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#### a. Interpretation and violation---the affirmative should defend the desirability of topical government action

#### Most predictable—the agent and verb indicate a debate about hypothetical government action

Jon M Ericson 3, 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 through 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.

#### “Resolved” is legislative

Jeff Parcher 1, former debate coach at Georgetown, Feb 2001 http://www.ndtceda.com/archives/200102/0790.html

Pardon me if I turn to a source besides Bill. American Heritage Dictionary: Resolve: 1. To make a firm decision about. 2. To decide or express by formal vote. 3. To separate something into constiutent parts See Syns at \*analyze\* (emphasis in orginal) 4. Find a solution to. See Syns at \*Solve\* (emphasis in original) 5. To dispel: resolve a doubt. - n 1. Firmness of purpose; resolution. 2. A determination or decision. (2) The very nature of the word "resolution" makes it a question. American Heritage: A course of action determined or decided on. A formal statement of a decision, as by a legislature. (3) The resolution is obviously a question. Any other conclusion is utterly inconceivable. Why? Context. The debate community empowers a topic committee to write a topic for ALTERNATE side debating. The committee is not a random group of people coming together to "reserve" themselves about some issue. There is context - they are empowered by a community to do something. In their deliberations, the topic community attempts to craft a resolution which can be ANSWERED in either direction. They focus on issues like ground and fairness because they know the resolution will serve as the basis for debate which will be resolved by determining the policy desirablility of that resolution. That's not only what they do, but it's what we REQUIRE them to do. We don't just send the topic committee somewhere to adopt their own group resolution. It's not the end point of a resolution adopted by a body - it's the preliminary wording of a resolution sent to others to be answered or decided upon. (4) Further context: the word resolved is used to emphasis the fact that it's policy debate. Resolved comes from the adoption of resolutions by legislative bodies. A resolution is either adopted or it is not. It's a question before a legislative body. Should this statement be adopted or not. (5) The very terms 'affirmative' and 'negative' support my view. One affirms a resolution. Affirmative and negative are the equivalents of 'yes' or 'no' - which, of course, are answers to a question.

#### Debate over a controversial point of action creates argumentative stasis—the resolution is key to decision making

Steinberg and Freely 08

(David L., lecturer of communication studies – University of Miami, and Austin J.,Boston based attorney who focuses on criminal, personal injury and civil rights law, “Argumentation and Debate: Critical Thinking for Reasoned Decision Making” p. 45//wyoccd)

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.

#### Debate needs middle of the road constraints; unbridled affirmation destroys dialogue that are key to political discussion

Hanghoj 08

(Thorkild Hanghøj, Phd, DREAM (Danish Research Centre on Education and Advanced Media Materials at the Institute of Literature, Media and Cultural Studies at the University of Southern Denmark. 2008 http://static.sdu.dk/mediafiles/Files/Information\_til/Studerende\_ved\_SDU/Din\_uddannelse/phd\_hum/afhandlinger/2009/ThorkilHanghoej.pdf//wyoccd)

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).

#### b. Vote neg

#### Preparation and clash—changing the topic post facto manipulates balance of prep, which structurally favors the aff because they speak last and permute alternatives—strategic fairness is key to engaging a well-prepared opponent

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

#### Simulated national security law debates preserve agency and enhance decision-making---avoids cooption

Laura K. Donohue 13, Associate Professor of Law, Georgetown Law, 4/11, “National Security Law Pedagogy and the Role of Simulations”, http://jnslp.com/wp-content/uploads/2013/04/National-Security-Law-Pedagogy-and-the-Role-of-Simulations.pdf

The concept of simulations as an aspect of higher education, or in the law school environment, is not new.164 Moot court, after all, is a form of simulation and one of the oldest teaching devices in the law. What is new, however, is the idea of designing a civilian national security course that takes advantage of the doctrinal and experiential components of law school education and integrates the experience through a multi-day simulation. In 2009, I taught the first module based on this design at Stanford Law, which I developed the following year into a full course at Georgetown Law. It has since gone through multiple iterations. The initial concept followed on the federal full-scale Top Official (“TopOff”) exercises, used to train government officials to respond to domestic crises.165 It adapted a Tabletop Exercise, designed with the help of exercise officials at DHS and FEMA, to the law school environment. The Tabletop used one storyline to push on specific legal questions, as students, assigned roles in the discussion, sat around a table and for six hours engaged with the material. The problem with the Tabletop Exercise was that it was too static, and the rigidity of the format left little room, or time, for student agency. Unlike the government’s TopOff exercises, which gave officials the opportunity to fully engage with the many different concerns that arise in the course of a national security crisis as well as the chance to deal with externalities, the Tabletop focused on specific legal issues, even as it controlled for external chaos. The opportunity to provide a more full experience for the students came with the creation of first a one-day, and then a multi-day simulation. The course design and simulation continues to evolve. It offers a model for achieving the pedagogical goals outlined above, in the process developing a rigorous training ground for the next generation of national security lawyers.166 A. Course Design The central idea in structuring the NSL Sim 2.0 course was to bridge the gap between theory and practice by conveying doctrinal material and creating an alternative reality in which students would be forced to act upon legal concerns.167 The exercise itself is a form of problem-based learning, wherein students are given both agency and responsibility for the results. Towards this end, the structure must be at once bounded (directed and focused on certain areas of the law and legal education) and flexible (responsive to student input and decisionmaking). Perhaps the most significant weakness in the use of any constructed universe is the problem of authenticity. Efforts to replicate reality will inevitably fall short. There is simply too much uncertainty, randomness, and complexity in the real world. One way to address this shortcoming, however, is through design and agency. The scenarios with which students grapple and the structural design of the simulation must reflect the national security realm, even as students themselves must make choices that carry consequences. Indeed, to some extent, student decisions themselves must drive the evolution of events within the simulation.168 Additionally, while authenticity matters, it is worth noting that at some level the fact that the incident does not take place in a real-world setting can be a great advantage. That is, the simulation creates an environment where students can make mistakes and learn from these mistakes – without what might otherwise be devastating consequences. It also allows instructors to develop multiple points of feedback to enrich student learning in a way that would be much more difficult to do in a regular practice setting. NSL Sim 2.0 takes as its starting point the national security pedagogical goals discussed above. It works backwards to then engineer a classroom, cyber, and physical/simulation experience to delve into each of these areas. As a substantive matter, the course focuses on the constitutional, statutory, and regulatory authorities in national security law, placing particular focus on the interstices between black letter law and areas where the field is either unsettled or in flux. A key aspect of the course design is that it retains both the doctrinal and experiential components of legal education. Divorcing simulations from the doctrinal environment risks falling short on the first and third national security pedagogical goals: (1) analytical skills and substantive knowledge, and (3) critical thought. A certain amount of both can be learned in the course of a simulation; however, the national security crisis environment is not well-suited to the more thoughtful and careful analytical discussion. What I am thus proposing is a course design in which doctrine is paired with the type of experiential learning more common in a clinical realm. The former precedes the latter, giving students the opportunity to develop depth and breadth prior to the exercise. In order to capture problems related to adaptation and evolution, addressing goal [1(d)], the simulation itself takes place over a multi-day period. Because of the intensity involved in national security matters (and conflicting demands on student time), the model makes use of a multi-user virtual environment. The use of such technology is critical to creating more powerful, immersive simulations.169 It also allows for continual interaction between the players. Multi-user virtual environments have the further advantage of helping to transform the traditional teaching culture, predominantly concerned with manipulating textual and symbolic knowledge, into a culture where students learn and can then be assessed on the basis of their participation in changing practices.170 I thus worked with the Information Technology group at Georgetown Law to build the cyber portal used for NSL Sim 2.0. The twin goals of adaptation and evolution require that students be given a significant amount of agency and responsibility for decisions taken in the course of the simulation. To further this aim, I constituted a Control Team, with six professors, four attorneys from practice, a media expert, six to eight former simulation students, and a number of technology experts. Four of the professors specialize in different areas of national security law and assume roles in the course of the exercise, with the aim of pushing students towards a deeper doctrinal understanding of shifting national security law authorities. One professor plays the role of President of the United States. The sixth professor focuses on questions of professional responsibility. The attorneys from practice help to build the simulation and then, along with all the professors, assume active roles during the simulation itself. Returning students assist in the execution of the play, further developing their understanding of national security law. Throughout the simulation, the Control Team is constantly reacting to student choices. When unexpected decisions are made, professors may choose to pursue the evolution of the story to accomplish the pedagogical aims, or they may choose to cut off play in that area (there are various devices for doing so, such as denying requests, sending materials to labs to be analyzed, drawing the players back into the main storylines, and leaking information to the media). A total immersion simulation involves a number of scenarios, as well as systemic noise, to give students experience in dealing with the second pedagogical goal: factual chaos and information overload. The driving aim here is to teach students how to manage information more effectively. Five to six storylines are thus developed, each with its own arc and evolution. To this are added multiple alterations of the situation, relating to background noise. Thus, unlike hypotheticals, doctrinal problems, single-experience exercises, or even Tabletop exercises, the goal is not to eliminate external conditions, but to embrace them as part of the challenge facing national security lawyers. The simulation itself is problem-based, giving players agency in driving the evolution of the experience – thus addressing goal [2(c)]. This requires a realtime response from the professor(s) overseeing the simulation, pairing bounded storylines with flexibility to emphasize different areas of the law and the students’ practical skills. Indeed, each storyline is based on a problem facing the government, to which players must then respond, generating in turn a set of new issues that must be addressed. The written and oral components of the simulation conform to the fourth pedagogical goal – the types of situations in which national security lawyers will find themselves. Particular emphasis is placed on nontraditional modes of communication, such as legal documents in advance of the crisis itself, meetings in the midst of breaking national security concerns, multiple informal interactions, media exchanges, telephone calls, Congressional testimony, and formal briefings to senior level officials in the course of the simulation as well as during the last class session. These oral components are paired with the preparation of formal legal instruments, such as applications to the Foreign Intelligence Surveillance Court, legal memos, applications for search warrants under Title III, and administrative subpoenas for NSLs. In addition, students are required to prepare a paper outlining their legal authorities prior to the simulation – and to deliver a 90 second oral briefing after the session. To replicate the high-stakes political environment at issue in goals (1) and (5), students are divided into political and legal roles and assigned to different (and competing) institutions: the White House, DoD, DHS, HHS, DOJ, DOS, Congress, state offices, nongovernmental organizations, and the media. This requires students to acknowledge and work within the broader Washington context, even as they are cognizant of the policy implications of their decisions. They must get used to working with policymakers and to representing one of many different considerations that decisionmakers take into account in the national security domain. Scenarios are selected with high consequence events in mind, to ensure that students recognize both the domestic and international dimensions of national security law. Further alterations to the simulation provide for the broader political context – for instance, whether it is an election year, which parties control different branches, and state and local issues in related but distinct areas. The media is given a particularly prominent role. One member of the Control Team runs an AP wire service, while two student players represent print and broadcast media, respectively. The Virtual News Network (“VNN”), which performs in the second capacity, runs continuously during the exercise, in the course of which players may at times be required to appear before the camera. This media component helps to emphasize the broader political context within which national security law is practiced. Both anticipated and unanticipated decisions give rise to ethical questions and matters related to the fifth goal: professional responsibility. The way in which such issues arise stems from simulation design as well as spontaneous interjections from both the Control Team and the participants in the simulation itself. As aforementioned, professors on the Control Team, and practicing attorneys who have previously gone through a simulation, focus on raising decision points that encourage students to consider ethical and professional considerations. Throughout the simulation good judgment and leadership play a key role, determining the players’ effectiveness, with the exercise itself hitting the aim of the integration of the various pedagogical goals. Finally, there are multiple layers of feedback that players receive prior to, during, and following the simulation to help them to gauge their effectiveness. The Socratic method in the course of doctrinal studies provides immediate assessment of the students’ grasp of the law. Written assignments focused on the contours of individual players’ authorities give professors an opportunity to assess students’ level of understanding prior to the simulation. And the simulation itself provides real-time feedback from both peers and professors. The Control Team provides data points for player reflection – for instance, the Control Team member playing President may make decisions based on player input, giving students an immediate impression of their level of persuasiveness, while another Control Team member may reject a FISC application as insufficient. The simulation goes beyond this, however, focusing on teaching students how to develop (6) opportunities for learning in the future. Student meetings with mentors in the field, which take place before the simulation, allow students to work out the institutional and political relationships and the manner in which law operates in practice, even as they learn how to develop mentoring relationships. (Prior to these meetings we have a class discussion about mentoring, professionalism, and feedback). Students, assigned to simulation teams about one quarter of the way through the course, receive peer feedback in the lead-up to the simulation and during the exercise itself. Following the simulation the Control Team and observers provide comments. Judges, who are senior members of the bar in the field of national security law, observe player interactions and provide additional debriefing. The simulation, moreover, is recorded through both the cyber portal and through VNN, allowing students to go back to assess their performance. Individual meetings with the professors teaching the course similarly follow the event. Finally, students end the course with a paper reflecting on their performance and the issues that arose in the course of the simulation, develop frameworks for analyzing uncertainty, tension with colleagues, mistakes, and successes in the future. B. Substantive Areas: Interstices and Threats As a substantive matter, NSL Sim 2.0 is designed to take account of areas of the law central to national security. It focuses on specific authorities that may be brought to bear in the course of a crisis. The decision of which areas to explore is made well in advance of the course. It is particularly helpful here to think about national security authorities on a continuum, as a way to impress upon students that there are shifting standards depending upon the type of threat faced. One course, for instance, might center on the interstices between crime, drugs, terrorism and war. Another might address the intersection of pandemic disease and biological weapons. A third could examine cybercrime and cyberterrorism. This is the most important determination, because the substance of the doctrinal portion of the course and the simulation follows from this decision. For a course focused on the interstices between pandemic disease and biological weapons, for instance, preliminary inquiry would lay out which authorities apply, where the courts have weighed in on the question, and what matters are unsettled. Relevant areas might include public health law, biological weapons provisions, federal quarantine and isolation authorities, habeas corpus and due process, military enforcement and posse comitatus, eminent domain and appropriation of land/property, takings, contact tracing, thermal imaging and surveillance, electronic tagging, vaccination, and intelligence-gathering. The critical areas can then be divided according to the dominant constitutional authority, statutory authorities, regulations, key cases, general rules, and constitutional questions. This, then, becomes a guide for the doctrinal part of the course, as well as the grounds on which the specific scenarios developed for the simulation are based. The authorities, simultaneously, are included in an electronic resource library and embedded in the cyber portal (the Digital Archives) to act as a closed universe of the legal authorities needed by the students in the course of the simulation. Professional responsibility in the national security realm and the institutional relationships of those tasked with responding to biological weapons and pandemic disease also come within the doctrinal part of the course. The simulation itself is based on five to six storylines reflecting the interstices between different areas of the law. The storylines are used to present a coherent, non-linear scenario that can adapt to student responses. Each scenario is mapped out in a three to seven page document, which is then checked with scientists, government officials, and area experts for consistency with how the scenario would likely unfold in real life. For the biological weapons and pandemic disease emphasis, for example, one narrative might relate to the presentation of a patient suspected of carrying yersinia pestis at a hospital in the United States. The document would map out a daily progression of the disease consistent with epidemiological patterns and the central actors in the story: perhaps a U.S. citizen, potential connections to an international terrorist organization, intelligence on the individual’s actions overseas, etc. The scenario would be designed specifically to stress the intersection of public health and counterterrorism/biological weapons threats, and the associated (shifting) authorities, thus requiring the disease initially to look like an innocent presentation (for example, by someone who has traveled from overseas), but then for the storyline to move into the second realm (awareness that this was in fact a concerted attack). A second storyline might relate to a different disease outbreak in another part of the country, with the aim of introducing the Stafford Act/Insurrection Act line and raising federalism concerns. The role of the military here and Title 10/Title 32 questions would similarly arise – with the storyline designed to raise these questions. A third storyline might simply be well developed noise in the system: reports of suspicious activity potentially linked to radioactive material, with the actors linked to nuclear material. A fourth storyline would focus perhaps on container security concerns overseas, progressing through newspaper reports, about containers showing up in local police precincts. State politics would constitute the fifth storyline, raising question of the political pressures on the state officials in the exercise. Here, ethnic concerns, student issues, economic conditions, and community policing concerns might become the focus. The sixth storyline could be further noise in the system – loosely based on current events at the time. In addition to the storylines, a certain amount of noise is injected into the system through press releases, weather updates, private communications, and the like. The five to six storylines, prepared by the Control Team in consultation with experts, become the basis for the preparation of scenario “injects:” i.e., newspaper articles, VNN broadcasts, reports from NGOs, private communications between officials, classified information, government leaks, etc., which, when put together, constitute a linear progression. These are all written and/or filmed prior to the exercise. The progression is then mapped in an hourly chart for the unfolding events over a multi-day period. All six scenarios are placed on the same chart, in six columns, giving the Control Team a birds-eye view of the progression. C. How It Works As for the nuts and bolts of the simulation itself, it traditionally begins outside of class, in the evening, on the grounds that national security crises often occur at inconvenient times and may well involve limited sleep and competing demands.171 Typically, a phone call from a Control Team member posing in a role integral to one of the main storylines, initiates play. Students at this point have been assigned dedicated simulation email addresses and provided access to the cyber portal. The portal itself gives each team the opportunity to converse in a “classified” domain with other team members, as well as access to a public AP wire and broadcast channel, carrying the latest news and on which press releases or (for the media roles) news stories can be posted. The complete universe of legal authorities required for the simulation is located on the cyber portal in the Digital Archives, as are forms required for some of the legal instruments (saving students the time of developing these from scratch in the course of play). Additional “classified” material – both general and SCI – has been provided to the relevant student teams. The Control Team has access to the complete site. For the next two (or three) days, outside of student initiatives (which, at their prompting, may include face-to-face meetings between the players), the entire simulation takes place through the cyber portal. The Control Team, immediately active, begins responding to player decisions as they become public (and occasionally, through monitoring the “classified” communications, before they are released). This time period provides a ramp-up to the third (or fourth) day of play, allowing for the adjustment of any substantive, student, or technology concerns, while setting the stage for the breaking crisis. The third (or fourth) day of play takes place entirely at Georgetown Law. A special room is constructed for meetings between the President and principals, in the form of either the National Security Council or the Homeland Security Council, with breakout rooms assigned to each of the agencies involved in the NSC process. Congress is provided with its own physical space, in which meetings, committee hearings and legislative drafting can take place. State government officials are allotted their own area, separate from the federal domain, with the Media placed between the three major interests. The Control Team is sequestered in a different area, to which students are not admitted. At each of the major areas, the cyber portal is publicly displayed on large flat panel screens, allowing for the streaming of video updates from the media, AP wire injects, articles from the students assigned to represent leading newspapers, and press releases. Students use their own laptop computers for team decisions and communication. As the storylines unfold, the Control Team takes on a variety of roles, such as that of the President, Vice President, President’s chief of staff, governor of a state, public health officials, and foreign dignitaries. Some of the roles are adopted on the fly, depending upon player responses and queries as the storylines progress. Judges, given full access to each player domain, determine how effectively the students accomplish the national security goals. The judges are themselves well-experienced in the practice of national security law, as well as in legal education. They thus can offer a unique perspective on the scenarios confronted by the students, the manner in which the simulation unfolded, and how the students performed in their various capacities. At the end of the day, the exercise terminates and an immediate hotwash is held, in which players are first debriefed on what occurred during the simulation. Because of the players’ divergent experiences and the different roles assigned to them, the students at this point are often unaware of the complete picture. The judges and formal observers then offer reflections on the simulation and determine which teams performed most effectively. Over the next few classes, more details about the simulation emerge, as students discuss it in more depth and consider limitations created by their knowledge or institutional position, questions that arose in regard to their grasp of the law, the types of decision-making processes that occurred, and the effectiveness of their – and other students’ – performances. Reflection papers, paired with oral briefings, focus on the substantive issues raised by the simulation and introduce the opportunity for students to reflect on how to create opportunities for learning in the future. The course then formally ends.172 Learning, however, continues beyond the temporal confines of the semester. Students who perform well and who would like to continue to participate in the simulations are invited back as members of the control team, giving them a chance to deepen their understanding of national security law. Following graduation, a few students who go in to the field are then invited to continue their affiliation as National Security Law fellows, becoming increasingly involved in the evolution of the exercise itself. This system of vertical integration helps to build a mentoring environment for the students while they are enrolled in law school and to create opportunities for learning and mentorship post-graduation. It helps to keep the exercise current and reflective of emerging national security concerns. And it builds a strong community of individuals with common interests. CONCLUSION The legal academy has, of late, been swept up in concern about the economic conditions that affect the placement of law school graduates. The image being conveyed, however, does not resonate in every legal field. It is particularly inapposite to the burgeoning opportunities presented to students in national security. That the conversation about legal education is taking place now should come as little surprise. Quite apart from economic concern is the traditional introspection that follows American military engagement. It makes sense: law overlaps substantially with political power, being at once both the expression of government authority and the effort to limit the same. The one-size fits all approach currently dominating the conversation in legal education, however, appears ill-suited to address the concerns raised in the current conversation. Instead of looking at law across the board, greater insight can be gleaned by looking at the specific demands of the different fields themselves. This does not mean that the goals identified will be exclusive to, for instance, national security law, but it does suggest there will be greater nuance in the discussion of the adequacy of the current pedagogical approach. With this approach in mind, I have here suggested six pedagogical goals for national security. For following graduation, students must be able to perform in each of the areas identified – (1) understanding the law as applied, (2) dealing with factual chaos and uncertainty, (3) obtaining critical distance, (4) developing nontraditional written and oral communication skills, (5) exhibiting leadership, integrity, and good judgment in a high-stakes, highly-charged environment, and (6) creating continued opportunities for self-learning. They also must learn how to integrate these different skills into one experience, to ensure that they will be most effective when they enter the field. The problem with the current structures in legal education is that they fall short, in important ways, from helping students to meet these goals. Doctrinal courses may incorporate a range of experiential learning components, such as hypotheticals, doctrinal problems, single exercises, extended or continuing exercises, and tabletop exercises. These are important classroom devices. The amount of time required for each varies, as does the object of the exercise itself. But where they fall short is in providing a more holistic approach to national security law which will allow for the maximum conveyance of required skills. Total immersion simulations, which have not yet been addressed in the secondary literature for civilian education in national security law, may provide an important way forward. Such simulations also cure shortcomings in other areas of experiential education, such as clinics and moot court. It is in an effort to address these concerns that I developed the simulation model above. NSL Sim 2.0 certainly is not the only solution, but it does provide a starting point for moving forward. The approach draws on the strengths of doctrinal courses and embeds a total immersion simulation within a course. It makes use of technology and physical space to engage students in a multi-day exercise, in which they are given agency and responsibility for their decision making, resulting in a steep learning curve. While further adaptation of this model is undoubtedly necessary, it suggests one potential direction for the years to come.

# 1NC K 2

#### Language is always already sexed- we should use this as a moment of rupture that recognizes language cannot be a political starting point because it’s always already patriarchal

Irigaray 85

[Luce Irigaray, 1985, “An Ethics of Sexual Difference”, uwyo//amp]

Nietzsche used to say that we would continue to believe in God as long as we believed in grammar. Yet even, or perhaps particularly after the fall of a certain God, discourse still defends its untouchable status. To say that discourse has a sex, especially in its syntax, is to question the last bastion of semantic order. It amounts to taking issue with the God of men in his most tradi-tional form. Even if language is emptied of meaning-or perhaps the more it is emptied of meaning?-respect for its technical architecture must remain intact. Discourse would be the erection of the totem and the taboo of the world of man. And the more man strives to analyze the world, the universe, himself, the more he seems to resist upsetting the foundations of discourse. His analysis would serve only to confirm and double discourse's immutability. From the start, discourse would be for man that other of nature, that mother, that nature-womb, within which he lived, survived, and risked being lost. The discourse that had been intended as his tool for breaking ground and cultivating the world changed into an intangible, sacred horizon for him. That which is most his own and yet most alien to him? His home within the universe. And, inside that tentacular technical machine that man has made, a machine that threatens him today, not only in stark reality but also by assimilation to his fantasies and the nightmares he has of a devouring mother, man seems to cling ever tighter to that semblance of familiarity he finds in both his everyday and his scientific discourse. As if that technical universe and that language were not his creation, which, because of its failure to preserve the other, fails to preserve him too. The work of his hand, in which he cannot even recognize himself, in which he has drowned the other, now threatens to drown him in turn. He has all the animist fears of a child in the face of nature. He is afraid to touch his machine in case it is activated by his approach, as if it were a mechanism owed respect because of its transcendence. Language, in all its shapes and sizes, would dimly represent for man the allpowerful and ever-unknown mother as well as the transcendent God. Both. Man cannot or will not recognize or reinterpret in his symbols this duality in his technical productions The most obvious symbol, that closest to hand and also most easily forgotten, is the living symbol of sexual difference. But theory would claim that this symbolizes only itself. And women would serve only as a potential symbol to be exchanged by men, by peoples, and would never achieve symbolism or be able to use symbols. 11 Does the symbol constituted by sexual difference implacably split into two? The female would fall into the category of fallow land, matter to be made into a product, or currency symbol, mother or virgin without any identity as a woman. The masculine would no longer enter into. the body or the flesh of the symbol but fashion it or pass it from hand to hand from the outside. The bond between or the function shared by the pieces would be achieved secretly thanks to the female; the exchange of symbols would be assured by the masculine. By serving in this way as mediation from within the symbol, the feminine would have no access to sharing, exchanging, or coining symbols. In particular, the mother-daughter relationship, the attraction between mother and daughter, would be hidden in the symbol. Daughters, wives, and indeed mothers would not have, or would no longer have, signs available for their own relationships, or the means of designating a reality transcendent to themselves-their Other, their God or divine being. No articulated language would help women escape from the sameness of man or from an uninhabitable sameness of their own, lacking a passage from the inside to the outside of themselves, among themselves. Because they are used in mediation, as mediators, women can have within themselves and among themselves a same, an Other only if they move out of the existing systems of exchange. Their only recourse is flight, explosion, implosion, into an immediate relationship to nature or to God.

#### Our alternative is silence as a method. Instead of assuming the revelation of the truth as the only way to achieve emancipation, we should explore the potential of silence as a route to liberation.

Wendy Brown, Professor of Political Theory @ UC Berkeley, 1996 (“Constitutions and 'Survivor Stories': In the 'folds of our own discourse' The Pleasures and Freedoms of Silence.” 3 U Chi L Sch Roundtable 185;)

But if these practices tacitly silence those whose experiences do not parallel those whose suffering is most marked (or whom the discourse produces as suffering markedly), they also condemn those whose sufferings they record to a permanent identification with that suffering. Here, we experience a temporal ensnaring in 'the folds of our own discourses' insofar as we identify ourselves in speech in a manner that condemns us to live in a present dominated by the past. But what if speech and silence aren't really opposites? Indeed, what if to speak incessantly of one's suffering is to silence the possibilities of overcoming it, of living beyond it, of identifying as something other than it? What if this incessant speech not only overwhelms the experiences of others, but alternative (unutterable? traumatized? fragmentary? inassimilable?) zones of one's own experience? Conversely, what if a certain modality of silence about one's suffering--and I am suggesting that we must consider modalities of silence as varied as modalities of speech and discourse--is to articulate a variety of possibilities not otherwise available to the sufferer? In The Drowned and the Saved, 24 Primo Levi offers drowning as a metaphor for the initial experience of entering concentration camps, particularly for those who did not speak German or Polish: " . . . filled with a dreadful sound and fury signifying nothing: a hubbub of people without names or faces drowned in a continuous, deafening background noise from which, however, the human word did not surface." 25 This is a drowning in a world of unfamiliar as well as terrifying words and noise, a world of no civil structure but so much humanity that one's own becomes a question. Primo Levi thus makes drowning function as a symbol for a lost linguistic order and as a sign of a lost civil order, for being at sea in words which do not communicate and by which one cannot communicate. 26 In a radically different context, Adrienne Rich also relates drowning to speech: "your silence today is a pond where drowned things live." 27 Allowing, perhaps perversely, the Rich to rest on the Levi, I wonder if Rich's line need only be read in its most obvious meaning-- as an injunction to speak or die, a mandate to speak in order to recover the drowned things, recover life. What if the accent marks were placed differently so that silence becomes a place where drowned things live, a place where Levi's drowning inmates survive despite being overwhelmed by the words which fill and consume the air necessary for life? What if the drowned things live in the pond, where it is silent, as they could not survive if brought back into the exposure of light and air, the cacophony of the Camp? What if silence is a reprieve from drowning in words which do not communicate or confer recognition, which only bombard or drown? 28 Of course, this possibility is heavy with paradox insofar as drowning already signals death and a pond where drowned things live therefore harbors death rather than life. But this paradox may also serve the other point I am after here: perhaps there are dead or deadening (anti-life) things which must be allowed residence in that pond of silence rather than surfaced into discourse if life is to be lived without being claimed by their weight. Certain experiences--concentration camp existence or childhood abuse--may conservatively claim their subjects when those experiences are incessantly remembered in speech, when survivors can only and always speak of what they almost did not survive and thus cannot break with that threat to live in a present not dominated by it. And what if this endless speaking about one's past of suffering is a means of attempting to excoriate guilt about what one did not do to prevent the suffering, an attempt which is doomed insofar as the speaking actually perpetuates by disavowing the guilt? 29 If to speak repeatedly of a trauma is a mode of encoding it as identity, it may be the case that drowned things must be consigned to live in a pond of silence in order to make a world--a future--that is other than them. Put slightly differently by Primo Levi, "a memory evoked too often, and in the form of a story, tends to become fixed in a stereotype . . . crystallized, perfected, adorned, installing itself in the place of the raw memory and growing at its expense." 30 Many feminist narratives of suffering would seem to bear precisely this character; rather than working through the "raw memo- ry" to a place of an emancipation, our discourses of survivorship become stories by which we live, or refuse to live, in the present. There is a fine but critical distinction here between on the one hand, re-entering a trauma, speaking its unspeakable elements, even politicizing it, in order to reconfigure the trauma and the traumatized subject, and on the other, retelling the trauma in such a way as to preserve by resisting the pain of it, and thus to preserve the traumatized subject. While such a distinction is probably not always sustainable, it may be all that secures the possibility that we dwell in neither a politics ofpain nor of pain's disavowal. Finally, I wonder if by putting all into discourse women do not risk sacrificing the rewards of the fragile hold some of us have acquired on autonomy, on the capacity to craft our own lives and experiences rather than living almost fully at the behest of others. If there are some experiences which, according to Hannah Arendt, "cannot withstand the glare of public light without being extinguished," 31 do we not set at risk this very recent acquisi- tion? Here I am thinking about the pleasures of creative writing and other artistic practices; therapeutic work intended to fortify and emancipate rather than discipline its subjects; relatively uncoerced sexual lives; and some modi- cum of choice in reproductive and mothering practices. When all such experi- ences are put into discourse--when our sexual, emotional, reproductive, and creative lives are all exhaustively chronicled--this would seem to imperil the experiences of autonomy, creation, and even privacy so long denied women and so hard won. Indeed, are we so accustomed to being without privacy and autonomy that we compulsively evade and sabotage them? Do we feel we have nothing of value to protect from public circulation and scrutiny? Are we compelled to reiterate the experience of the historically subordinated to be without a room of one's own, without a zone of privacy in which our lives go unreported, without a domain of creativity free from surveillance . . . this time by our own eyes? Are we so habituated to being watched that we cannot feel real, cannot feel our experiences to be real, unless we are watching and reporting them? Might we need to examine whether we eroticize the denigration in the conventional lack of privacy afforded women? Or are we still wres- tling with an insufficiently developed feminine ego, one which fears autonomy more than its absence? Cast in a different idiom, if femininity is, among other things, a disciplinary practice, Foucault reminds us that the good disciplinary subject is one who has fully introjected the surveillant gaze.

# 1NC K 2

#### The logic of testimony is flawed in its assumption that the confessional discourse can be controlled by and is limited in its effects on the confessing individual. Each time a woman takes a stand, her voice is recorded not as that of Jane Smith, but as that of all women. Individual testimony invariably comes to monopolize the meaning of womanhood in a way that establishes the story of greatest suffering as the highest truth of female identity.

Wendy Brown, Professor of Political Theory @ UC Berkeley, 1996 (“Constitutions and 'Survivor Stories': In the 'folds of our own discourse' The Pleasures and Freedoms of Silence.” 3 U Chi L Sch Roundtable 185; swp)

If, taken together, the two passages from Foucault we have been consider- ing call feminists to account in our compulsion to put everything about women into discourse, they do not yet exhaust the phenomenon of being ensnared 'in the folds of our own discourses.' For if the problem I have been discussing is easy enough to see--indeed, largely familiar to those who track techniques of co-optation--at the level of legal and bureaucratic discourse, it is altogether more disquieting when it takes the form of regulatory discourse in our own sub- and counter-cultures of resistance . . . when confessing injury becomes that which attaches us to the injury, paralyzes us within it, and prevents us from seeking or even desiring a status other than injured. In an age of social identification through attributes marked as culturally significant--gender, race, sexuality, and so forth--confessional discourse, with its truth-bearing status in a post-epistemological universe, not only regulates the confessor in the name of freeing her as Foucault described that logic, but extends beyond the confessing individual to constitute a regulatory truth about the identity group. Confessed truths are assembled and deployed as "knowledge" about the group. This phenomenon would seem to undergird a range of recurring troubles in feminism, from the "real woman" rejoinder to post-structuralist deconstructions of her, to totalizing descriptions of women's experience that are the inadvertent effects of various kinds of survivor stories. Thus, for example, the porn star who feels miserably exploited, violated and humiliated in her work invariably monopolizes the truth about sex work; as the girl with math anxieties constitutes the truth about women and math; as eating disor- ders have become the truth about women and food; as sexual abuse and viola- tion occupy the knowledge terrain of women and sexuality. In other words, even as feminism aims to affirm diversity among women and women's ex- periences, confession as the site of production of truth and its convergence with feminist suspicion and deauthorization of truth from other sources tends to reinstate a unified discourse in which the story of greatest suffering becomes the true story of woman. (I think this constitutes part of the rhetorical power of MacKinnon's work; analytically, the epistemological superiority of confes- sion substitutes for the older, largely discredited charge of false consciousness). Thus, the adult who does not suffer from her or his childhood sexual experi- ence, the lesbian who does not feel shame, the woman of color who does not primarily or "correctly" identify with her marking as such--these figures are excluded as bonafide members of the categories which also claim them. Their status within these discourses is that of being "in denial," "passing" or being a "race traitor." This is the norm-making process in feminist traditions of "breaking silence" which, ironically, silence and exclude the very women these traditions mean to empower**.** (Is it surprising, when we think in this vein, that there is so little feminist writing on heterosexual pleasure?)

#### The demand for solidarity and speaking out equate silence with weakness and forces women to participate in oppressive power structures

Ruffino, 2007

[Annamaria, MA Thesis @ LSU Dept of Comm. Studies, “UNCOMFORTABLE PERFORMANCES: DISCOVERING A SUBVERSIVE SCENARIO FOR RAPE DISCOURSE.” Online, <http://etd.lsu.edu/docs/available/etd-04042007-131147/unrestricted/THESIS.pdf>] /Wyo-MB

They suggest that representations of rape and rape survivor discourse have “paradoxically appeared to have empowering effects even while [they have] in some cases unwittingly facilitated the recuperation of dominant discourses” (263). This essay provides an excellent account of the process of normalizing the act of speaking out, through its analyses of rape discourse that occurs on both television talk-shows and in the courtroom2. While Alcoff and Gray’s work has been a primary influence on this present study, their essay does not theorize this process in terms of performance, nor does it provide adequate solutions to the problems it presents. If current performances of rape discourse no longer transgress the system, then why do we keep re-telling the same story over and over again? Alcoff and Gray note this problem: When breaking the silence is taken up as the necessary route to recovery or as a political tactic, it becomes a coercive imperative on survivors to confess, to recount our assaults, to give details, and even to do so publicly. Our refusal to comply might then be read as weakness of will or reenacted as victimization. (281) Through the inundation of survivor stories in various different media, the current tendency to equate silence automatically with shame could be a factor that causes women to engage in a type of victim rhetoric that further constitutes their oppression. And here we have a double bind that faces rape survivors: confess your detailed story, or live in shamed silence. Perform – or else. This double bind that faces rape survivors can be better articulated if we examine it through the theory of an emerging performance stratum. Jon McKenzie, in his book, Perform – or Else, presents this “perform – or else” double bind as endemic of the entire social system. Using a Forbes magazine cover as his point of departure, McKenzie claims that as a society, we are moving from the Foucauldian notion of discipline to performance as the onto-hisotrico formation of power and knowledge, which he names “performance stratum” (18). Foucault’s notion of discipline says that we moved from a society of sovereign power, in which a king enacted all punishments on the body, to a disciplinary power of institutions, wherein power worked on the person’s mind and body, thus creating a self-disciplining subject. Now, however, McKenzie shows that we are moving towards a performing power, which works on a person’s mind and body as well, but causes the person not only to self-discipline, but to perform that discipline, and perform it well. We moved from a public, sovereign policing force to disciplinary institutions instructing the subject to self-police in order to become a better person, to finally a performance stratum, which goads us to perform better. “‘Perform – or else’: this is the order word for the emerging performance stratum” (19). Throughout his overarching theory of the performance stratum, McKenzie demonstrates its various levels and building blocks, all the while maintaining the order word, or catch phrase “perform – or else.” I apply this double bind to the notion of victim rhetoric/confessional narrative surrounding rape survivors: perform your horrific story for our entertainment – or else get relegated to that place of shameful silence. A rape survivor’s two choices: confess – or repress; get named – or get shamed. Perform – or else.

#### The aff’s politics of visibility turn rape victims and “those who resist masculine oppression” into objects to be seen and manipulated

Ruffino, 2007

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This project also throws into question the politics of visibility and invisibility specifically as questioned by Peggy Phelan. In her book, Unmarked, Phelan discusses the possible trap of visibility – recognizing that “the binary between the power of visibility and the impotency of invisibility is falsifying” (6). Visibility does not always lead to political efficacy and power, just as invisibility does not necessarily signify a weakened political stance. While this may not always be the case, Phelan argues that visibility can lead to a fetishization of the other. Mary Daly describes the process of fetishization of the female as a three part process, beginning with how a woman is “condensed into particular parts/organs of her mind/body. A woman thus shrunken/frozen is manipulable/manageable. Her fetishizers feel potency/power.... And exercise this negative and derivative potency to dis-place [sic] her energy further and further from her center, fragmenting her process, devouring her” (235). Speaking out can lead to voyeuristic fetishism of the woman, specifically the violated woman. When women speak out against sexual violence, their voices and their bodies, pushed into the realm of the visible, become seen – become objects “to be looked at” rather than political agents. Phelan claims “representation is almost always on the side of the one who looks and almost never on the side of the one who is seen” (26). By suggesting that representation is always a one-sided venture, how do we escape the trap of visibility, while still retaining the political impulses that drive consciousness-raising groups and the power and value of “speaking out”?

#### The aff’s speaking out is a form confessional discourse that traps individuals within the confines of power, this narrativization is viewed as therapeutic which undermines its political power

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When women seek therapy for their rape, they engage in a type of confessional discourse. These women turn to professionals in an attempt to find comfort, healing, or absolution. Here we come to a current problematic regarding speaking out: when used as a means of therapy or confession, rape discourse can make survivors take responsibility for the rape through very subtle means. In History of Sexuality: Volume One, Foucault problematizes confessional discourse: The confession is a ritual of discourse in which the speaking subject is also the subject of the statement; it is also a ritual that unfolds within a power relationship, for one does not confess without the presence (or virtual presence) of a partner who is not simply the interlocutor but the authority who requires the confession, prescribes and appreciates it, and intervene in order to judge, punish, forgive, console, and reconcile. (61) Confessional discourse remains a normative discursive practice that keeps women in a place without power. The power in a confessional relationship always falls on the figure of authority, and the survivor is always in a position to seek legitimacy. Speaking out in some public arenas evokes this confessional feel, by encouraging women to tell their stories, be it on television, in books, or in magazines. These stories similarly imply that the rape survivor needs to confess, or rather perform, her story to an audience, which thus becomes the virtual authority figure Foucault describes. The confessional nature of these stories implies that the rape survivor has some sort of remaining guilt that needs to be shared in order to receive absolution. Dana Cloud offers an excellent account of how the rhetorics of therapy and confession attempt to contain potential political discourse by shifting it to the realm of therapy, thus making it about the personal and private. She continues this line of argument in a chapter dedicated towards feminism, and problematizes Consciousness Raising as a tool of therapeutic discourse.

#### Confession never takes place outside the relays of power. Confessing our sins may give us some sort of emotional release but, in that action, we neglect to see how that release reinforces the will of the master and sovereign. Thus, the act of confessing becomes a perpetual relay of normalization that destroys the possibility of resistance. Each link we win is an independent case turn and reason to reject case

Foucault 1978, (Michel, Former director @ the Institut Francais at Hamburg. The History of Sexuality Volume I. 1978. pgs 59-67)

The confession is a ritual of discourse in which the speaking subject is also the subject of the statement; it is also a ritual that unfolds within a power relationship, for one does not confess without the presence (or virtual presence) of a partner who is not simply the interlocutor but the authority who requires the confession, prescribes and appreciates it, and intervenes in order to judge, punish, forgive, console, and reconcile; a ritual in which the truth is corroborated by the obstacles and resistances it has had to surmount in order to be formulated; and finally, a ritual in which the expression alone, independently of its external consequences, produces intrinsic modifications in the person who articulates it: it exonerates, redeems, and purifies him; it unburdens him of his wrongs, liberates him, and promises him salvation. For centuries, the truth of sex was, at least for the most part caught up in this discursive form. Moreover, this form was not the same as that of education (sexual education confined itself to general principles and rules of prudence); nor was it that of initiation (which remained essentially a silent prac­tice, which the act of sexual enlightenment or deflowering merely rendered laughable or violent). As we have seen, it is a form that is far removed from the one governing the “erotic art.” By virtue of the power structure immanent in it, **the confessional discourse cannot come from above**, as in the ars erotica, through the sovereign will of a master, but rather from below, as an obligatory act of speech which, under some imperious compulsion, breaks the bonds of discretion or forgetfulness. What secrecy it presupposes is not owing to the high price of what it has to say and the small number of those who are worthy of its benefits, but to its obscure familiarity and its general baseness. Its veracity is not guaranteed by the lofty authority of the magistery, nor by the tradition it trans­mits, but by the bond, the basic intimacy in discourse, be­tween the one who speaks and what he is speaking about. On the other hand, the agency of domination does not reside in the one who speaks (for it is he who is constrained), but in **the one who listens** and says nothing; not in the one who knows and answers, but in the one who questions and is not supposed to know. And this discourse of truth finally takes effect, not in the one who receives it, but in the one from whom it is wrested. With these confessed truths, we are a long way from the learned initiations into pleasure, with their technique and their mystery. On the other hand, we belong to a society which has ordered sex’s difficult knowledge, not according to the transmission of secrets, but around the slow surfacing of confidential statements.

#### The alternative is to Clothesline debate

#### Clotheslines solves the aff and avoids the links to the k—allows criticism of society’s “dirty laundry” without causing personal narrativization

Ruffino, 2007

[Annamaria, MA Thesis @ LSU Dept of Comm. Studies, “UNCOMFORTABLE PERFORMANCES: DISCOVERING A SUBVERSIVE SCENARIO FOR RAPE DISCOURSE.” Online, <http://etd.lsu.edu/docs/available/etd-04042007-131147/unrestricted/THESIS.pdf>] /Wyo-MB

As I have addressed in the previous chapters, the ultimate problem with some attempts at rape discourse lies in the danger of its being co-opted back into the mainstream. However, as Alcoff and Gray suggest, there are transgressive performances that resist these possible normative functions. They explore possibilities to “give witness to sexual violence in ways that cannot be contained, recuperated, or ignored” (288). The Clothesline Project is one example of a minor performance that has subversive potential to give witness in this manner, and its tactics suggest possibilities for avoiding the double bind, “perform – or else.” In order to describe this potential, in this chapter, I explore how Peggy Phelan’s concepts of visibility and invisibility operate in the Clothesline Project. Further, working from Carol Blair et al’s reading of the Vietnam Veteran’s Memorial and Sonja K. Foss and Cindy L. Griffin’s concept of “invitational rhetoric,” I view the Clothesline Project as a post-modern memorial, actively engaging in an invitational form of rhetoric and performance. Background of the Clothesline Project Inspired by the AIDS quilt project, the Clothesline Project began in 1990 on Hyannis, Massachusetts, the brain-child of Rachel Carey-Harper, originally part of Cape Cod’s “Take Back the Night March” (http://www.clotheslineproject.org). Since then, the Clothesline Project has toured around the country, with many places starting up their own versions of the project. Patricia Hipple, in her unpublished doctoral dissertation entitled, “Hegemonic Disguise in Resistance to Domination: The Clothesline Project’s Response to Male Violence Against Women,” describes the Clothesline Project as an event that “uses art, ritual, and folklore practices to resist gender domination. As an example of women’s expressive folk culture, the Clothesline Project constitutes and conveys the political discourse of women subjugated by sexism and gendered violence” (7). The Clothesline Project works to generate discourse regarding violence against women (not limited to rape) via the trope of hanging laundry.8 This action serves many purposes. It acts as an educational tool for those who come to view the Clothesline; it becomes a healing tool for anyone who wants to make a shirt – by hanging the shirt on the line, survivors, friends and family can literally turn their backs on some of that pain of their experience and walk away; and finally, it allows those who still suffer in silence to understand that they are not alone. Participants can choose to draw a picture, write a story, or sign their names on the shirts, whatever they feel comfortable sharing. These clothes do not tell a graphic story of each woman’s experience; there is simply not enough room on a shirt for the whole story. The t-shirts, like the TAASA and LAFSA commercials examined in Chapter Two, work enthmematically, refusing the closure of a whole story. The shirt simply hangs on a clothesline. Since the graphic stories of lived experience are not always told on the t-shirts, the Clothesline Project created a code – wherein each t-shirt represents a specific type of violence: White represents women who died because of violence; Yellow or beige represents battered or assaulted women; Red, pink, and orange are for survivors of rape and sexual assault; Blue and green t-shirts represent survivors of incest and sexual abuse; Purple or lavender represents women attacked because of their sexual orientation; Black is for women attacked for political reasons. (www.clotheslineproject.org) 8 See Patricia Hipple for a more in depth study on the history of the Clothesline Project. She provides close readings of the metaphors of hanging laundry, women’s work with textiles and clothing, and other clothesline metaphors. This color code is not definitive. The website describes how many Clothesline Project events have used different color schemes, such as a color designated for handicapped women or for gang rape. Some sites have also bought a bulk of one color t-shirt, for economic reasons, using the same color shirt to denote all of the above experiences. The Clothesline Project website encourages the use of t-shirts only, and ask that participants do not place pants or underwear on the clothesline. This may be because more intimate apparel could have an adverse effect for survivors who attend a Clothesline Project event. Also, t-shirts are inexpensive, light, and easy to transport, so there are pragmatic and functional reasons behind using t- shirts. Another possible reason for a t-shirt is that this piece of clothing can be considered a commercialized space. Many t-shirts have slogans, advertisements, or other maxims emblazoned across the front and back. This space can be seen as another marker of our identities, for many people wear advertisements for their favorite music, movies, activities, sports teams, etc. We identify ourselves by our choices in apparel, and t-shirt design is no exception. Instead of using the t-shirt as a marker of pop culture identity, the Clothesline Project employs the t-shirt as a political identity, giving space for identification of sexual violence. The t-shirt and clothesline also provide a synecdoche of the domestic private sphere. By forcing this trope out into the open as a canvas used to tell stories of violence, “it physically breaches the divide between the private and public spheres” (Hipple 159). Hanging laundry is domestic activity, usually associated with the quotidian activities of women in the domestic sphere. The Clothesline Project enacts a parodic performance of domesticity as a means of disruption. Ruth Laurion Bowman suggests that “the rhetorical construction of the domestic sphere as a private and ‘sacred’ compliment to what became the ‘profane’ public sphere” (117). Since the Clothesline Project brings the once secret and private concerns of violence against women into the public, profane space, the performance enacts a parodic breach between these two spheres by airing society’s “dirty laundry.” Not only is this move an act of parody, but it is also a disruptive act, one that grabs attention, and literally brings the private into the public and political eye. The Clothesline Project is not only politically disrupting, it is also visually so; the colorful displays arrest the eye and draw the attention of passersby. I attended a Clothesline Project at Mississippi State University in September of 2006. Walking by the clotheslines, I could not help but be drawn into the event. About two dozen shirts hung on four separate clotheslines each, marking the space as a three dimensional safe space for women to participate in the construction of survivor discourse. The clotheslines fluttered in the wind, one after another, creating a literal multidimensional space to walk through, around, and among a multiplicity of shirts and messages. The clotheslines, positioned in the Drill Field, an open space in the middle of campus, stood out against the backdrop of the campus. The event took place in late September on a beautiful sunny day, with just enough wind to make the t-shirts dance. There was nothing else immediately surrounding the clotheslines – the image of multiple t-shirts of various colors protruded into my field of vision. I had to squint in order to block out the sun and the bright colors of the t-shirts. This disruption provides a visual counterpoint for the silence, and brings violence against women, something that is considered very private, to the forefront. Patricia Hipple further examines this breach, stating that, “The Clothesline...takes images associated with the private, the domestic, and the compliant and thrusts them into the public forum. It juxtaposes soft fabric and sensual images with scenes of rape, domestic violence, battery, assault, and murder to condemn male aggression and domination” (160). Through this juxtaposition, the Clothesline Project brings the private out into the public, showing and telling the invisible stories of women to a public that is further invited to participate in this sort of shared storytelling. However, while the invisible stories are made visible, this project throws into question the politics of visibility and invisibility specifically questioned by Peggy Phelan, and especially with regard to women’s bodies.

# Case

#### Trading narrative for the ballot commodifies 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. n196 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, n197 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" n198 and into a valuable intellectual [\*1283] asset in an academy that requires its members to publish. n199 Accordingly, we must be skeptical of the assertion that the outsiders' splendid publication record is itself sufficient evidence of the success of their endeavor. n200

Certainly, publication of a best seller may transform its author's life, with the resulting commercial success and academic renown. n201 As one critic of autobiography puts it, "failures do not get published." n202 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. n203 What good does this transformation do for outsiders who are less fortunate and less articulate than middle-class law professors? n204 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." n205

#### Making debate a “safe space” for people to express their identity presumes that space CAN be made “safe”- all people are implicate in heteropatriarchy, white supremacy, settler colonialism, and capitalism in SOME way means their impact is inevitable and they mask their participation in oppression

Smith 2013

[Andrea Smith, 2013, The Problem with “Privilege”, <http://andrea366.wordpress.com/2013/08/14/the-problem-with-privilege-by-andrea-smith/>, uwyo//amp]

This kind of politics then challenges the notions of “safe space” often prevalent in many activist circles in the United States. The concept of safe space flows naturally from the logics of privilege. That is, once we have confessed our gender/race/settler/class privileges, we can then create a safe space where others will not be negatively impacted by these privileges. Of course because we have not dismantled heteropatriarchy, white supremacy, settler colonialism or capitalism, these confessed privileges never actually disappear in “safe spaces.” Consequently, when a person is found guilty of his/her privilege in these spaces, s/he is accused of making the space “unsafe.” This rhetorical strategy presumes that only certain privileged subjects can make the space “unsafe” as if everyone isn’t implicated in heteropatriarchy, white supremacy, settler colonialism and capitalism. Our focus is shifted from the larger systems that make the entire world unsafe, to interpersonal conduct. In addition, the accusation of “unsafe” is also levied against people of color who express anger about racism, only to find themselves accused of making the space “unsafe” because of their raised voices. The problem with safe space is the presumption that a safe space is even possible.¶ By contrast, instead of thinking of safe spaces as a refuge from colonialism, patriarchy, and white supremacy, Ruthie Gilmore suggests that safe space is not an escape from the real, but a place to practice the real we want to bring into being. “Making power” models follow this suggestion in that they do not purport to be free of oppression, only that they are trying to create the world they would like to live in now. To give one smaller example, when Incite! Women of Color Against Violence, organized, we questioned the assumption that “women of color” space is a safe space. In fact, participants began to articulate that women of color space may in fact be a very dangerous space. We realized that we could not assume alliances with each other, but we would actually have to create these alliances. One strategy that was helpful was rather than presume that we were acting “non-oppressively,” we built a structure that would presume that we were complicit in the structures of white supremacy/settler colonialism/heteropatriarchy etc. We then structured this presumption into our organizing by creating spaces where we would educate ourselves on issues in which our politics and praxis were particularly problematic. The issues we have covered include: disability, anti-Black racism, settler colonialism, Zionism and anti-Arab racism, transphobia, and many others. However, in this space, while we did not ignore our individual complicity in oppression, we developed action plans for how we would collectively try to transform our politics and praxis. Thus, this space did not create the dynamic of the confessor and the hearer of the confession. Instead, we presumed we are all implicated in these structures of oppression and that we would need to work together to undo them. Consequently, in my experience, this kind of space facilitated our ability to integrate personal and social transformation because no one had to anxiously worry about whether they were going to be targeted as a bad person with undue privilege who would need to publicly confess. The space became one that was based on principles of loving rather than punitive accountability.

#### They use the narratives of other women—this is a parasitic cannibalism that profits off their experiences for a ballot

Nietzsche, 1906 (Friedrich, philosopher published posthumously by his sell out sister, “The Will To Power” Online, MB)

75 (1885) An able craftsman or scholar cuts a fine figure when he takes pride in his art and looks on life content and satisfied. But nothing looks more wretched than when a shoemaker or schoolmaster gives us to understand with a suffering mien that he was really born for something better. There is nothing better than what is good-- and good is having some ability and using that to create, Tuchtigkeit or virtu in the Italian Renaissance sense. Today, in our time when the state has an absurdly fat stomach, there are in all fields and departments, in addition to the real workers, also "representatives"; e. g., besides the scholars also scribblers, besides the suffering classes also garrulous, boastful peter-do-wells who "represent" this suffering, not to speak of the professional politicians who are well off while "representing" distress with powerful lungs before a parliament. Our modern life is extremely expensive owing to the large number of intermediaries; in an ancient city, on the other hand, and, echoing that, also in many cities in Spain and Italy, one appeared oneself and would have given a hoot to such modern representatives and intermediaries--or a kick! 76 (Spring-Fall 1887) The predominance of dealers and intermediaries in spiritual matters, too: the scribbler, the "representative," the historian (who fuses past and present), the exotician and cosmopolitan, the intermediaries between science and philosophy, the semitheologians. 77(1883-1888) Nothing to date has nauseated me more than the parasites of the spirit: in our unhealthy Europe one already finds them everywhere--and they have the best conscience in the world. Perhaps a little dim, a little air pessimiste, but in the main voraclous, dirty, dirtying, creeping in, nestling, thievish, scurvy--and as innocent as all little sinners and microbes. They live off the fact that other people have spirit and squander it: they know that it is of the very essence of the rich spirit to squander itself carelessly, without petty caution, from day to day.--For the spirit is a bad householder and pays no heed to how everybody lives and feeds on it.

#### That is worse than anything that is happening to the people they speak about because the aff just uses them—turns the case and takes out solvency the exploitation of the aff is the same types of privilege and power they criticize

Bruckner, 1986 (Pascal, "The Tears of the White Man: Compassion as Contempt." Pg ix)

(.The Tears of the White Man is a critique of "Third-Worldism," a set of attitudes toward underdeveloped countries and the West that has flourished, mainly among left-wing intellectuals and jour­nalists, over the last 20 years. It is based on a conviction that the countries of the Third World—countries as different as Costa Rica and Libya, and the Philippines and Cambodia—have long been victims of the West. They have had their resources stolen by imperialist colonialists or multinational corporations, their cultures destroyed by commercialism and exploitation, their pastoral sensitivity toward nature corrupted by industry and pollution. But .Bruckner's thesis is that it is the passionate Third-Worldist who is most often exploiting the poor nations. Starving people are carefully chosen or ignored, depending on whether they can be portrayed to suit specific political programs. Bruckner, himself active in a humanitarian relief organization, argues that the much-touted compassion of most Third-Worldists is really a form of contempt, because thev use the suffering of others for their own ideological purposes. As soon as these miserable folk have served their purpose or begin to act in ways that contradict Third-Worldist fantasies, they are promptly forgotten.

#### Their excessive male/female distinction causes the heterosexual complex to reaffirm its domination – turns case

Prasad ’12 (Ajnesh, Australian School of Business, “Beyond analytical dichotomies,” Human Relations May 2012 vol. 65 no. 5 567-595)

A related stream of poststructuralist-inflected scholarship reveals how sexual identities that are predicated on ontological sexual difference produce heteronormativity, which can be described as the ‘the normative idealization of heterosexuality’ (Hird, 2004: 27) or ‘the centrality of heterosexual norms in social relations’ (Pringle, 2008: S111). While feminists have long critiqued the tacit and the explicit claims of ontological sexual difference, essentialist definitions of ‘female’ and ‘male’ continue to prevail in popular culture and in certain academic disciplines (Frye, 1996).12 On this point, Hird (2004) adopts a position in feminist science studies to develop a substantive critique into how the ontology of sexual difference is often rendered concrete in research propagated by the ‘natural’ – and particularly, the ‘biological’ – sciences (also see Martin, 1991). The influence of ontological sexual difference within and outside of academia, lends credence to Broadbridge and Hearn’s (2008: S39) recent observation that, ‘[s]ex and sex differences are **still often naturalized as fixed**, or almost fixed, in biology’. It is equally important to note, here, that the alchemy of ontological sexual difference is wholly dependent upon the patriarchal conflation of ‘biological’ sex and ‘cultural’ gender (Hird, 2004). As Pringle (2008: S112; also see Borgerson and Rehn, 2004) notes, ‘[g]ender [does] not avoid the oppositional duality embodied in the concept of sex, but reflect[s] the **interdependent relationship of masculinity and femininity’**. This reflection pivots on genital determinism, which declares that males naturally embrace masculinity while females naturally embrace femininity (Bornstein, 1994; Hird, 2000). This initial conflation of sex and gender leads to the conventional model of heterosexuality, which dictates that a man will ‘desire-to-be’ a male and will ‘desire-for’ a female, while a woman will ‘desire-to-be’ a female and will ‘desire-for’ a male (Sinfield, 2002: 126). **It is precisely these corresponding relationships whereby the ‘heterosexual matrix’ is constructed** (Butler, 1990). According to Butler, this matrix serves as the ‘grid of cultural intelligibility through which bodies, gender, and desires are naturalized’ (see Ringrose, 2008: 511).13

#### Debate and liberal democracy solicit forms of dissent to ensure that nothing ever fundamentally changes—they more they speak out the more things remain the same

Zizek 2001

[Slavoj, Pro-surfer, “Repeating Lenin,” 2001, [www.marxists.org/reference/subject/philosophy/works/ot/zizek1.htm](http://www.marxists.org/reference/subject/philosophy/works/ot/zizek1.htm), Acc. 8-20-04]

What are we to say to this? Again, the problem resides in the implicit qualifications which can be easily discerned by the "concrete analysis of the concrete situation," as Lenin himself would have put it. "Fidelity to the democratic consensus" means the acceptance of the present liberal-parlamentary consensus, which precludes any serious questioning of how this liberal-democratic order is complicit in the phenomena it officially condemns, and, of course, any serious attempt to imagine a society whose socio-political order would be different. In short, it means: say and write whatever you want - on condition that what you do does not effectively question or disturb the predominant political consensus. So everything is allowed, solicited even, as a critical topic: the prospects of a global ecological catastrophe, violations of human rights, sexism, homophobia, antifeminism, the growing violence not only in the far-away countries, but also in our megalopolises, the gap between the First and the Third World, between the rich and the poor, the shattering impact of the digitalization of our daily lives... there is nothing easier today than to get international, state or corporate funds for a multidisciplinary research into how to fight the new forms of ethnic, religious or sexist violence. The problem is that all this occurs against the background of a fundamental Denkverbot, the prohibition to think. Today's liberal-democratic hegemony is sustained by a kind of unwritten Denkverbot similar to the infamous Berufsverbot in Germany of the late 60s - the moment one shows a minimal sign of engaging in political projects that aim to seriously challenge the existing order, the answer is immediately: "Benevolent as it is, this will necessarily end in a new Gulag!" The ideological function of the constant reference to the holocaust, gulag and the more recent Third World catastrophes is thus to serve as the support of this Denkverbot by constantly reminding us how things may have been much worse: "Just look around and see for yourself what will happen if we follow your radical notions!" And it is exactly the same thing that the demand for "scientific objectivity" means: the moment one seriously questions the existing liberal consensus, one is accused of abandoning scientific objectivity for the outdated ideological positions. This is the point on which one cannot and should not concede: today, the actual freedom of thought means the freedom to question the predominant liberal-democratic "post-ideological" consensus - or it means nothing.

#### Forcing discussion of sexual violence in the classroom – and the use of personal narratives – triggers crises for former victims. Neg students should not be obligated to clash – it is your responsibility as an educator to offer help outside the competitive environment –

Durfee, assistant professor in the women and gender studies program at Arizona State University, and Rosenberg, doctoral candidate in women studies at the University of Washington in Seattle, 2009

(Alesha and Karen, “Teaching Sensitive Issues: Feminist Pedagogy and the Practice of Advocacy-Based Counseling,” *Feminist Teacher*, Vol 19, No 2, Muse)

As instructors of courses that focus on social problems, we have found that many students have personal connections to the course material, having had similar experiences or having witnessed a friend or relative struggle with these issues. These types of personal connections to course material sometimes trigger crises for our students or bring existing crises to our attention. This may happen for several reasons. First, in our classes that focus on domestic violence, some students feel shame or guilt about their experiences. For example, survivors of domestic violence may feel "ashamed" of their abuse, want [End Page 103] to "keep the incident private," or feel that their descriptions of their experiences would not be believed if they shared them with others (Tjaden and Thoennes 50). This may happen in other disciplines or types of classes where the students self-identify as someone who has experienced the topic at hand. For example, a psychology, biology, or medical student previously diagnosed as bipolar may be ashamed or embarrassed by a conversation about human biochemistry, mental disorders, medications, or therapeutic techniques.

Second, many of the teaching materials used by instructors are inherently emotive. Instructors often choose to incorporate materials such as personal narratives or movies that include dramatizations of incidents in an attempt to generate interest and stimulate discussion. These materials may overlap across disciplines. For example, a film about radiation sickness after the bombing of Hiroshima could be used in classes ranging from a "chemistry in context" course to a twentieth century history course to an international relations course. Similarly, material from the murder of Amish schoolgirls or the shootings at Virginia Tech could be used in sociology, women's studies, psychology, or anthropology courses. Unsurprisingly, these materials evoke a wide range of responses from students—including shock, disbelief, anger, tears, and/or depression—that can even compel some students to physically leave the classroom.

Finally, the dynamics of the classroom environment itself can exacerbate responses to the course material. Students come from a wide range of backgrounds and experiences, and most do not know each other. This can create problems when discussing emotionally charged subjects. For example, discussions about domestic violence are often difficult to negotiate in the classroom, as domestic violence intersects with deeply held beliefs about gender, sexuality, family, and religion. Even to come up with a definition of what actions can be considered "domestic violence" can quickly reveal schisms within the classroom as to the rights and responsibilities accorded to various members of the family unit.

Discussions within the classroom linking inequalities in the social structure with oppression often include stereotypical images of both the marginalized and the privileged and rely on cognitive schemas to explain and justify these social roles as well as to proscribe and prescribe behavior. These stereotypical images and norms for behavior are quite limiting and rarely reflect lived experience. Students may feel they have been victimized, but if they feel that their experiences, behaviors, or emotions do not fit into stereotypical images of victimization, they may question whether their claims of victimization are legitimate. Similarly, disjunctures exist between popularized images of oppressors and students who relate stories that reveal their exploitation of others.

After these types of lectures and classroom discussions, students who have a personal connection with these issues will often contact professors. Students may reach out because they believe their instructor to be an "expert" on the topic, because the issue is no longer taboo (since it was discussed in class), and/or because they perceive that the instructor will not be judgmental. This may be done in a number of different ways—through a phone call, an email after class, a note written on a quiz or in-class assignment, a post on a class listserve, a meeting during office hours, or a simple after-class conversation. [End Page 104] It can take different forms—a confessional statement that the student has experienced these issues in the past, an offer to share personal experiences with others, a query for help for the student or a "friend," or an expression of frustration about how the topic has been framed in class or in society. After a lecture on the impacts of the drug Rohypnol (an illegal but commonly used "date rape" drug) on human physiology, a student in Alesha's Women in Contemporary Society course told her, "last semester I would have been bored by this stuff, like a lot of the other students during lecture today, but I wish they would pay attention, because these things really do happen—it happened to me last week at a party."

As social scientists, these dynamics intrigued us; as instructors, we recognized that the problems that have arisen during our classes were not solely our students' problems. Rather, it was our responsibility to create a non-oppressive classroom. When we discussed these issues with other instructors, we realized that these types of reactions were quite common, even across disciplines. An instructor teaching a Science and Society course commented, "even though my lectures don't normally elicit these kinds of things, I had a student write a note to me the other day on their in-class assignment, telling me about their 'friend's problem.'"

#### Their reliance on identity-based paradigms of knowledge results in the same form of categorization that causes the aff

Katyal ’06 (Sonia, Associate Professor of Law @ Fordham, “Sexuality and Sovereignty: The Global Limits and Possibilities of a Lawrence,” William and Mary Bill of Rights Journal Vol. 14, Issue 4)

Yet this overreliance on identity-based paradigms of equality all too often illuminates a troubling paradox. 4 6 The seductive power of categorization the notion of gay personhood tethers the very premise of liberation to the same categories as those that **originated in order to oppress**. These categories **quite strategically** either erase or **overlook the rich and complicated tapestry of human sexuality and identity,** potentially excluding vast numbers of individuals whose self-perception may fall outside of the interstices of gay, lesbian, bisexual, or heterosexual identity categories. 4 7 Often, categories of sexual identity assume a particular fixedness that may often diverge from social norms, and may fail to play out in terms of one's behaviors, tastes, and social roles. As Hunter explains: The civil rights claim remains the most powerful device for securing equality in American society, yet is premised on recognition of a coherent group identity. What often goes unspoken in the assertion of such a claim is the tension between the desire to deconstruct the imprisoning category itself and the **need to defend those persons who are disadvantaged** because they bear the group label. 4 8 Hunter's eloquent observation, I suggest, represents a critical crossroads for gay and lesbian rights, particularly globally, where the language of gay liberation has often faced audiences in other cultures whose social norms might actively challenge the universality of such categories. In short, exceptions to the general categories of gay, lesbian, or bisexual identity are everywhere, even despite their seeming clarity. 4 9

#### This is separate from T – but changing the topic to sexual violence in particular triggers disclosures among students

Branch, PhD, University of Tampa, et al, 2011

(Kathryn, “Professors’ Experiences With Student Disclosures of Sexual Assault and Intimate Partner Violence: How “Helping” Students Can Inform Teaching Practices,” http://www.academia.edu/495531/Professors\_Experiences\_with\_Student\_Disclosures\_of\_Sexual\_Assault\_and\_Domestic\_Violence)

The majority of the participants in the current sample explained that they believed the subject matter of the classes they were teaching (e.g., family violence and victimology) might have triggered student disclosures. Some participants explained that some student survivors took their course on sensitive topics not knowing certain material would be discussed in class and/or not realizing how discussing sensitive topics would affect them. Faculty can prepare students by being specific in their syllabi about when the topic will be discussed in class. If the class material is indeed serving as a potential trigger for student disclosures, faculty members teaching courses on sensitive topics (e.g., family violence and victimology) could take Murphy-Geiss’s (2008) suggestions and approach the course and the course material in an interactive manner. For example, faculty may consider adding a service-learning component to their class. This could be beneficial for both nonsurvivors and survivors in the course by exposing the prevalence of violence against women and offering a way for students to process their victimization experience. The specifics of the requirement would be left up to the discretion of the individual professor but could include activities like participation in a Take Back the Night event on campus, participation in the Clothesline project, working with a rape crisis counseling center, working with a domestic violence shelter, and so on.

#### Their narratives make men feel guilty and cause them to kill themselves

Bruckner 83 (Pascal, French journalist and critic, “Tears of the White Man: Compassion as Contempt” p. 146-147 mac/ljm)

The foregoing teaches us this: that hatred of the West is really a hatred of all cultures concentrated on a single one. In the beginning, one finds nothing loveable in oneself, but in the end, one loses the ability to love others. If the value attached to other cultures is in proportion to the disdain for our own, it is certain that this fascination will decline as one is reconciled with one’s own society, or at best will linger in a kind of esthetic eclecticism. A doctrine that preaches the liberation of the human race cannot possibly be based on the hatred of an entire civilization. Man does not work to diminish but to increase himself, and there is every reason to mistrust a form of humanism that begins by leaving out a quarter of the surface of the globe and calling for the consignment of a whole society to hatred and oblivion. The great religions, philosophies, and belief systems are so linked to one another that to reject one is to reject all. The futile hope that the systematic cultivation of shame will miraculously open us up to far-off societies, and wipe away misunderstandings. Some may say this sense of guilt is our last chance to retain some modicum of respect for the oppressed. But this is pure cynicism, because it means admitting that, aside from a vague feeling of unease, there is nothing that ties us to them. The proclaimed abandonment of Eurocentrism is still an involuntary act, and the first precondition of the acceptance of others is a consensus about our respect from our own culture. Let us become our own friends first, so that we can become friends of others again. If we are tired of our own existence, others are of little use. To love the Third World, for it to have a future, does not require a repudiation of Europe, and the future of industrialized countries does not require that they forget the nations of the Southern hemisphere. Every self-destructive wish carries with it a generalized negativity that envisions the end of the world.