

Interpretation: Critical alts must be specific, solvent actions implemented by a single actor. The alternative must have a solvency advocate that explains the implementation of the policy, and cannot fiat a rejection, mindset shift, or just accepting redefinitions

Violation: (what is their utopian alt) reject techno cap is their alt

Standards:

1 – Shiftiness:

If the alt is too vague, I can't generate offense – they can be shifty and rearticulate in back half speeches, which decimates our stasis which is the only basis for strategy. This uniquely harms novices who don't know what to ask or don't know how the kritik operates. Crossfire checks fail because

1. If I can't understand what the alt is or how it operates, I don't even know what clarification questions to ask
2. They can just repeat the vague form of their alt in cross only to clarify it for the judge later

2 – Real World Education:

Revolutionary movements need specification - nobody knows what they're fighting for and everyone disagrees on how to do it - anything else means their strategy either gets co-opted by infighting or redefines the alt, making the K useless. Without real world education, they have no solvency because the alt can't do anything effectively if there's no specific methodology for doing so.

3 – Strat Skew:

Vague alts skew my strategy because I don't know how the alt is implemented so I can't read solvency deficits or link turns. Strat skew also turns the K; if my opponent is vague and shifty then they undermine real world movements

- Outweighs since fiat is illusory

4 – Reciprocity:

Without a concrete policy action alt with solvency, they can win by only showing something bad about my advocacy or state of affairs, and then claim utopian fiat through mindset shifts. For example, I can't show that the world of the alt is more capitalist if the alt is "reject capitalism" which destroys my ability to turn the K destroying fairness since winning any disadvantage to the aff is sufficient to win but I can't prove a disadvantage to their world.

- a) The only way to solve this would be to give a utopian fiat, in which case I fiat away all of their disadvantages and all of my advantages, meaning I win on a post-fiat level and outweigh the K.

Voters:

Education — It's the reason why schools fund debate and the only portable skill.

Fairness: debate is a game if it wasn't fair people would drop out which would destroy the activity; is a prerequisite to the K because you don't even get the ability to dismantle (whatever they said)

Drop the debater – Voting for us sets a precedent in favor of a positive model of debate—wins and losses determine the direction of activity.

**THEORY > K BC WHAT STOPS U FROM TAKING 5 HOUR LONG REBUTTALS -
PROCEDURAL FAIRNESS COMES FIRST AND U AGREE BECAUSE U ABIDE BY SPEECH
TIMES SO THEORY MUST COME FIRST**

ON k

**Take us out of their offense – we don't support ai at all, we are just in the role of aff
If they say res link, that's in**

Reject Resolutional links

1—specificity: resolution links don't critique any of our arguments, just the general concept of affirming/negating. Doesn't make sense because we were forced to affirm/negate because of the coin flip. Impact is fairness

2—clash: specific and representational links better for nuanced argumentation about rhetoric and its effects. Resolutional links destroy this, impact is education

Education is the only reason schools fund debate and debate cannot be properly evaluated if unfair: the implication is drop the argument: drop the resolution link.

SO we dont advocate for cybernetics

Also, they say gen ai surveillance not gen ai in education, so its not topical anyways

Perm – perm the alt and vote for reject utopian alt, we arent supporting ai so we can accept the alt

Net benefit is to make better norms through theory, so their K has better alts

No reason they have solvency as neg

Process turn – using debate as medium ensures the failure of their activism – competition means debaters ally themselves with individuals who vote for them and alienate those who are positioned with the burden of rejoinder and forced to negate.

Ritter '13 [Michael; September; JD, University of Texas Law School, BA, Trinity University; The National Journal of Speech & Debate, “Overcoming the Fiction of “Social Change Through Debate”: What's to Learn from 2PAC's Changes,” vol. 2]

The Fiction

The idea or proposition that competitive interscholastic debate can result in social change is properly characterized as a fiction because it is false and has not been proven true. The proposition that debate rounds can create social change is a fiction because it is false on a theoretical level. Those who attempt to apply theories about academic debate (i.e. arguments published in books and journals by PhDs who argue about concepts within their respective fields of study), social movements,

rhetorical acts, and performances are not discussing competitive interscholastic debate. Philosophers and rhetorical theorists have never written an article or book using competitive interscholastic debate as an example of the effectiveness of a communication strategy (at least not successes outside of a debate round). Their theories draw upon historical (i.e. anecdotal) examples to demonstrate their theories. None of them have ever cited a debate round or “debate movement” as an example of their theories.²⁶ Those who attempt to apply academic theories to competitive interscholastic debate (primarily communications academics, who also frequently happen to be participants in the debate community), decontextualize the broader theories to apply them to competitive interscholastic debate without adequately accounting for the competitive and interscholastic structures of competitive interscholastic debate.²⁷

Although some “competition” is part of any debate, this part is more accurately described as the presence of seemingly conflicting positions, which is discussed above and exemplified by the Tarantino hypothetical. In social movements or public debate, there are two (or more) apparently conflicting positions. Competitive interscholastic debate is uniquely different because there is not a possibility for compromise on the ultimate question of who did the better debating; most tournaments prohibit double wins, and no debaters would agree to a double loss. The competition is absolute; one side must win and one side must lose. This is radically different from the ability of individuals to be persuaded by the other side of a social movement. The switching of sides outside of the debate context comes from a person’s willingness to be persuaded by a particular position; it is not forced by tournament rules. Thus, the competitive structures of competitive interscholastic debate render the applicability of philosophical or rhetorical theory inapplicable to the extent that it does not account for particular competitive interscholastic debate context.

The unique structures of debate rounds rob all arguments or positions therein (or in a series of rounds) of any persuasive value beyond the very narrow issue of “which side did the better debating.” The competitive element and tournament structure of competitive interscholastic debate taint all positions proffered in a debate round to create social change with a stench of “I am actually lying about my goals; I am clearly just using this argument to win the ballot.” Even debates about how debates should proceed (i.e. theory arguments or arguments about the practices in debate, or “meta-debate” (debates about debate)) are not proffered for the truth of the proposition, but to win the debate. The audience—only the judge—is solely concerned with the ultimate question: “Which side did the better debating?” Competitive interscholastic debate is certainly a venue in which students can become aware of societal issues and topics of concern. But the persuasive value of arguments presented in a debate round to convince debaters of the truth of either side on a topic is virtually nil.²⁸

Students will generally form opinions about issues they learn about in a debate round outside of their debate rounds. The issues debaters become aware of include issues external to debate (e.g. affirmative action, foreign policy) and issues internal to debate (e.g. theory, community issues). When debaters choose to bring those issues into a debate round, they necessarily use those issues as a competitive means to the ultimate end of convincing the judge that they did the better debating. This requires the opposing team to adopt a competitive counterstrategy to that position; it forecloses the option of the opposing team being fully persuaded by the other team’s position. Even an attempt to “compromise” via a permutation (as a competitive strategy rather than a persuasive position) will meet vigorous, usually pre-scripted opposition. As a result, any in-round action (whether a speech act or the judge voting for one team or the other) will have no out-of-round effect consistent with or contemplated by any cited authors or postulated by the high school or college student making the assertion.

CROB FOR PRE FIAT OFFENSE AND WEIGHING

The 1NC's value stands on its own---responding to it with judgment and the ballot is a hollow validation that siphons off political energy and draws them into the oppressive gaze of the academy---vote Negative to decline affirmation

Phillips 99 – Dr. Kendall R. Phillips, Professor of Communication at Central Missouri State University, PhD in Speech Communication from Pennsylvania State University, MA in Speech Communication from Central Missouri State University, BS in Psychology and Sociology from Southwest Baptist University, “Rhetoric, Resistance, and Criticism: A Response to Sloop and Ono”, *Philosophy & Rhetoric*, Volume 32, Number 1, p. 96-101

My concern with this movement centers around an issue that Sloop and Ono seem to take as a given, namely, the role of the critic. On one hand, calling for the systematic investigation of existing marginalized discourses is a natural extension both of critical rhetoric (see McKerrow 1989, 1991) and of the general ideological turn in criticism (see Wander 1983). On the other hand, the ease of transition from criticism in the service of resistance to criticism of resistance may obscure the need to address some fundamental issues regarding the general function of rhetorical criticism in an uncertain and contentious world. Beyond licensing the critic to engage in political struggle, Sloop and Ono advocate the pursuit of covert resistant discourses.

Such a move not only stretches our understanding of rhetoric and criticism, but also alters significantly the relationship between critic and out-law. Critical interrogation of dominant discursive practices in the service of political/cultural reform is supplanted in favor of positioning covert out-law communities as objects of investigation. Invited to seek out subversive discourses, the critic is positioned as the active agent of change and the out-law discourse becomes merely instrumental. Rather than academic criticism acting in service of everyday acts of resistance, everyday acts of resistance are put into the service of academic criticism.

Rhetorical resistance

That we are "caught within conflicting logics of justice that are culturally struggled over" (Sloop and Ono 1997, 50) and that rhetoric is employed in these struggles seems an uncontroversial statement. Despite the theoretical miasma surrounding judgment, Sloop and Ono accurately note, the material process of rendering judgments (and of disputing the logics of litigation) continues in the world of actually practiced discourse. In the materially contested world, rhetoric is utilized both by those seeking to secure the grounds of dominant judgment and by those seeking to undermine or supplant dominant cultural logics with some out-law notion of justice.

The distinction between these two cultural groups, "in-law" and out-law, however, deserves some consideration prior to any discussion of the role of the critic as implied in the out-law discourse project. The discourse of the dominant or those within the bounds of superordinate logics of litigation is reminiscent of Michel De Certeau's (1984) strategic discourse. For De Certeau, strategies are utilized by those who have authority by virtue of their proper position. Strategies exploit the institutionally guaranteed background consensus by which power relations (and litigations) are maintained and advanced. In contrast, tactics are utilized by those having no proper place of authority within the discursive economy who must seek opportunities whereby the discourse of the dominant might be undermined and contested. To extend Sloop and Ono's definition, out-law discourses are those that can (and, by their analysis, do) take advantage of situations (e.g., race riots) to disrupt the regularity of dominant cultural groups.

The ongoing struggle between strategically instituted cultural dominants and the "out-law always lurk[ing] in the distance" (66) is acknowledged, even celebrated, by Sloop and Ono. What their acknowledgment fails to provide, however, is a clear need for critical intervention. Indeed, quite the reverse is presented: It is the critic (particularly the left-leaning critic) who needs out-law discourse. While the struggles over justice, equality, and freedom have gone on, the left-leaning critics are those who have theoretically excluded themselves from the disputes. The study of out-law discourses, then, provides a means to reinvigorate the intellectual and re-institute (academic) leftist thinking

into popular political struggles (53-54). Thus, Sloop and Ono's project incorporates three types of rhetoric: the rhetoric of the in-law, presumably the traditional object of critical attention; the rhetoric of the out-law, the study of which may transform our understanding of judgment as well as reinvigorate leftist democratic critiques; and the rhetoric of the critics who, having lost their political potency, can exploit the discourse of the out-law to promote ideological struggles. It is to this critical rhetoric that I now turn.

Resistance criticism

Sloop and Ono (1997) clearly state the relationship they envision between the rhetorical critic and out-law discourse: "Ultimately, we will argue that the role of critical rhetoricians is to produce 'materialist conceptions of judgment,' using out-law judgments to disrupt dominant logics of judgment" (54; emphasis added). Here the critic seeks out vernacular discourse (60), focuses on the methods and values embodied in these communities (62), listens to and evaluates the out-law community (62-63), and chooses appropriate discourses for the purpose of disrupting dominant practices (63). Essentially, it is the critic who seeks out marginalized discourses and returns them to the center for the purpose of provoking dominant cultural groups (63).

Despite acknowledging the efficacy of out-law discourses, Sloop and Ono assume that the critiques generated and presented by the out-law community have only minimal effect. The irony, and indeed arrogance, of this assumption is evident when they claim: "There are cases, however, when, without the prompting of academic critics, out-law discourses serve local purposes at times and at others resonate within dominant discourses, disrupting sedimented ways of thinking, transforming dominant forms of judgment" (60; emphasis added). Sloop and Ono seem to suggest that such locally generated critiques are the exception, whereas the political efficacy of the academic critic is the rule. This seems an odd claim, given that the justification for their out-law discourse project is the lack of politically viable academic critique and the perceived potency of out-law conceptions of judgment. Their suggestion that out-law communities are in need of the academic critic contradicts not only the already disruptive nature of existing out-law discourses (the grounds for using out-law discourse), but also the impotence of contemporary critical discourse (the warrant for studying out-law discourse).

By this I do not mean that the critiques and theories generated by academically instituted intellectuals have not been incorporated into subversive discourses. Just as out-law discourses inevitably mount critiques of dominant logics, so, too, the perspectives on rhetoric and criticism generated by academics are used in resistance movements. Feminist critiques of patriarchy, queer theories of homophobia, postcolonial interrogations of race have found their way into the service of resistant groups. The key distinction I wish to make is that the existence of criticism (academic or self-generated) in resistance does not necessitate Sloop and Ono's move to a criticism of resistance.

What Sloop and Ono fail to offer is an adequate argument for "taking public speaking out of the streets and studying it in the classroom, for treating it less as an expression of protest" (Wander 1983, 3) and more as an object for analysis and reproduction within the political economy of the academy. Philip Wander made a similar charge against Herbert Wicheln's early critical project, and this concern should remain at the forefront of any discussion aimed at expanding the scope and function of criticism. Sloop and Ono offer numerous directives for the critic without addressing whether the critic should be examining out-law discourses in the first place. While it is too early to suggest any definitive answer to the question of criticism of resistance, some preliminary arguments as to why critics should not pursue out-law discourses can be offered:

(1) Hidden out-law discourses may have good reasons to stay hidden. Sloop and Ono specifically instruct us that "the logic of the out-law must constantly be searched for, brought forth" (66) and used to disrupt dominant practices. But are we to believe that all out-law discourses are prepared to mount such a challenge to the dominant cultural logic? Or, indeed, that the members of out-law communities are prepared to be brought into the arena of public surveillance in the service of reconstituting logics of litigation? It seems highly unlikely that all divergent cultural groups have developed equally, or that all members of these groups share Sloop and Ono's "imperial impulse" (51) to promote their conceptions and practices of justice.

(2) Academic critical discourse is not transparent. Here I allude to the overall problem of translation (see Foucault 1994; Lyotard 1988; Lyotard and Thebaud 1985; Zabus 1995) as an extension of the previous concern. Critical discourse cannot become the medium of commensurability for divergent language games. Are we to believe that the "use" of out-law discourse by critics to disrupt dominant practices can fail to do violence to these diverse/divergent logics? Are out-law discourses merely tools to be exploited and discarded in the pursuit of returning leftist academic discourse to the center?

(3) Perhaps the academic translation of out-law discourse could be true to the internal logic of the out-law community. And, perhaps the re-presentation of out-law logic within the academic community will bestow a degree of legitimacy on the out-law community. Nonetheless, the effect of legitimizing out-law discourse is unknown and potentially destructive. In an effort to siphon the political energy of out-law discourse into academic

practice, we may ultimately destroy the dissatisfaction that serves as a cathexis for these out-law discourses. It seems possible that academic recognition might take the place of struggle for material opportunities (see Fraser 1997). But, will academic legitimization create any material changes in the conditions

of out-law communities? I mean to suggest, not that it is better to allow the out-law community to suffer for its cause, but rather that incorporating the struggle into an (admittedly) impotent academic critique does not offer a prima facie alternative.

(4) Criticism of resistance denies the practical and theoretical importance of opportunity. Returning to De Certeau's notion of tactics, the crucial element of these discursive moves is their use of opportunity to disrupt the proper authority of the dominant. The kairos of intervention provides the key to undermining "in-law" discourses. But when is the "right moment in time" for the academic reproduction of out-law discourse? Mapping the points of resistance (ala Foucault and Biesecker) entails interrogating "in-law" discourses for their incongruities and contradictions, not turning the academic gaze upon those communities waiting for an opportunity. Out-laws do not lurk in the forefront (66), hoping to be exposed by academic critics; they wait for the right moment for their disruption. Rhetoricians can provide rhetorical instructions for seeking opportunities and for exploiting these opportunities (literally making the culturally weaker argument the stronger), but this does not justify interrogating (intervening in) the cultural logics of the marginalized.

The concerns raised here are not designed to dismiss Sloop and Ono's provocative essay. The divergent critical logic they outline deserves careful consideration within the critical community, and it is my hope that the concerns I raise may help to further problematize the relationship between

resistance and rhetorical criticism.

Rhetorical criticism

As I have suggested, my purpose is to use the provocative nature of Sloop and Ono's project to extend disputes regarding the ends of rhetorical criticism. Diverging perspectives on the ends of criticism have been categorized by Barbara Warnick (1992) as falling along four general lines: artist, analyst, audience, and advocate. Leah Ceccarelli (1997) discerns similar categories around the aesthetic, epistemic, and political ends of rhetorical criticism.

The out-law discourse project presents clear ties to the notion of critic as advocate. For Sloop and Ono, the critic is an interested party, discerning (and at times disputing) the underlying values and forces contained within a discourse. Additionally, however, the out-law discourse critic is an analyst focusing on the hidden, aberrant texts of the out-law and "rendering] an incoherent or esoteric text comprehensible" (Warnick 1992, 233). Now, I am not suggesting that a critic must serve only one function or that the roles of advocate and analyst are mutually exclusive; rather, these entanglements of power (political ends) and knowledge (epistemic ends) are inevitable. My concern is that we not neglect the complexity of these entanglements. Turning covert out-law discourses into objects of our analyses runs the risk of subjecting them both to the gaze of the dominant and to the power relations of the academy. As the works of Michel Foucault (especially 1979, 1980) aptly illustrate, practices presented as extending such noble goals as emancipation and humanity may endow institutions of confinement and objectification. Any justification for studying out-law discourse because doing so may extend our political usefulness in the pursuit of emancipatory goals must not obscure the already existing power relations authorizing such studies. Our attempts to extend our domains of knowledge and expertise (authority) must not be pursued unreflexively.