# 1NC

### Framework

#### The resolution indicates affs should advocate topical government change

**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.

#### “Judicial restrictions” necessitates government action

Singer 7 (Jana, Professor of Law, University of Maryland School of Law, SYMPOSIUM A HAMDAN QUARTET: FOUR ESSAYS ON ASPECTS OF HAMDAN V. RUMSFELD: HAMDAN AS AN ASSERTION OF JUDICIAL POWER, Maryland Law Review 2007 66 Md. L. Rev. 759)

n25. See, e.g., Dep't of the Navy v. Egan, 484 U.S. 518, 530 (1988) (noting the reluctance of courts "to intrude upon the authority of the Executive in military and national security affairs"); see also Katyal, supra note 1, at 84 (noting that "in war powers cases, the passive virtues operate at their height to defer adjudication, sometimes even indefinitely"); Harold Hongju Koh, Why the President (Almost) Always Wins in Foreign Affairs: Lessons of the Iran-Contra Affair, 97 Yale L.J. 1255, 1313-17 (1988) (discussing the Court's use of justiciability doctrines to refuse to hear challenges to the President's authority in cases involving foreign affairs); Gregory E. Maggs, The Rehnquist Court's Noninterference with the Guardians of National Security, 74 Geo. Wash. L. Rev. 1122, 1124-38 (2006) (discussing the Rehnquist Court's general policy of nonintervention in cases concerning actions of governmental agencies and political entities in national security matters); Peter E. Quint, Reflections on the Separation of Powers and Judicial Review at the End of the Reagan Era, 57 Geo. Wash. L. Rev. 427, 433-34 (1989) (discussing the use of the political question doctrine as a means to avoid judicial restrictions on presidential power in cases involving military force).

#### **So does “statutory restrictions”**

Kershner 10 (Joshua, Articles Editor, Cardozo Law Review. J.D. Candidate (June 2011), Benjamin N. Cardozo School of Law, “Political Party Restrictions and the Appointments Clause: The Federal Election Commission's Appointments Process Is Constitutional” Cardozo Law Review de novo 2010 Cardozo L. Rev. De Novo 615)

The process by which the President fills an Executive Branch position is governed by the Appointments Clause: [The President] shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law: but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments. n81 This process is divided into three phases: (1) Congress creates an Executive Branch position by statute; n82 (2) the President nominates an individual to fill the position; n83 and (3) the Senate confirms the nominee. n84 The Clause covers a specified list of positions and the generic "other Officers of the United States." n85 The Clause controls who nominates, appoints, and confirms an individual for such a position. n86 Finally, the Clause defines a separate process for inferior officers. n87 It should be noted, however, that the Appointments Clause limits but does not empower Congress to create positions. n88 That power comes from the Necessary and Proper Clause. n89 The House of Representatives has no role in the process of nomination and appointment and is specifically not mentioned in the [\*626] Appointments Clause. All of the powers contained in the Appointments Clause are reserved to the President, the Senate, or both. n90 The Appointments Clause makes a distinction between the power to nominate and the separate power to appoint. The power of nomination is textually reserved to the President of the United States, n91 whereas the power of appointment is shared by the President and the Senate. n92 Statutory restrictions violate the plain text of the Appointments Clause because the very act of passing a statute requires the involvement of the House of Representatives. n93 Statutory restrictions on the appointments process are further problematic because the Appointments Clause's power to nominate is vested solely in the President. n94 Those statutory restrictions that limit the President's power to nominate violate the plain text of the Clause. n95 Where the Constitution provides a clear procedural process, the Supreme Court has consistently applied strict principles of formalism, construing the text so as to limit, rather than expand, the powers of the various branches of government. n96 The Senate's role in the appointments process is the final confirmation of a nominee. n97 The "advice and consent" of the Senate applies only to the appointment power. n98 The President and the Senate have interpreted advice as non-binding guidance, and have interpreted [\*627] consent as the act of confirmation. n99 Thus, the Appointments Clause gives the Senate only the narrow function of confirming nominees. n100

#### Vote Neg

#### First is limits. Allowing affs that are only tangentially related to the topic allows an unlimited number of affs (prisons, immigration, etc) where the aff would always have the literature advantage. Even if they win that those affs are debatable, the aff would always have the literature and expertise advantage against impact turns to their aff. They also force the negative to engage in limitless research to prepare for every conceivable approach to the topic, making debate A) inaccessible to people that have to work for a living and B) even more biased toward schools with large coaching staffs.

#### Specific, limited resolutions ensure mutual ground which is key to sustainable controversy without sacrificing creativity or openness

**Steinberg & Freeley 8** \*Austin J. Freeley is a Boston based attorney who focuses on criminal, personal injury and civil rights law, AND \*\*David L. Steinberg , Lecturer of Communication Studies @ U Miami, Argumentation and Debate: Critical Thinking for Reasoned Decision Making pp45-

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

#### 2. Education. Policy focus is key – disengagement from politics abdicates responsibility and decreases governmental responsibility – especially true for war powers

Mellor 2013

[Ewan, European University Institute, “Why policy relevance is a moral necessity: Just war theory, impact, and UAVs”, http://www.academia.edu/4175480/Why\_policy\_relevance\_is\_a\_moral\_necessity\_Just\_war\_theory\_impact\_and\_UAVs\]

This section of the paper considers more generally the need for just war theorists to engage with policy debate about the use of force, as well as to engage with the more fundamental moral and philosophical principles of the just war tradition. It draws on John Kelsay’s conception of just war thinking as being a social practice,35 as well as on Michael Walzer’s understanding of the role of the social critic in society.36 It argues that the just war tradition is a form of “practical discourse” which is concerned with questions of “how we should act.”37 Kelsay argues that: [T]he criteria of jus ad bellum and jus in bello provide a framework for structured participation in a public conversation about the use of military force . . . citizens who choose to speak in just war terms express commitments . . . [i]n the process of giving and asking for reasons for going to war, those who argue in just war terms seek to influence policy by persuading others that their analysis provides a way to express and fulfil the desire that military actions be both wise and just.38 He also argues that “good just war thinking involves continuous and complete deliberation, in the sense that one attends to all the standard criteria at war’s inception, at its end, and throughout the course of the conflict.”39 This is important as it highlights the need for just war scholars to engage with the ongoing operations in war and the specific policies that are involved. The question of whether a particular war is just or unjust, and the question of whether a particular weapon (like drones) can be used in accordance with the jus in bello criteria, only cover a part of the overall justice of the war. Without an engagement with the reality of war, in terms of the policies used in waging it, it is impossible to engage with the “moral reality of war,”40 in terms of being able to discuss it and judge it in moral terms. Kelsay’s description of just war thinking as a social practice is similar to Walzer’s more general description of social criticism. The just war theorist, as a social critic, must be involved with his or her own society and its practices. In the same way that the social critic’s distance from his or her society is measured in inches and not miles,41 the just war theorist must be close to and must understand the language through which war is constituted, interpreted and reinterpreted.42 It is only by understanding the values and language that their own society purports to live by that the social critic can hold up a mirror to that society to demonstrate its hypocrisy and to show the gap that exists between its practice and its values.43 The tradition itself provides a set of values and principles and, as argued by Cian O’Driscoll, constitutes a “language of engagement” to spur participation in public and political debate.44 This language is part of “our common heritage, the product of many centuries of arguing about war.”45 These principles and this language provide the terms through which people understand and come to interpret war, not in a deterministic way but by providing the categories necessary for moral understanding and moral argument about the legitimate and illegitimate uses of force.46 By spurring and providing the basis for political engagement the just war tradition ensures that the acts that occur within war are considered according to just war criteria and allows policy-makers to be held to account on this basis. Engaging with the reality of war requires recognising that war is, as Clausewitz stated, a continuation of policy. War, according to Clausewitz, is subordinate to politics and to political choices and these political choices can, and must, be judged and critiqued.47 Engagement and political debate are morally necessary as the alternative is disengagement and moral quietude, which is a sacrifice of the obligations of citizenship.48 This engagement must bring just war theorists into contact with the policy makers and will require work that is accessible and relevant to policy makers, however this does not mean a sacrifice of critical distance or an abdication of truth in the face of power. By engaging in detail with the policies being pursued and their concordance or otherwise with the principles of the just war tradition the policy-makers will be forced to account for their decisions and justify them in just war language. In contrast to the view, suggested by Kenneth Anderson, that “the public cannot be made part of the debate” and that “[w]e are necessarily committed into the hands of our political leadership”,49 it is incumbent upon just war theorists to ensure that the public are informed and are capable of holding their political leaders to account. To accept the idea that the political leadership are stewards and that accountability will not benefit the public, on whose behalf action is undertaken, but will only benefit al Qaeda,50 is a grotesque act of intellectual irresponsibility. As Walzer has argued, it is precisely because it is “our country” that we are “especially obligated to criticise its policies.”51

#### Decisionmaking skills gained from debate are key to problem solving in all facets of life—outweighs the case

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If we assume it to be possible **without** recourse to violence to reach agreement on all the problems implied in the employment of the idea of justice we are granting the possibility of formulating an ideal of ~~man~~ and society, valid for all beings endowed with reason and accepted by what we have called elsewhere the universal audience.14 I think that the only discursive methods available to us stem from techniques that are not demonstrative—that is, conclusive and rational in the narrow sense of the term—but from argumentative techniques which are not conclusive but which may tend to demonstrate the reasonable character of the conceptions put forward. It is this recourse to the rational and reasonable for the realization of the ideal of universal communion that characterizes the age-long endeavor of all philosophies in their aspiration for a city of ~~man~~ in which violence may progressively give way to wisdom.13 Whenever an individual controls the dimensions of" a problem, he or she can solve the problem through a personal decision. For example, if the problem is whether to go to the basketball game tonight, if tickets are not too expensive and if transportation is available, the decision can be made individually. But if a friend's car is needed to get to the game, then that person's decision to furnish the transportation must be obtained. Complex problems, too, are subject to individual decision making. American business offers many examples of small companies that grew into major corporations while still under the individual control of the founder. Some computer companies that began in the 1970s as one-person operations burgeoned into multimillion-dollar corporations with the original inventor still making all the major decisions. And some of the multibillion-dollar leveraged buyouts of the 1980s were put together by daring—some would say greedy—financiers who made the day-to-day and even hour-to-hour decisions individually. When President George H. W. Bush launched Operation Desert Storm, when President Bill Clinton sent troops into Somalia and Haiti and authorized Operation Desert Fox, and when President George W. Bush authorized Operation Enduring Freedom in Afghanistan and Operation Iraqi Freedom in Iraq, they each used different methods of decision making, but in each case the ultimate decision was an individual one. In fact, many government decisions can be made only by the president. As Walter Lippmann pointed out, debate is the only satisfactory way the exact issues can be decided: A president, whoever he is, has to find a way of understanding the novel and changing issues which he must, under the Constitution, decide. Broadly speaking ... the president has two ways of making up his mind. The one is to turn to his subordinates—to his chiefs of staff and his cabinet officers and undersecretaries and the like—and to direct them to argue out the issues and to bring him an agreed decision… The other way is to sit like a judge at a hearing where the issues to be decided are debated. After he has heard the debate, after he has examined the evidence, after he has heard the debaters cross-examine one another, after he has questioned them himself he makes his decision… It is a much harder method in that it subjects the president to the stress of feeling the full impact of conflicting views, and then to the strain of making his decision, fully aware of how momentous it Is. But there is no other satisfactory way by which momentous and complex issues can be decided.16 John F. Kennedy used Cabinet sessions and National Security Council meetings to provide debate to illuminate diverse points of view, expose errors, and challenge assumptions before he reached decisions.17 As he gained experience in office, he placed greater emphasis on debate. One historian points out: "One reason for the difference between the Bay of Pigs and the missile crisis was that [the Bay of Pig\*] fiasco instructed Kennedy in the importance of uninhibited debate in advance of major decision."18 All presidents, to varying degrees, encourage debate among their advisors. We may never be called on to render the final decision on great issues of national policy, but we are constantly concerned with decisions important to ourselves for which debate can be applied in similar ways. That is, this debate may take place in our minds as we weigh the pros and cons of the problem, or we may arrange for others to debate the problem for us. Because we all are increasingly involved in the decisions of the campus, community, and society in general, it is in our intelligent self-interest to reach these decisions through reasoned debate.

#### 3. Ground

#### Topical fairness requirements are key to effective dialogue—monopolizing strategy and prep makes the discussion one-sided and subverts any meaningful neg role

**Galloway 7** – professor of communications at Samford University (Ryan, “Dinner And Conversation At The Argumentative Table: Reconceptualizing Debate As An Argumentative Dialogue”, Contemporary Argumentation and Debate, Vol. 28 (2007), ebsco)

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 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.

#### Game spaces like debate are distinct from other forms of education and public speaking. There has to be a balance of ground or else one side claims the moral high ground and creates a de facto monologue

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Debate games are often based on pre-designed scenarios that include descriptions of issues to be debated, educational goals, game goals, roles, rules, time frames etc. In this way, debate games differ from textbooks and everyday classroom instruction as debate scenarios allow teachers and students to actively imagine, interact and communicate within a domain-specific game space. However, instead of mystifying debate games as a “magic circle” (Huizinga, 1950), I will try to overcome the epistemological dichotomy between “gaming” and “teaching” that tends to dominate discussions of educational games. In short, educational gaming is a form of teaching. As mentioned, education and games represent two different semiotic domains that both embody the three faces of knowledge: assertions, modes of representation and social forms of organisation (Gee, 2003; Barth, 2002; cf. chapter 2). In order to understand the interplay between these different domains and their interrelated knowledge forms, I will draw attention to a central assumption in Bakhtin’s dialogical philosophy. According to Bakhtin, all forms of communication and culture are subject to centripetal and centrifugal forces (Bakhtin, 1981). A centripetal force is the drive to impose one version of the truth, while a centrifugal force involves a range of possible truths and interpretations. This means that any form of expression involves a duality of centripetal and centrifugal forces: “Every concrete utterance of a speaking subject serves as a point where centrifugal as well as centripetal forces are brought to bear” (Bakhtin, 1981: 272). If we take teaching as an example, it is always affected by centripetal and centrifugal forces in the on-going negotiation of “truths” between teachers and students. In the words of Bakhtin: “Truth is not born nor is it to be found inside the head of an individual person, it is born between people collectively searching for truth, in the process of their dialogic interaction” (Bakhtin, 1984a: 110). Similarly, the dialogical space of debate games also embodies centrifugal and centripetal forces. Thus, the election scenario of The Power Game involves centripetal elements that are mainly determined by the rules and outcomes of the game, i.e. the election is based on a limited time frame and a fixed voting procedure. Similarly, the open-ended goals, roles and resources represent centrifugal elements and create virtually endless possibilities for researching, preparing, presenting, debating and evaluating a variety of key political issues. Consequently, the actual process of enacting a game scenario involves a complex negotiation between these centrifugal/centripetal forces that are inextricably linked with the teachers and students’ game activities. In this way, the enactment of The Power Game is a form of teaching that combines different pedagogical practices (i.e. group work, web quests, student presentations) and learning resources (i.e. websites, handouts, spoken language) within the interpretive frame of the election scenario. Obviously, tensions may arise if there is too much divergence between educational goals and game goals. This means that game facilitation requires a balance between focusing too narrowly on the rules or “facts” of a game (centripetal orientation) and a focusing too broadly on the contingent possibilities and interpretations of the game scenario (centrifugal orientation). For Bakhtin, the duality of centripetal/centrifugal forces often manifests itself as a dynamic between “monological” and “dialogical” forms of discourse. Bakhtin illustrates this point with the monological discourse of the Socrates/Plato dialogues in which **the teacher never learns anything new** from the students, despite Socrates’ ideological claims to the contrary (Bakhtin, 1984a). Thus, discourse becomes monologised when “someone who knows and possesses the truth **instructs someone** who is ignorant of it and in error”, where “a thought is either affirmed or repudiated” by the authority of the teacher (Bakhtin, 1984a: 81). In contrast to this, dialogical pedagogy fosters inclusive learning environments that are able to expand upon students’ existing knowledge and collaborative construction of “truths” (Dysthe, 1996). At this point, I should clarify that Bakhtin’s term “dialogic” is both a descriptive term (all utterances are per definition dialogic as they address other utterances as parts of a chain of communication) and a normative term as dialogue is an ideal to be worked for against the forces of “monologism” (Lillis, 2003: 197-8). In this project, I am mainly interested in describing the dialogical space of debate games. At the same time, I agree with Wegerif that “one of the goals of education, perhaps the most important goal, should be dialogue as an end in itself” (Wegerif, 2006: 61).

### Contention 3

#### In lieu of using the ballot to symbolically challenge gender oppression we advocate the following measures should take place:

#### CEDA should amend its constitution to have a more reflexive way to adapt to and respond to situations of sexual harassment that arise in the debate community both in and out of tournaments.

#### CEDA should provide monetary incentives such as reduced tournament fees to schools who exhibit positive track records with womyn’s issues and creating a safe environment in the debate community.

#### CEDA should create harsh penalties that confront schools who have a poor track record with womyn’s issues and creating a safe environment in the debate community including monetary penalties such as increased tournament fees and suspension from attendance of CEDA sanctioned tournaments.

#### There should be a series of forums created for those who experience gendered violence to confront their accusers.

#### The group “Sisters and Allies Against Inequality in Debate” should be utilized and funded through tournament fees as part of NDT/CEDA debate.

#### Using debate as a site of activism to encourage social change fails

**Atchison and Panetta, 09** – \*Director of Debate at Trinity University and \*\*Director of Debate at the University of Georgia

(Jarrod, and Edward, “Intercollegiate Debate and Speech Communication: Issues for the Future,” The Sage Handbook of Rhetorical Studies, Lunsford, Andrea, ed., 2009, p. 317-334)

Debates as Sites of Community Change The debate community has become more self-reflexive and increasingly invested in attempting to address the problems that have plagued the community from the start. The degrees to which things are considered problems and the appropriateness of different solutions to the problems have been hotly contested, but some fundamental issues, such as diversity and accessibility, have received considerable attention in recent years. This section will address the “debate as activism” perspective that argues that the appropriate site for addressing community problems is individual debates. In contrast to the “debate as innovation” perspective, which assumes that the activity is an isolated game with educational benefits, proponents of the “debate as activism” perspective argue that individual debates have the potential to create change in the debate community and society at large. If the first approach assumed that debate was completely insulated, this perspective assumes that there is no substantive insulation between individual debates and the community at large. From our perspective, using individual debates to create community change is an **insufficient** strategy for three reasons. First, individual debates are, for the most part, insulated from the community at large. Second, individual debates limit the conversation to the immediate participants and the judge, excluding many important contributors to the debate community. Third, locating the discussion within the confines of a competition diminishes the additional potential for collaboration, consensus, and coalition building.

#### Individual debates can't generate community change

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The first problem that we isolate is the difficulty of any individual debate to generate community change. Although any debate has the potential to create problems for the community (videotapes of objectionable behavior, etc.), **rarely does** any **one debate** **have the power to create** community-wide **change**. We attribute this ineffectiveness to the structural problems inherent in individual debates and the collective forgetfulness of the debate community. The structural problems stem from the current tournament format that has remained relatively consistent for the past **30 years**. Debaters engage in preliminary debates in rooms that are rarely populated by anyone other than the judge. Judges are instructed to vote for the team that does the best debating, but the ballot is rarely seen by anyone outside the tabulation room. Given the limited number of debates in which a judge actually writes meaningful comments, there is little documentation of what actually transpired during the debate round. During the period when judges interact with the debaters, there are often external pressures (filing evidence, preparing for the next debate, etc.) that restrict the ability of anyone outside the debate to pay attention to the judges’ justification for their decision. Elimination debates do not provide for a much better audience because debates still occur simul- taneously, and travel schedules dictate that most of the participants have left by the later elimination rounds. It is difficult for anyone to substantiate the claim that asking a judge to vote to solve a community problem in an individual debate with so few participants is the best strategy for addressing important problems.

#### Striving for change through debates is COUNTERPRODUCTIVE because of the emphasis on winning – maintaining a resolutional focus is key

**Atchison and Panetta, 09** – \*Director of Debate at Trinity University and \*\*Director of Debate at the University of Georgia

(Jarrod, and Edward, “Intercollegiate Debate and Speech Communication: Issues for the Future,” The Sage Handbook of Rhetorical Studies, Lunsford, Andrea, ed., 2009, p. 317-334)

The final problem with an individual debate round focus is the role of competition. Creating community change through individual debate rounds sacrifices the “community” portion of the change. Many teams that promote activist strategies in debates profess that they are more interested in creating change than winning debates. What is clear, however, is that the vast majority of teams that are not promoting community change are very interested in winning debates. The tension that is generated from the clash of these opposing forces is tremendous. Unfortunately, this is rarely a productive tension. Forcing teams to consider their purpose in debating, their style in debates, and their approach to evidence are all critical aspects of being participants in the community. However, the dismissal of the proposed resolution that the debaters have spent countless hours preparing for, in the name of a community problem that the debaters often have little control over, does little to engender coalitions of the willing. Should a debate team lose because their director or coach has been ineffective at recruiting minority participants? Should a debate team lose because their coach or director holds political positions that are in opposition to the activist program? Competition has been a critical component of the interest in intercollegiate debate from the beginning, and it does not help further the goals of the debate community to dismiss competition in the name of community change. The larger problem with locating the “debate as activism” perspective within the competitive framework is that it overlooks the communal nature of the community problem. If each individual debate is a decision about how the debate community should approach a problem, then the losing debaters become collateral damage in the activist strategy dedicated toward creating community change. One frustrating example of this type of argument might include a judge voting for an activist team in an effort to help them reach elimination rounds to generate a community discussion about the problem. Under this scenario, the losing team serves as a sacrificial lamb on the altar of community change. Downplaying the important role of competition and treating opponents as scapegoats for the failures of the community may increase the profile of the winning team and the community problem, but it does little to generate the critical coalitions necessary to address the community problem, because the competitive focus **encourages teams to concentrate on how to beat the strategy with little regard for addressing the community problem**. There is no role for competition when a judge decides that it is important to accentuate the publicity of a community problem. An extreme example might include a team arguing that their opponents’ academic institution had a legacy of civil rights abuses and that the judge should not vote for them because that would be a community endorsement of a problematic institution. This scenario is a bit more outlandish but not unreasonable if one assumes that each debate should be about what is best for promoting solutions to diversity problems in the debate community. If the debate community is serious about generating community change, then it is more likely to occur outside a traditional competitive debate. When a team loses a debate because the judge decides that it is better for the community for the other team to win, then they have sacrificed two potential advocates for change within the community. Creating change through wins generates backlash through losses. Some proponents are comfortable with generating backlash and argue that the reaction is evidence that the issue is being discussed. From our perspective, the discussion that results from these hostile situations is not a productive one where participants seek to work together for a common goal. Instead of giving up on hope for change and agitating for wins regardless of who is left behind, it seems more reasonable that the debate community should try the method of public argument that we teach in an effort to generate a discussion of necessary community changes. Simply put, debate competitions do not represent the best environment for community change because it is a competition for a win and only one team can win any given debate, whereas addressing systemic century-long community problems requires a tremendous effort by a great number of people.

#### Trading autobiographical narrative for the ballot commodifies one’s identity and has limited impact on the culture that one attempt’s to reform – when autobiographical narrative “wins,” it subverts its own most radical intentions by becoming an exemplar of the very culture under indictment

Coughlin 95—associate Professor of Law, Vanderbilt Law School. (Anne, REGULATING THE SELF: AUTOBIOGRAPHICAL PERFORMANCES IN OUTSIDER SCHOLARSHIP, 81 Va. L. Rev. 1229)

Although Williams is quick to detect insensitivity and bigotry in remarks made by strangers, colleagues, and friends, her taste for irony fails her when it comes to reflection on her relationship with her readers and the material benefits that her autobiographical performances have earned for her.[196](https://1.next.westlaw.com/Document/Ie4962de14b1711dba16d88fb847e95e5/View/FullText.html?transitionType=UniqueDocItem&contextData=(sc.Default)#co_footnote_F196105641448) Perhaps Williams should be more inclined to thank, rather than reprimand, her editors for behaving as readers of autobiography invariably do. When we examine this literary faux pas -- the incongruity between Williams's condemnation of her editors and the professional benefits their publication secured her -- we detect yet another contradiction between the outsiders' use of autobiography and their desire to transform culture radically. Lejeune's characterization of autobiography as a “contract” reminds us that autobiography is a lucrative commodity. In our culture, members of the reading public avidly consume personal stories,[197](https://1.next.westlaw.com/Document/Ie4962de14b1711dba16d88fb847e95e5/View/FullText.html?transitionType=UniqueDocItem&contextData=(sc.Default)" \l "co_footnote_F197105641448) which surely explains why first-rate law journals and academic presses have been eager to market outsider narratives. No matter how unruly the self that it records, an autobiographical performance transforms that self into a form of “property in a moneyed economy”[198](https://1.next.westlaw.com/Document/Ie4962de14b1711dba16d88fb847e95e5/View/FullText.html?transitionType=UniqueDocItem&contextData=(sc.Default)#co_footnote_F198105641448) and into a valuable intellectual ***\*1283*** asset in an academy that requires its members to publish.[199](https://1.next.westlaw.com/Document/Ie4962de14b1711dba16d88fb847e95e5/View/FullText.html?transitionType=UniqueDocItem&contextData=(sc.Default)#co_footnote_F199105641448) Accordingly, we must be skeptical of the assertion that the outsiders' splendid publication record is itself sufficient evidence of the success of their endeavor.[200](https://1.next.westlaw.com/Document/Ie4962de14b1711dba16d88fb847e95e5/View/FullText.html?transitionType=UniqueDocItem&contextData=(sc.Default)#co_footnote_F200105641448) Certainly, publication of a best seller may transform its author's life, with the resulting commercial success and academic renown.[201](https://1.next.westlaw.com/Document/Ie4962de14b1711dba16d88fb847e95e5/View/FullText.html?transitionType=UniqueDocItem&contextData=(sc.Default)#co_footnote_F201105641448) As one critic of autobiography puts it, “failures do not get published.”[202](https://1.next.westlaw.com/Document/Ie4962de14b1711dba16d88fb847e95e5/View/FullText.html?transitionType=UniqueDocItem&contextData=(sc.Default)#co_footnote_F202105641448) While writing a successful autobiography may be momentous for the individual author, this success has a limited impact on culture. Indeed, the transformation of outsider authors into “success stories” subverts outsiders' radical intentions by constituting them as exemplary participants within contemporary culture, willing to market even themselves to literary and academic consumers.[203](https://1.next.westlaw.com/Document/Ie4962de14b1711dba16d88fb847e95e5/View/FullText.html?transitionType=UniqueDocItem&contextData=(sc.Default)#co_footnote_F203105641448) What good does this transformation do for outsiders who are less fortunate and less articulate than middle-class law professors?[204](https://1.next.westlaw.com/Document/Ie4962de14b1711dba16d88fb847e95e5/View/FullText.html?transitionType=UniqueDocItem&contextData=(sc.Default)#co_footnote_F204105641448) Although they style themselves cultural critics, the ***\*1284*** storytellers generally do not reflect on the meaning of their own commercial success, nor ponder its entanglement with the cultural values they claim to resist. Rather, for the most part, they seem content simply to take advantage of the peculiarly American license, identified by Professor Sacvan Bercovitch, “to have your dissent and make it too.”

# Block

### Abbot

Abbott 2009

(Blake, Debate Coach at the University of Georgia and B.A. in Political Science at Mercer University and M.A. from Wake Forest University, “The Project and Switch Side Debate”, November 11th, http://www.georgiadebate.org/2009/11/the-project-and-switch-side-debate)

In debates that take place between policy teams and project teams, one central sticking point tends to be over the merits of switch side debate in our activity. Proponents of switch side debate argue that doing so offers debaters an opportunity to take a new perspective by learning and advocating a position they might not agree with within a given debate round. Doing so enhances critical thinking skills and teaches debaters to become better advocates for the things they do believe because they have examined all sides of the argument. Opponents argue that switch side debate is basically modern day sophistry, leading to an “anything goes” approach to argumentation that has no ethical foundation. Lack of such foundation leads to rounds where debaters advocate nuclear wars, extinction, and even racism or genocide. I think the major drawback in debates on this particular issue is that they tend to lack real clash. One side says switch side debating is educational, and the other says it’s unethical. No one resolves these two impacts. Well, I will attempt to provide some (contingent, I’m sure) way to resolve this discussion, and I’ll start out by stating my advocacy: project teams should be more willing to engage in switch side debate. In my previous post, I argued that project teams should engage the current debate topic, and I still think avoiding the topic is a big missed opportunity. Here, though, project teams take a very one-size-fits-all approach to switch side debate that misses the chances to explore numerous aspects of their own arguments and strategic goals. I am convinced that the topic presents less of a hindrance and more of an opportunity for project teams to find links to the things they want to say. I’ve heard some arguments/questions that I have heard some project teams make, and I’ve been frankly shocked at how poor the answers to these questions has been. I’ll address a couple here. The first one is a subset of the “switch side debate is unethical” argument, and it goes something like this: “Are you saying that on a slavery topic, we would have to advocate slavery good?” First, I take issue with the question. Switch side debating isn’t just taking both sides of any good/bad debate. There’s more to it than that, especially since sometimes there are more than 2 sides to an issue. Second, this is an extreme example, but even if I grant the premise of the question, I would say that you should be willing to examine that argument and advocate it in the space of a debate. That doesn’t mean that you take on that belief; it does mean that you don’t close off an argument just because you don’t agree. The debate round should be a space to test out arguments, and part of the education one gets from that testing is the experience of advocating something unfamiliar, and even oppositional to your beliefs. Plus, you can better argue against the offending argument if you have tried it on in an environment that encourages you to learn how it works. Ultimately, I dispute the slippery slope in the premise of this argument, though. Maybe you wouldn’t, as a matter of conscience, be willing to go as far as say “slavery good,” but on this year’s topic, you should be willing to argue that either we should reduce our nuclear weapons or we shouldn’t. You can support your claim with reasons based in your project, but the fact that the potential exists advocate bad things in a debate round isn’t by itself a sufficient reason to refuse switch side debate. I'm sure many people arguments they may not be willing to make for their own reasons, but that fact alone is not a condemnation of switch side debating. Another argument I hear is the use of a paragraph from William Spanos in the book “Cross-X” in which he argues that debate’s potential for “‘disinterested’ argumentative skills” becomes a training ground for neoconservative ideology. It is important to note that Spanos’ understanding of debate is marginal at best, but more importantly, even if he’s right that debate can produce neocons, that’s not the only outcome. It can, and has, also produced strong advocates for anti-neocon causes. For example, Neal Katyal, the attorney who successfully argued Hamdan v. Rumsfeld in the Supreme Court, was a debater. Also, I would quibble with the terminology of “disinterested” argumentation that Spanos uses and project teams pick up on. Just because I argue for something institutional in nature in a debate round doesn’t mean that I’m taking a disinterested view. In fact, the process of arguing unfamiliar points is a really good way for me to become interested and gain a personal connection to the arguments that I make in rounds, even if that personal connection isn’t the same as ones that project teams discuss. Believe me, I could just as easily go off on policy teams for not really switching sides on many big arguments (with the exception of the occasional impact turn debate, we pretty much presume that hegemony is good and nuclear war is bad, regardless of side). My basic point here is that project teams do themselves a disservice by closing off new ways to approach argumentation that are allowed by switch side debate. We don’t have to take a full-tilt, anything goes approach, but don’t throw it all out either. Even if some potential for abuse exists, it’s a risk worth taking.

### Trauma

#### No link: dialectical responsiveness is distinct from exclusion because conversations must be goal-oriented to settle a certain question for the ballot to make sense—their offense doesn’t assume game spaces

**Walton 4** (Douglas, Full Professor of Philosophy – U Winnipeg, Relevance in Argumentation, p. 169-170)

The kind of relevance defined in the new theory can be called dialectical relevance, meaning that an argument, a question, or other type of speech act is judged to be relevant insofar as it plays a part, or has a function, in a **goal-directed** conversation that is a dialogue exchange between two participants who are aware of each other’s moves. The ultimate aim of a system of dialectical relevance is to be useful in judging cases for material relevance, primarily cases where an argument is central. To judge whether a given argument is normatively relevant, basically one has to judge whether, as used in the given case, it meets the normative standards of reasonable argument appropriate for that case. To determine what normative standard is appropriate, one has to ask the basic question, What purpose is the argument supposedly being used for? To answer that question, one has to examine the evidence given in the text and context of dialogue in that case and ask what type of dialogue this case is supposed to be part of. Then the more detailed evaluation can go from there, depending on the goal of that type of dialogue. For example, suppose the dialogue is supposed to be a critical discussion. The purpose of a critical discussion is to resolve a conflict of opinions. Thus, the argument in the given case can be judged to be relevant if it used in such a way as to contribute to the resolution of the conflict of opinions supposedly at issue in the critical discussion. The argument is relevant if it contributes to the goal of the critical discussion at whatever stage it was used. It is irrelevant if it does not. Why should argumentation in a natural conversation be assumed to be goal directed? One might object that a lot of the ordinary conversations we have in everyday life do not appear to be goal directed. Two people may meet in the street and have a casual conversation about whether it is a nice day or not. It would seem to be artificial to describe their conversation as goal directed, implying that the two had agreed in advance to undertake this argument about the weather for some specific purpose. If they switch to talking about something else, is that a bad thing? Should it be criticized as “irrelevant”? If not, the problem is that a criticism of irrelevance seems arbitrary or even unfair. The solution to this problem is to clearly recognize that judgments about the dialectical relevance of an argument confer a stamp of approval of admissibility on the argument as rational or as used correctly in a given case with respect to its serving some purpose. To say that an argument is dialectically relevant or irrelevant is not to say that it is faulty or fallacious in every respect or that it has been incorrectly with respect to every goal that the participants are trying to achieve in a given case. There is a parallel here with applying deductive logic to arguments. To say that an argument is deductively valid is not to say that is good argument in every respect or that it is fallacy free. For a deductively valid argument could be based on false premises, or it could be a circular argument, or it could exhibit many kinds of faults. To say that an argument is deductively valid is only to say that the argument is correct or rational in a conditional sense—it is to say that if the premises are true, then the conclusion must (by logical necessity) be true too. Comparably, to say that an argument is dialectically relevant in a given case is not to say that the argument is perfectly rational, in relation to any goals that might be important the participants. It is only to say that it has the potential to be used correctly or rationally in a conditional or instrumental sense. It is to say that the argument has the potential to be used in such a way as to contribute to the type of discussion the participants are supposed to be engaged in. But you can always raise the question of what type of discussion the participants should really be engaged in. You can ask whether the agenda of that discussion ought to be changed if they are to solve the underlying problem they confront. So if two disputants are arguing about the weather, and one of them suddenly starts to argue about baseball or the price of new cars, the switch of topics is not necessarily a bad thing at all. But from the perspective of the two arguers who hope to resolve their difference of opinions about the weather by using rational argumentation, the switch to baseball may be viewed as dialectically irrelevant. This means that it turns the argumentation away from the direction needed for fulfilling its original purpose. At any rate, we can see that dialectical relevance has its place. Although it is not a requirement of all human communication, it is a useful requirement for reasoned argumentation of various kinds that are quite important in human communication.

#### Our ground claims turn their exclusion arguments – make it impossible to be neg

Galloway 7 — Ryan Galloway, Assistant Professor and Director of Debate at Samford University, 2007 (“Dinner and Conversation at the Argumentative Table: Re-Conceptualizing Debate As An Argumentative Dialogue,” *Contemporary Argumentation & Debate*, Volume 28, September, Available Online to Subscribing Institutions via Academic Search Premier, p. 12)

While affirmative teams often accuse the negative of using a juridical rule to exclude them, the affirmative also relies upon an unstated rule to exclude the negative response. This unstated but understood rule is that the negative speech act must serve to negate the affirmative act. Thus, affirmative teams often exclude an entire range of negative arguments, including arguments designed to challenge the hegemony, domination, and oppression inherent in topical approaches to the resolution. Becoming more than just a ritualistic tag-line of “fairness, education, time skew, voting issue,” fairness exists in the implicit right to be heard in a meaningful way. Ground is just that—a ground to stand on, a ground to speak from, a ground by which to meaningfully contribute to an ongoing conversation.