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### Contention 1

#### Contention 1: Warming

#### Warming is real and anthropogenic.

Prothero, Los Angeles Occidental College geology professor, 2-8-12

[Donald, California Institute of Technology geobiology professor, “How We Know Global Warming is Real and Human Caused” <http://www.skeptic.com/eskeptic/12-02-08/>, accessed 1-26-13, TAP]

How do we know that global warming is real and primarily human caused? There

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, but the rest of these drowned cities would be deep under water.

#### Warming causes multiple scenarios for extinction – passing 4 degrees means no adaptation

Roberts, Grist, 1-10-13

(David, “If you aren’t alarmed about climate, you aren’t paying attention,” 1-10-13, <http://grist.org/article/climate-alarmism-the-idea-is-surreal/>, accessed 1-15-13) PM

\*Citing the recently released World Bank Climate Review

We know we’ve raised global average temperatures around 0.8 degrees C so far

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, but a world that is inexorably more inhospitable with every passing decade.

#### Reducing emissions is key to solve extinction

Keating, Foreign Policy Web Editor, 11/13/2009

[Joshua, "The End of the World," http://www.foreignpolicy.com/articles/2009/11/13/the\_end\_of\_the\_world?page=full, accessed 3-10-13, CMM)

How it could happen: Under the worst-case scenario predicted by the International

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-ending outcomes could be mitigated by a substantial reduction in carbon emissions.

#### US-Russian relations key to solve warming.

Graham, Kissinger Associates senior director, 8

[Thomas, CSIS, “U.S.-Russia Relations Facing Reality Pragmatically” <http://csis.org/files/media/csis/pubs/080717_graham_u.s.russia.pdf>, p.5-6, accessed 1-18-14, TAP]

What trends? Simply put, the world has entered a period of great flux

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space, both countries will be critical to building lasting security economic structures.

#### Clarity on use of force for cyber operations is critical to boosting US-Russian relations.

Ibrahim, Center for Strategic and International Studies Russia and Eurasia program research intern, 7-17-13

[Karina, UNC Chapel Hill graduate, “From Arms Race to Cyber-Space: U.S.-Russian Relations and the Prospects of Cyber Warfare” <http://csis.org/blog/arms-race-cyber-space-us-russian-relations-and-prospects-cyber-warfare>, accessed 1-18-14, TAP]

In the month of June, the already strained U.S.-Russia relationship

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transparency can gradually mitigate existing tensions and help establish a safe cyber environment.

### Contention 2

#### Contention 2: Miscalculation

#### Executive offensive cyber capabilities are unchecked now – risks nuclear war.

Rothschild, Progressive Magazine, 2-4-13

[Matthew, “The Dangers of Obama’s Cyber War Power Grab” <http://progressive.org/dangers-of-obama-cyber-war-power-grab>, accessed 1-18-14, TAP]

When our founders were drafting the Constitution, they went out of their way to

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successors.¶ They, too, worry about the temptations of a President.

#### Executive groupthink makes policy errors inevitable.

Chehab, Georgetown Law Center, 2012

[Ahmad, 3-30-12, “Retrieving the Role of Accountability in the Targeted Killings Context: A Proposal for Judicial Review” http://papers.ssrn.com/sol3/papers.cfm?abstract\_id=2031572, p.30-3, accessed 9-15-13, TAP]

The practical, pragmatic justification for the COAACC derives largely from considering social psychological findings

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irrational persistence in pursuing ideological positions divorced from concern of alternative viewpoints.147

Professor Cass Sunstein has described situations in which groupthink produced poor results precisely because consensus

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1960’s,152 and the controversial decision to wage war against Vietnam.153

Professor Sunstein also has described the related phenomenon of “group polarization,” which includes

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and other associated deficiencies are inevitable features in Executive Branch decision-making.

[Tom note – Sunstein, University of Chicago and Harvard University law professor]

#### Lack of legal clarity makes deterrence failure and miscalc inevitable.

Segal, Council on Foreign Relations China Studies senior fellow, et al, 2013

[Adam, John D. Negroponte, former deputy secretary of state and director of national intelligence, and Samuel J. Palmisano, former chairman of the board and CEO of IBM, Independent Task Force Report No. 70, “Defending an Open, Global, Secure, and Resilient Internet” http://www.cfr.org/cybersecurity/defending-open-global-secure-resilient-internet/p30836?co=C007301, p.33-7, accessed 1-18-14, TAP]

Adopt a Greater Degree of Transparency¶ Although public officials have warned about the threat

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see its action as permissible, the other as an act of war.

#### Congressional consultation is critical to norm establishment of the use of cyber weapons.

Bradbury, Dechert LLP Partner, 11

[Steven, This speech was delivered as the Keynote Address at the Harvard National Security Journal Symposium, Cybersecurity: Law, Privacy, and Warfare in a Digital World, “The Developing Legal Framework for Defensive and Offensive Cyber Operations” <http://harvardnsj.org/wp-content/uploads/2011/04/Vol.-2_Bradbury_Final.pdf>, p.17-21, accessed 1-18-14, TAP]

Evolving customary law. This approach also accommodates the ¶ reality that how the U

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understand and appreciate the¶ choices made on both sides of the question.

#### That prevents escalation.

Lierberthal, Brookings Institution China Center director, and Singer, Brookings Institution senior fellow, 12

[Kenneth, former University of Michigan political science professor, served as special assistant to the president for national security affairs and senior director for Asia on the National Security Council from August 1998 to October 2000, and Peter, “Cybersecurity and U.S.-China Relations” http://www.brookings.edu/~/media/Research/Files/Papers/2012/2/23%20cybersecurity%20china%20us%20singer%20lieberthal/0223\_cybersecurity\_china\_us\_lieberthal\_singer\_pdf\_english.PDF, p.29-31, accessed 1-18-14, TAP]

Cyber war, like cyber crime, is a realm in which there may be

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senior policymakers on¶ both sides are not sufficiently focused on at present.

### Plan

#### The United States Federal Government should require the President of the United States consult Congress prior to the use of offensive cyber operations by the United States.

### Contention 3

#### Contention 3: Solvency

#### Consultation solves norms and use of force procedures.

Lorber, University of Pennsylvania JD candidate joint Duke University political science PhD candidate, 13

[Eric, 15 U. Pa. J. Const. L. 961, “COMMENT: Executive Warmaking Authority and Offensive Cyber Operations: Can Existing Legislation Successfully Constrain Presidential Power?” Lexis, accessed 1-18-14, TAP]

Should these statutes be adjusted (or new ones created) that give Congress additional

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and other nations develop and employ these capabilities with ever-greater frequency.

#### A congressional framework for executive consultation solves.

Dycus, University of Vermont law professor, 10

[Stephen, 4 J. Nat'l Security L. & Pol'y 155, “Cybersecurity Symposium: National Leadership, Individual Responsibility: Congress's Role in Cyber Warfare” Lexis, accessed 1-18-14, TAP]

In his celebrated concurring opinion in The Steel Seizure Case, n1 Justice Jackson cautioned

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experiences to work together to meet these challenges, as the Framers intended.

#### A lack of sufficient theoretical analysis of the development of cyber weapons inevitably results in US cyber policy failure – proposing practical solutions is key to overcoming the detachment between theory and policy.

Kello, Postdoctoral Research Fellow in the International Security Program and the Project on Technology, Security, and Conflict in the Cyber Age at the Belfer Center for Science and International Affairs at the Harvard Kennedy School, 13

(Lucas, “The Meaning of the Cyber Revolution,” International Security, Vol. 38, No. 2 (Fall 2013), pp. 7–40, http://belfercenter.ksg.harvard.edu/files/IS3802\_pp007-040.pdf, accessed 11-6-13, CMM)

Why Study the Cyber Issue?¶ It is superfluous to state that the field of

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” and¶ “locked within the circle of esoteric scholarly discussion.”24

#### Debate over specific policies proposals are key to reorienting US cyber policy.

Kello, Postdoctoral Research Fellow in the International Security Program and the Project on Technology, Security, and Conflict in the Cyber Age at the Belfer Center for Science and International Affairs at the Harvard Kennedy School, 13

(Lucas, “The Meaning of the Cyber Revolution,” International Security, Vol. 38, No. 2 (Fall 2013), pp. 7–40, http://belfercenter.ksg.harvard.edu/files/IS3802\_pp007-040.pdf, accessed 11-6-13, CMM)

Conclusion¶ This article has offered a conceptual framework for the study of adversarial¶

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policy relevance of the field to continue to avoid its¶ central questions.

## 2ac

### T – Enact Your Own Restriction

#### **C/I Statutory means it must be enacted by Congress**

Kershner, Articles Editor, Cardozo Law Review, 10

(Joshua, J.D. Candidate, “ARTICLE: POLITICAL PARTY RESTRICTIONS AND THE APPOINTMENTS CLAUSE: THE FEDERAL ELECTION COMMISSION'S APPOINTMENTS PROCESS IS CONSTITUTIONAL,” 2010 Cardozo L. Rev. De Novo 615, lexis, accessed 7-26-13, CMM)

The process by which the President fills an Executive Branch position is governed by the

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Appointments Clause gives the Senate only the narrow function of confirming nominees. n100

#### 2. Absent prohibition they can functionally increase presidential authority

Posner, University of Chicago Law Prof, 11

(Eric, September, “DEFERENCE TO THE EXECUTIVE IN THE UNITED STATES AFTER SEPTEMBER 11: CONGRESS, THE COURTS, AND THE OFFICE OF LEGAL COUNSEL,” http://papers.ssrn.com/sol3/papers.cfm?abstract\_id=1932393, accessed 9-19-13, CMM)

To see why, consider an example in which a president must choose an action

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their power. If it did not, people would not enter contracts.

#### Embodied politics is necessary but not sufficient to solve their offense.

Conway, Penn State University philosophy professor, 1997

[Daniel, “Nietzsche and the political” <http://www.amazon.com/Nietzsche-Political-Thinking-Daniel-Conway/dp/0415100682>, p.135-6, accessed 1-6-14, TAP]

This preference is clearly political in nature, and Haraway makes no pretense of aspiring

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at the expense of the greater objectivity that they might otherwise have gained.

### 2ac – Civil Society K

#### 2. Method focus fails – never results in action.

Fearon, Stanford Political Science Professor, and Wendt, Ohio State IR Professor, 2002

[James and Alexander, Handbook of International Relations, p. 68]

It should be stressed that in advocating a pragmatic view we are not endorsing method

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, but we certainly believe a conversation should continue on all three levels.

#### 4. Constructing prior questions doesn’t disprove the aff – it results in generalizations and inaction.

Owen, University of Southampton political theory professor, 2002

[David, Millennium Journal of International Studies, Vol 31 No 3, “Re-orienting International Relations: On Pragmatism, Pluralism, and Practical Reason” Sagepub, accessed 9-30-13, TAP]

Commenting on the ‘philosophical turn’ in IR, Wæver remarks that ‘[a]¶

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helped to promote the IR theory wars by motivating this¶ philosophical turn.

The first danger with the philosophical turn is that it has an inbuilt tendency to

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it¶ is not the only or even necessarily the most important kind.

The second danger run by the philosophical turn is that because prioritisation of ontology and

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the promotion of the pursuit of generality over that of empirical¶ validity.

The third danger is that the preceding two combine to encourage the¶ formation of

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first¶ and second dangers, and so a potentially vicious circle arises.

#### The education produced by the aff solves.

Young, Associate Professor of Communication and Director of Forensics, Wayne State University, 13

(Kelly Michael, 9-4-13, “Why Should We Debate About Restriction of Presidential War Powers,” http://public.cedadebate.org/node/13, accessed 10-4-13, CMM)

Beyond its obviously timeliness, we believed debating about presidential war powers was important because

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these students’ opinions will stand as an important potential check on the presidency.

#### 8. They don’t solve warming – improving relations with Russia are necessary – only the plan spills over – that makes extinction inevitable – try or die aff – even if they solve the root cause – they don’t solve before we cross the tipping point – tech is key and relations are critical to its development.

Atkisson, President and CEO of environmental sustainability group, ‘1

(Alan, The Atkisson Group, international sustainability group that advises governments and corporations, “Sustainability is Dead – Long Live Sustainability,” 10-18-01, <http://www.rrcap.unep.org/uneptg06/course/Robert/SustainabilityManifesto2001.pdf>, accessed 9-10-10) PM

Our economies and technologies are changing certain basic structures of planetary life, such as

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with relatively minor risks to the greater whole associated with their inevitable collapse.

#### C. Whiteness not the root cause of the aff – it’s too sweeping.

Shelby, Harvard University African and African American Studies professor, 2005

[Tommie, also a philosophy professor at Harvard, “We Who Are Dark: The Philosophical Foundations of Black Solidarity” <http://books.google.com/books?id=8W7W6F3fCPkC&q=others+might+challenge#v=snippet&q=others%20might%20challenge&f=false>, p.147-8, accessed 10-23-13, TAP]

Others might challenge the distinction between ideological and structural causes of black disadvantage, on

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racism or when such policies are unfairly applied by racially biased public officials.

There are very real empirical difficulties in determining the specific causal significance of the factors

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legislators and those they represent cannot simply defer to social-scientific experts.

We must instead rely on open public debate—among politicians, scholars, policy

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developments (such as immigration policy or reduced federal funding for higher education).

#### 6. The absolutism of their alternative results in tunnel vision – evaluate consequences.

Isaac, Indiana University James H. Rudy Professor of Political Science and Center for the Study of Democracy and Public Life director, Spring 2002

(Jeffrey C. “Ends, Means, and Politics,” Dissent Magazine Vol. 49 Issue 2, p32)

Power is not a dirty word or an unfortunate feature of the world. It

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not true believers. It promotes arrogance. And it undermines political effectiveness.

#### War causes structural violence

Joshua Goldstein, American University International Relations Professor, 2001, “War and Gender: How Gender Shapes the War System and Vice Versa,” p.411-412

I began this book hoping to contribute in some way to a deeper understanding of

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on injustice as the main cause of war seems to be empirically inadequate.

#### 6. Structural violence doesn’t escalate – prefer proximate causes

Hinde and Pulkkinnen, Cambridge psychology professor and University of Jyväskylä psychology professor, 2000

[Robert and Lea,  [DRAFT Background Paper for Working Group 1: HUMAN AGGRESSIVENESS AND WAR, 50th Pugwash Conference On Science and World Affairs: "Eliminating the Causes of War" Queens' College, Cambridge , UK, 3-8 August <http://www.pugwash.org/reports/pac/pac256/WG1draft1.htm>](http://www.pugwash.org/reports/pac/pac256/WG1draft1.htm)]

People are capable of perpetrating the most terrible acts of violence on their fellows.

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multiple causes, and the interactions between the causal factors remain largely unexplored.

#### AND The alt is vague – that’s a reason to reject the team because it makes them a moving target that we can’t test to determine if it is true, and vague alts fail – utopianism doesn’t hit the ground and this debate isn’t key.

Farber, City University of New York Brooklyn College political science professor, 9-13-12

[Samuel, “Occupy Wall Street and the Art of Demanding” <http://truth-out.org/opinion/item/11507-occupy-wall-street-and-the-art-of-demanding>, accessed 9-15-12, TAP]

The OWS reluctance to formulate demands might have been beneficial initially in that it might

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where they are – to point B – where they want to be.

#### The alt replicates white colonial power through narratives of social death – DA to the alt.

Walker, Graduate of Psychosocial studies, 12

(Tracey, Graduate of Psychosocial Studies at Birbeck University of London, Graduate Journal of Social Science July 2012, Vol. 9, Issue 2, " The Future of Slavery: From Cultural Trauma to Ethical Remembrance" pg. 165-167, http://gjss.org/images/stories/volumes/9/2/Walker%20Article.pdf, accessed 11-8-12 TAT)

To argue that there is more to the popular conception of slaves as victims who

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relation with our ancestors who lived and survived in the time of slavery.

#### Social death is wrong – it is a bad basis for politics.

Macedo, University of Massachusetts Boston Applied Linguistics Master of Arts program graduate program director, 2000

[Donaldo, writes the new introduction to the anniversary edition to *Pedagogy of the Oppressed*, Pedagogy of the Oppressed, p.32-3, TAP]

Freire is able to do this because he operates on one basic assumption: that

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right to say his or her own word, to name the world.

[We don’t endorse any gender language within this card]

#### Ontological blackness relies on whiteness – that makes liberation illusory – it is also too totalizing a view of black existence to be useful.

Pinn, Macalester College Professor of Religious Studies, 4

(Anthony, Dialog: A Journal of Theology, Volume 43, Number 1, Spring 2004, '‘‘Black Is, Black Ain’t’’: Victor Anderson, African American Theological Thought, and Identity', pg.57-58, Wiley online Library, accessed 11-10-12 TAT)

This connection between ontological blackness and¶ religion is natural because: ‘‘ontological blackness

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foster¶ balance while embracing difference as positive?¶ Anderson looks to Nietzsche.

#### Black social death is based on cherry-picked data that doesn’t accurately explain the world.

Bâ, Race and Postcolonial theorist, 11

(Saer Maty, “The US decentered: From Black Social Death to Cultural Transformation,” Cultural Studies Review 17(2), September p. 385-387, TAT)

And yet Wilderson's highlighting is problematic because it overlooks the 'Diaspora' or 'African Diaspora',

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? The coffle approaches with its answers in tow.' (340)

#### Slavery doesn’t prove social death – generations of data disprove their argument.

Brown, Harvard University African American studies professor, 2009

[Vincent, American Historical Review, “Social Death and Political Life in the Study of Slavery” <http://history.fas.harvard.edu/people/faculty/documents/brown-socialdeath.pdf>, p.1235-41, accessed 1-4-13, TAP]

1235-1241¶ Specters of the Atlantic is a compellingly sophisticated study of the

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actually generate culture, politics, and consequential action by the enslaved.26

#### The state can be used strategically to fight racism – it is a DA to the alt.

Smith, Associate Professor of Media and Cultural Studies at UC Riverside, 12

 (Andrea, “The Moral Limits of the Law: Settler Colonialism and the Anti-Violence Movement,” settler colonial studies 2, 2 (2012) Special Issue: Karangatia: Calling Out Gender and Sexuality in Settler Societies, http://www.tandfonline.com/doi/pdf/10.1080/2201473X.2012.10648842, accessed 10-18-13, CMM)

Given the logics of settler colonialism, it may seem to be a hopeless contradiction

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strategic effects rather than based on the moral statements they propose to make?

#### Totalizing opposition creates a culture of suspicion that fails to materialize change.

Berman, University of Connecticut Law School Associate Professor, 2001

[Paul Schiff, “APPROACHES TO THE CULTURAL STUDY OF LAW: TELLING A LESS SUSPICIOUS STORY: NOTES TOWARD A NON-SKEPTICAL APPROACH TO LEGAL/CULTURAL ANALYSIS,” 13 Yale J.L. & Human. 95, Lexis]

The second drawback of the hermeneutics of suspicion is perhaps even more important. As

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normative scholarship cannot extricate scholars from the fundamental questions that I am discussing.

#### Trends all point toward equality – the world is getting better even if it isn’t getting perfect.

Currie, American Enterprise Institute The American Magazine managing editor, 2008

[Duncan, “The Long March of Racial Progress” <http://www.american.com/archive/2008/november-11-08/the-long-march-of-racial-progress/>, accessed 10-23-13, TAP]

The story of race relations in America is one of extraordinary change and transformation.¶

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, about 14 percent of young black husbands were married to white women.”

### 2ac – Ballot Currency [:45]

#### Uniqueness – problems with debate exist, but the ballot isn’t necessary to solve – multiple forums solve.

Ritter ’13

MICHAEL J. RITTER , J.D. – Mr. Ritter received his law degree (J.D.) from the University of Texas School of Law. He is a former debater and currently coordinates the NATIONAL JOURNAL OF SPEECH 26 DEBATE – NJSD – VOLUME II: ISSUE One – SEPTEMBER 2013 – <http://site.theforensicsfiles.com/NJSD.2-1.Final.pdf>, p.32-3, accessed 10-5-13, TAP

The preceding discussion demonstrates why arguments about social change—¶ even social change within the

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use techniques and modes of persuasion discussed by ¶ academics and rhetorical theories.

Debate rounds, at the very most, operate as venue solely for raising awareness

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of ¶ anything beyond the ultimate question of who did the better debating.

#### Turn – their method turns the ballot into a referendum on privilege within the debate community – that trades off with out-of-round community solutions that are necessary to solve.

Ritter ’13

MICHAEL J. RITTER , J.D. – Mr. Ritter received his law degree (J.D.) from the University of Texas School of Law. He is a former debater and currently coordinates the NATIONAL JOURNAL OF SPEECH 26 DEBATE – NJSD – VOLUME II: ISSUE One – SEPTEMBER 2013 – <http://site.theforensicsfiles.com/NJSD.2-1.Final.pdf>, p.37, accessed 10-5-13, TAP

The fiction of social change through debate abuses the win–loss structure of ¶

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of social issues within and outside the debate ¶ community by prompting backlash.