# 1nc

### K1

**Since World War I, executive violence has been normalized by the globalization of the state of exception when the law justifies its own suspension, transforming itself into a killing machine, and ushering in global civil war. Return to the legal normal authorizes such violent international aggression**

**Agamben 05.** Giorgio Agamben, famous philosopher, The State of Exception, pg. 85

It is perhaps possible at this point to look back upon the path trav- eled thus far and draw some provisional conclusions from our investi- gation of the state of exception. The juridical system of the West appears as a double structure, formed by two heterogeneous yet coordinated el- ements: **one that is normative and juridical in the strict sense** (which we can for convenience inscribe under the rubric potestas) **and one that is anomic and metajuridical** (which we can call by the name auctoritas).

The normative element **needs the anomic element** in order to be ap- plied, but, on the other hand, auctoritas can assert itself only in the val- idation or suspension of potestas. Because it results from the dialectic between these two somewhat antagonistic yet functionally connected elements, **the ancient dwelling of law is fragile** and, in straining to main- tain its own order, is always already **in the process of ruin and decay.** The state of exception is the device that must ultimately articulate and **hold together the two aspects of the juridico-political machine** by instituting a threshold of undecidability between anomie and nomos, between life and law, between auctoritas and potestas. It is founded on the essential fiction according to which anomie (in the form of auctoritas, living law, or the force of law) is still related to the juridical order and the power to suspend the norm has an immediate hold on life. As long as the two el- ements remain correlated yet conceptually, temporally, and subjectively distinct (as in republican Rome’s contrast between the Senate and the people, or in medieval Europe’s contrast between spiritual and temporal powers) their dialectic—though founded on a fiction—can nevertheless function in some way. But when they tend to coincide in a single per- son, when the state of exception, in which they are bound and blurred together, becomes the rule, then **the juridico-political system transforms itself into a killing machine.**

6.10 The aim of this investigation—in the urgency of the state of ex- ception “in which we live”—was to bring to light the fiction that governs this arcanum imperii [secret of power] par excellence of our time. What the “ark” of power contains at its center is the state of exception—but this is essentially an empty space, in which a human action with no re- lation to law stands before a norm with no relation to life.

This does not mean that the machine, with its empty center, is not effective; on the contrary, what we have sought to show is precisely that it has continued to function almost without interruption **from World War One, through fascism and National Socialism, and up to our own time**. Indeed, **the state of exception has today reached its maximum worldwide deployment.** The normative aspect of law can thus be **obliter- ated and contradicted** with impunity by a governmental violence that— while ignoring international law externally and producing a permanent state of exception internally—**nevertheless still claims to be applying the law.**

Of course, **the task at hand is not to bring the state of exception back within its spatially and temporally defined boundaries** in order to then reaffirm the primacy of a norm and of rights that are themselves **ulti- mately grounded in it.** From the real state of exception in which we live, **it is not possible to return to the state of law** [stato di diritto], **for at issue now are the very concepts of “state” and “law**.” But if it is possible to attempt to halt the machine, to show its central fiction, this is because between violence and law, between life and norm, there is no substantial articulation. Alongside the movement that seeks to keep them in rela- tion at all costs, there is a countermovement that, working in an inverse direction in law and in life, **always seeks to loosen what has been artifi- cially and violently linked**. That is to say, in the field of tension of our culture, two opposite forces act, one that institutes and makes, and one that deactivates and deposes. **The state of exception is both the point of their maximum tension and—as it coincides with the rule—that which threatens today to render them indiscernible**. To live in the state of ex- ception means to experience both of these possibilities and yet, by always separating the two forces, **ceaselessly to try to interrupt the working of the machine that is leading the West toward global civil war.**

**Accepting the plan as a legitimate subject of debate eviscerates solvency. Appeals to legality fail absent study and de-activation of the fictional lines of inside and outside created by the sovereign guardians**

**McLoughlin 13.** Daniel McLoughlin, professor of law at the University of South Wales, “The Fiction of Sovereignty and the Real State of Exception: Giorgio Agamben’s Critique of Carl Schmitt,” Law, Culture and the Humanities 0(0) pg. 17

State of Exception suggests that the studious deactivation of the law is exemplified by Kafka’s characters.86 While his reading of Kafka is only one strand of the politics of inoperativity within his work, it is nonetheless an important one for our purposes, given Agamben’s tendency to illuminate the relationship between messianism, nihil- ism and law through Kafka.87 To conclude, then, I briefly examine the way in which Kafka’s characters seek to “deactivate” the law; how this might relate to the production of a “real state of exception”; and how Agamben conceives the stakes of this politics of “use.”

According to Homo Sacer, Kafka’s parable “Before the Law” represents the “struc- ture of the sovereign ban in an exemplary abbreviation.”88 The story begins with the “man from the country” approaching the door of the law, only to be informed by its gatekeeper that, **although the door is open, he cannot enter at the moment**. The man asks if permission will be forthcoming: the gatekeeper responds that it is possible, **“but not now,”**89 and that, although he is welcome to enter the door without permission, he will only encounter **door after door**, and **guardian after guardian**, each more fearsome than the last. Taking a seat before the door of the law, the man from the country then waits for days and years, all the while **trying to convince** the gatekeeper to grant him entry. Still before the law in old age, with little time left to live, he sees a radiance streaming from the gateway to the law. As his life begins to fade, the man from the country asks why in all this time no-one else has attempted to gain entry, to which the doorkeeper responds: “No one else **could ever be admitted here**, since **this gate was made only for you**. **I am now going to shut it.”**90

According to Agamben, “Before the Law” is usually read as a tale of “irremediable defeat,”91 a story of the impossibility of surpassing the structure of sovereignty. Agamben, by contrast, argues that the man from the country is engaged in **a patient** and **ultimately successful** attempt to **deactivate the law’s “being in force without sig- nificance.”** At the end of the story, despite the risk to his life entailed by his struggle with the law, the man **remains alive** and **the door to the Law is shut.** In his essay “K,” Agamben elaborates on this reading with a subtle yet important shift of emphasis: the lesson of the man from the country is, he argues, that the deactivation of the law does not require the study of law itself, but rather, **the “long study of its doorkeepers.”**92 While the law is absent in Kafka’s world, what keeps it at work is the fact that **the guardians of the law claim to act on its behalf**. If one wants to deactivate the law, then **the decisive politi- cal struggle** is not with law itself, which is already inoperative, but with those who cover over this fact with the claim that they represent the law. In the same essay, Agamben makes a similar point about The Castle: the land surveyor who tries to gain access to the castle does not engage in a struggle “against God or supreme sovereignty ... but against the angels, the messengers and functionaries who appear to represent it ... (it is) a conflict with the fabrications of men (or of angels) regarding the divine.”93

This helps to illuminate the sense in which the real state of exception can simultane- ously be a situation to which we are subject; a situation that has been exposed as such by Benjamin; and also a crucial political task to undertake that will **“help in the struggle against Fascism.”** In Agamben’s account of Paul, the coming of the messiah has deacti- vated the law and yet the law remains at work; in his analyses of the state of exception the law is suspended yet remains in force; in his reading of Kafka, **the Law is absent yet still present**. In each instance, then, there is a **messianic tension** between an **“already” existing lawlessness** that is “not yet” fully experienced as such, because **it is being cov- ered over** by authority: the katechon in Paul, the guardians of the law in Kafka, and those trying to control the state in his account of the exception. To produce **a real state of exception is to deactivate the law**, which requires **undermining the claims of the repre- sentatives of the law and the political divisions that they maintain on this basis**. While the lawlessness of the real state of exception is at work, it can only come to light in and through a **“conflict with the fabrications of men”** about the continued existence of law.94

Agamben sees **the politics of deactivating the law** as **the only appropriate** (and indeed **conceptually viable**) **response to the state of emergency as rule**. As we have observed, Schmitt’s analysis of sovereignty closed down the idea of pure violence and the possi- bility of a radically revolutionary act through the idea of the force-of-law, which placed the power to suspend the law into the hands of the state and those who seek to control it. However, Benjamin’s eighth thesis turns the tables on Schmitt, as the idea of sover- eignty becomes **utterly implausible** when the state of emergency is the rule. Within the contemporary political horizon, then, it is **conceptually impossible** to claim legal author- ity and legitimacy: as Agamben asserts in The Church and the Kingdom “nowhere on earth today is **a legitimate power to be found**.”95 What is conceptually possible, how- ever, is a politics that **seeks to deactivate the law** by **neutralizing the claims to legality** made by those who present themselves as its guardians. It is only through such a politics that the lawlessness of the ‘‘real state of exception’’ is experienced as such, as any poli- tics that makes **claims to legal authority** rests upon **the fiction of sovereignty** and hence **continues to conceal the deactivation of the law.**

What is at stake in this account of the real state of exception is an attempt to break with the sense of political stagnation that characterizes contemporary politics. In a frag- ment from The Coming Community entitled “Halos,” Agamben recounts a version of a parable about the Kingdom of the Messiah told to Ernst Bloch by Walter Benjamin: “The Hassidim tell a story about the world to come that says everything there will be just as it is here. Just as our room is now, so will it be in the world to come; where our baby sleeps now, there too it will sleep in the other world. And the clothes we wear in this world, so too we will wear there. Everything will be **as it is now**, just **a little bit different.”**96 After recounting Benjamin’s version of the parable, Agamben goes on to say that “the tiny displacement does not refer to things, but to their sense and their limits ... the parable introduces a possibility there where everything is perfect, **an ‘otherwise’** where every- thing is finished forever.”97 For Agamben, then, the sense of **“inversion”** that is charac- teristic of Benjamin’s messianism **brings to light a possibility to be otherwise**. Similarly, Agamben’s messianic **inversion of sovereignty** responds to a sense of political closure by trying to introduce a sense that **it is possible for things to be otherwise**.

Throughout his political work, he asserts that the political tradition has **reached its end** due to the **increasing indistinction** of the fundamental oppositions (law/anomie, politics/ life) that have historically **delimited the political and thereby made it possible**. The con- ceptual and institutional structures that **framed** and helped to make sense of **our political experience have collapsed** and it is **not possible to return to their shelter**.98 Despite this crisis, we do not seem **capable of conceiving of political experience** beyond the terms offered by the political tradition, and the theory of sovereignty plays a key role in this sense of political closure, **anchoring all political experience to the law**, and **foreclosing the idea of a political action that breaks with the order of legal violence.**

By undermining the idea of sovereignty, Benjamin’s eighth thesis re-opens the con- ceptual possibility of a politics of pure violence. Pure violence is, Agamben writes, mani- fest in the purification of violence: that is, **in the “exposure and deposition**”99 of the nexus between violence and law. This is precisely what Benjamin achieves in his philo- sophical combat with Schmitt, meaning that the eighth thesis is a manifestation of the politics of pure violence at the level of theory.100 But while Benjamin may have disabled the apparatus of sovereignty at a philosophical level, **the force-of-law is consistently invoked** by the messengers and guardians of the law **to justify the anomic violence that is leading us towards catastrophe**.101 Benjamin’s eighth thesis then grounds Agamben’s call for, and attempt to theorize the conditions of, a messianic politics dedicated to bringing to light **the inoperativity of the law** that is already at work in the politics of our time. For Agamben, to live messianically means **to take the illegitimacy of state power as the premise of one’s politics**: to act on the basis that **the law is already inoperative**, that the claims to authority of its representatives **are a fiction**, and that **their power needs to be deactivated.**

**Stop using the legal system to fix problems within the legal system—the state of exception and its disregard of its own very laws is the maximum point of tension—use the crisis of the 1ac an impulse to craft a new politics**

**Prozorov 10.** Sergei Prozorov, professor of political and economic studies at the University of Helsinki, “Why Giorgio Agamben is an optimist,” Philosophy Social Criticism 2010 36: pg. 1057

The second principle of Agamben’s optimism is best summed up by Ho ̈lderlin’s phrase, made famous by Heidegger: ‘**where danger grows, grows saving power also’**.20 Accord- ing to Agamben, radical global transformation is actually made possible by **nothing other** than the unfolding of biopolitical nihilism itself to **its extreme point of vacuity**. On a number of occasions in different contexts, Agamben has asserted the possibility of a radi- cally different form-of-life on the basis of precisely the same things that he initially set out to criticize. Agamben paints a convincingly gloomy picture of the present state of things only to undertake a majestic reversal at the end, finding **hope and conviction in the very despair that engulfs us**.21 Our very destitution thereby turns out be **the condition for the possibility of a completely different life**, whose description is in turn entirely devoid of fantastic mirages. Instead, as Agamben repeatedly emphasizes, in the redeemed world **‘everything will be as is now, just a little different’**,22 no momentous transformation will take place aside from **a ‘small displacement’** that will nonetheless **make all the difference**. While we shall deal with this ‘small displacement’ in the follow- ing section, let us now elaborate the logic of redemption through the traversal of ‘danger’ in more detail.

It is evident that the danger at issue in Agamben’s work **is nihilism** in its dual form of the sovereign ban and the capitalist spectacle. If, as we have shown in the previous sec- tion, the reign of nihilism is general and complete, we may be optimistic about the pos- sibility of jamming its entire apparatus since there is nothing in it that offers an alternative to the present ‘double subjection’. Yet, where are we to draw resources for such a global transformation? It would be easy to misread Agamben as **an utterly utopian thinker**, whose intentions may be good and whose criticism of the present may be valid if exaggerated, but whose solutions are completely implausible if not outright embarras- sing.23 Nonetheless, we must rigorously distinguish Agamben’s approach from utopian- ism. As Foucault has argued, utopias derive their attraction from their discursive structure of a fabula, which makes it possible to describe in great detail a better way of life, precisely because it is manifestly impossible.24 While utopian thought easily pro- vides us with elaborate visions of a better future, it cannot really lead us there, since its site is by definition a non-place. In contrast, Agamben’s works tell us quite little about life in a community of happy life that has done away with the state form, but are remark- ably concrete about the practices that are constitutive of this community, precisely because these practices require nothing that would be **extrinsic** to the contemporary condition of **biopolitical nihilism**. Thus, Agamben’s coming politics is **manifestly anti-utopian** and draws all its resources from the condition of contemporary nihilism.

Moreover, this nihilism is the only possible resource for this politics, which would otherwise be doomed to continuing the work of negation, vainly applying it to nihilism itself. Given the totality of contemporary biopolitical nihilism, any ‘positive’ project of transformation would come down to the **negation of negativity itself**. Yet, as Agamben demonstrates conclusively in Language and Death, nothing is more nihilistic than **a negation of nihilism**.25 Any project that remains oblivious to the extent to which its valorized positive forms have already been devalued and their content evacuated would only succeed in **plunging us deeper into nihilism**. As Heidegger adds in his commentary on Ho ̈lderlin, ‘It may be that **any other salvation** than that, which **comes from where the danger is**, is still **within non-safety’**.26 Moreover, as Roberto Esposito’s work on the par- adox of immunity in biopolitics demonstrates, any attempt to combat danger through **‘negative protection’** (immunization) that seeks to mediate the immediacy of life through extrinsic principles (sovereignty, liberty, property) necessarily **introjects** within the social realm the **very negativity that it claims to battle**, so that biopolitics is always at risk of **collapsing into thanatopolitics.**27 In contrast, Agamben’s coming politics does not attempt to introduce anything new or ‘positive’ into the condition of nihilism but to use this condition itself in order to **reappropriate human existence** from **its biopolitical confinement**.28

Thus, while the aporia of the negation of negativity might lead other thinkers to res- ignation about the possibilities of political praxis, it actually enhances Agamben’s opti- mism. Renouncing any project of reconstructing social life on the basis of positive principles, his work illuminates the way the unfolding of biopolitical nihilism itself pro- duces the conditions of possibility for **radical transformation**. We can now see that the state of total crisis that Agamben has diagnosed must be understood **in the strict medical sense**. In pre-modern medicine, the crisis of the disease is its kairos, the moment in which the disease **truly manifests itself** and **allows for the doctor’s intervention that might finally defeat it.**29 For this reason, the crisis is not something to be feared and avoided but **an opportunity that must be seized**. Similarly, insofar as the sovereign state of excep- tion and the absolutization of exchange-value completely empty out any content of pos- itive forms-of-life, the contemporary biopolitical apparatus **prepares its self-destruction** by fully **manifesting its own vacuity**.

### K2

#### Dominant ideology is strengthened by critical opposition. Their understanding of privilege and debate functions more to validate their efforts than address the problem. The 1ac prefigures us as ambassadors for the status quo—voting aff can only entrench that symbolic order

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Schlag presents a dark vision of what he calls "the bureaucracy," which crushes us and controls us. It operates on "a field of pain and death." n259 It deprives us of choice, speech, n260 and custom. n261 As bureaucracy cannot abide great minds, legal education must suppress greatness through mind numbing repetition. n262 In fact, legal thought is the bureaucracy and cannot be distinguished from it. n263 If legal thought tried to buck the bureaucracy, the bureaucracy would instantly crush it. n264 Schlag observes that judges have taken "oaths that require subordination of truth, understanding, and insight, to the preservation of certain bureaucratic governmental institutions and certain sacred texts." n265 Legal scholarship and lawyers generally n266 are the craven tools of bureaucracy, and those who practice law or scholarship simply serve to justify and strengthen the bureaucracy. "If there were no discipline of American law, the liberal state would have to invent it." n267 "Legal thinkers in effect serve as a kind of P.R. firm for the bureaucratic state." n268 Legal scholarship has sold out to the bureaucracy: Insofar as the expressions of the state in the form of [statutes, etc.] can be expected to endure, so can the discipline that so helpfully organizes, rationalizes, and represents these expressions as intelligent knowledge. As long as the discipline shows obeisance to the authoritative legal forms, it enjoys the backing of the state... Disciplinary knowledge of law can be true not because it is true, but because the state makes it true. n269 Scholarship produces a false "conflation between what [academics] celebrate as 'law' and the ugly bureaucratic noise that grinds daily in the [\*1946] [ ] courts...." n270 Scholarship "becomes the mode of discourse by which bureaucratic institutions and practices re-present themselves as subject to the rational ethical-moral control of autonomous individuals." n271 "The United States Supreme Court and its academic groupies in the law schools have succeeded in doing what many, only a few decades ago, would have thought impossible. They have succeeded in making Kafka look naive." n272 Lacanian theory allows us to interpret the meaning of this anti-Masonic vision precisely. Schlag's bureaucracy must be seen as a "paranoid construction according to which our universe is the work of art of unknown creators." n273 In Schlag's view, the bureaucracy is in control of law and language and uses it exclusively for its own purposes. The bureaucracy is therefore the Other of the Other, "a hidden subject who pulls the strings of the great Other (the symbolic order)." n274 The bureaucracy, in short, is the superego (i.e., absolute knowledge of the ego), n275 but rendered visible and projected outward. The superego, the ego's stern master, condemns the ego and condemns what it does. Schlag has transferred this function to the bureaucracy. As is customary, n276 by describing Schlag's vision as a paranoid construction, I do not mean to suggest that Professor Schlag is mentally ill or unable to function. Paranoid construction is not in fact the illness. It is an attempt at healing what the illness is - the conflation of the domains of the symbolic, imaginary, and real. n277 This conflation is what Lacan calls "psychosis." Whereas the "normal" subject is split between the three domains, the psychotic is not. He is unable to keep the domains separate. n278 The symbolic domain of language begins to lose place to the real domain. The psychotic raves incoherently, and things begin to talk to [\*1947] him directly. n279 The psychotic, "immersed in jouissance," n280 loses desire itself. Paranoia is a strategy the subject adopts to ward off breakdown. The paranoid vision holds together the symbolic order itself and thereby prevents the subject from slipping into the psychotic state in which "the concrete 'I' loses its absolute power over the entire system of its determinations." n281 This of course means - and here is the deep irony of paraonia - that bureaucracy is the very savior of romantic metaphysics. If the romantic program were ever fulfilled - if the bureaucracy were to fold up shop and let the natural side of the subject have its way - subjectivity would soon be enveloped, smothered, and killed in the night of psychosis. n282 Paranoid ambivalence toward bureaucracy (or whatever other fantasy may be substituted for it) is very commonly observed. Most recently, conservatives "organized their enjoyment" by opposing communism. n283 By confronting and resisting an all-encompassing, sinister power, the subject confirms his existence as that which sees and resists the power. n284 As long as communism existed, conservatism could be perceived. When communism disappeared, conservatives felt "anxiety" n285 - a lack of purpose. Although they publicly opposed communism, they secretly regretted its disappearance. Within a short time, a new enemy was found to organize conservative jouissance - the cultural left. (On the left, a similar story could be told about the organizing function of racism and sexism, which, of course, have not yet disappeared.) These humble examples show that the romantic yearning for wholeness is always the opposite of [\*1948] what it appears to be. n286 We paranoids need our enemies to organize our enjoyment. Paranoid construction is, in the end, a philosophical interpretation, even in the clinical cases. n287 As Schlag has perceived, the symbolic order of law is artificial. It only exists because we insist it does. We all fear that the house of cards may come crashing down. Paradoxically, it is this very "anxiety" that shores up the symbolic. The normal person knows he must keep insisting that the symbolic order exists precisely because the person knows it is a fiction. n288 The paranoid, however, assigns this role to the bureaucracy (and thereby absolves himself from the responsibility). Thus, paranoid delusion allows for the maintenance of a "cynical" distance between the paranoid subject and the realm of mad psychosis. n289 In truth, cynicism toward bureaucracy shows nothing but the unconfronted depth to which the cynic is actually committed to what ought to be abolished.

#### Resistance makes ideology enjoyable—they get to relish our failure to justify a system without having to dislodge any fundamental beliefs. It’s a cynical gesture to frame your vote as the arbiter of their cause

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Emphasis should be laid on the inherent political dimension of the notion of enjoyment or on the way this kernel of enjoyment functions as a political factor. Let us probe this dimension through one of the enigmas of cultural life in postsocialist Eastern Europe: the fate of Milan Kundera. Throughout the sixties and the seventies, Kundera's novels, from The Joke to The Unbearable Lightness of Being, were hailed in the West at the quintessential cultural expression of the Central European movement, preparing the ground for the "velvet revolution" that overthrew the Communist regime in 1990. Yet in his own country, the Czech Republic, the attitude towards him in the "orthodox" dissident circles was always one of uneasiness. Even now, after the victory of democracy, he suffers a kind of excommunication in Bohemia. His works are rarely published, the media pass them over in silence, and everybody is somehow embarrassed to speak about him. In order to justify such a treatment, one rakes up old stories about his hidden collaboration with the Communist regime, about his taking refuge in private pleasures and avoiding the morally upright conflict a la Vaclav Havel, etc. However, the roots of this resistance lie deeper: Kundera conveys a message unamenable to the "normalized" democratic consciousness. At first glance, the fundamental axis that structures the universe of his works seems to be the opposition between the pretentious pathos of the official socialist ideology and the islands of everyday private life, with its small joys and pleasures, laughters and tears, beyond the reach of ideology. These islands enable us to assume a distance which renders visible the ideological ritual in its vain, ridiculous pretentiousness and grotesque meaninglessness: it is not worth the trouble to revolt against an official ideology with pathetic speeches on freedom and democracy - sooner or later, such a revolt leads to a new version of the "Big March" (Kundera's ironic name for the tightly controlled mass movement in which individual destinies are sacrificed to some sacred "progressive" ideological goal). If Kundera is reduced to such an attitude, it is easy to dismiss him via Havel's fundamental "Althusserian" insight into how the **ultimate conformist attitude** is precisely such an "apolitical" stance which, while publicly obeying the imposed ritual, privately indulges in cynical irony. It is not sufficient to ascertain that the ideological ritual is a mere appearance which nobody takes se- [\*930] riously - this appearance is essential, which is why one has to take a risk and refuse to participate in the public ritual. n8 One must therefore take a step further and consider that there is no way to simply step aside from ideology. The private indulgence in cynicism and the obsession with private pleasures are all precisely how totalitarian ideology operates in nonideological everyday life. It is how this life is determined by ideology, how ideology is "present in it in the mode of absence," if we may resort to this syntagma from the heroic epoch of structuralism. The depoliticization of the private sphere in late Socialist societies is "compulsive," marked by the fundamental prohibition of free political discussion; for that reason, such depoliticization always functions as the evasion of what is truly at stake. This accounts for the most immediately striking feature of Kundera's novels: the depoliticized private sphere in no way functions as the free domain of innocent pleasures; there is always something damp, claustrophobic, inauthentic, even desperate, in the characters' striving for sexual and other pleasures. In this respect, the lesson of Kundera's novels is the exact opposite of a naive reliance on the innocent private sphere; the totalitarian socialist ideology vitiates from within the very sphere of privacy to which we take refuge. This insight, however, is far from conclusive. Another step is needed to deal with Kundera's even more ambiguous lesson. Notwithstanding the dampness of the private sphere, the fact remains that the totalitarian situation gave rise to a series of phenomena attested by numerous chronicles of everyday life in the socialist East. In reaction to totalitarian ideological domination, not only a cynical escape into the "good life" of private pleasures took place, but also an extraordinary flourishing of authentic friendship, of paying visits at home, of shared dinners, and of passionate intellectual conversations in closed societies - features which usually fascinated visitors from the West. The problem, of course, is that there is no way to draw a clear line of separation between the two sides; they are the front and the back of the same coin, which is why, with the advent of democracy, they both get lost. It is to Kundera's credit that he does not conceal this ambiguity: the spirit of "Middle Europe" - of authentic friendship and intellectual sociability - sur- [\*931] vived only in Bohemia, Hungary, and Poland as a form of resistance to totalitarian ideological domination. Perhaps yet another step is to be ventured here; the very subordination to the socialist order brought about a specific enjoyment: not only the enjoyment provided by an awareness that people were living in a universe absolved of uncertainty (since the system possessed, or pretended to possess, an answer to everything), but above all the **enjoyment of the very stupidity of the System** - a relish in the emptiness of the official ritual, in the worn-out stylistic figures of the predominating ideological discourse. n9 An exemplary case of this enjoyment that pertains to the "totalitarian" bureaucratic machinery is provided by a scene from Terry Gallein's film, Brasil. n10 In the labyrinthine corridors of a large government building, a high-ranking functionary marches promptly, followed by several clerks desperately trying to keep pace with him. The functionary moves at a frenetic pace, inspecting documents and shouting orders to the people around him while quickly walking, in a great hurry, as if on his way to some important meeting. When this functionary stumbles upon the film's hero, Jonathan Pryce, he exchanges a couple of words with him and rushes forward, busy as ever. However, half an hour later, the hero sees him again in a distant corridor, carrying on his senseless ritualistic march. Enjoyment is provided by the very senselessness of the functionary's act: although his frantic officiating imitates efficiency, it is in the strict sense purposeless - a pure ritual repeated ad infinitum. The contemporary Russian composer Alfred Schnittke succeeded in exposing this quality in his opera, Life with an Idiot: n11 the so-called "Stalinism" confronts us with what Lacan designated as the imbecility inherent to the signifier as such. n12 The opera tells the story of an ordinary married man ("I") who, under a punishment imposed by the Communist Party, is compelled to take a person from a lunatic asylum to live with his family. This idiot, Vava, appears to be a "normal" bearded, bespectacled intellectual, constantly spouting meaningless political phrases; he soon, however, shows his true colors as an obscene intruder, first by having sex with I's wife and then with I himself. Vava stands here not only for [\*932] the **empty pseudointellectual prattle, but for the imbecile obscenity of the symbolic order itself**, of language which "runs amok" and gets entangled in the vicious cycle of enjoying its own game. Insofar as we are living in the universe of language, we are condemned to this imbecility of the superego: we can assume a minimal distance from it, thus rendering it more bearable, but we can never be rid of it.

#### The alternative is to not look for all the answers in debate—voting aff confines radicalism to a forum designed not to accomplish anything

**Gunnell, 86** - Distinguished Professor of Political Science at University of Albany (John G., “Tradition, Interpretation, and Science: Political Theory in the American Academy” pages 351-352)

There may be pointed exceptions; but, on the whole, the radicalism of political theory in the American university is now distinctly academic in both senses of that term. This is due in part to some definite historical factors internal to the evolution of the social sciences in the United States. There is a great distance between the radical activist origins of social science in America (during the twenty years from 1865 to 1885) and contemporary claims about radical social science and critical political theory. What has intervened is academic professionalism. Radical or critical political theory is an idea, largely something that is talked about rather than practiced. It is an academic fantasy and a faint memory which long ago severed any real connection with the objects in their concern. Only a strange academic pretension produces the notion that finding the right philosophical grounding can make academic political theory into something more than it is. Only another pretension implies that depth of concern or other emotive attributes can make this academic practice, as either scholarly production or classroom education, a form of political action or some equivalent to it.

Secured (or imprisoned) within structures of the university and profession, self-ascribed academic radicals posture like actors on a stage. They only descend into the audience within the limits of certain avante-garde productions that would never, in the end, endanger their status as actors or propel the audience beyond the role of spectators. But even the audience consists primarily of other actors. Caught up in this academic theater, they come to believe after a while that the play is the most real thing, that acting is a more noble and efficacious endeavor than the actual practices of life, and that its purity must be maintained. In large measure, of course, this is rhetoric, but not the rhetoric of the street. Political myth is one thing, but mythical politics is another.

While these actors have visions of the world which they wish to reproduce, they have long since lost touch with the concrete character of society, and their world is the product of a script written by others. Maybe the greatest irony is that, while their performances are dedicated to changing the world, they seldom address the specific world in which they reside. They are content to play in a theater whose management and financing is microcosm of the world which they wish to transform, but their vision is too prodigious to be directed toward such small objects. They may complain in passing about the way the players are hired and fired and about the lack of democracy in the company, but they are on the road too frequently to get involved deeply. And, after all, it is their sinecure as permanent members of the troupe that allows them to display their grand gestures without fear of contamination or reprisal.

There are some, usually the more conservative players, who also think that society is a seamless web and that theater changes the world, and they become upset at stage histrionics which mock and criticize life. But much paranoia is surpassed only by the blind faith of those who believe that their performances transform the lives of those with whom they come into contact and that the theater is surely so much a part of life that any real distinction is forced and analytic. It is difficult to know how many have a real passion for the life which they represent on stage or the extent to which their drama is a surrogate for what the world denies them or what they have denied themselves. Probably, many are just actors with feigned and rehearsed concern which they have acquired from their masters and coaches. For them, the play is the thing. For a few, however, these scenes are a vehicle for higher purpose. Sadly, society reserves the theater for their activity, putting them safely away where anything can be said, **b**everyone knows that it is just a play. Society knows that, in the end, the demands of the profession will keep most from mixing their art with life. Of the few who escape to seek recognition outside the theater, it is safe to assume that they are too inexperienced in the ways of the world to manipulate it and that the worst oppression is simply to ignore them.

This fable is merely a way of making a long story short. But I do want to make it as clear as possible that the apoliticalness and conservatism ascribed to me is charged against a background of alienated and philosophical radicalism that seldom talks about actual practices, let alone to them. My concern with the open society, which Reid takes to reflect attachment to liberal ideology, simply comes from the observation that such a society effectively defuses radicalism. It does so particularly by reserving the university for radical talk, deprived or at least flattened of potential significance through pure tolerance. Reid wishes to pose the question of "the theorist's public responsibility," and this question should be posed. But my brief comments about the open society are less a way of legitimating the abdication of that responsibility than a way of indicating how it cannot be fulfilled in terms of alienated political theory. To couch diagnosis and prescription in this language is to continue to ensure impotence-both because it has no audience and because it obscures the world as much as the conceptual schemes of orthodox social science. It merely substitutes one reified structure for another.

### FW

#### A. Interpretation—the aff should defend topical action based on the resolution

#### The text of the rez calls for debate on hypothetical government action

**Ericson 3** (Jon M., Dean Emeritus of the College of Liberal Arts – California Polytechnic U., et al., The Debater’s Guide, Third Edition, p. 4)

The Proposition of Policy: Urging Future Action In policy propositions, each topic contains certain key elements, although they have slightly different functions from comparable elements of value-oriented propositions. 1. An agent doing the acting ---“The United States” in “The United States should adopt a policy of free trade.” Like the object of evaluation in a proposition of value, the agent is the subject of the sentence. 2. The verb should—the first part of a verb phrase that urges action. 3. An action verb to follow should in the should-verb combination. For example, should adopt here means to put a program or policy into action though governmental means. 4. A specification of directions or a limitation of the action desired. The phrase free trade, for example, gives direction and limits to the topic, which would, for example, eliminate consideration of increasing tariffs, discussing diplomatic recognition, or discussing interstate commerce. Propositions of policy deal with future action. Nothing has yet occurred. The entire debate is about whether something ought to occur. What you agree to do, then, when you accept the affirmative side in such a debate is to offer sufficient and compelling reasons for an audience to perform the future action that you propose.

#### “Topic relevance” doesn’t solve—only a precise and limited rez creates deliberation on a point of mutual difference

**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 withoutfinding 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.

#### It’s a prior question—otherwise there's nothing to require structured disagreement

Adolf G. **Gundersen,** Associate Professor of Political Science, Texas A&M, **2000**

POLITICAL THEORY AND PARTISAN POLITICS, 2000, p. 104-5. (DRGNS/E625)

Indirect political engagement is perhaps the single most important element of the strategy I am recommending here. It is also the most emblematic, as it results from a fusion of confrontation and separation. But what kind of political engagement might conceivably qualify as being both confrontational and separated from actual political decision-making? There is only one type, so far as I can see, and that is deliberation. Political deliberation is by definition a form of engagement with the collectivity of which one is a member. This is all the more true when two or more citizens deliberate together. Yet deliberation is also a form of political action that **precedes the actual** taking and **implementation** of decisions. It is thus simultaneously connected and disconnected, confrontational and separate. It is, in other words, a form of indirect political engagement. This conclusion, namely, that we ought to call upon deliberation to counter partisanship and thus clear the way for deliberation, looks rather circular at first glance. And, semantically at least, it certainly is. Yet this ought not to concern us very much. Politics, after all, is not a matter of avoiding semantic inconveniences, but of doing the right thing and getting desirable results. In political theory, therefore, the real concern is always whether a circular argument translates into a self-defeating prescription. And here that is plainly not the case, for what I am suggesting is that deliberation can diminish partisanship, which will in turn contribute to conditions amenable to continued or extended deliberation. That "deliberation promotes deliberation" is surely a circular claim, but it is just as surely an accurate description of the real world of lived politics, as observers as far back as Thucydides have documented. It may well be that deliberation rests on certain preconditions. I am not arguing that there is no such thing as a deliberative "first cause." Indeed, it seems obvious to me both that deliberators **require something to deliberate about and that** deliberation **presumes certain institutional structures** and shared values. Clearly something must get the deliberative ball rolling and, to keep it rolling, the cultural terrain must be free of deep chasms and sinkholes. Nevertheless, however extensive and demanding deliberation's preconditions might be, we ought not to lose sight of the fact that, once begun, deliberation tends to be self-sustaining. Just as partisanship begets partisanship, deliberation begets deliberation. If that is so, the question of limiting partisanship and stimulating deliberation are to an important extent the same question.

**The resolution equally divides ground to make dialogue possible. This allows for development of ideas, without excluding non-traditional perspectives. By ignoring the resolution the aff leaves the negative unheard, which is anti-educational and exclusive.**

**Galloway, 07** – Ryan, Assistant Professor and Director of Debate at Samford University (“DINNER AND CONVERSATION AT THE ARGUMENTATIVE TABLE: RECONCEPTUALIZING DEBATE AS AN ARGUMENTATIVE DIALOGUE,” Contemporary Argumentation and Debate, vol. 28, 2007, Ebsco)**Red**

This journal previously (2004) addressed issues regarding the growing divide in policy debate. However, the role of the debate resolution in the clash of civilizations was largely ignored. Here, I defend the notion that activist approaches of critical debaters can best flourish if grounded in topical advocacy defined in terms of the resolution. This approach encourages the pedagogical benefits of debates about discourse and representations while preserving the educational advantages of switch-side debate. Debaters’ increased reliance on speech act and performativity theory in debates generates a need to step back and re-conceptualize the false dilemma of the “policy only” or “kritik only” perspective. Policy debate’s theoretical foundations should find root in an overarching theory of debate that incorporates both policy and critical exchanges. Here, I will seek to conceptualize debate as a dialogue, following the theoretical foundations of Mikhail Bakhtin (1990) and Star Muir (1993) that connects the benefits of dialogical modes of argument to competitive debate. Ideally, **the resolution should function to negotiate traditional and activist approaches.** Taking the resolution as an invitation to a dialogue about a particular set of ideas would preserve the affirmative team’s obligation to uphold the debate resolution. At the same time, this approach licenses debaters to argue both discursive and performative advantages. While this view is broader than many policy teams would like, and certainly more limited than many critical teams would prefer, this approach captures the advantages of both modes of debate while maintaining the **stable axis point of argumentation** for a full clash of ideas around these values. Here, I begin with an introduction to the dialogic model, which I will relate to the history of switch-side debate and the current controversy. Then, I will defend my conception of debate as a dialogical exchange. Finally, I will answer potential criticisms to the debate as a dialogue construct. Setting the Argumentative Table: Conceptualizing Debate as a Dialogue Conceiving debate as a dialogue exposes a means of bridging the divide between the policy community and the kritik community. Here I will distinguish between formal argument and dialogue. While formal argument centers on the demands of informal and formal logic as a mechanism of mediation, dialogue tends to focus on the relational aspects of an interaction. As such, it emphasizes the give-and-take process of negotiation. Consequently, dialogue emphasizes outcomes related to agreement or consensus rather than propositional correctness (Mendelson & Lindeman, 2000). As dialogue, the affirmative case constitutes a discursive act that anticipates a discursive response. The consequent interplay does not seek to establish a propositional truth, but seeks to initiate an in-depth dialogue between the debate participants. Such an approach would have little use for rigid rules of logic or argument, such as stock issues or fallacy theory, except to the point where the participants agreed that these were functional approaches. Instead, a dialogic approach encourages evaluations of affirmative cases relative to their performative benefits, or whether or not the case is a valuable speech act. The move away from formal logic structure toward a dialogical conversation model **allows for a broader perspective** regarding the ontological status of debate. At the same time, a dialogical approach challenges the ways that many teams argue speech act and performance theory in debates. Because there are a range of ways that performative oriented teams argue their cases, there is little consensus regarding the status of topicality. While some take topicality as a central challenge to creating performance-based debates, many argue that topicality is wholly irrelevant to the debate, contending that the requirement that a critical affirmative be topical silences creativity and oppositional approaches. However, if we move beyond viewing debate as an ontologically independent monologue—but as an invitation to dialogue, our attention must move from the ontology of the affirmative case to a consideration of the case in light of exigent opposition (Farrell, 1985). Thus, **the initial speech act of the affirmative team sets the stage for** an emergent **response.** While most responses deal directly with the affirmative case, Farrell notes that they may also deal with metacommunication regarding the process of negotiation. In this way, we may conceptualize the affirmative’s goal in creating a “germ of a response” (Bakhtin, 1990) whose completeness bears on the possibility of all subsequent utterances. Conceived as a dialogue, the affirmative speech act **anticipates the negative response**. A failure to adequately encourage, or anticipate a response **deprives the negative speech act** and the emergent dialogue of **the capacity for a complete inquiry**. Such violations **short circuit the dialogue** and undermine the potential for an emerging dialogue to gain significance (either within the debate community or as translated to forums outside of the activity). Here, the dialogical model performs as a fairness model, contending that the affirmative speech act, be it policy oriented, critical, or performative in nature, must adhere to normative restrictions to achieve its maximum competitive and ontological potential. This is not new. The notion of affirmative restrictions harkens back to the old controversies over switch-side debate, when proponents argued that debaters be required to argue against their own personal convictions in favor of topics they personally opposed, while opponents contended that debaters should never betray their personal convictions. Darin Hicks and Ronald Greene (2000) call this stance “rhetoric of commitment.” Initially, formats that require debaters to speak against their own personal convictions were considered unethical by opponents of switch-side debate. Defenders countered with an Aristotlean ethic that asked debaters to learn their positions from all sides. Current controversies replay elements of debates regarding switching sides. The primary addition to the discussion regards the role of speech acts and performance. Affirmative teams often defend their advocacy in the context of a larger critical project, often claiming that the benefits of their project supersede localized fairness norms so that topicality and other procedurals are outweighed. This approach powerfully challenges requirements that affirmatives be topical. Defending Debate as a Dialogue After having examined the current state of debate and the impetus for a change to a dialogical model, this section will defend three benefits to re-conceptualizing debate in a dialogic manner. First, unfettered affirmative options **deny argumentative space to negative teams** who become unable to meaningfully present a counter speech act to the affirmative speech act. Second, by placing a single immutable claim at the center of all debates on both sides of the topic as part of a greater project, debaters deny themselves, their opponents, and the judges the benefits of understanding the unique dynamics of contingent claims. Third, maintaining stable advocacy through both sides and on all topics, regardless of the resolution, prevents students from seriously engaging their perspective from any other position. This essay argues that re-conceptualizing fairness norms like topicality into a dialogue model will help to void these problems while licensing critical styles and modes of argumentation. Setting a Table: Fairness Norms as a Pre-Requisite for Argumentation Debate as a dialogue sets an argumentative table, where all parties receive a relatively fair opportunity to voice their position. Anything that fails to allow participants to have their position articulated denies one side of the argumentative table a fair hearing. **The affirmative side is set by the topic and fairness requirements.** While affirmative teams have recently resisted affirming the topic, in fact, the topic selection process is rigorous, taking the relative ground of each topic as its central point of departure. Setting the affirmative reciprocally sets the negative. The negative crafts approaches to the topic consistent with affirmative demands. The negative crafts disadvantages, counter-plans, and critical arguments premised on the arguments that the topic allows for the affirmative team. According to fairness norms, each side sits at a relatively balanced argumentative table. When one side takes more than its share, **competitive equity** suffers. However, it also undermines the respect due to the other involved in the dialogue. When one side excludes the other, it fundamentally **denies the personhood** of the other participant (Ehninger, 1970, p. 110). A pedagogy of debate as dialogue takes this respect as a fundamental component. A desire to be fair is a fundamental condition of a dialogue that takes the form of a demand for equality of voice. Far from being a banal request for links to a disadvantage, fairness is a demand for respect, a demand to be heard, a demand that a voice backed by literally months upon months of preparation, research, and critical thinking **not be silenced.** Affirmative cases that suspend basic fairness norms operate to exclude particular negative strategies. Unprepared, **one side comes** to the argumentative table **unable to meaningfully participate** in a dialogue. They are unable to “understand what ‘went on…’” and are left to the whims of time and power (Farrell, 1985, p. 114). Hugh Duncan furthers this line of reasoning: Opponents not only tolerate but honor and respect each other because in doing so they enhance their own chances of **thinking better and reaching sound decisions.** Opposition is necessary because it sharpens thought in action. We assume that argument, discussion, and talk, among free an informed people who subordinate themselves to rules of discussion, are the best ways to decisions of any kind, because it is only through such discussion that we reach agreement which binds us to a common cause…If we are to be equal…relationships among equals must find expression in many formal and informal institutions (Duncan, 1993, p. 196-197). Debate compensates for the exigencies of the world by offering a framework that **maintains equality for the sake of the conversation** (Farrell, 1985, p. 114). For example, an affirmative case on the 2007-2008 college topic might defend neither state nor international action in the Middle East, and yet claim to be germane to the topic in some way. The case essentially denies the arguments that state action is oppressive or that actions in the international arena are philosophically or pragmatically suspect. Instead of allowing for the dialogue to be modified by the interchange of the affirmative case and the negative response, the affirmative **subverts any meaningful role to the negative team**, preventing them from offering effective “counter-word” and undermining the value of a meaningful exchange of speech acts. Germaneness and other substitutes for topical action do not accrue the dialogical benefits of topical advocacy. A Siren’s Call: Falsely Presuming Epistemic Benefits In addition to the basic equity norm, dismissing the idea that debaters defend the affirmative side of the topic encourages advocates to **falsely value** affirmative speech acts in the absence of a negative response. There may be several detrimental consequences that go unrealized in a debate where the affirmative case and plan are not topical. Without ground, debaters may fall prey to a siren’s call, a belief that certain critical ideals and concepts are axiological, existing beyond doubt without scrutiny. Bakhtin contends that in dialogical exchanges “the greater the number and weight” of counter-words, the deeper and more substantial our understanding will be (Bakhtin, 1990). The matching of the word to the counter-word should be embraced by proponents of critical activism in the activity, because these dialogical exchanges allow for improvements and modifications in critical arguments. Muir argues that “debate puts students into greater contact with the real world by forcing them to read a great deal of information” (1993, p. 285). He continues, “[t]he constant consumption of material…is significantly constitutive. The information grounds the issues under discussion, and the process shapes the relationship of the citizen to the public arena” (p. 285). Through the process of comprehensive understanding, debate serves both as a laboratory and a constitutive arena. Ideas find and lose adherents. Ideas that were once considered beneficial are modified, changed, researched again, and sometimes discarded altogether. A central argument for open deliberation is that it encourages a superior consensus to situations where one side is silenced. Christopher Peters contends, “The theory holds that antithesis ultimately produces a better consensus, that the clash of differing, even opposing interests and ideas in the process of decision making…**creates decisions that are better for having been subjected to this trial by fire**” (1997, p. 336). The combination of a competitive format and the necessity to take points of view that one does not already agree with combines to create a unique educational experience for all participants. Those that eschew the value of such experience by an axiological position short-circuit the benefits of the educational exchange for themselves, their opponents, as well as the judges and observers of such debates. The Devil’s Advocate: Advancing Activism by Learning Potential Weaknesses Willingness to argue against what one believes helps the advocate understand the strengths and weaknesses of their own position. It opens the potential for a new synthesis of material that is superior to the first (Dybvig & Iverson, 2000). Serving as a devil’s advocate encourages an appreciation for middle ground and nuance (Dell, 1958). Failure to see both sides can lead to high levels of ego involvement and dogmatism (Hicks & Greene, 2000). Survey data confirms these conclusions. Star Muir found that debaters become more tolerant after learning to debate both sides of an issue (Muir, 1993). Such tolerance is predictable since debate is firmly grounded in respect for the other through the creation of a fair dialogue. Ironically, opponents of a debate as dialogue risk falling prey to dogmatism and the requisite failure to respect potential middle grounds. Perceiving the world through the lens of contingency and probability can be beneficial to real-world activism when its goal is creating consensus out of competing interests. The anti-oppression messages of critical teams would benefit from a thorough investigation of such claims, and not merely an untested axiological assumption.

### Case

**Irigaray is wrong – her understanding excludes those who don’t conform to traditional gender roles**

**Guenther** asst prof phil @ vandy **2010** (Lisa “Other Fecundities: Proust and Irigaray on Sexual Difference” Differences: A journal of feminst cultural studies Volume 21, Number 2)

Irigaray offers a trenchant critique of the patriarchal monoculture that fails to recognize sexual difference, and so represses women’s voices, bodies, and ways of being. But her recent focus on the duality of the sexes, and her apparent suspicion of multiplicity, lead to problems theorizing other forms of difference such as race, culture, and sexuality, and it may prematurely disqualify possibilities for imagining sexual difference beyond the magical “two.” Even Alison Stone’s recent revision of Irigaray, which attempts to reconcile her account of sexual duality with bodily multiplicity as a way of addressing the exclusion of intersex bodies in her work, still maintains the primacy of duality and in my view fails to address claims of multiplicity on its own terms. In what follows, I test the limits of Irigaray’s approach to sexual difference through a reading of Proust’s novel Sodom and Gomorrah, in which I develop a model of sexual difference based on an irreducible duality of sexual “parts,” both of which may be found in the same individual but that nevertheless relate to one another and so become meaningful only through the circulation of an incongruous third element or libidinal force that generates multiple forms of pleasure and fecundity. Proust’s novel opens with an extended comparison of a sexual encounter between two men to the fertilization of a rare orchid by a bumblebee; the men connect to the sexual difference in themselves and in the other through their mutual enjoyment of pleasure across a threshold of alterity that is as mobile and contingent as it is irreducible to sameness. In my reading, this scene from Proust suggests a flexible way of accounting for practices that complicate the sexual duality of male and female without dissolving it, but also without enshrining it in the figure of the heterosexual couple. As such, it promises to open new ways of theorizing sexual difference in contexts where “to be two” is simply not enough. Irigaray and the Limits of Sexual Difference Alison Stone’s recent analysis of Irigaray’s later work addresses precisely the concerns I have raised here about the relation between duality and multiplicity. In Stone’s reading, Irigaray is a realist essentialist, which means that she believes in a natural, irreducible, and really existing sexual duality.7 This duality has yet to find adequate cultural expression; under patriarchy, and even under certain forms of feminism, sexual difference is reduced to an explicitly neutral but implicitly masculine monoculture of humanity. For Stone, Irigaray’s concept of sexual difference is best understood in terms of different rhythms or temporalities such as expansion and contraction, which are linked in a process like breathing where “each pole, alternately, inhales and exhales air, so that the one expands while the other shrinks” (Luce 90). Female rhythms, like female sexual development, are depicted as irreversible and discontinuous; they are connected to cyclical processes in nature like the change of the seasons. Male rhythms, on the other hand, are characterized by homeostatic processes that hover around an ideal mean, building up tension and releasing it while maintaining a steady equilibrium. Stone locates these processes not only in sexed organisms but also in more diffuse natural processes like weather or the growth of plants; ultimately, she draws on German Romantic thought to fill in a more general account of male and female principles operating in all of nature (Luce 92–93, 138–43, 154–60, 193–215). Stone frankly acknowledges the limits and potential problems of Irigaray’s realist essentialism. It is simply not the case that every woman experiences her body in terms of irreversible cyclical rhythms, and the reason for this is not merely because our culture fails to give expression to innate female rhythms. Even in a feminist utopia, it is not clear that each and every woman would identify with Irigaray’s account of our “real” natures, nor is it clear that everyone who identifies as a woman would count as such for Irigaray. The conviction that there are two and only two sexes marginalizes an experience of bodily multiplicity that is just as phenomenologically real and compelling as the experience of sexual duality (Luce 85, 112–13). Irigaray’s repeated suggestion that the only genuine encounter with difference can happen between the two sexes enforces a heterosexual paradigm that marginalizes same-sex relationships (Luce 7, 48, 189–90, 221–22) and makes it impossible for Irigaray to account for intersex or transsexual bodies without characterizing them as aberrant or unnatural (Luce 49, 113–21).

**Even if sexual difference exists, those biological differences have no inherent meaning and can’t be said to be the root of war**

**Guenther** asst prof phil @ vandy **2010** (Lisa “Other Fecundities: Proust and Irigaray on Sexual Difference” Differences: A journal of feminst cultural studies Volume 21, Number 2)

While critical of Irigaray’s recent efforts to construct a foundational role for sexual duality, the alternative account I have developed here nevertheless remains inspired by Irigaray’s work insofar as it affirms sexual difference as irreducible to the one or the same. In the Proustian model, male and female parts exist, but they have **no inherent content**, pattern, or tendency; what makes them meaningful, and what produces the effect of sexed tendencies or worlds, are patterns of circulation and exchange, specific practices of sexuality, and local histories of sexual encounters. Without the search for whatever rare and delicate pleasures we are capable of experiencing, the material sites of sexual duality **remain sterile and meaningless**. This is not to say that biological sex does not exist or does not count as “real,” but that it does not mean anything without the continuous but continually shifting patterns of exchange between bodies. The multiplicity of bodily drives, and the encounters with alterity that they engender, fertilize the meaning of sexual duality; and likewise, the duality of the sexes orients and stabilizes, without thereby restricting, the circulation of multiple drives. For Proust, there is nothing unnatural about a man becoming a woman to penetrate another man who has become a woman in a different but complementary way. It’s as natural as the birds and the bees!23 Far from betraying or disavowing sexual difference through their transformations, Charlus and Jupien are following its “higher law”: a law that seeks pleasure with others in difference and self-differing, but for whom this difference need not appear in one particular shape or another. The local specificity of such encounters is as rich and varied as the moral botanist could hope for, and the possibilities for their expression are limited only by our patience to discover them.

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### FW

**Resolution provides ground for multiple perspectives**

**Galloway, 07** – Ryan, Assistant Professor and Director of Debate at Samford University (“DINNER AND CONVERSATION AT THE ARGUMENTATIVE TABLE: RECONCEPTUALIZING DEBATE AS AN ARGUMENTATIVE DIALOGUE,” Contemporary Argumentation and Debate, vol. 28, 2007, Ebsco)**Red**

Finally, there has been a concerted community effort to ensure that the resolution provides subjects of controversy that are controversial, balanced, and anticipate a nuanced approach. Ross Smith notes, “Affirmative teams try to find what they think might be a slam dunk case, but in crafting resolutions the idea is to find a controversial area with ground for both sides” (2000). The resolution is the result of a painstaking process; it is thoroughly discussed, debated, and ultimately submitted to the debate community for a vote. It is framed, ultimately, as an issue about which reasonable minds could differ. Reliance upon alternative systems, such as germaneness, lists of ground provided by the other side in the debate, or the fact that a team has run a case in the past, betrays the central point of having a dialogue about the resolution and undermines the consensus upon which the whole enterprise depends. And while there are obviously some valid complaints about individual topics, as a whole, resolutions allow for a wide range of approaches to issues of the day. It is striking on the 20082009 resolution that conservative groups like the Heritage Foundation and the CATO Institute as well as Oxfam and the Sierra Club oppose agricultural subsidies, if for very different reasons. Teams could easily find evidence that subsidies go down a rat-hole, are counter-productive to free market economics, as well as arguing that subsidies entrench racism both domestically and globally, and prevent an ethic of care toward the global environment. Those that argue that the topic does not access issues relevant to a wide variety of special interests and minority groups may simply be asking for too much. Establishing the resolution as the bright line standard for evaluation of equity at the argumentative table allows all sides to the controversy access to formulating their approach to both sides of the topic question. Topics are Carefully Worded and Vetted Several argue that contemporary topics focus on subject matter of limited interest to minority students. Ede Warner contends that topics which “directly affect” the lives of those interested in social justice struggles are more likely to find acceptance than topics “of lesser direct relevance to their lives” (2003, p. 71). The consequence of these topics, as Beth Skinner alleges, is to leave minority students likely to “opt out of the topic altogether” (Skinner, 2008). At the same time, allowing for an “opt out” clause any time anyone is unhappy with the topic undoes the benefits of learning about a wide variety of subject matter and the benefits of being a devil’s advocate. It also undermines the benefits of engaging in dialogue. Debaters obviously have individual preferences and variations in what they enjoy researching, and not every topic will be to their liking. They also have multiple years in the activity to learn about a wide variety of subjects. The topics one debates throughout their time in the activity serve as an academic curriculum, creating a broad base of knowledge by the time one graduates. Furthermore, students are actively encouraged to write topic papers and advocate for particular causes. Both the 20062007 resolution on Middle East policy and the 2007-2008 resolution on agricultural support policy were co-written by students. The choice of agricultural subsidies over topics like Russia and arms control may give hope to individuals who feel that topics are too uni-dimensional. Finally, study of records at national tournaments indicates that the topic committee has done a pretty good job balancing ground. According to Jon Bruschke’s statistical compilations at debateresults, over the last several years, affirmative and negative win percentages have been very close to comparable. Whether this is because debate tends to reward the team that does the better debating, or because the topics are fairly evenly balanced, the notion that topics are so bad that affirmative teams have no choice but to flee from the discussion is not supported by the competitive data. Conclusion Conceiving debate as a dialogue instead of a more rigid and formalistic dialectical mode of argument offers a means of incorporating a discursive exchange of ideas on both policy and critical concepts. **Certain limits to debate are necessary.** The debate as dialogue model rejects a policy only model while providing for the opportunity for a thorough exchange of ideas over emerging rhetorical and performative styles. While hardly a panacea, the notion of debate as a dialogue allows for argumentative clash over emerging academic controversies.

**the resolution is key to check exclusion – rejecting it prior to debate makes engagement with ideas impossible**

**Harrigan, 08** – Casey, Associate Debate Coach at the University of Georgia (“AGAINST DOGMATISM: A CONTINUED DEFENSE OF SWITCH SIDE DEBATE,” Contemporary Argumentation and Debate, vol 29, 2008, Ebsco)**Red**

**\*\*\*SSD = switch side debate**

Tolerating the Intolerable: A Defense of Limited Argumentative Pluralism A second criticism of SSD that has recently been voiced is that, because the practice places some restrictions upon what debaters may argue (by forcing them to take the position of the both the affirmative and the negative), it requires students to become advocates for certain intolerable ideas that should be “off limits” for discussion. For example, the increasingly prevalent usage of postmodern arguments in collegiate debate rounds has caused many teams to argue that they should not be forced to defend the “dirty” bureaucratic politics of the federal government (Solt 2004). However, the relevance of argumentation for advancing tolerant politics cannot be underestimated. The willingness to be open to alternative views has a material impact on respect for difference in at least two primary ways. First, rendering certain beliefs as “off limits” from debate and the prohibition of ideas from the realm of contestation is **conceptually indistinct from the physical exclusion of people** from societal practices. Unlike racial or gendered concerns, certain groups of people (the religious, minority political parties, etc.) are defined almost exclusively by the arguments that they adhere to. To deem these views unspeakable or irrelevant is to functionally **deny whole groups of people access to public deliberation.** Second, argument, as individual advocacy, is an expression of belief. It has the potential to persuade members of the public to either support or oppose progressive politics. Belief itself is an accurate indicator of the way individuals will choose to act—with very real implications for openness, diversity and accommodation. Thus, as a precursor to action, argument is an essential starting point for campaigns of tolerance. Argumentative pluralism can be defined as the proper tolerance for the expression of a diversity of ideas (Scriven 1975). Contrary to monism, pluralism holds that there are many potential beliefs in the world and that each person has the ability to determine for himself or herself whether these beliefs hold true. In the argumentative context, pluralism requires that participants in a debate or discussion recognize the right of others to express their beliefs, no matter how objectionable. The key here is expression: although certain beliefs may be more “true” than others in the epistemic sense, each should have equal access (at least initially) to forums of deliberation. It is important to conceptually distinguish pluralism from its commonly confused but only loosely connected counterpart, relativism. To respect the right of others to hold different beliefs does not require that they are all considered equal. Such tolerance ends at the intellectual level of each individual being able to hold their own belief. Indeed, as Muir writes, “It [pluralism] implies neither tolerance of actions based on those beliefs nor respecting the content of the beliefs” (288). Thus, while a pluralist may acknowledge the right for some to hold exclusionary views, he or she need not endorse racism or anti-Semitism, or the right to exclude itself. Even when limited to such a narrow realm of diversity, argumentative pluralism holds great promise for a politics based on understanding and accommodation that runs **contrary to** the **dominant forces of** economic, political, and social **exclusion.** Pluralism requires that individuals acknowledge opposing beliefs and arguments by forcing an understanding that personal convictions are not universal. Instead of blindly asserting a position as an “objective Truth,” advocates tolerate a multiplicity of perspectives, allowing a more panoramic understanding of the issue at hand (Mitchell and Suzuki, 2004). In doing so, the advocates frequently understand that there are persuasive arguments to be had on both sides of an issue. As a result, instead of advancing a cause through moralistic posturing or appeals to a **falsely assumed universality** (which, history has shown, frequently become justifications for scapegoating and exclusion), these proponents become purveyors of reasoned arguments who attempt to persuade others through deliberation. A clear example of this occurs in competitive academic debate. Switch-side debating has profound implications for pluralism. Instead of being personally invested in the truth and general acceptance of a position, debaters use arguments instrumentally, as tools, and as **pedagogical devices in the search for larger truths.** Beyond simply recognizing that more than one side exists for each issue, switch-side debate advances the larger cause of equality by fostering tolerance and empathy toward difference. Setting aside their own “ego-identification,” students realize that they must listen and understand their opponent’s arguments well enough to become advocates on behalf of them in future debates (Muir, 1993). Debaters assume the position of their opponents and understand how and why the position is constructed as it is. As a result, they often come to understand that a strong case exists for opinions that they previously disregarded. Recently, advocates of switch side debating have taken the case of the practice a step further, arguing that it, “originates from a civic attitude that serves as a bulwark against fundamentalism of all stripes” (English, Llano, Mitchell, Morrison, Rief and Woods, 2007). Debating practices that break down exclusive, dogmatic views may be one of the most **robust checks against violence in contemporary society.** Undoubtedly, there are many who reject argumentative pluralism in all or nearly all cases. Absolutists maintain that there are certain positions where no other side exists or where one side is of such a minority opinion that it does not warrant being the subject of debate. For those who hold a mainstream political view, statements such as, “the State is beneficial and anarchy would be chaos,” “capitalist globalization is inevitable,” or, in the most extreme, “human life has value,” are taken as givens. For pluralists, the previous **statements can be true but still be open to debate.** For argumentative monists, such positions are so “true” that further discussion would not only be a waste of time, but may also risk changing the minds of some of the debaters to be more tolerant of a dangerous position (as discussed above). In academic debate, a substantial amount of controversy has existed in recent years over the state-centric nature of policy resolutions (the subject of debate). Liberals complain that being required to debate about state politics defuses radicalism by teaching students that bureaucratic politics is the means to all ends (Massey, 2006). This is the flip-side of the previous discussion of absolutism: critics can be so convinced of their positions, even if in the minority, that they refuse discussion of dominant principles altogether. To preserve an open and accessible space of deliberation, limits need to be placed on the ability of participants to use violence or coercion to prevent others from voicing their own opinions. Some groups are so convinced of their position that they are willing to do anything, including forcefully silencing opposition, to ensure that their argument wins. Thus, some degree of exclusion is inevitable—the relevant questions are only who does that silencing and what circumstances it occurs under. As Ruth Lessl Shively, professor of political science at Texas A&M University notes: The most radical skepticism ends in the most radical conservatism. In other words, a refusal to judge among ideas and activities is, in the end, an endorsement of the status quo… To fully support political contest, one must fully support some uncontested rules and reasons. (2000)Violence seeks to destroy the open circulation of ideas that generate the progression towards truth. The arguments that prevail in an atmosphere of coercion are those promoted by the powerful elite, not the most intellectually sound. To ensure effective deliberation, certain communicative norms must be established to govern the conduct of participants. Even though the elaboration of clear rules may sometimes result in the exclusion of certain perspectives, it is a necessary means to protect the greater end of productive debate. A second exception to the rule of free expression must be made to limit irrelevant discussion and establish a common starting point for debate. In the rhetorical tradition, the belief in the necessity of a mutual topic of disagreement, known as stasis (meaning “standing” and derived from a Greek word meaning “to stand still”), has a long history dating back to Aristotle. Through several modes of proceeding, the topic of controversy between interlocutors is established and an implicit contract—that here is the shared point of disagreement—is created. Without stasis, opponents may argue back and forth without really disagreeing with each other because they are not truly speaking about the same subject. For example, when one debater argues that the United States should refuse to negotiate with North Korea to avoid legitimating its harmful human rights policies and the opponent responds that President Clinton’s accommodation of North Korea in the 1990s was the source of its current human rights dilemma, there is no true disagreement. Each position can be entirely true without discounting the other. In this instance, the truth-generating function of deliberation is short-circuited. To eliminate errors, fallacies must gradually be replaced by truths, correct positions must win out over incorrect ones, and strong arguments must gain more acceptance than weak ideas. **This process requires conflict**; it necessitates rejection. To determine that something is “true” requires that its converse is “false.” The statement that “snow is cold” requires the dismissal of its contrary. Such choices can only be made when there is a point of disagreement for debate to revolve around. Without stasis, the productive potential of deliberation is profoundly undermined. To avoid this scenario of “two ships passing in the night,” argumentation scholars have recognized the importance of a mutual agreement to disagree and have attempted to create guidelines to facilitate productive discussion. “Some agreed upon end or goal must be present to define and delimit the evaluative ground within which the interchange is to proceed,” writes Douglas Ehninger, “When such ground is lacking, **argument itself … becomes impossible**” (1958). Shively concurs, stating that, “we must agree about what it is that is being debated before we can debate it” (2000). In the academic context, policy debates create stasis by utilizing a year-long resolution that sets the topic for discussion. Affirmative teams must present a topical advocacy (one that fits within the bounds of the resolution) or they are procedurally disqualified. In public forums, the task falls upon moderators and discussion facilitators to set clear lines of relevance. Advocates, who frequently have strategic political incentives to avoid direct disagreement, need to be institutionally constrained by the framework for discussion. A position that favors a limited form of argumentative pluralism undermines the claims made by those who oppose SSD and wish to render certain controversial issues “off limits” from debate. Limits should be placed on the content of debate only because such choices as to what is debatable are inevitable, and, given that, it is preferable to choose the path that best protects the forum for deliberation by minimizing exclusion. The arbitrary choice about what content should and should not be “up for debate” threatens to render deliberation impossible–either all issues are up for debate, or none can be.

#### they give undergrads an opportunity to uncover a debate that would otherwise be stifled in public—that challenges conventional wisdom on a timely controversy

**Kurr 2013** – Ph.D. student in the Communication Arts & Sciences program at Pennsylvania State University and a coach for the Penn State Debate Society (9/5, UVA Miller Center & CEDA Public Debate Series, “Bridging Competitive Debate and Public Deliberation on Presidential War Powers”, http://public.cedadebate.org/node/14)

Taken together, the connection between tournament competition and a public collaboration reorients the pedagogical function of debate. Gordon Mitchell and his colleagues comment on this possibility, “The debate tournament site’s potential to work as a translational pipeline for scholarly research presents unique opportunities for colleges and universities seeking to bolster their institutional infrastructure for undergraduate research” (Mitchell et al, 2010, p. 15). Indeed, the debate series affords competitors the opportunity to become part of the discussion and inform policymakers about potential positions, as opposed to the traditional reactionary format of hosting public debates at the season’s end. Empirically, these events had the effect of “giv[ing] voice to previously buried arguments” that “subject matter experts felt reticent to elucidate because of their institutional affiliations” (Mitchell, 2010, p. 107). Given the timeliness of the topic, these debates provide a new voice into the ongoing deliberation over war powers and help make the fruits of competitive research have a public purpose.

The second major function concerns the specific nature of deliberation over war powers. Given the connectedness between presidential war powers and the preservation of national security, deliberation is often difficult. Mark Neocleous describes that when political issues become securitized; it “helps consolidate the power of the existing forms of social domination and justifies the short-circuiting of even the most democratic forms.” (2008, p. 71). Collegiate debaters, through research and competitive debate, serve as a bulwark against this “short-circuiting” and help preserve democratic deliberation. This is especially true when considering national security issues. Eric English contends, “The success … in challenging the dominant dialogue on homeland security politics points to efficacy of academic debate as a training ground.” Part of this training requires a “robust understanding of the switch-side technique” which “helps prevent misappropriation of the technique to bolster suspect homeland security policies” (English et. al, 2007, p. 224). Hence, competitive debate training provides foundation for interrogating these policies in public.

Alarmism on the issues of war powers is easily demonstrated by Obama’s repeated attempts to transfer detainees from Guantanamo Bay. Republicans were able to launch a campaign featuring the slogan, “not in my backyard” (Schor, 2009). By locating the nexus of insecurity as close as geographically possible, the GOP were able to instill a fear of national insecurity that made deliberation in the public sphere not possible. When collegiate debaters translate their knowledge of the policy wonkery on such issues into public deliberation, it serves to cut against the alarmist rhetoric purported by opponents.

In addition to combating misperceptions concerning detainee transfers, the investigative capacity of collegiate debate provides a constant check on governmental policies. A new trend concerning national security policies has been for the government to provide “status updates” to the public. On March 28, 2011, Obama gave a speech concerning Operation Odyssey Dawn in Libya and the purpose of the bombings. Jeremy Engels and William Saas describe this “post facto discourse” as a “new norm” where “Americans are called to acquiesce to decisions already made” (2013, p. 230). Contra to the alarmist strategy that made policy deliberation impossible, this rhetorical strategy posits that deliberation is not necessary. Collegiate debaters researching war powers are able to interrogate whether deliberation is actually needed. Given the technical knowledge base needed to comprehend the mechanism of how war powers operate, debate programs serve as a constant investigation into whether deliberation is necessary not only for prior action but also future action. By raising public awareness, there is a greater potential that “the public’s inquiry into potential illegal action abroad” could “create real incentives to enforce the WPR” (Druck, 2010, p. 236). While this line of interrogation could be fulfilled by another organization, collegiate debaters who translate their competitive knowledge into public awareness create a “space for talk” where the public has “previously been content to remain silent” (Engels & Saas, 2013, p. 231).

Given the importance of presidential war powers and the strategies used by both sides of the aisle to stifle deliberation, the import of competitive debate research into the public realm should provide an additional check of being subdued by alarmism or acquiescent rhetorics. After creating that space for deliberation, debaters are apt to influence the policies themselves. Mitchell furthers, “Intercollegiate debaters can play key roles in retrieving and amplifying positions that might otherwise remain sedimented in the policy process” (2010, p. 107). With the timeliness of the war powers controversy and the need for competitive debate to reorient publicly, the CEDA/Miller Center series represents a symbiotic relationship that ought to continue into the future. Not only will collegiate debaters become better public advocates by shifting from competition to collaboration, the public becomes more informed on a technical issue where deliberation was being stifled. As a result, debaters reinvigorate debate.

**Debate becomes meaningless without the resolution**

**O’Donnell, 04** – Timothy M., Director of Debate at the University of Mary Washington (“And the Twain Shall Meet: Affirmative Framework Choice and the Future of Debate,” Google)**Red**

The answer, I believe, resides deep in the rhetorical tradition in the often overlooked notion of stasis. Although the concept can be traced to Aristotle’s *Rhetoric*, it was later expanded by Hermagoras whose thinking has come down to us through the Roman rhetoricians Cicero and Quintillian. Stasis is a Greek word meaning to “stand still.” It has generally been considered by argumentation scholars to be the point of clash where two opposing sides meet in argument. Stasis recognizes the fact that interlocutors engaged in a conversation, discussion, or debate need to have some level of expectation regarding what the focus of their encounter ought to be. To reach stasis, participants need to arrive at a decision about what the issue is prior to the start of their conversation. Put another way, they need to mutually acknowledge the point about which they disagree. What happens when participants fail to reach agreement about what it is that they are arguing about? They talk past each other with little or no awareness of what the other is saying. The oft used cliché of two ships passing in the night, where both are in the dark about what the other is doing and neither stands still long enough to call out to the other, is the image most commonly used to describe what happens when participants in an argument fail to achieve stasis. In such situations, genuine engagement is not possible because participants have not reached agreement about what is in dispute. For example, when one advocate says that the United States should increase international involvement in the reconstruction of Iraq and their opponent replies that the United States should abandon its policy of preemptive military engagement, they are talking past each other. When such a situation prevails, it is hard to see how a productive conversation can ensue. I do not mean to suggest that dialogic engagement always unfolds along an ideal plain where participants always can or even ought to agree on a mutual starting point. The reality is that many do not. In fact, refusing to acknowledge an adversary’s starting point is itself a powerful strategic move. However, it must be acknowledged that when such situations arise, and participants cannot agree on the issue about which they disagree, the chances that their exchange will result in a productive outcome are diminished significantly. In an enterprise like academic debate, where the goals of the encounter are cast along both educational and competitive lines, the need to reach accommodation on the starting point is urgent. This is especially the case when time is limited and there is no possibility of extending the clock. The sooner such agreement is achieved, the better. Stasis helps us understand that we stand to lose a great deal when we refuse a genuine starting point. How can stasis inform the issue before us regarding contemporary debate practice? Whether we recognize it or not, it already has. The idea that the affirmative begins the debate by using the resolution as a starting point for their opening speech act is nearly universally accepted by all members of the debate community. This is born out by the fact that affirmative teams that have ignored the resolution altogether have not gotten very far. Even teams that use the resolution as a metaphorical condensation or that “affirm the resolution as such” use the resolution as their starting point. The significance of this insight warrants repeating. Despite the numerous differences about what types of arguments ought to have a place in competitive debate we all seemingly agree on at least one point – the vital necessity of a starting point. This common starting point, or topic, is what separates debate from other forms of communication and gives the exchange a directed focus.

Alt fails. It's impossible to articulate a elaborate a language that establishes a non-oppressive relationship to the female body.

**Silverman '88** (Kaja, "The Acoustic mirror: the female voice in psychoanalysis and cinema", p. 144-145)

Irigaray extrapolates what she calls a "feminine language" from this corporeal model, attributing to the former the same qualities of plurality, contiguity, and simultaneity that she attributes to the latter. in a now infamous passage from This Sex Which Is Not One, she also maintains that unless woman has been coopted by the symbolic order, her speech will always start from and return to the body: "She" sets off in all directions, leaving "him" unable to discern the coherence of any meaning. These are contradictory words, somewhat mad from the standpoint of reason, inaudible for whoever listens to them with readymade grids, with a fully elaborated code in hand. For in what she says, too, at least when she dares, woman is constantly touching herself. She steps ever so slightly aside form herself with a murmur, an exclamation, a whisper, a sentence left unfinished. . . . When she returns, it is to set off again from elsewhere. . . . For if "she" says something, it is not, it is already no longer, identical with what she means. What she says is never identical with anything, moreover, rather it is contiguous. It touches upon. And when it strays too far from that proximity, she breaks off and starts again at "zero": her body-sex.15 What Irigaray advances here and elsewhere in This Sex Which is Not One, as well as in "woman's Exile," is the notion of a language which would be "adequate for the [female] body,"16 a language capable of coexisting with that body as closely as the two lips of the vulva coexist. This is the obverse of the linguistic model proposed by Lacan, which stress the incommensurability of signifier and body, the loss of the latter constituting the price which must be paid for access to the former. **It is also, to my way of thinking, an impossible paradigm, one which attempts to deny the fundamentally arbitrary relation of language to the referent**.17 (Once again, it is not that Iragaray doesn't understand the discordant relation of existing language to the body; it is, rather, that she imagines it possible to elaborate a new language which would have a different relation to the body. In Le corps-a-corps avec la mere, she writes, "we have also to find, to invent, to discover, the words which speak the relation which is at the same time the most archaic and the most actual to the mother's body, to our body, the phrases which translate the bond between her body, our own, [and] those of our daughters. a language which does not substitute for the tussle of bodies [le corps-a-corps], as paternal language does, but which accompanies it, words which do not bar the corporeal but which speak corporeally.")18 Irigaray thus dreams of forging an existential or indexical relation between words and the female body, a dream which she translates into the present tense. She also celebrates, as though it were an accomplished fact, the isomorphic or iconic relation of feminine language to the female body--a symmetry precisely of the sort to which she objects so strenuously in dominant Western discourse. Nowhere is this symmetry more marked than in the repeated pun on the word lips, with its double reference to the mouth that speaks and the vulva that "jouirs." Iragaray could thus be said to mimic what she complains that all phallic language has done for centuries. ("It can be shown that all Western discourse represents a certain isomorphism with the masculine sex," she writes in "Woman's Exile," "the privilege of unity, form of the self, of the visible, of the speculraisable, of the erection" [p. 64]). And although Iragaray represents mimicry as a potentially subversive strategy in This Sex Which Is Not One,19 this particular instance of mimicry does not conform to the definition she offers of it there. Rather than resubmitting herself to "'ideas,' in particular to ideas about herself, that are elaborated in/by a masculine logic, but so as to 'make visible,' by an effect of playful repetition, what was supposed to remain invisible: the cover-up of a possible operation of the feminine in language" (p. 76), Irigaray models "the feminine in language" upon what might be called "the masculine in language," at least within the terms of her own analysis.

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### experience/gender link

#### Their aff is exactly how “marginalized knowledge” can recreate the problem—the false dichotomy with “hegemonic knowledge” is an attempt to represent the interests of an entire group—that's misleading and essentialist

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From this perspective, the consensus reached by the reflective subject taking part in the dialogue offered by Critical Pedagogy is naive, especially in light of its declared anti-intellectualism on the one hand and its pronounced glorification of "feelings", "experience", and self-evident knowledge of the group on the other. Critical Pedagogy, in its different versions, claims to inhere and overcome the foundationalism and transcendentalism of the Enlightenment's emancipatory and ethnocentric arrogance, as exemplified by ideology critique, psychoanalysis, or traditional metaphysics. Marginalized feminist knowledge, like the marginalized, neglected, and ridiculed knowledge of the Brazilian farmers, as presented by Freire or Weiler, is represented as legitimate and relevant knowledge, in contrast to its representation as the hegemonic instrument of representation and education. This knowledge is portrayed as a relevant, legitimate and superior alternative to hegemonic education and the knowledge this represents in the center. It is said to represent an identity that is desirable and promises to function "successfully". However, neither the truth value of the marginalized collective memory nor knowledge is cardinal here. "Truth" is replaced by knowledge whose supreme criterion is its self-evidence, namely the potential productivity of its creative violence, while the dialogue in which adorers of "difference" take part is implicitly represented as one of the desired productions of this violence. My argument is that the marginalized and repressed self-evident knowledge has no superiority over the self-evident knowledge of the oppressors. Relying on the knowledge of the weak, controlled, and marginalized groups, their memory and their conscious interests, is no less naive and dangerous than relying on hegemonic knowledge. This is because the critique of Western transcendentalism, foundationalism, and ethnocentrism declines into **uncritical acceptance** of marginalized knowledge, which becomes foundationalistic and ethnocentric in presenting "the truth", "the facts", or ''the real interests of the group" - even if conceived as valid only for the group concerned. This position cannot avoid vulgar realism and naive positivism based on "facts" of self-evident knowledge ultimately realized against the self-evidence of other groups.

#### If you want to celebrate difference, then you have to reject the strategy of identity politics—reactionary forces will use their justifications to celebrate white citizenship—this crushes the radical potential of the aff

Shivani 2—award winning fiction writer, poet, and critic. Studied economics at Harvard (Anis, From Redistribution to Recognition: A Left Critique of Multiculturalism, http://www.counterpunch.org/shivani1019.html)

Nevertheless, isn't it curious that there really is no retrospective look at identity politics by liberals today, especially at a time when the most reactionary cultural forces seem to have gained the upper hand? If fascism is catching on so speedily in the land, surely liberalism's main cultural plank ought to be subject to review? We don't need to agree with Bloom and his followers' ideology to realize that multiculturalism as it has been practiced in America over the last few decades is seriously limited in its capacity as a cultural framework compatible with revolutionary struggle. The church of multiculturalism, among liberals, has become infallible: none dare question the catechism, except at the cost of excommunication. The icons of identity politics are beyond the pale of criticism. Identity politics sounds good on the surface, but doesn't hold up under scrutiny as a useful cultural practice. It can be argued that in the sixties there was need for historically oppressed groups to realize that there was nothing inherently inferior about them that relegated them to second-class status compared to the privileged white male. But thirty years later this valid assertion has become emptied of meaning, since it is not backed up and broadened by a range of ideas to give it content beyond the silly, self-referential declaration of identity. Today, it is the brainless cult of self-esteem which reigns supreme (even if it has to be accomplished via medication), at the cost of intellectual claims for recognition. The therapy fad bears uncanny resemblance to the lexicon of popular elitism described by Umberto Eco as one of the characteristics of ur-fascism: everyone has something worth being proud of, even if it is only one's identity. SNL's Stuart Smalley was a pretty reliable precursor to the full-blown conformist fascist personality. How many times can a minority woman get up to address a crowd, and begin with the brainless talisman of gender or racial or religious pride?: I am a woman, I am Black (or Hispanic, Asian, Muslim), I am a mother, I am a wife, I am a daughter, and I am proud to be who I am. How often can this happen without sliding into farce? How about reciting some actual, intellectual accomplishment? In this cornucopia of easily accessible self-worth, pride itself is the end. It floats as abstraction, until it is **seized by fascist forces**. If you can be proud enough to be black, why not proud enough to be white? Or citizen of the greatest empire in the history of the world? Sooner or later this must happen, and the minority will be crushed in its vain aspiration, even at the level of its insipid claim.