# 1NC

### T

#### A. Authority is the legal right to take action, power is the ability to do so

Forsythe and Hendrickson 96

[David P. Forsythe, Professor and Chair of Political Science University of Nebraska-Lincoln, Ryan C. Hendrickson, Ph.D. Candidate University of Nebraska-Lincoln. “U.S. Use of Force Abroad: What Law for the President?” Presidential Studies Quarterly, Vol. 26, No. 4]

The crisis is most precisely about authority, not power. Authority, in the legal sense, concerns ¶ the right to do something. Power refers to the capability to do something. Part of the problems ¶ in the U.S. constitutional crisis over use of force abroad is that the president has the power to ¶ make war, and to obtain congressional deference most of the time, whatever the proper under ¶ standing of authority.

Statutory restrictions are limits on authority by congress

Blacks Online Legal Dictionary 13

(2nd Edition, http://thelawdictionary.org/statutory-restriction/)

Statutory Restriction- Limits or controls that have been place on activities by its ruling legislation.

#### Judicial restrictions are court enforced interpretations of statutory restrictions

Barron ‘08

David J. Barron, Professor of Law, Harvard Law School, & Martin S. Lederman,

Visiting Professor of Law, Georgetown University Law Center, 2008, “THE

COMMANDER IN CHIEF AT THE LOWEST EBB - FRAMING THE PROBLEM, DOCTRINE, AND

ORIGINAL UNDERSTANDING,” Harvard Law Review, January, pp. LN.

4. Judicial Enforcement of Implied Statutory Restrictions. - The way the Supreme Court¶ approaches war powers generally, when combined with the increased mass of potentially¶ relevant legislative restrictions on the conduct of this military conflict, further increases the likelihood that the "lowest ebb" issue will be joined in the future. Principles of deference to executive¶ authority tend to dominate academic discussion of statutory interpretation and war powers. As we have indicated, however,¶ Hamdan, Youngstown, and other modern war powers cases demonstrate that the Court cannot be counted on to give the President¶ the benefit of the doubt. And in many war powers cases, the Court has been perfectly willing to¶ construe ambiguous statutory language against certain background rules that it presumes¶ Congress intended to honor, n84 including a presumption that the Executive must [\*719] comply with the laws of war.¶ n85 This general and longstanding judicial willingness to find implied limitations in ambiguous¶ texts concerning the use of military force and national security powers is sometimes¶ controversial. But whether justified or not, such an interpretive approach is of particular import now,¶ given the sheer mass of preexisting statutes potentially applicable to the conflict with al¶ Qaeda and the likelihood that this body of law will grow. Executive branch lawyers may be hard-pressed to advise their client¶ agencies that creative construction can overcome the apparent statutory restrictions, at least if there is a reasonable prospect of¶ judicial review (as there often will be in the war on terrorism due to its peculiar domestic connections). Instead, the prospect of¶ judicial review will impel these lawyers to advise that the courts could well construe the potentially restrictive¶ language to impose hard constraints on the Executive's preferred course of conduct - and that only¶ the assertion of a superseding constitutional power of the President could, possibly, overcome such limits. Thus, the relatively weak¶ deference the Court has long shown the President in many war powers cases, when combined with the relatively high likelihood in¶ the war on terrorism of the applicability of restrictive but ambiguous statutory language and a justiciable case to hear, make¶ constitutional assertions of preclusive executive powers a more likely occurrence than war powers scholarship typically assumes.

#### Indefinite Detention means detaining an arrested person without a trial

US LEGAL 13 [US Legal Forms Inc., Indefinite Detention Law and Legal Definition http://definitions.uslegal.com/i/indefinite-detention/]

Indefinite detention is the practice of detaining an arrested person by a national government or law enforcement agency without a trial. It may be made by the home country or by a foreign nation. Indefinite detention is a controversial practice, especially in situations where the detention is by a foreign nation. It is controversial because it seems to violate many national and international laws. It also violates human rights laws. Indefinite detention is seen mainly in cases of suspected terrorists who are indefinitely detained.The Law Lords, Britain’s highest court, have held that the indefinite detention of foreign terrorism suspects is incompatible with the Human Rights Act and the European Convention on Human Rights. [Human Rights Watch] In the U.S., indefinite detention has been used to hold terror suspects. The case relating to the indefinite detention of Jose Padilla is one of the most highly publicized cases of indefinite detention in the U.S. In the U.S., indefinite detention is a highly controversial matter and is currently under review. Organizations such as International Red Cross and FIDH are of the opinion that U.S. detention of prisoners at Guantanamo Bay is not based on legal grounds. However, the American Civil Liberties Union is of the view that indefinite detention is permitted pursuant to section 412 of the USA Patriot Act.

#### B. 1. The aff doesn’t restrict the authority of the President statutorily or judicially.

#### 2. The aff’s efforts to “deconstruct the spaces of indefinite detainment” are extra topical because only the war powers practices of indefinite detention are topical, whereas the aff includes non-war power detention policies.

#### C. Standards

#### Ground. Our interp allows any aff that actually restricts authority through the courts or Congress. Their interp justifies social protest, individual actions, or any act that alters the material conditions of the President’s ability or willingness to act

#### Limits and topic education. Even if their aff is predictable, it justifies a litany of unpredictable affs, unlimiting the topic, and reducing topic education as negatives run towards generic Ks, and abusive, non-topic specific CPs.

#### Xtra topical dejustifies the resolution and demands a negatrive ballot as the aff is insufficient to prove the resolution true.

#### D. T is a voter for fairness and topic education

### Anthro K

#### The 1AC ignores that racism is merely one amongst many tools of axiological anthropocentrism whereby violence can always be justified when applied to racially inferior groups. Only a critique which focuses on rejecting subhuman thinking can contest the myriad forms of racism.

Deckha 2k10 [Maneesha, faculty of law, university of Victoria, “it’s time to abandon the idea of human rights”, the scavenger, dec. 10]

While the intersection of race and gender is often acknowledged in understanding the etiology of justificatory narratives for war, the presence of species distinctions and the importance of the subhuman are less appreciated. Yet, the race (and gender) thinking that animates Razack’s argument in normalizing violence for detainees (and others) is also centrally sustained by the subhuman figure. As Charles Patterson notes with respect to multiple forms of exploitation: Throughout the history of our ascent to dominance as the master species, our victimization of animals has served as the model and foundation for our victimization of each other. The study of human history reveals the pattern: first, humans exploit and slaughter animals; then, they treat other people like animas and do the same to them. Patterson emphasizes how the human/animal hierarchy and our ideas about animals and animality are foundational for intra-human hierarchies and the violence they promote. The routine violence against beings designated subhuman serves as both a justification and blueprint for violence against humans. For example, in discussing the specific dynamics of the Nazi camps, Patterson further notes how techniques to make the killing of detainees resemble the slaughter of animals were deliberately implemented in order to make the killing seem more palatable and benign. That the detainees were made naked and kept crowded in the gas chambers facilitated their animalization and, in turn, their death at the hands of other humans who were already culturally familiar and comfortable with killing animals in this way. Returning to Razack’s exposition of race thinking in contemporary camps, one can see how subhuman thinking is foundational to race thinking. One of her primary arguments is that race thinking, which she defines as “the denial of a common bond of humanity between people of European descent and those who are not”, is “a defining feature of the world order” today as in the past. In other words, it is the “species thinking” that helps to create the racial demarcation. As Razack notes with respect to the specific logic infusing the camps, they “are not simply contemporary excesses born of the west’s current quest for security, but instead represent a more ominous, permanent arrangement of who is and is not a part of the human community”. Once placed outside the “human” zone by race thinking, the detainees may be handled lawlessly and thus with violence that is legitimated at all times. Racialization is not enough and does not complete their Othering experience. Rather, they must be dehumanized for the larger public to accept the violence against them and the increasing “culture of exception” which sustains these human bodily exclusions. Although nonhumans are not the focus of Razack’s work, the centrality of the subhuman to the logic of the camps and racial and sexual violence contained therein is also clearly illustrated in her specific examples. In the course of her analysis, to determine the import of race thinking in enabling violence, Razack quotes a newspaper story that describes the background mentality of Private Lynndie England, the white female soldier made notorious by images of her holding onto imprisoned and naked Iraqi men with a leash around their necks. The story itself quotes a resident from England’s hometown who says the following about the sensibilities of individuals from their town: To the country boys here, if you’re a different nationality, a different race, you’re sub-human. That’s the way that girls like Lynndie England are raised. Tormenting Iraqis, in her mind, would be no different from shooting a turkey. Every season here you’re hunting something. Over there they’re hunting Iraqis. Razack extracts this quote to illustrate how “race overdetermined what went on”, but it may also be observed that species “overdetermined what went on”. Race has a formative function, to be sure, but it works in conjunction with species difference to enable the violence at Abu Ghraib and other camps. Dehumanization promotes racialization, which further entrenches both identities. It is an intertwined logic of race, sex, culture and species that lays the foundation for the violence.

#### This species-contingent paradigm creates unending genocidal violence against forms of life deemed politically unqualified.

KOCHI & ORDAN 2K8 [tarik and noam, queen’s university and bar llan university, “an argument for the global suicide of humanity”, vol 7. no. 4., bourderlands e-journal]

Within the picture many paint of humanity, events such as the Holocaust are considered as an exception, an aberration. The Holocaust is often portrayed as an example of ‘evil’, a moment of hatred, madness and cruelty (cf. the differing accounts of ‘evil’ given in Neiman, 2004). The event is also treated as one through which humanity comprehend its own weakness and draw strength, via the resolve that such actions will never happen again. However, if we take seriously the differing ways in which the Holocaust was ‘evil’, then one must surely include along side it the almost uncountable numbers of genocides that have occurred throughout human history. Hence, if we are to think of the content of the ‘human heritage’, then this must include the annihilation of indigenous peoples and their cultures across the globe and the manner in which their beliefs, behaviours and social practices have been erased from what the people of the ‘West’ generally consider to be the content of a human heritage. Again the history of colonialism is telling here. It reminds us exactly how normal, regular and mundane acts of annihilation of different forms of human life and culture have been throughout human history. Indeed the history of colonialism, in its various guises, points to the fact that so many of our legal institutions and forms of ethical life (i.e. nation-states which pride themselves on protecting human rights through the rule of law) have been founded upon colonial violence, war and the appropriation of other peoples’ land (Schmitt, 2003; Benjamin, 1986). Further, the history of colonialism highlights the central function of ‘race war’ that often underlies human social organisation and many of its legal and ethical systems of thought (Foucault, 2003). This history of modern colonialism thus presents a key to understanding that events such as the Holocaust are not an aberration and exception but are closer to the norm, and sadly, lie at the heart of any heritage of humanity. After all, all too often the European colonisation of the globe was justified by arguments that indigenous inhabitants were racially ‘inferior’ and in some instances that they were closer to ‘apes’ than to humans (Diamond, 2006). Such violence justified by an erroneous view of ‘race’ is in many ways merely an extension of an underlying attitude of speciesism involving a long history of killing and enslavement of non-human species by humans. Such a connection between the two histories of inter-human violence (via the mythical notion of differing human ‘races’) and interspecies violence, is well expressed in Isaac Bashevis Singer’s comment that whereas humans consider themselves “the crown of creation”, for animals “all people are Nazis” and animal life is “an eternal Treblinka” (Singer, 1968, p.750).

#### The alternative is that the judge should vote negative to REJECT THE HUMAN/ANIMAL DIVIDE. This rejection enables an understanding of the species-being. That solves the ethical contradiction of their species-level racism.

HUDSON 2K4 [Laura, The Political Animal: Species-Being and Bare Life, mediations journal, <http://www.mediationsjournal.org/files/Mediations23_2_04.pdf>]

We are all equally reduced to mere specimens of human biology, mute and uncomprehending of the world in which we are thrown. Species-being, or “humanity as a species,” may require this recognition to move beyond the pseudo-essence of the religion of humanism. Recognizing that what we call “the human” is an abstraction that fails to fully describe what we are, we may come to find a new way of understanding humanity that recuperates the natural without domination. The bare life that results from expulsion from the law removes even the illusion of freedom. Regardless of one’s location in production, the threat of losing even the fiction of citizenship and freedom affects everyone. This may create new means of organizing resistance across the particular divisions of society. Furthermore, the concept of bare life allows us to gesture toward a more detailed, concrete idea of what species-being may look like. Agamben hints that in the recognition of this fact, that in our essence we are all animals, that we are all living dead, might reside the possibility of a kind of redemption. Rather than the mystical horizon of a future community, the passage to species-being may be experienced as a deprivation, a loss of identity. Species-being is not merely a positive result of the development of history; it is equally the absence of many of the features of “humanity” through which we have learned to make sense of our world. It is an absence of the kind of individuality and atomism that structure our world under capitalism and underlie liberal democracy, and which continue to inform the tenets of deep ecology. The development of species-being requires the collapse of the distinction between human and animal in order to change the shape of our relationships with the natural world. A true species-being depends on a sort of reconciliation between our “human” and “animal” selves, a breakdown of the distinction between the two both within ourselves and in nature in general. Bare life would then represent not only expulsion from the law but the possibility of its overcoming. Positioned in the zone of indistinction, no longer a subject of the law but still subjected to it through absence, what we equivocally call “the human” in general becomes virtually indistinguishable from the animal or nature. But through this expulsion and absence, we may see not only the law but the system of capitalism that shapes it from a position no longer blinded or captivated by its spell. The structure of the law is revealed as always suspect in the false division between natural and political life, which are never truly separable. Though clearly the situation is not yet as dire as Agamben’s invocation of the Holocaust suggests, we are all, as citizens, under the threat of the state of exception. With the decline of the nation as a form of social organization, the whittling away of civil liberties and, with them, the state’s promise of “the good life” (or “the good death”) even in the most developed nations, with the weakening of labor as the bearer of resistance to exploitation, how are we to envision the future of politics and society?

### Wilderson K

#### Arguments against restrictions are only symbolic gestures that ignore that their aff only further instantiates the position of black bodies as objects of the prison-industrial-complex

Saidiya V. Hartman and Frank B. Wilderson III. 2003. The Position of the Unthought. Qui Parle. Vol. 13. No. 2. Spring/Summer.

F.W - You've just thrown something into crisis, which is very much on the table today: the notion of allies. What you've said (and I'm so happy that someone has come along to say it!) is that the ally is not a stable category. There's a structural prohibition (rather than merely a willful refusal) against whites being the allies of blacks, due to this - to borrow from Fanon's The Wretched of the Earth again - "species" division between what it means to be a subject and what it means to be an object: a structural antago nism. But everything in the academy on race works off of the question, "How do we help white allies?" Black academics assume that there is enough of a structural commonality between the black and the white (working class) position - their mantra being: "We are both exploited subjects" - for one to embark upon a political ped agogy that will somehow help whites become aware of this "com monality." White writers posit the presence of something they call "white skin privilege," and the possibility of "giving that up," as their gesture of being in solidarity with blacks. But what both ges tures disavow is that subjects just can't make common cause with objects. They can only become objects, say in the case of John Brown or Marilyn Buck, or further instantiate their subjectivity through modalities of violence (lynching and the prison industrial complex), or through modalities of empathy. In other words, the essential essence of the white/black relation is that of the master/slave - regardless of its historical or geographic specificity. And masters and slaves, even today, are never allies.

Their focus on prison labor and the abolition of the prison-industrial-complex reproduces anti-Black politics

Frank B. Wilderson III. 2003. The Prison Slave as Hegemony’s (Silent) Scandal. Social Justice. Vol. 30. No. 2.

Any serious musing on the question of antagonistic identity formation - a formation, the mass mobilization of which can precipitate a crisis in the institutions and assumptive logic that undergird the United State of America must come to grips with the contradictions between the political demands of radical social movements, such as the large prison abolition movement, which seeks to abolish the prison-industrial complex, and the ideological structure that underwrites its political desire. I contend that the positionality of Black subjectivity is at the heart of those contradictions and that this unspoken desire is bound up with the political limitations of several naturalized and uncritically accepted categories that have their genesis mainly in the works of Antonio Gramsci, namely, work or labor, the wage, exploitation, hegemony, and civil society. I wish to theorize the symptoms of rage and resignation I hear in the words of George Jackson, when he boils reform down to a single word, "fascism," or in Assata's brief declaration, "i hated it," as well as in the Manichean delirium of Fanon, Martinot, and Sexton. Today, the failure of radical social movements to embrace symptoms of all three gestures is tantamount to the reproduction of an anti-Black politics that nonetheless represents itself as being in the service of the emancipation of the Black prison slave.

#### Reject the aff’s reformism in the name of the worker in favor of working against the prison-industrial-complex from the positionality of the Black subject

Frank B. Wilderson III. 2003. The Prison Slave as Hegemony’s (Silent) Scandal. Social Justice. Vol. 30. No. 2.

Slavery is the great leveler of the Black subject's positionality. The Black American subject does not generate historical categories of entitlement, sovereignty, and immigration for the record. We are "off the map" with respect to the cartography that charts civil society' s semiotics; we have a past, but not a heritage. To the data-generating demands of the Historical Axis, we present a virtual blank, much like that which the Khoisan presented to the Anthropological Axis. This places us in a structurally impossible position, one that is outside the articulations of hegemony. However, it also places hegemony in a structurally impossible position because and this is key our presence works back upon the grammar of hegemony and threatens it with incoherence. If every subject even the most massacred among them, Indians is required to have analogs within the nation's structuring narrative, and the experience of one subject, upon whom the nation's order of wealth was built, is without analog, then that subject's presence destabilizes all other analogs. Fanon (1968: 37) writes, "decolonization, which sets out to change the order of the world, is, obviously, a program of complete disorder." If we take him at his word, then we must accept that no other body functions in the Imaginary, the Symbolic, or the Real so completely as a repository of complete disorder as the Black body. Blackness is the site of absolute dereliction at the level of the Real, for in its magnetizing of bullets the Black body functions as the map of gratuitous violence through which civil society is possible: namely, those bodies for which violence is, or can be, contingent. Blackness is the site of absolute dereliction at the level of the Symbolic, for Blackness in America generates no categories for the chromosome of history, and no data for the categories of immigration or sovereignty. It is an experience without analog a past without a heritage. Blackness is the site of absolute dereliction at the level of the Imaginary, for "whoever says 'rape' says Black" (Fanon), whoever says "prison" says Black, and whoever says "AIDS" says Black (Sexton) the "Negro is a phobogenic object" (Fanon). Indeed, it means all those things: a phobogenic object, a past without a heritage, the map of gratuitous violence, and a program of complete disorder. Whereas this realization is, and should be, cause for alarm, it should not be cause for lament, or worse, disavowal not at least, for a true revolutionary, or for a truly revolutionary movement such as prison abolition. If a social movement is to be neither social democratic nor Marxist, in terms of structure of political desire, then it should grasp the invitation to assume the positionality of subjects of social death. If we are to be honest with ourselves, we must admit that the "Negro" has been inviting whites, as well as civil society's junior partners, to the dance of social death for hundreds of years, but few have wanted to learn the steps. They have been, and remain today even in the most anti-racist movements, like the prison abolition movement invested elsewhere. This is not to say that all oppositional political desire today is pro-white, but it is usually anti-Black, meaning it will not dance with death. Black liberation, as a prospect, makes radicalism more dangerous to the U.S. This is not because it raises the specter of an alternative polity (such as socialism, or community control of existing resources), but because its condition of possibility and gesture of resistance function as a negative dialectic: a politics of refusal and a refusal to affirm, a "program of complete disorder." One must embrace its disorder, its incoherence, and allow oneself to be elaborated by it, if indeed one's politics are to be underwritten by a desire to take down this country. If this is not the desire that underwrites one's politics, then through what strategy of legitimation is the word "prison" being linked to the word "abolition"? What are this movement's lines of political accountability? There is nothing foreign, frightening, or even unpracticed about the embrace of disorder and incoherence. The desire to be embraced, and elaborated, by disorder and incoherence is not anathema in and of itself. No one, for example, has ever been known to say "gee-whiz, if only my orgasms would end a little sooner, or maybe not come at all." Yet few so-called radicals desire to be embraced, and elaborated, by the disorder and incoherence of Blackness and the state of political movements in the U.S. today is marked by this very Negrophobogenisis: "gee-whiz, if only Black rage could be more coherent, or maybe not come at all." Perhaps there is something more terrifying about the joy of Black than there is in the joy of sex (unless one is talking sex with a Negro). Perhaps coalitions today prefer to remain in-orgasmic in the face of civil society with hegemony as a handy prophylactic, just in case. If, through this stasis or paralysis they try to do the work of prison abolition, that work will fail, for it is always work from a position of coherence (i.e., the worker) on behalf of a position of incoherence of the Black subject, or prison slave. In this way, social formations on the Left remain blind to the contradictions of coalitions between workers and slaves. They remain coalitions operating within the logic of civil society and function less as revolutionary promises than as crowding out scenarios of Black antagonisms, simply feeding our frustration. Whereas the positionality of the worker (whether a factory worker demanding a monetary wage, an immigrant, or a white woman demanding a social wage) gestures toward the reconfiguration of civil society, the positionality of the Black subject (whether a prison-slave or a prison-slave-in-waiting) gestures toward the disconfiguration of civil society. From the coherence of civil society, the Black subject beckons with the incoherence of civil war, a war that reclaims Blackness not as a positive value, but as a politically enabling site, to quote Fanon, of "absolute dereliction." It is a "scandal" that rends civil society asunder. Civil war, then, becomes the unthought, but never forgotten, understudy of hegemony. It is a Black specter waiting in the wings, an endless antagonism that cannot be satisfied (via reform or reparation), but must nonetheless be pursued to the death.

**FW**

**1. Interpretation: The role of the ballot is to determine if the enactment of a topical plan is better than the status quo or a competitive option. The 1ac must read and defend the implementation of such a topical plan.**

**2. Violation:**

**A) “Resolved” implies a policy or legislative decision – means they must be resolved about a future federal government policy**

**Parcher 1**

Jeff Parcher, former debate coach at Georgetown, Feb 2001 http://www.ndtceda.com/archives/200102/0790.html

Pardon me if I turn to a source besides Bill. American Heritage Dictionary: Resolve: 1. To make a firm decision about. 2. To decide or express by formal vote. 3. To separate something into constiutent parts See Syns at \*analyze\* (emphasis in orginal) 4. Find a solution to. See Syns at \*Solve\* (emphasis in original) 5. To dispel: resolve a doubt. - n 1. Firmness of purpose; resolution. 2. A determination or decision. (2) The very nature of the word "resolution" makes it a question. American Heritage: A course of action determined or decided on. A formal statement of a decision, as by a legislature. (3) The resolution is obviously a question. Any other conclusion is utterly inconceivable. Why? Context. The debate community empowers a topic committee to write a topic for ALTERNATE side debating. The committee is not a random group of people coming together to "reserve" themselves about some issue. There is context - they are empowered by a community to do something. In their deliberations, the topic community attempts to craft a resolution which can be ANSWERED in either direction. They focus on issues like ground and fairness because they know the resolution will serve as the basis for debate which will be resolved by determining the policy desirablility of that resolution. That's not only what they do, but it's what we REQUIRE them to do. We don't just send the topic committee somewhere to adopt their own group resolution. It's not the end point of a resolution adopted by a body - it's the preliminary wording of a resolution sent to others to be answered or decided upon. (4) Further context: the word resolved is used to emphasis the fact that it's policy debate. Resolved comes from the adoption of resolutions by legislative bodies. A resolution is either adopted or it is not. It's a question before a legislative body. Should this statement be adopted or not. (5) The very terms 'affirmative' and 'negative' support my view. One affirms a resolution.

**B) USFG is the national government in DC**

**Encarta Online Encyclopedia, 2k**

(http://encarta.msn.com)

**“The federal government of the U**nited **S**tates **is centered in** Washington **DC”**

**C) Should means there is a practical reason for action**

**WordNet in ‘97**

Princeton University, 1.6

**Should** v 1 : be expected to: “Parties should be fun” 2 : **expresses an** emotional**, practical,** or other **reason for doing something:** “You had better put on warm clothes”; “You should call your mother-in-law”; *“The State ought to repair bridges*”[syn**:** had better, ought]

**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**

\*Austin J. Freeley is a Boston based attorney who focuses on criminal, personal injury and civil rights law, AND \*\*David L. Steinberg , Lecturer of Communication Studies @ U Miami, Argumentation and Debate: Critical Thinking for Reasoned Decision Making pp45-

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.**

**Decision-making outweighs – it’s the most portable skill - key to social improvements in every and all facets of life**

**Steinberg & Freeley 8**

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**After several days of intense debate**, first **the** United **States** **House** of Representatives **and then** the U.S. **Senate voted to authorize** President George W. **Bush to attack Iraq** if Saddam Hussein refused to give up weapons of mass destruction as required by United Nations's resolutions. **Debate about a possible military\* action against Iraq continued in various governmental bodies** and in the public for six months, **until President Bush ordered an attack on Baghdad,** beginning Operation Iraqi Freedom, the military campaign against the Iraqi regime of Saddam Hussein. **He did so despite the unwillingness of the U.N. Security Council to support the military action, and in the face of significant international opposition.**¶ **Meanwhile, and perhaps equally difficult for the parties involved**, **a young couple deliberated over whether they should purchase a large home** to accommodate their growing family **or should sacrifice living space to reside in an area with better public schools; elsewhere a college sophomore reconsidered his major and a senior her choice of law school**, graduate school, or a job. **Each of these\* situations called for decisions to be made**. Each decision maker worked hard to make well-reasoned decisions.¶ **Decision making is a thoughtful process of choosing among a variety of options for acting** or thinking. It requires that the decider make a choice. **Life demands decision making**. **We make countless individual decisions every day**. To make some of those decisions, we work hard to employ care and consideration; others seem to just happen. Couples, families, groups of friends, and coworkers come together to make choices, and decision-making homes from committees to juries to the U.S. **Congress and the United Nations make decisions that impact us all. Every profession requires effective and ethical decision making**, as do our school, community, and social organizations.¶ We all make many decisions even- day. To refinance or sell one's home, to buy a high-performance SUV or an economical hybrid car. what major to select, what to have for dinner, what candidate CO vote for. paper or plastic, all present lis with choices. **Should the president deal with an international crisis through military invasion or diplomacy? How should the U.S. Congress act to address illegal immigration?**¶Is the defendant guilty as accused? Tlie Daily Show or the ball game? **And upon what information should I rely to make my decision? Certainly some of these decisions are more consequential than others**. Which amendment to vote for, what television program to watch, what course to take, which phone plan to purchase, and which diet to pursue all present unique challenges. At our best, we seek out research and data to inform our decisions. **Yet even the choice of which information to attend to requires decision making**. In 2006, TIMI: magazine named YOU its "Person of the Year." Congratulations! Its selection was based on the participation not of ''great men" in the creation of history, but rather on the contributions of a community of anonymous participants in the evolution of information. Through blogs. online networking. You Tube. Facebook, MySpace, Wikipedia, and many other "wikis," knowledge and "truth" are created from the bottom up, bypassing the authoritarian control of newspeople. academics, and publishers. **We have access to infinite quantities of information, but how do we sort through it and select the best information for our needs?**¶The ability of every decision maker to make good, reasoned, and ethical decisions relies heavily upon their ability to think critically. **Critical thinking enables one to break argumentation down to its component parts in order to evaluate its relative validity and strength. Critical thinkers are better users of information, as well as better advocates.**¶Colleges and universities expect their students to develop their critical thinking skills and may require students to take designated courses to that end. The importance and value of such study is widely recognized.¶ Much of the most significant communication of our lives is conducted in the form of debates. These may take place in intrapersonal communications, in which we weigh the pros and cons of an important decision in our own minds, or they may take place in interpersonal communications, in which we listen to arguments intended to influence our decision or participate in exchanges to influence the decisions of others.¶ **Our success or failure in life is largely determined by our ability to make wise decisions for ourselves and to influence the decisions of others in ways that are beneficial to us**. Much of our significant, purposeful activity is concerned with making decisions. Whether to join a campus organization, go to graduate school, accept a job oiler, buy a car or house, move to another city, invest in a certain stock, or vote for Garcia—these are just a few of the thousands of decisions we may have to make. **Often, intelligent self-interest or a sense of responsibility will require us to win the support of others. We may want a scholarship or a particular job for ourselves, a customer for out product, or a vote for our favored political candidate**.

**B) Dialogue – our entire negative strategy is based on the “should” question of the resolution---there are an infinite number of reasons that the scholarship of their advocacy could be a reason to vote affirmative--- these all obviate the only predictable strategies based on topical action---they overstretch our research burden and undermine preparedness for all debates making effective deliberation impossible which makes it impossible to be negative – voting issue for limits and ground**

**Effective deliberation is the lynchpin of solving all existential global problems**

**Lundberg 10**

(Christian O., Professor of Communications @ University of North Carolina, Chapel Hill “Tradition of Debate in North Carolina” in Navigating Opportunity: Policy Debate in the 21st Century By Allan D. Louden, p311)

The second major problem with the critique that identifies a naivety in articulating debate and democracy is that it presumes that the primary pedagogical outcome of debate is speech capacities. But the democratic capacities built by debate are not limited to speech—as indicated earlier, **debate builds capacity for critical thinking**, analysis of public claims, **informed decision making**, and **better public judgment**. If the picture of modem political life that underwrites this critique of debate is a pessimistic view of increasingly labyrinthine and bureaucratic administrative politics, rapid scientific and technological change outpacing the capacities of the citizenry to comprehend them, and ever-expanding insular special-interest- and money-driven politics, it is a **puzzling solution, at best, to argue that these conditions warrant giving up on debate**. If democracy is open to rearticulation, it is open to rearticulation precisely because **as the challenges of modern political life proliferate, the citizenry's capacities can change**, which is one of the primary reasons that theorists of democracy such as Ocwey in The Public awl Its Problems place such a high premium on education (Dewey 1988,63, 154). Debate provides an indispensible form of education in the modem articulation of democracy because it **builds precisely the skills that allow the citizenry to research and be informed** about policy decisions that impact them, to son rhroueh and evaluate the evidence for and relative merits of arguments for and against a policy in an increasingly infonnation-rich environment, and to prioritize their time and political energies toward policies that matter the most to them. The merits of debate as a tool for building democratic capacity-building take on a special significance in the context of information literacy. John Larkin (2005, HO) argues that one of the primary failings of modern colleges and universities is that they have not changed curriculum to match with the challenges of a new information environment. This is a problem for the course of academic study in our current context, but perhaps more important, argues Larkin, for the future of a citizenry that will need to make evaluative choices against an increasingly complex and multimediatcd information environment (ibid-). Larkin's study tested the benefits of debate participation on information-literacy skills and concluded that in-class debate participants reported significantly higher self-efficacy ratings of their ability to navigate academic search databases and to effectively search and use other Web resources: To analyze the self-report ratings of the instructional and control group students, we first conducted a multivariate analysis of variance on all of the ratings, looking jointly at the effect of instmction/no instruction and debate topic . . . that it did not matter which topic students had been assigned . . . students in the Instnictional [debate) group were significantly more confident in their ability to access information and less likely to feel that they needed help to do so----These findings clearly indicate greater self-efficacy for online searching among students who participated in (debate).... These results constitute strong support for the effectiveness of the project on students' self-efficacy for online searching in the academic databases. There was an unintended effect, however: After doing ... the project, instructional group students also felt more confident than the other students in their ability to get good information from Yahoo and Google. It may be that the library research experience increased self-efficacy for any searching, not just in academic databases. (Larkin 2005, 144) Larkin's study substantiates Thomas Worthcn and Gaylcn Pack's (1992, 3) claim that debate in the college classroom plays a critical role in fostering the kind of **problem-solving skills** demanded by the increasingly rich media and information environment of modernity. Though their essay was written in 1992 on the cusp of the eventual explosion of the Internet as a medium, Worthcn and Pack's framing of the issue was prescient: the primary question facing today's student has changed from how to best research a topic to the crucial question of learning how to best evaluate which arguments to cite and rely upon from an easily accessible and veritable cornucopia of materials. There are, without a doubt, a number of important criticisms of employing debate as a model for democratic deliberation. But cumulatively, the evidence presented here warrants strong support for expanding debate practice in the classroom as a technology **for enhancing democratic deliberative capacities**. The unique combination of critical thinking skills, research and information processing skills, oral communication skills, and capacities for listening and thoughtful, open engagement with hotly contested issues argues for debate as a **crucial component of a rich and vital democratic life**. In-class debate practice both aids students in achieving the best goals of college and university education, and serves as an unmatched practice for creating thoughtful, engaged, open-minded and self-critical students who are open to the possibilities of **meaningful political engagement** and **new articulations of democratic life.** Expanding this practice is crucial, if only because the more we produce citizens that can actively and effectively engage the political process, the more likely we are to **produce revisions of democratic life** that are **necessary if democracy is not only to survive, but to thrive**. Democracy faces a myriad of challenges, including: domestic and international **issues of class, gender, and racial justice**; wholesale **environmental destruction** and the potential for **rapid climate change**; emerging **threats to international stability** in the form of terrorism, intervention and new possibilities for great power conflict; and increasing **challenges of rapid globalization** including an increasingly volatile global economic structure. More than any specific policy or proposal, an **informed and active citizenry that deliberates with greater skill** and sensitivity provides one of the best hopes for responsive and effective democratic governance, and by extension, one of the last best hopes for dealing with the **existential challenges** to democracy [in an] increasingly complex world.

## Case

#### No solvency - Prison system is too entrenched and there are too many alt causes

Angela Y. Davis. 2003. Are Prisons Obsolete? P. 107

Since the 1980s, the prison system has become increasingly ensconced in the economic, political and ideological life of the United States and the transnational trafficking in the U.S. commodities, culture, and ideas. Thus, the prison industrial complex is much more than the sum of all the jails and prisons in this country. It is a set of symbiotic relationships among correctional communities, transnational corporations, media conglomerates, guards’ unions, and legislative and court agendas. If it is true that the contemporary meaning of punishment is fashioned through these relationships, then the most effective abolitionist strategies will contest these relationships and propose alternatives that pull them apart. What, then, would it mean to imagine a system in which punishment is not allowed to become the source of corporate profit? How can we imagine a society in which race and class are not primary determinates of punishment? Or one in which punishment itself is no longer the central concern in the making of justice?