# 1NC

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#### 1. Interpretation: The role of the ballot is to determine if the enactment of a topical plan is better than the status quo or a competitive option. The 1ac must read and defend the implementation of such a topical plan.

#### 2. Violation:

#### Authority is the legal right to take action, power is the ability to do so

Forsythe and Hendrickson 96

[David P. Forsythe, Professor and Chair of Political Science University of Nebraska-Lincoln, Ryan C. Hendrickson, Ph.D. Candidate University of Nebraska-Lincoln. “U.S. Use of Force Abroad: What Law for the President?” Presidential Studies Quarterly, Vol. 26, No. 4]

The crisis is most precisely about authority, not power. Authority, in the legal sense, concerns ¶ the right to do something. Power refers to the capability to do something. Part of the problems ¶ in the U.S. constitutional crisis over use of force abroad is that the president has the power to ¶ make war, and to obtain congressional deference most of the time, whatever the proper under ¶ standing of authority.

Statutory restrictions are limits on authority by congress

Blacks Online Legal Dictionary 13

(2nd Edition, http://thelawdictionary.org/statutory-restriction/)

Statutory Restriction- Limits or controls that have been place on activities by its ruling legislation.

#### Judicial restrictions are court enforced interpretations of statutory restrictions

Barron ‘08

David J. Barron, Professor of Law, Harvard Law School, & Martin S. Lederman,

Visiting Professor of Law, Georgetown University Law Center, 2008, “THE

COMMANDER IN CHIEF AT THE LOWEST EBB - FRAMING THE PROBLEM, DOCTRINE, AND

ORIGINAL UNDERSTANDING,” Harvard Law Review, January, pp. LN.

4. Judicial Enforcement of Implied Statutory Restrictions. - The way the Supreme Court¶ approaches war powers generally, when combined with the increased mass of potentially¶ relevant legislative restrictions on the conduct of this military conflict, further increases the likelihood that the "lowest ebb" issue will be joined in the future. Principles of deference to executive¶ authority tend to dominate academic discussion of statutory interpretation and war powers. As we have indicated, however,¶ Hamdan, Youngstown, and other modern war powers cases demonstrate that the Court cannot be counted on to give the President¶ the benefit of the doubt. And in many war powers cases, the Court has been perfectly willing to¶ construe ambiguous statutory language against certain background rules that it presumes¶ Congress intended to honor, n84 including a presumption that the Executive must [\*719] comply with the laws of war.¶ n85 This general and longstanding judicial willingness to find implied limitations in ambiguous¶ texts concerning the use of military force and national security powers is sometimes¶ controversial. But whether justified or not, such an interpretive approach is of particular import now,¶ given the sheer mass of preexisting statutes potentially applicable to the conflict with al¶ Qaeda and the likelihood that this body of law will grow. Executive branch lawyers may be hard-pressed to advise their client¶ agencies that creative construction can overcome the apparent statutory restrictions, at least if there is a reasonable prospect of¶ judicial review (as there often will be in the war on terrorism due to its peculiar domestic connections). Instead, the prospect of¶ judicial review will impel these lawyers to advise that the courts could well construe the potentially restrictive¶ language to impose hard constraints on the Executive's preferred course of conduct - and that only¶ the assertion of a superseding constitutional power of the President could, possibly, overcome such limits. Thus, the relatively weak¶ deference the Court has long shown the President in many war powers cases, when combined with the relatively high likelihood in¶ the war on terrorism of the applicability of restrictive but ambiguous statutory language and a justiciable case to hear, make¶ constitutional assertions of preclusive executive powers a more likely occurrence than war powers scholarship typically assumes.

#### 3. Vote Negative:

#### A) Decisionmaking - a limited topic of discussion that provides for equitable ground is key to decision-making and advocacy skills

Steinberg & Freeley 8

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

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

#### Discussion of specific policy-questions is crucial for skills development – it overcomes preconceived ideological notions and breaks out of traditional pedagogical frameworks by positing students as agents of decision-making

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\*Jane Esberg is special assistant to the director at New York University's Center on. International Cooperation. She was the winner of 2009 Firestone Medal, AND \*\*Scott Sagan is a professor of political science and director of Stanford's Center for International Security and Cooperation “NEGOTIATING NONPROLIFERATION: Scholarship, Pedagogy, and Nuclear Weapons Policy,” 2/17 The Nonproliferation Review, 19:1, 95-108

These government or quasi-government think tank simulations often provide very similar lessons for high-level players as are learned by students in educational simulations. Government participants learn about the importance of understanding foreign perspectives, the need to practice internal coordination, and the necessity to compromise and coordinate with other governments in negotiations and crises. During the Cold War, political scientist Robert Mandel noted how crisis exercises and war games forced government officials to overcome ‘‘bureaucratic myopia,’’ moving beyond their normal organizational roles and thinking more creatively about how others might react in a crisis or conflict.6 The skills of imagination and the subsequent ability to predict foreign interests and reactions remain critical for real-world foreign policy makers. For example, simulations of the Iranian nuclear crisis\*held in 2009 and 2010 at the Brookings Institution’s Saban Center and at Harvard University’s Belfer Center, and involving former US senior officials and regional experts\*highlighted the dangers of misunderstanding foreign governments’ preferences and misinterpreting their subsequent behavior. In both simulations, the primary criticism of the US negotiating team lay in a failure to predict accurately how other states, both allies and adversaries, would behave in response to US policy initiatives.7 By university age, students often have a pre-defined view of international affairs, and the literature on simulations in education has long emphasized how such exercises force students to challenge their assumptions about how other governments behave and how their own government works.8 Since simulations became more common as a teaching tool in the late 1950s, educational literature has expounded on their benefits, from encouraging engagement by breaking from the typical lecture format, to improving communication skills, to promoting teamwork.9 More broadly, simulations can deepen understanding by asking students to link fact and theory, providing a context for facts while bringing theory into the realm of practice.10 These exercises are particularly valuable in teaching international affairs for many of the same reasons they are useful for policy makers: they force participants to ‘‘grapple with the issues arising from a world in flux.’’11 Simulations have been used successfully to teach students about such disparate topics as European politics, the Kashmir crisis, and US response to the mass killings in Darfur.12 Role-playing exercises certainly encourage students to learn political and technical facts\* but they learn them in a more active style. Rather than sitting in a classroom and merely receiving knowledge, students actively research ‘‘their’’ government’s positions and actively argue, brief, and negotiate with others.13 Facts can change quickly; simulations teach students how to contextualize and act on information.14

#### Switch-side is key - effective deliberation is crucial to the activation of personal agency and is only possible in a switch-side debate format where debaters divorce themselves from ideology to engage in political contestation – the impact is mass violence

Roberts-Miller 3

Patricia Roberts-Miller 3 is Associate Professor of Rhetoric at the University of Texas "Fighting Without Hatred:Hannah Ar endt ' s Agonistic Rhetoric" JAC 22.2 2003

Totalitarianism and the Competitive Space of Agonism¶ Arendt is probably most famous for her analysis of totalitarianism (especially her The Origins of Totalitarianism andEichmann in Jerusa¬lem), but the recent attention has been on her criticism of mass culture (The Human Condition). Arendt's main criticism of the current human condition is that the common world of deliberate and joint action is fragmented into solipsistic and unreflective behavior. In an especially lovely passage, she says that in mass society people are all imprisoned in the subjectivity of their own singular experience, which does not cease to be singular if the same experience is multiplied innumerable times. The end of the common world has come when it is seen only under one aspect and is permitted to present itself in only one perspective. (Human 58)¶ What Arendt so beautifully describes is that isolation and individualism are not corollaries, and may even be antithetical because obsession with one's own self and the particularities of one's life prevents one from engaging in conscious, deliberate, collective action. Individuality, unlike isolation, depends upon a collective with whom one argues in order to direct the common life. Self-obsession, even (especially?) when coupled with isolation from one' s community is far from apolitical; it has political consequences. Perhaps a better way to put it is that it is political precisely because it aspires to be apolitical. This fragmented world in which many people live simultaneously and even similarly but not exactly together is what Arendt calls the "social."¶ Arendt does not mean that group behavior is impossible in the realm of the social, but that social behavior consists "in some way of isolated individuals, incapable of solidarity or mutuality, who abdicate their human capacities and responsibilities to a projected 'they' or 'it,' with disastrous consequences, both for other people and eventually for themselves" (Pitkin 79). One can behave, butnot act. For someone like Arendt, a German-assimilated Jew, one of the most frightening aspects of the Holocaust was the ease with which a people who had not been extraordinarily anti-Semitic could be put to work industriously and efficiently on the genocide of the Jews. And what was striking about the perpetrators of the genocide, ranging from minor functionaries who facilitated the murder transports up to major figures on trial at Nuremberg, was their constant and apparently sincere insistence that they were not responsible. For Arendt, this was not a peculiarity of the German people, but of the current human and heavily bureaucratic condition of twentieth-century culture: we do not consciously choose to engage in life's activities; we drift into them, or we do them out of a desire to conform. Even while we do them, we do not acknowledge an active, willed choice to do them; instead, we attribute our behavior to necessity, and we perceive ourselves as determined—determined by circumstance, by accident, by what "they" tell us to do. We do something from within the anonymity of a mob that we would never do as an individual; we do things for which we will not take responsibility. Yet, whether or not people acknowledge responsibil¬ity for the consequences of their actions, those consequences exist. Refusing to accept responsibility can even make those consequences worse, in that the people who enact the actions in question, because they do not admit their own agency, cannot be persuaded to stop those actions. They are simply doing their jobs. In a totalitarian system, however, everyone is simply doing his or her job; there never seems to be anyone who can explain, defend, and change the policies. Thus, it is, as Arendt says, rule by nobody.¶ It is illustrative to contrast Arendt's attitude toward discourse to Habermas'. While both are critical of modern bureaucratic and totalitar¬ian systems, Arendt's solution is the playful and competitive space of agonism; it is not the rational-critical public sphere. The "actual content of political life" is "the joy and the gratification that arise out of being in company with our peers, out of acting together and appearing in public, out of inserting ourselves into the world by word and deed, thus acquiring and sustaining our personal identity and beginning something entirely new" ("Truth" 263). According to Seyla Benhabib, Arendt's public realm emphasizes the assumption of competition, and it "represents that space of appearances in which moral and political greatness, heroism, and preeminence are revealed, displayed, shared with others. This is a competitive space in which one competes for recognition, precedence, and acclaim" (78). These qualities are displayed, but not entirely for purposes of acclamation; they are not displays of one's self, but of ideas and arguments, of one's thought. When Arendt discusses Socrates' thinking in public, she emphasizes his performance: "He performed in the marketplace the way the flute-player performed at a banquet. It is sheer performance, sheer activity"; nevertheless, it was thinking: "What he actually did was to make public, in discourse, the thinking process" {Lectures 37). Pitkin summarizes this point: "Arendt says that the heroism associated with politics is not the mythical machismo of ancient Greece but something more like the existential leap into action and public exposure" (175-76). Just as it is not machismo, although it does have considerable ego involved, so it is not instrumental rationality; Arendt's discussion of the kinds of discourse involved in public action include myths, stories, and personal narratives.¶ Furthermore, the competition is not ruthless; it does not imply a willingness to triumph at all costs. Instead, it involves something like having such a passion for ideas and politics that one is willing to take risks. One tries to articulate the best argument, propose the best policy, design the best laws, make the best response. This is a risk in that one might lose; advancing an argument means that one must be open to the criticisms others will make of it. The situation is agonistic not because the participants manufacture or seek conflict, but because conflict is a necessary consequence of difference. This attitude is reminiscent of Kenneth Burke, who did not try to find a language free of domination but who instead theorized a way that the very tendency toward hierarchy in language might be used against itself (for more on this argument, see Kastely). Similarly, Arendt does not propose a public realm of neutral, rational beings who escape differences to live in the discourse of universals; she envisions one of different people who argue with passion, vehemence, and integrity.¶ Continued…¶ Eichmann perfectly exemplified what Arendt famously called the "banal¬ity of evil" but that might be better thought of as the bureaucratization of evil (or, as a friend once aptly put it, the evil of banality). That is, he was able to engage in mass murder because he was able not to think about it, especially not from the perspective of the victims, and he was able to exempt himself from personal responsibility by telling himself (and anyone else who would listen) that he was just following orders. It was the bureaucratic system that enabled him to do both. He was not exactly passive; he was, on the contrary, very aggressive in trying to do his duty. He behaved with the "ruthless, competitive exploitation" and "inauthen-tic, self-disparaging conformism" that characterizes those who people totalitarian systems (Pitkin 87).¶ Arendt's theorizing of totalitarianism has been justly noted as one of her strongest contributions to philosophy. She saw that a situation like Nazi Germany is different from the conventional understanding of a tyranny. Pitkin writes,¶ Totalitarianism cannot be understood, like earlier forms of domination, as the ruthless exploitation of some people by others, whether the motive be selfish calculation, irrational passion, or devotion to some cause. Understanding totalitarianism's essential nature requires solving the central mystery of the holocaust—the objectively useless and indeed dysfunctional, fanatical pursuit of a purely ideological policy, a pointless process to which the people enacting it have fallen captive. (87)¶ Totalitarianism is closely connected to bureaucracy; it is oppression by rules, rather than by people who have willfully chosen to establish certain rules. It is the triumph of the social.¶ Critics (both friendly and hostile) have paid considerable attention to Arendt's category of the "social," largely because, despite spending so much time on the notion, Arendt remains vague on certain aspects of it. Pitkin appropriately compares Arendt's concept of the social to the Blob, the type of monster that figured in so many post-war horror movies. That Blob was "an evil monster from outer space, entirely external to and separate from us [that] had fallen upon us intent on debilitating, absorb¬ing, and ultimately destroying us, gobbling up our distinct individuality and turning us into robots that mechanically serve its purposes" (4).¶ Pitkin is critical of this version of the "social" and suggests that Arendt meant (or perhaps should have meant) something much more complicated. The simplistic version of the social-as-Blob can itself be an instance of Blob thinking; Pitkin's criticism is that Arendt talks at times as though the social comes from outside of us and has fallen upon us, turning us into robots. Yet, Arendt's major criticism of the social is that it involves seeing ourselves as victimized by something that comes from outside our own behavior. I agree with Pitkin that Arendt's most powerful descriptions of the social (and the other concepts similar to it, such as her discussion of totalitarianism, imperialism, Eichmann, and parvenus) emphasize that these processes are not entirely out of our control but that they happen to us when, and because, we keep refusing to make active choices. We create the social through negligence. It is not the sort of force in a Sorcerer's Apprentice, which once let loose cannot be stopped; on the contrary, it continues to exist because we structure our world to reward social behavior. Pitkin writes, "From childhood on, in virtually all our institutions, we reward euphemism, salesmanship, slo¬gans, and we punish and suppress truth-telling, originality, thoughtful-ness. So we continually cultivate ways of (not) thinking that induce the social" (274). I want to emphasize this point, as it is important for thinking about criticisms of some forms of the social construction of knowledge: denying our own agency is what enables the social to thrive. To put it another way, theories of powerlessness are self-fulfilling prophecies.¶ Arendt grants that there are people who willed the Holocaust, but she insists that totalitarian systems result not so much from the Hitlers or Stalins as from the bureaucrats who may or may not agree with the established ideology but who enforce the rules for no stronger motive than a desire to avoid trouble with their superiors (see Eichmann and Life). They do not think about what they do. One might prevent such occurrences—or, at least, resist the modern tendency toward totalitarian¬ism—by thought: "critical thought is in principle anti-authoritarian" (Lectures 38).¶ By "thought" Arendt does not mean eremitic contemplation; in fact, she has great contempt for what she calls "professional thinkers," refusing herself to become a philosopher or to call her work philosophy. Young-Bruehl, Benhabib, and Pitkin have each said that Heidegger represented just such a professional thinker for Arendt, and his embrace of Nazism epitomized the genuine dangers such "thinking" can pose (see Arendt's "Heidegger"). "Thinking" is not typified by the isolated con¬templation of philosophers; it requires the arguments of others and close attention to the truth. It is easy to overstate either part of that harmony. One must consider carefully the arguments and viewpoints of others:¶ Political thought is representative. I form an opinion by considering a given issue from different viewpoints, by making present to my mind the standpoints of those who are absent; that is, I represent them. This process of representation does not blindly adopt the actual views of those who stand somewhere else, and hence look upon the world from a different perspective; this is a question neither of empathy, as though I tried to be or to feel like somebody else, nor of counting noses and joining a majority but of being and thinking in my own identity where actually I am not. The more people's standpoints I have present in my mind while I am ponder¬ing a given issue, and the better I can imagine how I would feel and think if I were in their place, the stronger will be my capacity for represen¬tative thinking and the more valid my final conclusions, my opinion. ("Truth" 241)¶ There are two points to emphasize in this wonderful passage. First, one does not get these standpoints in one's mind through imagining them, but through listening to them; thus, good thinking requires that one hear the arguments of other people. Hence, as Arendt says, "critical thinking, while still a solitary business, does not cut itself off from' all others.'" Thinking is, in this view, necessarily public discourse: critical thinking is possible "only where the standpoints of all others are open to inspection" (Lectures 43). Yet, it is not a discourse in which one simply announces one's stance; participants are interlocutors and not just speakers; they must listen. Unlike many current versions of public discourse, this view presumes that speech matters. It is not asymmetric manipulation of others, nor merely an economic exchange; it must be a world into which one enters and by which one might be changed.¶ Second, passages like the above make some readers think that Arendt puts too much faith in discourse and too little in truth (see Habermas). But Arendt is no crude relativist; she believes in truth, and she believes that there are facts that can be more or less distorted. She does not believe that reality is constructed by discourse, or that truth is indistinguishable from falsehood. She insists tha^ the truth has a different pull on us and, consequently, that it has a difficult place in the world of the political. Facts are different from falsehood because, while they can be distorted or denied, especially when they are inconvenient for the powerful, they also have a certain positive force that falsehood lacks: "Truth, though powerless and always defe ated in a head-on clash with the powers that be, possesses a strength of its own: whatever those in power may contrive, they are unable to discover or invent a viable substitute for it. Persuasion and violence can destroy truth, but they cannot replace it" ("Truth" 259).¶ Facts have a strangely resilient quality partially because a lie "tears, as it were, a hole in the fabric of factuality. As every historian knows, one can spot a lie by noticing incongruities, holes, or the j unctures of patched-up places" ("Truth" 253). While she is sometimes discouraging about our ability to see the tears in the fabric, citing the capacity of totalitarian governments to create the whole cloth (see "Truth" 252-54), she is also sometimes optimistic. InEichmann in Jerusalem, she repeats the story of Anton Schmidt—a man who saved the lives of Jews—and concludes that such stories cannot be silenced (230-32). For facts to exert power in the common world, however, these stories must be told. Rational truth (such as principles of mathematics) might be perceptible and demonstrable through individual contemplation, but "factual truth, on the contrary, is always related to other people: it concerns events and circumstances in which many are involved; it is established by witnesses and depends upon testimony; it exists only to the extent that it is spoken about, even if it occurs in the domain of privacy. It is political by nature" (23 8). Arendt is neither a positivist who posits an autonomous individual who can correctly perceive truth, nor a relativist who positively asserts the inherent relativism of all perception. Her description of how truth functions does not fall anywhere in the three-part expeditio so prevalent in bothrhetoric and philosophy: it is not expressivist, positivist, or social constructivist. Good thinking depends upon good public argument, and good public argument depends upon access to facts: "Freedom of opinion is a farce unless factual information is guaranteed" (238).¶ The sort of thinking that Arendt propounds takes the form of action only when it is public argument, and, as such, it is particularly precious: "For if no other test but the experience of being active, no other measure but the extent of sheer activity were to be applied to the various activities within the vita activa, it might well be that thinking as such would surpass them all" (Human 325). Arendt insists that it is "the same general rule— Do not contradict yourself (not your self but your thinking ego)—that determines both thinking and acting" (Lectures 3 7). In place of the mildly resentful conformism that fuels totalitarianism, Arendt proposes what Pitkin calls "a tough-minded, open-eyed readiness to perceive and judge reality for oneself, in terms of concrete experience and independent, critical theorizing" (274). The paradoxical nature of agonism (that it must involve both individuality and commonality) makes it difficult to maintain, as the temptation is great either to think one's own thoughts without reference to anyone else or to let others do one's thinking.¶ Arendt's Polemical Agonism¶ As I said, agonism does have its advocates within rhetoric—Burke, Ong, Sloane, Gage, and Jarratt, for instance—but while each of these theorists proposes a form of conflictual argument, not one of these is as adversarial as Arendt's. Agonism can emphasize persuasion, as does John Gage's textbook The Shape of Reason or William Brandt et al.'s The Craft of Writing. That is, the goal of the argument is to identify the disagreement and then construct a text that gains the assent of the audience. This is not the same as what Gage (citing Thomas Conley) calls "asymmetrical theories of rhetoric": theories that "presuppose an active speaker and a passive audience, a speaker whose rhetorical task is therefore to do something to that audience" ("Reasoned" 6). Asymmetric rhetoric is not and cannot be agonistic. Persuasive agonism still values conflict, disagreement, and equality among interlocutors, but it has the goal of reaching agreement, as when Gage says that the process of argument should enable one's reasons to be "understood and believed" by others (Shape 5; emphasis added).¶ Arendt's version is what one might call polemical agonism: it puts less emphasis on gaining assent, and it is exemplified both in Arendt's own writing and in Donald Lazere's "Ground Rules for Polemicists" and "Teaching the Political Conflicts." Both forms of agonism (persuasive and polemical) require substantive debate at two points in a long and recursive process. First, one engages in debate in order to invent one's argument; even silent thinking is a "dialogue of myself with myself (Lectures 40). The difference between the two approaches to agonism is clearest when one presents an argument to an audience assumed to be an opposition. In persuasive agonism, one plays down conflict and moves through reasons to try to persuade one's audience. In polemical agonism, however, one's intention is not necessarily to prove one's case, but to make public one' s thought in order to test it. In this way, communicability serves the same function in philosophy that replicability serves in the sciences; it is how one tests the validity of one's thought. In persuasive agonism, success is achieved through persuasion; in polemical agonism, success may be marked through the quality of subsequent controversy.¶ Arendt quotes from a letter Kant wrote on this point:¶ You know that I do not approach reasonable objections with the intention merely of refuting them, but that in thinking them over I always weave them into my judgments, and afford them the opportunity of overturning all my most cherished beliefs. I entertain the hope that by thus viewing my judgments impartially from the standpoint of others some third view that will improve upon my previous insight may be obtainable. {Lectures 42)¶ Kant's use of "impartial" here is interesting: he is not describing a stance that is free of all perspective; it is impartial only in the sense that it is not his own view. This is the same way that Arendt uses the term; she does not advocate any kind of positivistic rationality, but instead a "universal interdependence" ("Truth" 242). She does not place the origin of the "disinterested pursuit of truth" in science, but at "the moment when Homer chose to sing the deeds of the Trojans no less than those of the Achaeans, and to praise the glory of Hector, the foe and the defeated man, no less than the glory of Achilles, the hero of his kinfolk" ("Truth" 262¬63). It is useful to note that Arendt tends not to use the term "universal," opting more often for "common," by which she means both what is shared and what is ordinary, a usage that evades many of the problems associated with universalism while preserving its virtues (for a brief butprovocative application of Arendt's notion of common, see Hauser 100-03).¶ In polemical agonism, there is a sense in which one' s main goal is not to persuade one's readers; persuading one's readers, if this means that they fail to see errors and flaws in one' s argument, might actually be a sort of failure. It means that one wishes to put forward an argument that makes clear what one's stance is and why one holds it, but with the intention of provoking critique and counterargument. Arendt describes Kant's "hope" for his writings not that the number of people who agree with him would increase but "that the circle of his examiners would gradually be en¬larged" {Lectures 39); he wanted interlocutors, not acolytes.¶ This is not consensus-based argument, nor is it what is sometimes called "consociational argument," nor is this argument as mediation or conflict resolution. Arendt (and her commentators) use the term "fight," and they mean it. When Arendt describes the values that are necessary in our world, she says, "They are a sense of honor, desire for fame and glory, the spirit of fighting without hatred and 'without the spirit of revenge,' and indifference to material advantages" {Crises 167). Pitkin summarizes Arendt's argument: "Free citizenship presupposes the ability to fight— openly, seriously, with commitment, and about things that really mat¬ter—without fanaticism, without seeking to exterminate one's oppo¬nents" (266). My point here is two-fold: first, there is not a simple binary opposition between persuasive discourse and eristic discourse, the conflictual versus the collaborative, or argument as opposed to debate.¶ Second, while polemical agonismrequires diversity among interlocutors, and thus seems an extraordinarily appropriate notion, and while it may be a useful corrective to too much emphasis on persuasion, it seems to me that polemical agonism could easily slide into the kind of wrangling that is simply frustrating. Arendt does not describe just how one is to keep the conflict useful. Although she rejects the notion that politics is "no more than a battlefield of partial, conflicting interests, where nothing countfs] but pleasure and profit, partisanship, and the lust for dominion," she does not say exactly how we are to know when we are engaging in the existential leap of argument versus when we are lusting for dominion ("Truth" 263).¶ Like other proponents of agonism, Arendt argues that rhetoric does not lead individuals or communities to ultimate Truth; it leads to decisions that will necessarily have to be reconsidered. Even Arendt, who tends to express a greater faith than many agonists (such as Burke, Sloane, or Kastely) in the ability of individuals to perceive truth, insists that self-deception is always a danger, so public discourse is necessary as a form of testing (see especially Lectures and "Truth"). She remarks that it is difficult to think beyond one's self-interest and that "nothing, indeed, is more common, even among highly sophisticated people, than the blind obstinacy that becomes manifest in lack of imagination and failure to judge" ("Truth" 242).¶ Agonism demands that one simultaneously trust and doubt one' s own perceptions, rely on one's own judgment and consider the judgments of others, think for oneself and imagine how others think. The question remains whether this is a kind of thought in which everyone can engage. Is the agonistic public sphere (whether political, academic, or scientific) only available to the few? Benhabib puts this criticism in the form of a question: "That is, is the 'recovery of the public space' under conditions of modernity necessarily an elitist and antidemocratic project that can hardly be reconciled with the demand for universal political emancipa¬tion and the universal extension of citizenship rights that have accompa¬nied modernity since the American and French Revolutions?" (75). This is an especially troubling question not only because Arendt's examples of agonistic rhetoric are from elitist cultures, but also because of com¬ments she makes, such as this one from The Human Condition: "As a living experience, thought has always been assumed, perhaps wrongly, to be known only to the few. It may not be presumptuous to believe that these few have not become fewer in our time" {Human 324).¶ Yet, there are important positive political consequences of agonism.¶ Arendt' s own promotion of the agonistic sphere helps to explain how the system could be actively moral. It is not an overstatement to say that a central theme in Arendt's work is the evil of conformity—the fact that the modern bureaucratic state makes possible extraordinary evil carried out by people who do not even have any ill will toward their victims. It does so by "imposing innumerable and various rules, all of which tend to 'normalize' its members, to make them behave, to exclude spontaneous action or outstanding achievement" (Human 40). It keeps people from thinking, and it keeps them behaving. The agonistic model's celebration of achievement and verbal skill undermines the political force of conformity, so it is a force against the bureaucratizing of evil. If people think for themselves, they will resist dogma; if people think of themselves as one of many, they will empathize; if people can do both, they will resist totalitarianism. And if they talk about what they see, tell their stories, argue about their perceptions, and listen to one another—that is, engage in rhetoric—then they are engaging in antitotalitarian action.¶ In post-Ramistic rhetoric, it is a convention to have a thesis, and one might well wonder just what mine is—whether I am arguing for or against Arendt's agonism. Arendt does not lay out a pedagogy for us to follow (although one might argue that, if she had, it would lookmuch like the one Lazere describes in "Teaching"), so I am not claiming that greater attention to Arendt would untangle various pedagogical problems that teachers of writing face. Nor am I claiming that applying Arendt's views will resolve theoretical arguments that occupy scholarly journals. I am saying, on the one hand, that Arendt's connection of argument and thinking, as well as her perception that both serve to thwart totalitarian¬ism, suggest that agonal rhetoric (despite the current preference for collaborative rhetoric) is the best discourse for a diverse and inclusive public sphere. On the other hand, Arendt's advocacy of agonal rhetoric is troubling (and, given her own admiration for Kant, this may be intentional), especially in regard to its potential elitism, masculinism, failure to describe just how to keep argument from collapsing into wrangling, and apparently cheerful acceptance of hierarchy. Even with these flaws, Arendt describes something we would do well to consider thoughtfully: a fact-based but not positivist, communally grounded but not relativist, adversarial but not violent, independent but not expressivist rhetoric.

#### Decision-making outweighs – it’s the most portable skill - key to social improvements in every and all facets of life

Steinberg & Freeley 8

\*Austin J. Freeley is a Boston based attorney who focuses on criminal, personal injury and civil rights law, AND \*\*David L. Steinberg , Lecturer of Communication Studies @ U Miami, Argumentation and Debate: Critical Thinking for Reasoned Decision Making pp9-10

After several days of intense debate, first the United States House of Representatives and then the U.S. Senate voted to authorize President George W. Bush to attack Iraq if Saddam Hussein refused to give up weapons of mass destruction as required by United Nations's resolutions. Debate about a possible military\* action against Iraq continued in various governmental bodies and in the public for six months, until President Bush ordered an attack on Baghdad, beginning Operation Iraqi Freedom, the military campaign against the Iraqi regime of Saddam Hussein. He did so despite the unwillingness of the U.N. Security Council to support the military action, and in the face of significant international opposition.¶ Meanwhile, and perhaps equally difficult for the parties involved, a young couple deliberated over whether they should purchase a large home to accommodate their growing family or should sacrifice living space to reside in an area with better public schools; elsewhere a college sophomore reconsidered his major and a senior her choice of law school, graduate school, or a job. Each of these\* situations called for decisions to be made. Each decision maker worked hard to make well-reasoned decisions.¶ Decision making is a thoughtful process of choosing among a variety of options for acting or thinking. It requires that the decider make a choice. Life demands decision making. We make countless individual decisions every day. To make some of those decisions, we work hard to employ care and consideration; others seem to just happen. Couples, families, groups of friends, and coworkers come together to make choices, and decision-making homes from committees to juries to the U.S. Congress and the United Nations make decisions that impact us all. Every profession requires effective and ethical decision making, as do our school, community, and social organizations.¶ We all make many decisions even- day. To refinance or sell one's home, to buy a high-performance SUV or an economical hybrid car. what major to select, what to have for dinner, what candidate CO vote for. paper or plastic, all present lis with choices. Should the president deal with an international crisis through military invasion or diplomacy? How should the U.S. Congress act to address illegal immigration?¶ Is the defendant guilty as accused? Tlie Daily Show or the ball game? And upon what information should I rely to make my decision? Certainly some of these decisions are more consequential than others. Which amendment to vote for, what television program to watch, what course to take, which phone plan to purchase, and which diet to pursue all present unique challenges. At our best, we seek out research and data to inform our decisions. Yet even the choice of which information to attend to requires decision making. In 2006, TIMI: magazine named YOU its "Person of the Year." Congratulations! Its selection was based on the participation not of ''great men" in the creation of history, but rather on the contributions of a community of anonymous participants in the evolution of information. Through blogs. online networking. You Tube. Facebook, MySpace, Wikipedia, and many other "wikis," knowledge and "truth" are created from the bottom up, bypassing the authoritarian control of newspeople. academics, and publishers. We have access to infinite quantities of information, but how do we sort through it and select the best information for our needs?¶ The ability of every decision maker to make good, reasoned, and ethical decisions relies heavily upon their ability to think critically. Critical thinking enables one to break argumentation down to its component parts in order to evaluate its relative validity and strength. Critical thinkers are better users of information, as well as better advocates.¶ Colleges and universities expect their students to develop their critical thinking skills and may require students to take designated courses to that end. The importance and value of such study is widely recognized.¶ Much of the most significant communication of our lives is conducted in the form of debates. These may take place in intrapersonal communications, in which we weigh the pros and cons of an important decision in our own minds, or they may take place in interpersonal communications, in which we listen to arguments intended to influence our decision or participate in exchanges to influence the decisions of others.¶ Our success or failure in life is largely determined by our ability to make wise decisions for ourselves and to influence the decisions of others in ways that are beneficial to us. Much of our significant, purposeful activity is concerned with making decisions. Whether to join a campus organization, go to graduate school, accept a job oiler, buy a car or house, move to another city, invest in a certain stock, or vote for Garcia—these are just a few of the thousands of decisions we may have to make. Often, intelligent self-interest or a sense of responsibility will require us to win the support of others. We may want a scholarship or a particular job for ourselves, a customer for out product, or a vote for our favored political candidate.

#### Effective deliberation is the lynchpin of solving all existential global problems

Lundberg 10

(Christian O., Professor of Communications @ University of North Carolina, Chapel Hill “Tradition of Debate in North Carolina” in Navigating Opportunity: Policy Debate in the 21st Century By Allan D. Louden, p311)

The second major problem with the critique that identifies a naivety in articulating debate and democracy is that it presumes that the primary pedagogical outcome of debate is speech capacities. But the democratic capacities built by debate are not limited to speech—as indicated earlier, **debate builds capacity for critical thinking**, analysis of public claims, **informed decision making**, and **better public judgment**. If the picture of modem political life that underwrites this critique of debate is a pessimistic view of increasingly labyrinthine and bureaucratic administrative politics, rapid scientific and technological change outpacing the capacities of the citizenry to comprehend them, and ever-expanding insular special-interest- and money-driven politics, it is a **puzzling solution, at best, to argue that these conditions warrant giving up on debate**. If democracy is open to rearticulation, it is open to rearticulation precisely because **as the challenges of modern political life proliferate, the citizenry's capacities can change**, which is one of the primary reasons that theorists of democracy such as Ocwey in The Public awl Its Problems place such a high premium on education (Dewey 1988,63, 154). Debate provides an indispensible form of education in the modem articulation of democracy because it **builds precisely the skills that allow the citizenry to research and be informed** about policy decisions that impact them, to son rhroueh and evaluate the evidence for and relative merits of arguments for and against a policy in an increasingly infonnation-rich environment, and to prioritize their time and political energies toward policies that matter the most to them. The merits of debate as a tool for building democratic capacity-building take on a special significance in the context of information literacy. John Larkin (2005, HO) argues that one of the primary failings of modern colleges and universities is that they have not changed curriculum to match with the challenges of a new information environment. This is a problem for the course of academic study in our current context, but perhaps more important, argues Larkin, for the future of a citizenry that will need to make evaluative choices against an increasingly complex and multimediatcd information environment (ibid-). Larkin's study tested the benefits of debate participation on information-literacy skills and concluded that in-class debate participants reported significantly higher self-efficacy ratings of their ability to navigate academic search databases and to effectively search and use other Web resources: To analyze the self-report ratings of the instructional and control group students, we first conducted a multivariate analysis of variance on all of the ratings, looking jointly at the effect of instmction/no instruction and debate topic . . . that it did not matter which topic students had been assigned . . . students in the Instnictional [debate) group were significantly more confident in their ability to access information and less likely to feel that they needed help to do so----These findings clearly indicate greater self-efficacy for online searching among students who participated in (debate).... These results constitute strong support for the effectiveness of the project on students' self-efficacy for online searching in the academic databases. There was an unintended effect, however: After doing ... the project, instructional group students also felt more confident than the other students in their ability to get good information from Yahoo and Google. It may be that the library research experience increased self-efficacy for any searching, not just in academic databases. (Larkin 2005, 144) Larkin's study substantiates Thomas Worthcn and Gaylcn Pack's (1992, 3) claim that debate in the college classroom plays a critical role in fostering the kind of **problem-solving skills** demanded by the increasingly rich media and information environment of modernity. Though their essay was written in 1992 on the cusp of the eventual explosion of the Internet as a medium, Worthcn and Pack's framing of the issue was prescient: the primary question facing today's student has changed from how to best research a topic to the crucial question of learning how to best evaluate which arguments to cite and rely upon from an easily accessible and veritable cornucopia of materials. There are, without a doubt, a number of important criticisms of employing debate as a model for democratic deliberation. But cumulatively, the evidence presented here warrants strong support for expanding debate practice in the classroom as a technology **for enhancing democratic deliberative capacities**. The unique combination of critical thinking skills, research and information processing skills, oral communication skills, and capacities for listening and thoughtful, open engagement with hotly contested issues argues for debate as a **crucial component of a rich and vital democratic life**. In-class debate practice both aids students in achieving the best goals of college and university education, and serves as an unmatched practice for creating thoughtful, engaged, open-minded and self-critical students who are open to the possibilities of **meaningful political engagement** and **new articulations of democratic life.** Expanding this practice is crucial, if only because the more we produce citizens that can actively and effectively engage the political process, the more likely we are to **produce revisions of democratic life** that are **necessary if democracy is not only to survive, but to thrive**. Democracy faces a myriad of challenges, including: domestic and international **issues of class, gender, and racial justice**; wholesale **environmental destruction** and the potential for **rapid climate change**; emerging **threats to international stability** in the form of terrorism, intervention and new possibilities for great power conflict; and increasing **challenges of rapid globalization** including an increasingly volatile global economic structure. More than any specific policy or proposal, an **informed and active citizenry that deliberates with greater skill** and sensitivity provides one of the best hopes for responsive and effective democratic governance, and by extension, one of the last best hopes for dealing with the **existential challenges** to democracy [in an] increasingly complex world.

### 2

#### text: We affirm the entirety of the 1AC except for the use of the word “queer.”

#### “Queer” is a reactive category that homogenizes bodies and desires and denies representation of lesbians

Elizabeth Grosz, 1995, Professor of Women’s & Gender Studies at Rutgers. “Experimental Desire: Rethinking Queer Subjectivity.” Space, time, and perversion: essays on the politics of bodies.

Because we are now dealing with sexual specificities, differences between the sexes, and those differences that constitute each sex, I can no longer afford to generalize about "queerness": this term covers a vast range of sexual practices, partners, aims, and objects (heterosexual as well as homosexual). The term "queer" as it is currently used is basical­ly a reactive category that sees itself in opposition to a straight norm: it is only this norm that defines the others that it cannot tolerate. These others—deviant sexual practices of whatever kind—may find that they share very little in common with each other (indeed they may be the site of profound tension and contradiction). I find it less useful to talk about queerness, or even gayness when theorizing sexed bodies and their sexual relations than specifying at least broadly the kinds of bodies and desires in question. I must, then, concentrate and legal investment in gay and bisexual men's sexual practices. Lesbianism still remains untheorized and largely unspecified. It is significant too that while gay men's sexual practices have on lesbian desire and sexual relations between women, the area which still remains the great domain of the untheorized and the inarticulate—something I believe may function to lesbians' advantage rather than to their detriment. It is clear, especially in the era of the AIDS crisis, that there is an ever more detailed analysis, observation, and theorization, not only with the work of sexologists of the 1950s and 1960s on heterosexual couples, but now with the ever- increasing medical been under the scrutiny of the law for over a century, in Australia at least, there have never been laws specifically prohibiting lesbianism. Legally, it remained unrecognized until recent equal opportunity and anti-discrimination legislation. I don't want to suggest that lesbians are either more or less oppressed than gay men, that it is better or worse to be recognized or not recognized in the eyes of the law (arguments could be made both ways): my point here is simply that there is no represen­tation of lesbians as lesbians in certain key discourses deeply invested in power relations. This is in the process of change, and of course varies from one state and country to another, but as a generalization, there is a distinct underinvestment in theorizing and extracting knowledge about lesbian sexual practices. This is partly illustrated not only by the status of lesbianism in the eyes of the law, but also in the discourses of medicine, especially those now developing around the AIDS crisis, where the rate of transmission of the virus in lesbian practices is relatively low and the modes of transmission remain unknown.

#### Their centering on male sexuality submits desires to enumeration which confines becoming to an organizing nucleus of desire and pleasure that ties new models to old which produces endless variations of the same. grosz 95

Elizabeth, Professor of Women’s & Gender Studies at Rutgers. “Experimental Desire: Rethinking Queer Subjectivity.” Space, time, and perversion: essays on the politics of bodies.

While I have sympathy for this claim, and recognize that certain delegitimated social and sexual practices may require modes of representation to affirm and render these practices viable and valuable, it is not clear to me that articulateness and representation are in themselves a virtue: the most intense moments of pleasure, the force of their materiality, while certainly broadly evocable in discourse, cannot be reduced. A distinction must be drawn between discourse and experience even with the understanding that language or systems of representation are the prior condition for the intelligibility of experience. Moreover, it is ironic that the very features Frye attributes to the failure of representation for lesbian desire: that these relations and experiences are rendered "fleeting," that they "hover," are "vague," not "coalesced," "connected," or "useful," accord precisely with the more positive characterization accorded to these concepts and to female sexuality itself in the writings of Luce Irigaray, for whom female sexuality is itself non-self-identical, non‑ enumerable, not made of distinct and separate parts, not one (but inde­terminately more than one). Here we must be careful not to erect a new ontology based on what woman is, in and of herself. Irigaray, and other theorists of female sexuality have not provided an account of female sexuality in its essence or in its fixed form, but rather have worked on the paradoxes and consequences generated for female sexuality by a culture, a value system, forms of knowledge and systems of representation that can only ever take female sexuality as object, as external, and as alien to the only set of perspectives presenting themselves as true—men's. Female sexuality, lesbian desire, is that which eludes and escapes, that which functions as an excess, a remainder uncontained by and unrepresentable within the terms provided by a sexuality that takes itself as straightforwardly being what it is. Part of the reason that there is such an explosion of sexual terminol­ogy, details, distinctions, nuances, phases, modalities, styles, organs, practices in gay male literature, and especially in pornography and in personal columns in newspapers is that male sexuality, straight and gay, continues to see itself in terms of readily enumerable locations defined around a central core or organizing principle. When sexuality takes on its status as phallic, entities, organs, pleasures, and fantasies associated with it become definitive, distinguishable from their environment or context, separable, nameable, and capable of being reflected on, fantasized and experienced in isolation from one another. Distinct organs, separable bodily regions, with distinct states, definitive and readily mea‑ surable goals, are possible only because of the capacity to have a refle tive and analytic relation to one's own body and experiences, to distance oneself as a knowing subject from oneself as the object known. Any experience, any organs, any desire is capable of categorization and organization, but only at the expense of its continuity with the rest of the body and experience, and only at the cost of separating oneself from immersion in its complexity and intensity. To submit one's pleasures and desires to enumeration and definitive articulation is to submit processes and becomings, to entities, locations, and boundaries, to become welded to an organizing nucleus of fantasy and desire whose goal is not simply pleasure and expansion, but control, and the tying of the new to models of what is already known, the production of endless repetition, endless variations of the same.

### CASE

#### THE PLAN’S VISUAL METAPHOR ENTRENCHES THE PATRIARCHAL GAZE. CP USES DIALOGUE AS AN AURAL METAPHOR – THIS IS KEY TO CHANGE THE PATRIARCHAL NATURE OF THE LEGAL SYSTEM.

**Hibbits 94** Professor Bernard J. Hibbitts, professor at the University of Pittsburgh School of Law, 1994 Making Sense of Metaphors Visuality, Aurality, And The Reconfiguration of American Legal Discourse <http://faculty.law.pitt.edu/hibbitts/meta_p2.htm>

It may be argued that the extent of their involvement with written material has led American men as a group-like men in other Western societies-to take a great interest in the phenomenon of visual observation that has been the source of so much of their textual knowledge and authority.221 As modern feminist scholarship has taken pains to emphasize (if not necessarily explain), the "gaze" has historically been more of a "male" than a "female" medium.222 In the American tradition, men have been primarily responsible for reducing the world-and, in the process, women-to visual, two-dimensional texts, paintings, photographs,223 electronic images,224 diagrams, and equations.225 In their capacities as school administrators, college professors, historians, curators, and archivists, American men have long been in charge of preserving and perpetuating the corpus of American visual culture over time. As scientists and philosophers, they have further indulged their visuality by using mostly visual metaphors to describe the central intellectual operations of thinking and knowing: they have made "observations," offered "perspectives," and "speculated" on the nature of reality.226 The desire and even the need to look that has animated American male experience has frequently been coupled with a limited and somewhat selective devaluation of aurality and evocatively aural forms. At least since the late eighteenth century, most American men have rejected dialogue and story as respectable vehicles for the communication of important written information.227 More generally, American men as a group have been eager to prescribe silence as a positive personal and social value for others, if not necessarily for themselves.228 This latter strategy has been feasible in part because many American men have had access to a visual medium of communication (writing) which in their experience has not depended on sound to provide its sense. The strategy has moreover been politically useful because it has enabled American men to consolidate their control of other groups that have been more dependent on aural expression. The command that women (not to mention children) be "seen and not heard"-implicitly evoked from the anti-scolding laws of the seventeenth century**229** through the marital evidence laws of the nineteenth century**230**-has been a prime guarantor of patriarchal power.

#### IMPACT’S WAR.

**Warren and Cady 94** Karen J. Warren, Duane L. Cady, Professors at Macalester and Hamline, Spring 1994, <http://www.jstor.org/stable/3810167?cookieSet=1>

Operationalized, the evidence of patriarchy as a dysfunctional system is found in the behaviors to which it gives rise, (c), and the unmanageability, (d), which results. For example, in the United States, current estimates are that one out of every three or four women will be raped by someone she knows; globally, rape, sexual harassment, spouse-beating, and sado-masochistic pornography are examples of behaviors practiced, sanctioned, or tolerated within patriarchy. In the realm of environmentally destructive behaviors, strip-mining, factory farming, and pollution of the air, water, and soil are instances of behaviors maintained and sanctioned within patriarchy. They, too, rest on the faulty beliefs that it is okay to "rape the earth," that it is "man's God-given right" to have dominion (that is, domination) over the earth, that nature has only instrumental value, that environmental destruction is the acceptable price we pay for "progress." And the presumption of warism, that war is a natural, righteous, and ordinary way to impose dominion on a people or nation, goes hand in hand with patriarchy and leads to dysfunctional behaviors of nations and ultimately to international unmanageability.

#### Visual metaphors are rooted in a cultural bias toward visuality – the notion that a thing must be visible to be real. This visuality shapes our notions of identity and difference forming that basis for racism—turns their arg

Hibbits 94 (Bernard J., Assoc. Prof of Law @ Pitt, “Making Sense of Metaphors: Visuality, Aurality, and the Reconfiguration of American Legal Discourse” Cardozo Law Review, 229, <http://faculty.law.pitt.edu/hibbitts/meta_int.htm> )

1. Seeing Culture¶ [2.2] In [Part I](http://faculty.law.pitt.edu/hibbitts/meta_p1.htm#part1) of this Article I argued that metaphors can reflect the circumstances and attitudes of the society that generates them. In light of this point, it seems reasonable to suggest that the traditional popularity of visual metaphors in American legal language has much to do with the bias towards visual expression and experience that has traditionally characterized American culture and, inevitably, American law. ¶ [2.3] The traditional American bias towards the visual is aptly captured by the observation that "[i]n our society, . . . to be real, a thing must be visible."[45](http://faculty.law.pitt.edu/hibbitts/meta_f2.htm#d45) We[46](http://faculty.law.pitt.edu/hibbitts/meta_f2.htm#d46) demonstrate our visual bias in numerous ways and in numerous contexts, usually without recognizing that such a bias even exists. Every time we sing the first line of the national anthem, we ask a question about looking: "Oh say can you see . . .?" We pay for goods and services with dollar bills that bear a staring eye on their backs.[47](http://faculty.law.pitt.edu/hibbitts/meta_f2.htm#d47) We go on vacation not to hear the sounds, but to "see the sights"; we take along cameras, not tape recorders.[48](http://faculty.law.pitt.edu/hibbitts/meta_f2.htm#d48) ¶ [2.4] We give aesthetic priority to visual effect. Our glass and steel buildings are monuments to the power of sight, rather than sound or touch.[49](http://faculty.law.pitt.edu/hibbitts/meta_f2.htm#d49) Our idea of personal beauty is primarily visual.[50](http://faculty.law.pitt.edu/hibbitts/meta_f2.htm#d50) So is our idea of art, to the point where, in ordinary discourse, that term denotes purely visual painting, not music or dance.[51](http://faculty.law.pitt.edu/hibbitts/meta_f2.htm#d51) Our visual orientation even colors our approach to art forms which, at least in theory, are not altogether dependent on visual appreciation: we regularly highlight the visuality of sculpture-and, at the same time, neutralize its tactility-by posting signs in our museums and art galleries that read "Do Not Touch." Is it any wonder that in such a context, our sculpture should have become "painterly,"[52](http://faculty.law.pitt.edu/hibbitts/meta_f2.htm#d52) i.e., designed much more for seeing than feeling? ¶ [2.5] Less obviously, but more fundamentally, our visuality shapes our sense of social identity and difference. We tend to group one another more on the basis of similar visual appearance than on, say, similar accent.[53](http://faculty.law.pitt.edu/hibbitts/meta_f2.htm#d53) This is most obvious when we categorize individuals according to the color of their skin: in our visualist culture, most Americans are "white" or "black." Visual identity has indeed become so important to us that we not only differentiate, but actually discriminate against one another on a visual basis. Having skin of a certain color may in practice entitle us to, or alternatively, it may disqualify us from educational opportunity, economic wealth, and political power.

#### Based in the cartesian notion of the SUBJECT, VISUAL metaphor’s and the primacy on the visual that spawns them are an expression the worst kinds of power relations ranging from domination of nature and biopolitical control of populations to imperialism.

Hibbits 94 (Bernard J., Assoc. Prof of Law @ Pitt, “Making Sense of Metaphors: Visuality, Aurality, and the Reconfiguration of American Legal Discourse” Cardozo Law Review, 229, <http://faculty.law.pitt.edu/hibbitts/meta_int.htm> )

[2.21] The invention of the printing press in the mid-fifteenth century and its spread throughout Europe in the sixteenth and seventeenth centuries encouraged a further increase in personal and social literacy levels and, with that, a further increase in cultural respect for, and interest in, vision.[146](http://faculty.law.pitt.edu/hibbitts/meta_f2.htm#d146) In the changing spirit of the time, the English poet Robert Herrick wrote "[w]e credit most our sight; one eye doth please/Our trust . . . more than ten eare-witnesses [sic]."[147](http://faculty.law.pitt.edu/hibbitts/meta_f2.htm#d147) The French philosopher René Descartes pointedly analogized vision and thought: "We shall learn how to employ our mental intuition by comparing it with the way that we employ our eyes."[148](http://faculty.law.pitt.edu/hibbitts/meta_f2.htm#d148) A child of the black and white printed text rather than of the colorful iconographic manuscript, Descartes was more interested in the disembodied "mind's eye" of the imagination[149](http://faculty.law.pitt.edu/hibbitts/meta_f2.htm#d149) than in the physical perception of images,[150](http://faculty.law.pitt.edu/hibbitts/meta_f2.htm#d150) but he regarded cogitation as a "seeing" notwithstanding.[151](http://faculty.law.pitt.edu/hibbitts/meta_f2.htm#d151) ¶ [2.22] Consistent with the textualized immateriality of Cartesian vision, seals gave way to signatures on ordinary legal documents.[152](http://faculty.law.pitt.edu/hibbitts/meta_f2.htm#d152) Law books gradually lost most of their illustrations and allegorical settings,[153](http://faculty.law.pitt.edu/hibbitts/meta_f2.htm#d153) while courtrooms across Europe (like many churches) were stripped of much of their artwork.[154](http://faculty.law.pitt.edu/hibbitts/meta_f2.htm#d154) The working robes of many lawyers and judges faded to a combination of black and white that incidentally evoked the colors (and in doing so, perhaps also the authority) of the printed page.[155](http://faculty.law.pitt.edu/hibbitts/meta_f2.htm#d155) The ancient figure of Justice was blindfolded to save her from distracting images.[156](http://faculty.law.pitt.edu/hibbitts/meta_f2.htm#d156) Under the impetus of line and letters, the general visuality of law was nonetheless preserved and even magnified. Following in the footsteps of Continental rhetorician Peter Ramus, leading English legal scholars such as Sir Edward Coke and Henry Finch promoted the usage of schematic, dichotomizing diagrams to clarify legal concepts and arguments.[157](http://faculty.law.pitt.edu/hibbitts/meta_f2.htm#d157) Jurists became more willing to deal with legal treatises as visual and not figuratively aural works.[158](http://faculty.law.pitt.edu/hibbitts/meta_f2.htm#d158) They frequently, if not yet consistently, regarded themselves and their readers as "observers."[159](http://faculty.law.pitt.edu/hibbitts/meta_f2.htm#d159) Some expressly offered the public a "view" or "image" of the law;[160](http://faculty.law.pitt.edu/hibbitts/meta_f2.htm#d160) a few conceived of legal wisdom as a metaphorical matter of light.[161](http://faculty.law.pitt.edu/hibbitts/meta_f2.htm#d161) Referring to a surveyor's measuring instrument, Coke at one point called law a "golden metewand."[162](http://faculty.law.pitt.edu/hibbitts/meta_f2.htm#d162) Late in the seventeenth century, the German legal philosopher and mathematician Gottfried Leibniz elaborated the ancient Aristotelian notion of law as geometry.[163](http://faculty.law.pitt.edu/hibbitts/meta_f2.htm#d163) ¶ [2.23] In the eighteenth and nineteenth centuries, writing and visuality matured together. European and American literacy rates reached unprecedented levels.[164](http://faculty.law.pitt.edu/hibbitts/meta_f2.htm#d164) Philosophers actually proclaimed the 1700s the "Age of Enlightenment." In the 1800s, paeans to sight became commonplace.[165](http://faculty.law.pitt.edu/hibbitts/meta_f2.htm#d165) John Ruskin wrote that "[t]he greatest thing a human soul ever does in this world is to see something. . . . To see clearly is poetry, prophecy, and religion, all in one."[166](http://faculty.law.pitt.edu/hibbitts/meta_f2.htm#d166) Ralph Waldo Emerson declared that at the moment of epiphany, "I become a transparent eyeball; I am nothing; I see all."[167](http://faculty.law.pitt.edu/hibbitts/meta_f2.htm#d167) In a variety of contexts, vision became a sensory cipher for the exercise of power. Styles of landscape gardening that provided the upper-class householder with a pleasing view of his estate gave him power over nature.[168](http://faculty.law.pitt.edu/hibbitts/meta_f2.htm#d168) Designs for asylums and prisons (such as Jeremy Bentham's "Panopticon") that enabled authorities to continually survey their inmates gave the sane power over the insane, and the law-abiding power over the criminal.[169](http://faculty.law.pitt.edu/hibbitts/meta_f2.htm#d169) Vision even became an instrument of imperialism, as didactic and theatric exhibitions at home of exotic colonial lifestyles abroad gave Europeans psychological power over their overseas possessions.[170](http://faculty.law.pitt.edu/hibbitts/meta_f2.htm#d170)

#### the metaphors we use have deep seated implications on our thoughts and actions. visual metaphors have the potential to alter our epistemology in ways that are violent and exculsionary

Hibbits 94 (Bernard J., Assoc. Prof of Law @ Pitt, “Making Sense of Metaphors: Visuality, Aurality, and the Reconfiguration of American Legal Discourse” Cardozo Law Review, 229, <http://faculty.law.pitt.edu/hibbitts/meta_int.htm> )

A string of recent articles and books has stressed that metaphors are commonplace in law.[33](http://faculty.law.pitt.edu/hibbitts/meta_f1.htm" \l "d33) The multiple visual and aural metaphors with which I began this Article help to create and sustain what has imaginatively been described as "a magical world . . . where liens float, corporations reside, minds hold meetings, and promises run with the land."[34](http://faculty.law.pitt.edu/hibbitts/meta_f1.htm" \l "d34) To say that jurisprudential metaphors exist and even flourish is not, however, to say that they have been uniformly welcomed, even by the most creative lawyers and jurists. In the eighteenth century, England's Lord Mansfield commented that "nothing in law is so apt to mislead than a metaphor."[35](http://faculty.law.pitt.edu/hibbitts/meta_f1.htm" \l "d35) In the early years of this century, Yale legal theorist Wesley Hohfeld agreed.[36](http://faculty.law.pitt.edu/hibbitts/meta_f1.htm" \l "d36) In 1926, Benjamin Cardozo was willing to tolerate metaphors in law, but held that they had "to be narrowly watched, for starting out as devices to liberate thought, they end often by enslaving it."[37](http://faculty.law.pitt.edu/hibbitts/meta_f1.htm" \l "d37) ¶ [1.4] As we have come to appreciate that metaphor is omnipresent, we have come to take it very seriously.[38](http://faculty.law.pitt.edu/hibbitts/meta_f1.htm" \l "d38) Today, few would dismiss it as mere semantic decoration, ornament, or rhetorical device. Some scholars have indeed gone so far in the other direction as to suggest that **metaphors** **are fundamental tools of thought and reasoning**-so much a part of the deep structure of our mentality that "our ordinary conceptual system . . . is . . . metaphorical in nature."[39](http://faculty.law.pitt.edu/hibbitts/meta_f1.htm" \l "d39) ¶ [1.5] As an aspect of our mentality's deep structure, our metaphors can reveal a great deal about us, both as individuals and as members of a broader culture. I may use a certain metaphor because I am, or at least my culture is, familiar with the metaphor's subject matter. Coming readily to my mind as a pole of comparison, the metaphor will be meaningful to others sharing similar life experiences or backgrounds. For example, using the metaphoric expression "I struck out" to communicate failure suggests a personal and/ or cultural familiarity with baseball. Alternatively, I may use a particular metaphor because I and/or my society value or devalue its subject; using the metaphor can therefore accentuate positive or negative reaction to the metaphor's referent. For instance, were I a libertarian, or were I living in a libertarian culture, I might label government a "parasite." My choice of metaphor would not only communicate my dislike of government, but, by association, my dislike of parasites as well. ¶ [1.6] "Modal" metaphors of the sort examined in this Article can be particularly revealing of our circumstances and values. Modal metaphors directly or indirectly evoke specific modes or forms of human sensory experience: sight, sound, touch, smell, or taste. For example, if I call an attitude an "outlook," I am using a modal metaphor evoking visual experience. Alternatively, if I speak of the "texture" of an argument, I am using a modal metaphor evoking tactile experience. Over time, individuals may develop or demonstrate a penchant for modal metaphors favoring a particular sense. Far from being arbitrary, such a penchant may (as we shall see) reflect a broad cultural bias for that sense, an association with a group which in a specific historical or social context has indulged or has been forced to privilege that sense, and/or an inclination towards values which that sense has been deemed to phenomenologically support or promote. ¶ [1.7] **Ironically, we may reveal more of ourselves by our general and our modal metaphors than by statements and sayings that are the products of more calculated deliberation**. Insofar as metaphors are privy to our most profound thoughts and experiences, they may tap into cultural or personal truths of which we are not at first aware, and into notions of which we may not even approve. Calling a mental crisis a nervous "breakdown" may unwittingly manifest a modern tendency to regard the mind as a machine;[40](http://faculty.law.pitt.edu/hibbitts/meta_f1.htm" \l "d40) calling an African American football player "a little monkey" may unwittingly manifest racism.[41](http://faculty.law.pitt.edu/hibbitts/meta_f1.htm" \l "d41) In this context, metaphors operate as the "sonar" of our minds, revealing deeply submerged-but nonetheless fundamental-realities that we cannot or will not consciously acknowledge. ¶ [1.8] As an integral part of our mentality, **metaphors can also shape our thoughts and even our actions.**[42](http://faculty.law.pitt.edu/hibbitts/meta_f1.htm" \l "d42) Calling chess a battle (or hearing someone else call it a battle) certainly encourages me to conceive of it, however inaccurately, as a harsh, even potentially violent confrontation between grim-faced opponents. The psychological impact of the metaphor may be all the more powerful if I have had little or no previous experience with the game. The way I think about chess may in turn affect my behavior. In light of the metaphor, maybe I will decide to play, or maybe I will choose to do something less aggressive. If I do choose to play, the metaphor I used or heard might well influence how I play. For instance, if chess is a battle, an intimidating, combative strategy may seem appropriate. If the "battle" metaphor becomes popular, an entire culture may be led to the same conclusion, and play chess accordingly. ¶ [1.9] Modal metaphors can have an especially strong impact on how we think and what we do. If, for example, I call "thought" itself "reflection," I am figuratively characterizing thought as a visual enterprise. Insofar as reflection literally presumes a visual subject, **the metaphor may subtly encourage thinkers to believe that they should look for intellectual stimulation, rather than listen for it; in other words, the metaphor may affect their epistemological orientation**. **The same visual metaphor may alternatively imply that only individuals from visually biased backgrounds can properly engage in thought, prompting individuals from other traditions that prize other senses to be dismissed (or not to regard themselves) as legitimate or competent participants in intellectual inquiry. In this context, the "casual" choice of a "simple" metaphor may have profoundly divisive social implications**. Describing thought as "reflection" may even induce thinkers to behave in a manner considered appropriate to a visual process: for example, the metaphor may suggest that thinkers should passively watch the world, rather than become actively engaged with it.

# 2NC

#### 2) Makes the debate into an echo-chamber – destroys fairness, education, and turns the aff

Talisse 5

Professor of Philosophy @Vandy¶ Robert, Philosophy & Social Criticism, Deliberativist responses to activist challenges, 31(4) p. 429-431

The argument thus far might appear to turn exclusively upon different conceptions of what reasonableness entails. **The deliberativist view** I have sketched hold that reasonableness **involved some degree of** what we may call **epistemic modesty. On this** view, **the reasonable citizen seeks to have her beliefs reflect the best available reasons,** and so she enters into public discourse **as a way of testing her views against the objections** and questions of those who disagree; hence she implicitly hold that **her present view is open to reasonable critique** and that others who hold opposing views may be able to offer justifications for their views that are at least as strong as her reasons for her own. Thus any mode of **politics that presumes that discourse is extraneous to questions of justice and justification is unreasonable**. The activist sees no reason to accept this. Reasonableness **for the activist** consists in the ability to act on reasons that upon due reflection seem adequate to underwrite action; **discussion with those who disagree need not be involved**. **According to the activist,** there are certain cases in which he does in fact know the truth about what justice requires and in which **there is no room for reasoned objection.** Under such conditions, **the deliberativist’s demand for discussion can only obstruct justice; it is therefore irrational**. It may seem that we have reached an impasse. However, there is a further line of criticism that the activist must face. To the activist’s view that at least in certain situations he may reasonably decline to engage with persons he disagrees with (107), the deliberative democrat can raise the phenomenon that Cass Sunstein has called ‘group polarization’ (Sunstein, 2003; 2001A; ch. 3; 2001b: ch. 1). To explain: consider that political **activists cannot eschew deliberation altogether; they often engage in rallies,** demonstrations, teach-ins, workshops, and other activities in which they are called to make public the case for their views. Activists also must engage in deliberation among themselves when deciding strategy. Political movement must be organized, hence those involved must decide upon targets, methods, and tact’s; they must also decide upon the content of their pamphlets and the precise messages they most wish to convey to the press. **Often the audience in both of these deliberative contexts will be a self-selected and sympathetic group of like-minded activists**. **Group polarization** is a well-documented phenomenon that **has ‘been found all over the world** and is many diverse tasks’; it means that ‘members of a deliberating group predictably move towards a more extreme point in the direction indicated by’ predeliberation tendencies’ (Sunstein, 2003: 81-2). Importantly, **in group that ‘engage in repeated discussions’** over time, **the polarization is even more pronounced** (2003: 86). Hence discussion in a small but devoted activist enclave that meets regularly to strategize and protest ‘should produce a situation in which individuals hold positions more extreme than those of an individual member before the series of deliberations began’ (ibid.).17 The fact of group polarization is relevant to our discussion because the activist has proposed that **he may reasonably decline to engage in discussion with those with whom he disagrees** in cases in which the requirement of justice are so clear that he can be confidents that has the truth .Group polarization suggest that even deliberatively confronting those with whom we disagree is essential even we have the truth. **For even if we have the truth, if we do not engage opposing views,** but instead deliberate only with those with whom we agree, our view will shift progressively to a more extreme point, and thus we lose the truth ,In order to avoid polarization, deliberation must take place within heterogeneous ‘argument pools’ (Sunstein, 2003: 93). This of course does not mean that there should be no groups devoted to the achievement of some common political goal; it rather suggest that a engagement with those with whom one disagrees is essential to the proper pursuitof justice. Insofar as the activist denies this, he is unreasonable.

#### Switch-side debate is key to progressive politics

English et al 7

(Eric English, Stephen Lano, Gordon Mitchell, University of Pittsburgh communications professor, Catherine Morrison, John Reif, and Carly Woods, Schenley Park Debate Authors Working Group, “Debate as a Weapon of Mass Destruction,” June 2007, Communication and Critical/Cultural Studies, [www.pitt.edu/~gordonm/JPubs/EnglishDAWG.pdf](http://www.pitt.edu/~gordonm/JPubs/EnglishDAWG.pdf%5D), - Kurr)

The problem for Greene and Hicks is that this notion of citizenship becomes tied to a normative conception of American democracy that justifies imperialism. They write, ‘‘The production and management of this field of governance allows liberalism to trade in cultural technologies in the global cosmopolitan marketplace at the same time as it creates a field of intervention to transform and change the world one subject (regime) at a time.’’11 Here, Greene and Hicks argue that this new conception of liberal governance, which epitomizes the ethical citizen as an individual trained in the switch-side technique, serves as a normative tool for judging other polities and justifying forcible regime change. One need look only to the Bush administration’s framing of war as an instrument of democracy promotion to grasp how the switch-side technique can be appropriated as a justification for violence. It is our position, however, that rather than acting as a cultural technology expanding American exceptionalism, switch-side debating originates from a civic attitude that serves as a bulwark against fundamentalism of all stripes. Several prominent voices reshaping the national dialogue on homeland security have come from the academic debate community and draw on its animating spirit of critical inquiry. For example, Georgetown University law professor Neal Katyal served as lead plaintiff’s counsel in Hamdan, which challenged post-9/11 enemy combat definitions.12 The foundation for Katyal’s winning argument in Hamdan was laid some four years before, when he collaborated with former intercollegiate debate champion Laurence Tribe on an influential Yale Law Journal addressing a similar topic.13 Tribe won the National Debate Tournament in 1961 while competing as an undergraduate debater for Harvard University. Thirty years later, Katyal represented Dartmouth College at the same tournament and finished third. The imprint of this debate training is evident in Tribe and Katyal’s contemporary public interventions, which are characterized by meticulous research, sound argumentation, and a staunch commitment to democratic principles. Katyal’s reflection on his early days of debating at Loyola High School in Chicago’s North Shore provides a vivid illustration. ‘‘I came in as a shy freshman with dreams of going to medical school. Then Loyola’s debate team opened my eyes to a different world: one of argumentation and policy.’’ As Katyal recounts, ‘‘the most important preparation for my career came from my experiences as a member of Loyola’s debate team.’’14 The success of former debaters like Katyal, Tribe, and others in challenging the dominant dialogue on homeland security points to the efficacy of academic debate as a training ground for future advocates of progressive change. Moreover, a robust understanding of the switch-side technique and the classical liberalism which underpins it would help prevent misappropriation of the technique to bolster suspect homeland security policies. For buried within an inner-city debater’s files is a secret threat to absolutism: the refusal to be classified as ‘‘with us or against us,’’ the embracing of intellectual experimentation in an age of orthodoxy, and reflexivity in the face of fundamentalism. But by now, the irony of our story should be apparent\*the more effectively academic debating practice can be focused toward these ends, the greater the proclivity of McCarthy’s ideological heirs to brand the activity as a ‘‘weapon of mass destruction.’’

#### Switch-side debating on the topic is uniquely important. It allows debaters to become better advocates and increases critical thinking

Dybvig and Iverson 99

Kristin Chisholm Dybvig, and Joel O. Iverson, Can Cutting Cards Carve into Our Personal Lives: An Analysis of Debate Research on Personal Advocacy, http://www.uvm.edu/~debate/dybvigiverson1000.html

Not all debate research appears to generate personal advocacy and challenge peoples' assumptions. Debaters must switch sides, so they must inevitably debate against various cases. While this may seem to be inconsistent with advocacy, supporting and researching both sides of an argument actually created stronger advocates. Not only did debaters learn both sides of an argument, so that they could defend their positions against attack, they also learned the nuances of each position. Learning and the intricate nature of various policy proposals helps debaters to strengthen their own stance on issues.

#### Fairness is key to effective dialogue---monopolizing strategy makes discussion one-sided and subverts inclusion of the neg--- turns their inclusion arguments

Galloway 7

Samford Comm prof (Ryan, Contemporary Argumentation and Debate, Vol. 28, 2007)

**Debate as a dialogue** sets an argumentative table, where all parties receive a relatively fair opportunity to voice their position. Anything that fails to allow participants to have their position articulated denies one side of the argumentative table a fair hearing. **The affirmative side is set by the topic and fairness requirements**. While affirmative teams have recently resisted affirming the topic, in fact, the topic selection process is rigorous, taking the relative ground of each topic as its central point of departure.¶ **Setting the affirmative reciprocally sets the negative**. The negative crafts approaches to the topic consistent with affirmative demands. The negative crafts disadvantages, counter-plans, and critical arguments premised on the arguments that the topic allows for the affirmative team. According to fairness norms, each side sits at a relatively balanced argumentative table.¶ **When** one side takes more than its share, **competitive equity suffers**. **However, it also undermines the respect due to the other involved in the dialogue. When one side excludes the other, it** fundamentally denies the personhood of the other participant (Ehninger, 1970, p. 110). **A pedagogy of debate as dialogue takes this respect as a fundamental component. A desire to be fair is a** fundamental condition of a dialoguethat takes the form of a demand for equality of voice. **Far from** being **a banal request for links to a disadvantage, fairness** is a demand for respect**, a demand to be heard, a demand that a voice backed by literally months upon months of preparation, research, and critical thinking** not be silenced.¶ **Affirmative cases that suspend basic fairness norms operate to exclude particular negative strategies. Unprepared, one side comes to the argumentative table unable to meaningfully participate in a dialogue.** **They are unable to “understand what ‘went on…’” and are left to the whims of time and power** (Farrell, 1985, p. 114). Hugh Duncan furthers this line of reasoning:¶ **Opponents not only tolerate but honor and respect each other because in doing so they enhance their own chances of thinking better and reaching sound decisions**. Opposition is necessary because it sharpens thought in action. We assume that argument, discussion, and talk, among free an informed people who subordinate decisions of any kind, because **it is only through such discussion that we reach agreement which binds us to a common cause…If we are to be equal…relationships among equals must find expression in many formal and informal institutions** (Duncan, 1993, p. 196-197).¶ **Debate compensates for the exigencies of the world by offering a framework that maintains equality for the sake of the conversation** (Farrell, 1985, p. 114).¶ For example, **a**n affirmative **case** on the 2007-2008 college topic **might defend neither state nor** international **action** in the Middle East, andyet claim to be germane to the topic **in some way. The case essentially denies the arguments that state action is oppressive or that actions** in the international arena **are philosophically or pragmatically suspect. Instead of allowing for the dialogue to be modified by the interchange of the affirmative case and the negative response, the affirmative** subverts any meaningful role to the negative team**, preventing them from offering effective “counter-word” and undermining the value of a meaningful exchange of speech acts. Germaneness and other substitutes for topical action do not accrue the dialogical benefits of topical advocacy**.

# 1NR

#### The struggle between linguistic representations shapes reality and material politics

Wenden ‘5

Anita L. Wenden, M.A. linguistic, director of Peace Education and Research @ Earth and Peace Education International. “THE POLITICS OF REPRESENTATION: A CRITICAL DISCOURSE ANALYSIS OF AN ALJAZEERA SPECIAL REPORT.” International Journal of Peace Studies, Volume 10, Number 2, Autumn/Winter 2005

As used in discourse analysis, representation refers to the language used in a text or talk to assign meaning to groups and their social practices, to events, and to social and ecological conditions and objects (e.g. Fairclough, 1989; 1995; van Dijk, 2002).1 Implicit in this view of the role of language in social life is that meaning is not embedded in the reality that is perceived but rather that it is construed by linguistic representation (Fairclough, 1992; Goatly, 2000; Halliday, 1990; Hodge and Kress, 1993; Mehan and Wills, 1988; Muntigl, 2002; Shapiro, 1988; van Dijk, 2002; Wenden and Schaffner, 1999; Wodak, 2002). Of course, modes of representation will vary depending on the perspective from which they are constructed, whether biographical, historical, socio- cultural (Voloshinov, 1986 cited in Mehan and Wills, 1988). Ideology will also influence the manner in which groups represent matters of import and relevance to the body politic (e.g. Fairclough, 1989, 1992; 1995; Hodge and Kress, 1993; Bloomaert and Verschueren, 1998; van Dijk, 1999; Goatly, 2000), including the achievement of a culture of peace. Moreover, inasmuch as linguistic representations determine the way in which we think about particular objects, events, situations and, as such, function as a principle of action influencing actual social practice (Shapiro, 1988; Fairclough, 1989; Hodge and Kress, 1993; Wodak, 2002; Karlsberg, 2005), there will be competition among groups over what is to be taken as the correct, appropriate, or preferred representation (Holquist, 1983; Fairclough, 1992; Wodak, 2001). The competition over meaning among groups is referred to as the “politics of representation” (Holquist, 1983; Shapiro, 1988). During the period of the Cold War, for example, views varied on how to define the role of nuclear weapons in international politics. Immediately after World War II, voices for international control proposed a nuclear partnership with the Soviet Union. However, voices for national interest dominated and, from the 1950’s to the 1990’s, deterrence was the accepted representation, justifying the need to develop and if necessary use nuclear weapons. Nonetheless, alternative views were proposed by groups from civil society such as MEND (Mothers Embracing Nuclear Disarmament), which challenged the dominant discourse with their doctrine of nurturance – emphasizing the role of mothers in creating a secure world for their children and in helping children cope with the threat of nuclear war (Mehan and Wills, 1988). Discourse can also be the focus of struggle in the representation of issues related to the achievement of a culture of peace other than nuclear war on a global scale, i.e. organized physical violence on a regional level within nation states (e.g. Firer and Adwan, 2004); domestic violence – unorganized physical violence within the home2 (e.g. Rapping 2000); and structural violence, e.g. the representation of the grievances of poor rural villagers in Thailand, social diversity in Europe, and North-South relations (for examples see respectively, Chalermsvipinyorat, 2004; Bloomaert and Verschueren, 1998; and Doty, 1996.) If the use of nuclear weapons was the major source of concern during the Cold War, in the post Cold War period and especially since the United Nations Conference on Environment and Development (Rio, June 1992), environmental degradation, i.e. ecological violence, and its implications for the survival of the whole Earth Community has become a priority,3 and groups with differing views on its seriousness and the manner of dealing with it contend for prominence in the representation of the various threats to ecological integrity and planetary well being. Global warming is one example, with the U.S. government proposing ‘climate variability’ as a challenge to ‘climate change’, the predominant view of (most) world governments and civic groups (Rohter, 2004). Among those who agree with the latter representation, emerging voices of poor countries and communities in the Arctic, atolls of the tropics, and the flanks of the Himalayas propose that global warming be viewed as a threat to human rights, challenging the prevailing voices of those who would represent it as an environmental issue (Revkin, 2004).4 Thus, discourse can also be the focus of politics, that is, the struggle for the power of representation and proponents of various views use a variety of strategies to ensure that their framing of the nature of a particular issue predominates. Approaching the matter with the conviction that reason will prevail, attempts can be made to persuade others of the logic of one’s arguments (e.g. the ‘development debate’, the ‘abortion debate’, the ‘AIDS debate’). Alternately or additionally, the language of opposing views can be incorporated into one’s discourse (e.g. Bill Clinton’s ‘welfare reform’, G.W. Bush’s ‘compassionate conservatism’) or as is evidenced in political campaigns, one can attempt to silence one’s opponents by attacking their positions. If physical coercion is the chosen strategy, those with opposing representations may suffer imprisonment or loss of life (e.g. poisoning, car accidents....).5 When one mode of representation prevails, a hierarchy is formed among the competing representations with the winner’s being given primacy as a way of framing a particular issue (Mehan and Wills, 1988), and taking into account the acknowledged power of discourse as a principle of social action, in the selection of social actions taken to deal with it.

#### Can’t be neutral in the evaluation of political discourse- you must distance yourself from lexicons of domination

Mihas ‘5

[Elena Mihas, University of Wisconsin-Milwaukee. “Non-Literal Language in Political Discourse.” LSO Working Papers in Linguistics 5: Proceedings of WIGL 2005, 124-139.]

Van Dijk, a champion of critical discourse analysis, focuses on “the role of discourse in the (re)production and challenge of dominance” (2001), and views political discourse as a class of genres defined by a social domain, namely by politics. Though the domain has fuzzy boundaries, Van Dijk suggests that it can be narrowed down to the set of activities politicians engage in. The study of the structures of political discourse (topics, coherence, arguments, lexical style, disclaimers, rhetorical features), Van Dijk states, may reveal much about the unique character of the discourse. Van Dijk argues that at the more detailed, micro-level of discourse analysis the manifestation of power is less direct and less consciously controlled, and may be observed in intonation, lexical or syntactic style, rhetorical figures, semantic structures, politeness phenomena, etc. He also investigates from a critical angle, his allegiances being professed overtly as anti- dominance. The dictum of the critical method of analysis makes clear that a researcher cannot remain neutral in his or her investigation of political discourse, that one must take a position. My approach in this paper is less specific, and less ideological. I restrict my analysis to constellations of metaphoric and euphemistic clusters in political discourses of two major political forces in the country: Republicans and Democrats. My objective is to deconstruct the meaning of familiar and less familiar political literal figures in the context of their use, and to show their loaded nature, their social force which channels people’s thinking and frames their action.

Grosz evidence (which I mis-cited in the 1NC as “Elizabeth” evidence, that’s her first name, not her last name) indicates that the use of the word “queer” in their “what do we want” evidence is a problematic word that you should reject. It rejects the unique experiences of lesbians in power relations, which rejects the affirmative in essence.

1. No link to modernity

2.