participants have a life or do well in school or spend time with their families. I know there is a new call abounding for interpreting this NDT as a mandate for broader more diverse topics. The reality is that will create more work to prepare for the teams that choose to debate the topic but will have little to no effect on the teams that refuse to debate the topic. Broader topics that do not require positive government action or are bidirectional will not make teams that won’t debate the topic choose to debate the topic. I think that is a con job. I am not opposed to broader topics necessarily. I tend to like the way high school topics are written more than the way college topics are written. I just think people who take the meaning of the outcome of this NDT as proof that we need to make it so people get to talk about anything they want to talk about without having to debate against topicality or framework arguments are interested in constructing a world that might make debate an unending nightmare and not a very good home in which to live. Limits, to me, are a real impact because I feel their impact in my everyday existence.

## 1NR Framework --- Switch Side DA

#### Switch-side debate is key to progressive politics

English et al 7

(Eric English, Stephen Lano, Gordon Mitchell, University of Pittsburgh communications professor, Catherine Morrison, John Reif, and Carly Woods, Schenley Park Debate Authors Working Group, “Debate as a Weapon of Mass Destruction,” June 2007, Communication and Critical/Cultural Studies, [www.pitt.edu/~gordonm/JPubs/EnglishDAWG.pdf](http://www.pitt.edu/~gordonm/JPubs/EnglishDAWG.pdf%5D), - Kurr)

The problem for Greene and Hicks is that this notion of citizenship becomes tied to a normative conception of American democracy that justifies imperialism. They write, ‘‘The production and management of this field of governance allows liberalism to trade in cultural technologies in the global cosmopolitan marketplace at the same time as it creates a field of intervention to transform and change the world one subject (regime) at a time.’’11 Here, Greene and Hicks argue that this new conception of liberal governance, which epitomizes the ethical citizen as an individual trained in the switch-side technique, serves as a normative tool for judging other polities and justifying forcible regime change. One need look only to the Bush administration’s framing of war as an instrument of democracy promotion to grasp how the switch-side technique can be appropriated as a justification for violence. It is our position, however, that rather than acting as a cultural technology expanding American exceptionalism, switch-side debating originates from a civic attitude that serves as a bulwark against fundamentalism of all stripes. Several prominent voices reshaping the national dialogue on homeland security have come from the academic debate community and draw on its animating spirit of critical inquiry. For example, Georgetown University law professor Neal Katyal served as lead plaintiff’s counsel in Hamdan, which challenged post-9/11 enemy combat definitions.12 The foundation for Katyal’s winning argument in Hamdan was laid some four years before, when he collaborated with former intercollegiate debate champion Laurence Tribe on an influential Yale Law Journal addressing a similar topic.13 Tribe won the National Debate Tournament in 1961 while competing as an undergraduate debater for Harvard University. Thirty years later, Katyal represented Dartmouth College at the same tournament and finished third. The imprint of this debate training is evident in Tribe and Katyal’s contemporary public interventions, which are characterized by meticulous research, sound argumentation, and a staunch commitment to democratic principles. Katyal’s reflection on his early days of debating at Loyola High School in Chicago’s North Shore provides a vivid illustration. ‘‘I came in as a shy freshman with dreams of going to medical school. Then Loyola’s debate team opened my eyes to a different world: one of argumentation and policy.’’ As Katyal recounts, ‘‘the most important preparation for my career came from my experiences as a member of Loyola’s debate team.’’14 The success of former debaters like Katyal, Tribe, and others in challenging the dominant dialogue on homeland security points to the efficacy of academic debate as a training ground for future advocates of progressive change. Moreover, a robust understanding of the switch-side technique and the classical liberalism which underpins it would help prevent misappropriation of the technique to bolster suspect homeland security policies. For buried within an inner-city debater’s files is a secret threat to absolutism: the refusal to be classified as ‘‘with us or against us,’’ the embracing of intellectual experimentation in an age of orthodoxy, and reflexivity in the face of fundamentalism. But by now, the irony of our story should be apparent\*the more effectively academic debating practice can be focused toward these ends, the greater the proclivity of McCarthy’s ideological heirs to brand the activity as a ‘‘weapon of mass destruction.’’

## 1NR Framework --- AT: State Bad

#### We do not link to their state bad arguments - Discussing the state is distinct from the roleplaying they criticize – we don’t require an acceptance of an oppressive institution

Harris 13

(“Scott Harris NDT Final Round Ballot” April 5, 2013 <http://www.cedadebate.org/forum/index.php?topic=4762.msg10255#msg10255>, KB)

While this ballot has meandered off on a tangent I’ll take this opportunity to comment on an unrelated argument in the debate. Emporia argued that oppressed people should not be forced to role play being the oppressor. This idea that debate is about role playing being a part of the government puzzles me greatly. While I have been in debate for 40 years now never once have I role played being part of the government. When I debated and when I have judged debates I have never pretended to be anyone but Scott Harris. Pretending to be Scott Harris is burden enough for me. Scott Harris has formed many opinions about what the government and other institutions should or should not do without ever role playing being part of those institutions. I would form opinions about things the government does if I had never debated. I cannot imagine a world in which people don’t form opinions about the things their government does. I don’t know where this vision of debate comes from. I have no idea at all why it would be oppressive for someone to form an opinion about whether or not they think the government should or should not do something. I do not role play being the owner of the Chiefs when I argue with my friends about who they should take with the first pick in this year’s NFL draft. I do not role play coaching the basketball team or being a player if I argue with friends about coaching decisions or player decisions made during the NCAA tournament. If I argue with someone about whether or not the government should use torture or drone strikes I can do that and form opinions without ever role playing that I am part of the government. Sometimes the things that debaters argue is happening in debates puzzle me because they seem to be based on a vision of debate that is foreign to what I think happens in a debate round.

## 1NR Framework --- AT: Oppression

#### Framework isn’t itself forceful oppression---it’s simply an advocacy on behalf of certain decision making practices---it’s no different than any other argument in debate

Anderson 6

Amanda Anderson 6, Andrew W. Mellon Professor of Humanities and English at Brown University, Spring 2006, “Reply to My Critic(s),” Criticism, Vol. 48, No. 2, p. 281-290

Lets first examine the claim that my book is "unwittingly" inviting a resurrection of the "Enlightenment-equals-totalitarianism position." How, one wonders, could a book promoting argument and debate, and promoting reason-giving practices as a kind of common ground that should prevail over assertions of cultural authenticity, somehow come to be seen as a dangerous resurgence of bad Enlightenment? Robbins tells us why: I want "argument on my own terms"-that is, I want to impose reason on people, which is a form of power and oppression. But what can this possibly mean? Arguments stand or fall based on whether they are successful and persuasive, even an argument in favor of argument. It simply is not the case that an argument in favor of the importance of reasoned debate to liberal democracy is tantamount to oppressive power. To assume so is to assume, in the manner of Theodor Adorno and Max Horkheimer, that reason is itself violent, inherently, and that it will always mask power and enforce exclusions. But to assume this is to assume the very view of Enlightenment reason that Robbins claims we are "thankfully" well rid of. (I leave to the side the idea that any individual can proclaim that a debate is over, thankfully or not.) But perhaps Robbins will say, "I am not imagining that your argument is directly oppressive, but that what you argue for would be, if it were enforced." Yet my book doesn't imagine or suggest it is enforceable; I simply argue in favor of, I promote, an ethos of argument within a liberal democratic and proceduralist framework. As much as Robbins would like to think so, neither I nor the books I write can be cast as an arm of the police. ¶ Robbins wants to imagine a far more direct line of influence from criticism to political reality, however, and this is why it can be such a bad thing to suggest norms of argument. Watch as the gloves come off: ¶ Faced with the prospect of submitting to her version of argument roughly, Habermass version-and of being thus authorized to disagree only about other, smaller things, some may feel that there will have been an end to argument, or an end to the arguments they find most interesting. With current events in mind, I would be surprised if there were no recourse to the metaphor of a regular army facing a guerilla insurrection, hinting that Anderson wants to force her opponents to dress in uniform, reside in well-demarcated camps and capitals that can be bombed, fight by the rules of states (whether the states themselves abide by these rules or not), and so on-in short, that she wants to get the battle onto a terrain where her side will be assured of having the upper hand.¶ Lets leave to the side the fact that this is a disowned hypothetical criticism. (As in, "Well, okay, yes, those are my gloves, but those are somebody elses hands they will have come off of.") Because far more interesting, actually, is the sudden elevation of stakes. It is a symptom of the sorry state of affairs in our profession that it plays out repeatedly this tragicomic tendency to give a grandiose political meaning to every object it analyzes or confronts. We have evidence of how desperate the situation is when we see it in a critic as thoughtful as Bruce Robbins, where it emerges as the need to allegorize a point about an argument in such a way that it gets cast as the equivalent of war atrocities. It is especially ironic in light of the fact that to the extent that I do give examples of the importance of liberal democratic proceduralism, I invoke the disregard of the protocols of international adjudication in the days leading up to the invasion of Iraq; I also speak about concerns with voting transparency. It is hard for me to see how my argument about proceduralism can be associated with the policies of the Bush administration when that administration has exhibited a flagrant disregard of democratic procedure and the rule of law. I happen to think that a renewed focus on proceduralism is a timely venture, which is why I spend so much time discussing it in my final chapter. But I hasten to add that I am not interested in imagining that proceduralism is the sole political response to the needs of cultural criticism in our time: my goal in the book is to argue for a liberal democratic culture of argument, and to suggest ways in which argument is not served by trumping appeals to identity and charismatic authority. I fully admit that my examples are less political events than academic debates; for those uninterested in the shape of intellectual arguments, and eager for more direct and sustained discussion of contemporary politics, the approach will disappoint. Moreover, there will always be a tendency for a proceduralist to under-specify substance, and that is partly a principled decision, since the point is that agreements, compromises, and policies get worked out through the communicative and political process. My book is mainly concentrated on evaluating forms of arguments and appeals to ethos, both those that count as a form of trump card or distortion, and those that flesh out an understanding of argument as a universalist practice. There is an intermittent appeal to larger concerns in the political democratic culture, and that is because I see connections between the ideal of argument and the ideal of deliberative democracy. But there is clearly, and indeed necessarily, significant room for further elaboration here.

## 1NR Framework --- AT: Activism Good

#### Activism in debate doesn’t work

Solt ‘04

(Roger, Debate Coach – U. Kentucky, “Debate’s Culture of Narcissism”, Contemporary Argumentation and Debate, Vol. 25, p. 46)

**In a**nother **early formulation, critical argument was deemed preferable because, unlike arguments resting on** the illusory notion of **policy fiat, it could have a real world** political **impact. This approach seems to have waned** in recent years, and it has done so **for good reason**. The idea of policy **fiat is sometimes dismissed as utopian, but the notion that a winning ballot in a college debate round could trigger a world-transforming social movement borders on megalomania**. Beyond college debate’s few hundred active participants, **some fraction of America**’s hundreds of millions **probably has a vague intimation that** something like **college debate exists**. (They do, after all, watch “The Apprentice.”) **But they are certainly not attentive to its outcomes**, no newspaper reports debate results (“kritik of capitalism 3, capitalism 1”), nor do they understand its intricacies. **And those relative few** who do know something about debate **know that it is a** competitive **game and that a** judge’s **ballot does not signify** conviction **or ideological conversion** (as those of use who have voted for arguments like “nuclear war good” can readily attest.) **People do not make fundamental** moral and political **judgments based on individual** debate **rounds**; nor should they. **Reflective people** surely **have better bases for their beliefs than** the outcomes of **fast, short, competitive debates**.

## 1NR Framework --- AT: Debate Bad

#### Debate is self-reflexive and self-correcting --- it allows the very terms and shortfalls of debate itself to be scrutinized --- your debate bad arguments prove why debate is good

Stannard 6

STANNARD, PF COMMUNICATION AND JOURNALISM, 6¶ [MATT, “DELIBERATION, DEMOCRACY AND DEBATE”, legalcommunication.blogspot.com/2006/08/deliberation-debate-and-democracy-in.html

Sometimes this means conducting deliberative polls or favoring the referendum process. Other times it means making the political process more transparent, such as favoring open-door meetings and the like. Now, many people make pretty good arguments as to the imperfections of these policies. The referendum process can be co-opted, bought out; sometimes even openness is antithetical to transparency, since cynical politicians can take advantage of openness for their own publicity, and sometimes people need to deliberate in private.¶ But **the great thing about deliberation as a commitment is that these criticisms can become part of the overall process of deliberative democracy. In a world where interested parties have the opportunity to** speak and **debate in good faith, we can criticize the** referendum **process,** or explain why we can’t always have open meetings. **We can debate the rules themselves, in other words, debate the process itself.** ¶ **All of this suggests that**, if deliberative ethics are an antidote to both authoritarianism and self-centeredness, **we need more:** More debate teams**,** more public discussion, more patient deliberation, more argument, more discourse, and more nurturing and promotion of the material entities that sustain them.¶ **Some of the most articulate criticisms of competitive, switch-side academic debate come from the debate community itself. These criticisms have lately centered on things like the specialized and esoteric practices** **of debate**, the **under-representation of minorities** in the activity, **and the way** in which **debate practices feed,** rather than fight, **structures of domination. In other words, internal criticism of academic debate is very much like internal criticisms of the Academy in general:** We’re too specialized, we’re too white, and we’re exploited by hegemonic institutions. **All of these criticisms are true, and yet, paradoxically, it is our experience in debate,** along with our experience in the critical thinking of university education, **that** teaches us how to articulate these arguments**. The deliberative process is** self-reflective **and at least has the** potential to be self-correcting**.**