# 1NC

**Next Off is the Competitive Venue Critique**

**Appeals to the ballot trade-off with *root causes* of oppression. They also digress into sub-factions. Try-or-die for our Alt, which embraces the Aff’s resistance, but doesn’t fight that oppression *via a tie to the ballot*.**

**Karlberg ‘3**

(Michael, Assistant Professor of Communication at Western Washington University, PEACE & CHANGE, v28, n3, July, p. 339-41)

Granted, social activists do "win" occasional “battles” in these adversarial

AND

"east" and its "west" are locked in adversarial relationships.

**Tying-ballots to expression discourages social-growth.**

**Trollinger ‘94**

Tona Trollinger – Visiting Lecturer in Law, University of Missouri-Kansas City; “ARTICLE: RECONCEPTUALIZING THE FREE SPEECH CLAUSE: FROM A REFUSE OF DUALISM TO THE REASON OF HOLISM” – George Mason Independent Law Review – 3 Geo. Mason Ind. L. Rev. 137 – Winter, 1994 – lexis; lawrev

An analytical model centered on competition necessarily promotes rivalry and conflict. These consequences are

AND

, ideas, and views that the Free Speech Clause exists to enhance.

**Non-adversarial change is more effective than oppositional appeals to the ballot. Only the Alt yields lasting change.**

**Karlberg ‘4**

(Michael, Professor of Communication – Western Washington University, Beyond the Culture of Contest, p. 183-184)

Examples such as these suggest, in turn, an answer to the third question

AND

as the old models decline not through war or protest but through *attrition*.

**The Core Defs**

**Interpretation and violations**

**“Resolved” means Aff must have fiated-plan defending instrumental implementation**

**Webster's** Revised Unabridged Dictionary, ‘**98¶** © 1996, 1998 MICRA, Inc. [www.dictionary.com, accessed 4/2/01]

Resolve \Re\*solve"\ (r?\*z?lv"), v.

AND

to resolve a riddle. ``Resolve my doubt.'' --Shak.

**“Substantial” means material, fiated action**

**AHD 11** (American Heritage Dictionary, “substantial”, http://education.yahoo.com/reference/dictionary/entry/substantial)

sub·stan·tial (sb-stnshl) KEY ¶ ADJECTIVE:¶ Of, relating to, or having substance; material.¶ True or real; not imaginary.¶ Solidly built; strong.¶ Ample; sustaining: a substantial breakfast.¶ Considerable in importance, value, degree, amount, or extent: won by a substantial margin.¶ Possessing wealth or property; well-to-do.

**“Federal Government” means the government of the United States of America**

**Ballentine's 95** (Legal Dictionary and Thesaurus, p. 245)

the government of the United States of America

**First – Limits Disad**

**They un-negotiate some – not all – of the topic.**

**That “loose tie” is the worst model. It’s infinite – nothing stops the next team from un-negotiating a different word. This breadth incentivizes “truism” Affs ON TOP OF the negotiated topic. That workload hurts fairness and clash – making both teams learn less. We studied for the assigned reading and they’re a pop quiz on something else. It’s EITHER a crushing workload that hurts the quality of life. OR, Neg’s grow underinvested and hyper-generic – which bad for everyone’s education. We’re open to alternate topics – but once the Res is released, we should abide it.**

**Two – Implementation Good disad.**

**Planless “War on Terror” K Affs are bad. Refusal to defend implementation hurts ethics education and kills a meaningful Left. Turns your agenda and many other causes.**

**Chandler – quoting Dean – ‘10**

(David Chandler is Professor of International Relations at the Department of Politics and International Relations, University of Westminster – This card internally quotes Jodi Dean, Professor of Political Science at Hobart and William Smith Colleges, 'No Communicating Left' (review article), Radical Philosophy, No. 160 (March/April 2010), pp.53-55. ISSN 0300 211X)

Dean pulls few punches in her devastating critique of the American left for its complacency

AND

, inequality, and destruction continuing unopposed (pp.162-75).

**“State” pessimism ignores that our heuristic teaches us about the State *so as to dismantle its abusive practices*.**

**English ‘7**

(Eric, Graduate Student in Communication – U Pittsburgh, Et al., “Debate as a Weapon of Mass Destruction”, Communication and Critical/Cultural Studies, Vol. 4, No. 2, June)

It is our position, however, that rather than acting as a cultural technology

AND

heirs to brand the activity as a ‘‘weapon of mass destruction.’’

#### State Ks don’t hold up against state based counter-hegemonic politics—it’s a form of reclaiming the state and transforming systems of oppression

Carroll 6

“hegemony, counter-hegemony, anti-hegemony” william k. Carroll university of victoria, ss/es vol 2, no 2 (2006)http://www.socialiststudies.com/sss/index.php/sss/article/view/27/25

As a radical politic, this approach emphasizes the need for counter-hegemonic movement

AND

understood as one part of broader transformations (brand. 2005b: 248).

**Top of T Page # 2**

**A – Framing point – the two are distinct:**

**“Framework” is *a goal* for the community. “Topics” guide *subject-matter*.**

**Under *ALL* frameworks, a topic persists – it’s just that it’s either a negotiated or un-negotiated one.**

**Two– Does voting Aff solve their framework’s broader goals ?...Presumption should be “no”.**

**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 & DEBATE – NJSD – VOLUME II: ISSUE One – SEPTEMBER 2013 – http://site.theforensicsfiles.com/NJSD.2-1.Final.pdf

Many students who participate in comp etitive interscholastic debate in high school and college 20

AND

the exclusion of out - of - round, non - competitive discussions.

**Their “tie to the topic” arg is the worst of both worlds. Nothing sticks us to their tie – the next team could loosely meet “resolved” or “substantial”. That links to our limits disad. But, it blocks them from saying their interpretation includes everyone in the community – as someone out there will always object to the Aff’s specific “tie”.**

***If* we lose “USFG bad”, other T burdens still remain. A passive-voice wording emerges as the fallback. But, non-USFG protests should still direct at items that are proscribed *by POTUS* as part of *authorities* under *War Powers*. They violate:**

**“War power” and “authority” mean specific things in this context:**

**Linn 2K**

Alexander C. Linn, Lawyer, “International Security and the War Powers Resolution”, William & Mary Bill of Rights Journal, 8(3), http://scholarship.law.wm.edu/cgi/viewcontent.cgi?article=1391&context=wmborj

"War Power" is defined as "[t]he **constitutional** authority of Congress to declare war and maintain armed forces (U.S. Const. art. I, § 8, cls. 11-14), and of the President to conduct war as commander-in-chief (U.S. Const. art. II, § 2, cl. 1)." BLACK'S LAW DICTIONARY 1578-79 (7th ed. 1999).

**They’re not topical if the POTUS didn’t authorize the events of the 1AC:**

**West’s 8** – West's Encyclopedia of American Law, Edition 2, “President of the United States”, http://legal-dictionary.thefreedictionary.com/President+of+the+United+States

The head of the Executive Branch, one of the three branches of the federal government.

### Case

#### Sharing Narratives DA—you speak for women you call “Filipino” without understanding the colonial history your terms carry that hampers liberation efforts trying to break from imperialism

si Ligaya ‘12

Ako si Ligaya – what follows is how this author self-identifies: I am Ligaya; Owner of the Pinoy-Culture blog. animist. polytheist. hilot. child of the earth. daughter of Kaptan and Magwayen. This author has a background that others would call “Filipino”. “Why I hate and can’t stand the term “Filipino” or “Philippines”” – From the blog Pinoy-Culture – June 13, 2012 – http://pinoy-culture.tumblr.com/post/25042139983/why-i-hate-and-cant-stand-the-term-filipino-or

Why I hate and can’t stand the term “Filipino” or “Philippines”.

AND

, which is the root word for "kababayan" and "bayanihan".

#### Womens movement DA - These discursive questions of national liberation are intimately tied to women’s liberation movements in the Philippines. The Aff’s retrenchment against macropolitical change will hamper movements that are working against sexual violence in the Philippines. This serves as an alt and an independent inherency arg.

Lacsamana ‘11

Anne E. Lacsamana joined the Hamilton University faculty in 2005. She teaches in the Women’s Studies Department. She received her Ph.D. in American Culture Studies from Bowling Green State University “Empire On Trial: The Subic Rape Case and the Struggle For Philippine Women’s Liberation” WORKS AND DAYS 57/58: Vol. 29, 2011

Cynthia Enloe explains that during the 1970s, after a string of unsolved murders allegedly

AND

both the suppression of Philippine sovereignty and the violation of Filipino women’s dignity.

#### Using other people’s lived experience as part of your performance is problematic- causes cooption of the lived experience and reifies colonialism

Brady 2000

(Wendy Brady, Director of the Aboriginal Research and Resource Centre @ University of New South Wales, INDIGENOUS INSURGENCY AGAINST THE SPEAKING FOR OTHERS. Subaltern, Multicultural and Indiginous Histories <http://www.transforming.cultures.uts.edu.au/pdfs/insurgency_brady.pdf>)

I think that goes back to the writing of history on behalf of others.

AND

but are confined by¶ structural determinations that aim to ensure inequitable outcomes.

#### Comparative Movements DA—We’ll contrast their anti-State Aff with successful regional feminist alts like GABRIELA, BUKLOD and WEDPRO. The Aff results in MORE militarism by distancing their tie to their State.

Lacsamana ‘11

Anne E. Lacsamana joined the Hamilton University faculty in 2005. She teaches in the Women’s Studies Department. She received her Ph.D. in American Culture Studies from Bowling Green State University “Empire On Trial: The Subic Rape Case and the Struggle For Philippine Women’s Liberation” WORKS AND DAYS 57/58: Vol. 29, 2011

Prior to granting formal “independence” on July 4, 1946, the United

AND

arguably paving the way for the historic conviction of Daniel Smith in 2005.

#### The Spanish-colonial discursive norms re-inscribed by the Aff are the heart of the oppressive gender and religious practices cited in the 1AC.

Lacsamana ‘11

Anne E. Lacsamana joined the Hamilton University faculty in 2005. She teaches in the Women’s Studies Department. She received her Ph.D. in American Culture Studies from Bowling Green State University “Empire On Trial: The Subic Rape Case and the Struggle For Philippine Women’s Liberation” WORKS AND DAYS 57/58: Vol. 29, 2011

One of the most enduring legacies of 350 years of Spanish colonial rule was the

AND

see why Nicole and the Subic rape case stirred so many differing emotions.

**The 1AC totalizing the culture of certain women, through overly simplistic misrepresentations. Like the veil and female circumcision, the west constantly places universal ethics onto entire populations-producing more subjagation.**

**Kapur, 2002**

Ranta Kapur, Visiting Professor of Law, New York University School of Law; Director of the Centre for Feminist Legal Research, New Delhi, India Harvard Human Rights Journal / Vol. 15, Spring 2002 , ESM

In this Section, I discuss the ways in which cultural essentialism is reproduced through

AND

to death, and this act apparently has some kind of cultural sanction.

#### And, this alone warrants voting Neg. Sans a plan, all Aff rhetoric is on the same playing field. We can defend the rest of their advocacy and negate only particular statements or authors.

**( ) Policy Framework before Reps – coalitions, anti-politics, and zero impact**

**Churchill ‘96**

Ward Churchill, Professor of American Indian Studies at the University of Colorado, 1996 (“Semantic Masturbation on the Left: A Barrier to Unity and Action,” From A Native Son: Selected Essays in Indigenism, 1985-1995, Published by South End Press, ISBN 0896085538, p. 460)

There can be little doubt that **matters of linguistic appropriateness** and precision are of serious

AND

**, not about what they’ve said, but about how they’ve said it.**

#### MARKED—heres the rest of the card

Decisions on whether toenter into alliances, oreven to work with other

AND

**nonsense,** and on withthe real work of effectingpositive socialchange.

# 2NC

## TNF

### Limits matter

#### Truisms bad

Taylor ‘5

(et al; Matt – Director of Debate at CSU-Long Beach –“From Jurisdiction to Narration: Standards for Topicality in Parliamentary Debate” – March –http://www.parlidebate.org/pdf/vol9no3.pdf)

It is the last round of a very long day of judging and I am

AND

push canned cases away from the genre of declamation and back toward argumentation.

### T Version Of the Aff

#### *If* we lose “USFG bad”, the logic is NOT that “Negs lose”. Instead – like cplan theory – “reject the Active Voice, not the Team”. A passive-voice, non-USFG, wording emerges that allows Aff’s to be a movement or even themselves. But, some T burdens remain. This ev proves “a topical version of the passive voice”. Affords ethical flexibility, but protests still direct at things proscribed *by POTUS* and *as part of War Powers* *Authorities.*

Becker ‘13

(Richard Becker, Western Region Coordinator, ANSWER Coalition – The A.N.S.W.E.R. Coalition is an acronym that stands for Act Now to Stop War and End Racism. It is a coalition of hundreds of organizations and scores of organizing centers in cities and towns across the country. Its national steering committee represents organizations that have campaigned for social justice for people inside the United States. The A.N.S.W.E.R. Coalition organized the first national demonstration against war and racism following September 11 on September 29, 2001, which brought 25,000 people into the streets of Washington DC and 15,000 in San Francisco. The name of the article is: “Support the April 13 "Stop Drones" Protest Drones Out of Africa, Asia, the Middle East and Everywhere!” – March 31st – http://www.answercoalition.org/sf/news/support-the-april-13-stop.html.)

On April 13, in Washington DC, Los Angeles, San Francisco, Albuquerque

AND

and Everywhere!" so critical. We must stand together against these outrages!

#### First – Doesn’t require role-play, which solves ethical concerns about USFG

Hester ‘13

Dr. Michael Hester; Dean of the Honors College & Trans-Disciplinary Programs and Director of UWG DebateRe: Papers Being worked on (I'm working on X) – Reply #7 on: April 03, 2013, 10:59:18 AM – http://www.cedadebate.org/forum/index.php?topic=4753.msg10194#msg10194

"The USFG should..." should no longer be unproblematically accepted as the starting point

AND

diverging from a future-oriented, USFG policy-focused, model.

### no solve now

#### Switch-side “anti-logic” best teaches BOTH TEAMS how to counter-racism in immediate AND long-term contexts. Our offense is NOT solely procedural.

INOUE ‘5

ASAO B. INOUE – at the time of this writing, Asao held an MA in Rhetoric and Communication from Oregon State. He is currently an Associate Professor of Rhetoric and Composition at Fresno State, focusing on writing assessment and race studies. This dissertation was approved by Dissertation Chair: Victor Villanueva. Dr. Victor Villanueva received his PhD in English from the University of Washington in 1986. Since then, he has worked not only as a professor of rhetoric and writing, but as an Equal Opportunity Program Director, Writing Project Director, a Director of Composition, twice as Department Chair (at Washington State University and at Auburn University), and Interim Associate Dean – “THE EPISTEMOLOGY OF RACISM AND COMMUNITY-BASED ASSESSMENT PRACTICE” –submitted in partial fulfillment of the requirements for the degree of DOCTOR OF PHILOSOPHY WASHINGTON STATE UNIVERSITY Department of English May 2005 – obtainable via google search… This link should work: https://research.wsulibs.wsu.edu/xmlui/.../2376/.../a\_inoue\_012205.pdf?

Sophistic antilogic and a slightly altered version of dialectic, as heuristics, can be

AND

views, ideas, decisions, positions, and visions of the world.

## T

### Definitions—new

#### “Statutory” restrictions are binding law enacted by Congress

Hill 13 – Gerald Hill, Juris Doctor from Hastings College of the Law of the University of California, Executive Director of the California Governor's Housing Commission, AB from Stanford University and Kathleen Hill, M.A. in Political Psychology from California State University, Sonoma, Fellow in Public Affairs at the Coro Foundation, The People's Law Dictionary, http://dictionary.law.com/Default.aspx?selected=2010

statute

n. a Federal or state written law enacted by the Congress or state legislature, respectively. Local statutes or laws are usually called "ordinances." Regulations, rulings, opinions, executive orders and proclamations are not statutes.

#### “Judicial” is courts --- distinct from other actors

Webster’s 1 – Merriam-Webster’s Dictionary of Law, “Judicial”, http://research.lawyers.com/glossary/judicial.html

Judicial

Definition - adj

[Latin judicialis, from judicium judgment, from judic- judex judge, from jus right, law + dicere to determine, say]

1 a : of or relating to a judgment, the function of judging, the administration of justice, or the judiciary

b : of, relating to, or being the branch of government that is charged with trying all cases that involve the government and with the administration of justice within its jurisdiction

compare administrative executive legislative

2 : created, ordered, or enforced by a court <a ~ foreclosure>

compare conventional legal

Pronunciation jü-'di-sh&l

#### Precision

Cederwall 11 – Paul D. Cederwall, Certified Public Accountant at Pacific Northwest Consultants, “Difference Between Statutory, Regulatory, and Contract Requirements”, Pacific Northwest Consultants, 12-28, http://pacificnwc.blogspot.com/2011/12/difference-between-statutory-regulatory.html

We often throw around terms like "statutory requirements", "regulatory requirements", and

AND

basis in statute or regulation but is no less enforceable under the contract.

#### precision key to everyday life--- without the gov can jail us for no reason

Harris ‘13

(Dr. Scott Harris – Director of Debate @ Univ of Kansas – Final Round Ballot – April 5th – http://www.cedadebate.org/forum/index.php?topic=4762.msg10246#msg10246)

The negative argument is based on the claim that all debates must be oriented around

AND

are a real impact because I feel their impact in my everyday existence.

### AT: ROB—counter hegemony--- MUST READS

#### You are not counter hegemonic—ONLY state based solutions are ACTIVE forms of counter hegemonic politics that succeed. YOU have made the argument that counter hegemonic politics come first--- this makes all your critiques of T irelevent

Carroll 6

“hegemony, counter-hegemony, anti-hegemony” william k. Carroll university of victoria, ss/es vol 2, no 2 (2006)http://www.socialiststudies.com/sss/index.php/sss/article/view/27/25

The term counter-hegemony seems misleadingly complementary to hegemony. In actuality, there

AND

to weld the present to the future, as gramsci once put it.

#### State Ks don’t hold up against state based counter-hegemonic politics—it’s a form of reclaiming the state and transforming systems of oppression

Carroll 6

“hegemony, counter-hegemony, anti-hegemony” william k. Carroll university of victoria, ss/es vol 2, no 2 (2006)http://www.socialiststudies.com/sss/index.php/sss/article/view/27/25

As a radical politic, this approach emphasizes the need for counter-hegemonic movement

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understood as one part of broader transformations (brand. 2005b: 248).

#### WE win the roll of the ballot debate -Your focus on identity as a starting point means that you AREN’T counter hegemonic and never change politics- It’s perceived as cultural trendiness

Kandil 2008

“Limitations of Counter-hegemonic Strategies: The Case of Islamization in Egypt, 1982-2007” Hazem Kandil, UCLA Department of Sociology \*\*\*note- the date was not given for this file, this is just the year of the most recent foot note

But by focusing on cultural identity, Islamists [they] projected themselves not as

AND

model implies, al-da‘wa became exclusively cultural and apolitical.

# 1NR

**1NR DA**

**Detention preferred to drones now – high presidential authority key**

**Vladeck 12**

[Stephen I., Professor of Law at the Washington College of Law at American University, “Detention Policies: What Role for Judicial Review?” ABA Journal, October, <http://www.abajournal.com/magazine/article/detention_policies_what_role_for_judicial_review/>]

The short chapter that follows aims to take Judge Brown’s suggestion seriously. As I

AND

Judge Brown to identify “take no prisoners” as Boumediene’s true legacy.

**Increased restrictions on detention spur drone use – gets adopted internationally and flips all your advantages**

-ILaw

-Constitutionality

-Terror

-Rule of law

-Stability

**Roberts 13**

[Dan, Washington Bureau Chief of the Guardian, “Bush Lawyer: Drone Strikes Are Worse than Indefinite Detention,” Business Insider, 5/2, <http://www.businessinsider.com/bush-administration-lawyer-drone-strikes-being-used-as-alternative-to-guantnamo-2013-5#ixzz2cSBL5zvK>]

John Bellinger, who was responsible for drafting the legal framework for targeted drone killings

AND

the rule of law or are indifferent to civilian casualties," she added.

#### Boosting Drone attacks causes large death tolls

Dowd 2013

(Alan W. Dowd, widely published writer on national defense, foreign policy, and international security including contributions to Parameters, Policy Review, The Journal of Diplomacy and International Relations, World Politics Review, American Outlook, The Baltimore Sun, The Washington Times, The National Post, The Wall Street Journal Europe, The Jerusalem Post, and The Financial Times Deutschland, Winter-Spring 2013, “Drone Wars: Risks and Warnings,” Parameters, http://www.strategicstudiesinstitute.army.mil/pubs/parameters/Issues/WinterSpring\_2013/1\_Article\_Dowd.pdf)

If these geo-political consequences of remote-control war do not get ¶

AND

spawned a new era of danger for the United States and its allies.

#### Fourth, ending Detention simply means suspects get rendered. The scope of the Aff fiat can’t solve this—rendered suspects are no longer *detained* and it’s not “*under the President’s executive war powers authority”*.

Wilde ‘5

(Ralph -- Reader in Law, University College London, University of London. Michigan Journal of International Law – Spring)

As well as detaining terrorist suspects, it is also alleged that U.S

AND

United States is also invoked to justify interrogating such suspects in third countries.

#### Second, by ending indefinite detention options in the US, the Aff causes outsourcing to other countries and mass surveillance—those conditions are worse from the individual’s perspective

Chesney 11

(Robert, Charles I. Francis Professor in Law, University of Texas School of Law, “ARTICLE: WHO MAY BE HELD? MILITARY DETENTION THROUGH THE HABEAS LENS”, Boston College Law Review, 52 B.C. L. Rev 769, Lexis)

The convergence thesis describes one manner in which law might respond to the cross-

AND

substantive grounds for detention takes place through the lens of habeas corpus litigation.

#### Outsourcing is a bigger internal link to “quality of Life” impacts. Detention under the law is better than in the shadows

Goldsmith 12

(Jack, Professor of Law @ Harvard “Proxy Detention in Somalia, and the Detention-Drone Tradeoff,” June, <http://www.lawfareblog.com/2012/06/proxy-detention-in-somalia-and-the-detention-drone-tradeoff/>)

There has been speculation about the effect of the Obama administration’s pinched detention policy –

AND

of a detention-drone tradeoff will become harder and harder to defend.

### 1NR K

#### Our K turns the case – Appeal to the ballot legitimizes a “might makes right” style of politics that structures social relations to privilege dominant groups and locks-in escalating cycles of oppression

Karlberg ‘10

(Michael, Professor of Communication – Western Washington University, “Constructive Resilience: The Bahá'í Response to Oppression”, Peace & Change, 35(2), April, p. 245)

Fourth, the theory and collective practice of the Bahá'í community suggest that oppositional models

AND

most powerful segments of society through the **escalating cycles of** non-violent **oppression**

**n** alluded to above. Even more fundamentally, they reflect and reinforce the assumptions about human nature and social order that underlie and perpetuate the culture of contest. In the process, they **legitimize the** **foundational assumptions** from which the institutions of the culture of contest are constructed and by which a culture of injustice is often perpetuated—hence "the paradox of protest in a culture of contest."[93](http://www3.interscience.wiley.com.proxy-remote.galib.uga.edu/cgi-bin/fulltext/123316017/main.html%2Cftx_abs#fn93)

#### Extend our internal link to factionalization. Karlberg proves that ties-to-the-ballot get the Left competing with the Left. This has happens to every left-leaning resistance strategy this century. That split uniquely empowers dominant systems that make oppression inevitable.

Krishna ‘93

(Sankaran, Professor of Political Science – University of Hawaii, Alternatives, 18)

While this point is, perhaps, debatable, Der Derian’s further assertion, that

AND

genre of critical international theory and its impact on such an activist politics.