### Top Level

#### Korematsu was rejected from the military for having a disability.

Robert Jackson Center, No Date

[“Fred Korematsu” <http://www.roberthjackson.org/the-man/speeches-articles/articles/remembering-korematsu/fred-korematsu/>, accessed 1-8-14, TAP]

A Brief History of Fred Korematsu¶ It has been more than 50 years since

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. He was 86 years old. Click here to read his obituary.

#### The historical evidence is mixed though – he was also rejected for racist reasons.

NNDB, No Date

[Notable Names Database, “Fred Korematsu” <http://www.nndb.com/people/492/000282643/>, accessed 1-8-14, TAP]

After the 1941 Japanese attack on Pearl Harbor, Fred Korematsu tried to enlist with

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hoping to conceal the "Asian" look of his eyes and nose.

#### He underwent plastic surgery to change his appearance – this demonstrates how Korematsu represents the intersection of disability and race.

Goldstein, New York Times, 2005

[Richard, “Fred Korematsu, 86, Dies; Lost Key Suit on Internment” <http://www.nytimes.com/2005/04/01/national/01korematsu.html?_r=0&pagewanted=print&position>=, accessed 1-8-14, TAP]

Fred T. Korematsu, who lost a Supreme Court challenge in 1944 to the

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or declared military necessity our institutions must be vigilant in protecting constitutional guarantees."

### 2AC – Framework

#### C. Clash uniquely solves critical thinking through deliberation that solves oppression.

Lundberg, University of North Carolina Chapel Hill communications professor, 2010

[Christian, Navigating Opportunity: Policy Debate in the 21st Century by Allan Louden, “Tradition of Debate in North Carolina” <http://books.google.com/books?id=ntHxX_9J7gYC&printsec=frontcover#v=onepage&q=complex%20world&f=false>, p.311-3, accessed 8-8-12, TAP]

The second major problem with the critique that identifies a naivety in articulating debate and

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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

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concrete work to realize and expanded commitment to debate at colleges and universities.

#### Their model for debate is problematic – basing arguments in personal experience means we have to debate against the person, not the args – this guarantees comments that fractures community, creates shallow dialogue and hurts individuals

Deborah Tannen, Ph.D., Georgetown University linguistics professor, ‘98, “The Argument Culture,” p. 81-3

In explaining his decision, Admiral Inman described his personal reaction to criticism he considered

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everyone: journalists, their subjects, and citizens watching from the sidelines.

The only way anyone could think attacks would not be taken personally is to ignore

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sound-bitten to death by the phrase “quota queen.’”

#### Your silence is telling – the performance of the 1nc is faint damnation of internment – it doesn’t capture the full force of the 1ac criticism.

Yen, Boston College law professor, 1998

[Alfred, 40 B.C. L. Rev 1, “SYMPOSIUM: Introduction: Praising With Faint Damnation -- The Troubling Rehabilitation of Korematsu” Lexis, accessed 10-22-13, TAP]

A prime example of the way in which Korematsu may be "praised with faint

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because he studiously avoids criticizing every arm of the government responsible for internment.

Changing representational practices won’t alter policy, looking to structures and politics is more vital

Tuathail, Department of Geography at Virginia Polytechnic Institute, Political Geography, 96 (Gearoid Tuathail, Department of Geography at Virginia Polytechnic Institute, Political Geography, 15(6-7), 664 )

While theoretical debates at academic conferences are important to academics, the discourse and concerns

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needs to always be open to the patterned mess that is human history.

### Ballot Currency Frontline

#### Uniqueness – problems with debate exist, but the ballot isn’t necessary to solve – multiple forums solve.

Ritter ’13

MICHAEL J. RITTER , J.D. – Mr. Ritter received his law degree (J.D.) from the University of Texas School of Law. He is a former debater and currently coordinates the NATIONAL JOURNAL OF SPEECH 26 DEBATE – NJSD – VOLUME II: ISSUE One – SEPTEMBER 2013 – <http://site.theforensicsfiles.com/NJSD.2-1.Final.pdf>, p.32-3, accessed 10-5-13, TAP

The preceding discussion demonstrates why arguments about social change—¶ even social change within the

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use techniques and modes of persuasion discussed by ¶ academics and rhetorical theories.

Debate rounds, at the very most, operate as venue solely for raising awareness

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of ¶ anything beyond the ultimate question of who did the better debating.

#### Turn – their method turns the ballot into a referendum on privilege within the debate community – that trades off with out-of-round community solutions that are necessary to solve.

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The fiction of social change through debate abuses the win–loss structure of ¶

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of social issues within and outside the debate ¶ community by prompting backlash.

### 2ac – K – Perm

#### The aff provides a window for intersectional struggle.

Yamamoto, University of Hawai'i law professor, and Obrey, University of Hawai'I JD candidate, 2009

[Eric and Ashley Kaiao, 16 Asian Am. L.J. 5, “Article: Reframing Redress: A "Social Healing Through Justice" Approach to United States-Native Hawaiian and Japan-Ainu Reconciliation Initiatives” Lexis, accessed 10-22-13, TAP]

With the Congressional Commission's Report, the coram nobis court victories, and the pending

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of internment. n56 It also established an internment fund for public education.

#### And the perm is best – it is the basis for intersectional analysis.

Razack, University of Toronto sociology professor, 1998

Sociology and Equity Studies in Education, the Ontario Institute for Studies in Education of the University of Toronto, 98 [Sherene, “Race, Space, and Prostitution: The Making of the Bourgeois Subject”, Canadian Journal of Women and the Law, 12/1, pg. Women’s Studies International]

To focus on one system of oppression has not sufficed to point the way to

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, we over-simplify what can be achieved by regulation or deregulation.

#### Our strategy is compararively better at breaking down dominant narratives

Chon, Seattle University Law Research and Centers associate dean, 2010

[Margaret, Seattle University law professor, 8 Seattle J. Soc. Just. 643, “ACCESS TO JUSTICE: Remembering and Repairing: The Error Before Us, In Our Presence” Lexis, accessed 10-25-13, TAP]

In addressing inequality, we also need to be wary of unwarranted utopianism or premature

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person can make a difference, even if it takes forty years. n52

### 2ac – Korematsu Education Good

#### Japanese internment is useful to any conversation about racial injustice.

Chon, Seattle University Law Research and Centers associate dean, 2010

[Margaret, Seattle University law professor, 8 Seattle J. Soc. Just. 643, “ACCESS TO JUSTICE: Remembering and Repairing: The Error Before Us, In Our Presence” Lexis, accessed 10-25-13, TAP]

Purely legal approaches toward reparations suffer from theoretical limitations, which range from the technical

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through the law in conjunction with other sociocultural processes, such as education.

#### Korematsu is an important part of the curriculum.

Chon, Seattle University Law Research and Centers associate dean, 2010

[Margaret, Seattle University law professor, 8 Seattle J. Soc. Just. 643, “ACCESS TO JUSTICE: Remembering and Repairing: The Error Before Us, In Our Presence” Lexis, accessed 10-25-13, TAP]

Through the vehicle of coram nobis, the original trial court can consider facts that

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such harm into or the omission of important narratives from present everyday practices.

#### Korematsu provides important education about activism.

Gruber, Florida International University associate law professor, 2006

[Aya, 54 Kan. L. Rev. 307, “ARTICLE: Raising the Red Flag: The Continued Relevance of the Japanese Internment in the Post-Hamdi World” Lexis, accessed 11-2-13, TAP]

Examining the legal literature, there are two different but related areas in which the

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is a necessity; it is a struggle we all must join. n80

### State Good – Frontline

#### Using the state doesn’t compromise ethics – using it strategically in the short term does not trade off with long term revolution.

Smith, Associate Professor of Media and Cultural Studies at UC Riverside, 12

(Andrea, “The Moral Limits of the Law: Settler Colonialism and the Anti-Violence Movement,” settler colonial studies 2, 2 (2012) Special Issue: Karangatia: Calling Out Gender and Sexuality in Settler Societies, http://www.tandfonline.com/doi/pdf/10.1080/2201473X.2012.10648842, accessed 10-18-13, CMM)

In the debates prevalent within Native sovereignty and racial justice movements, we are often

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Native women’s lives by buttressing the prison industrial complex and its violent logics.

While this reformist versus revolutionary dichotomy suggests two radically different positions, in reality they

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would free us to change our strategies as we assess its strategic effects.

At the same time, by divesting from the morality of the law, we

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an alternative system to the heteropatriarchal, white supremacist, settler colonial state.

#### Totalizing opposition creates a culture of suspicion that fails to materialize change.

Berman, University of Connecticut Law School Associate Professor, 2001

[Paul Schiff, “APPROACHES TO THE CULTURAL STUDY OF LAW: TELLING A LESS SUSPICIOUS STORY: NOTES TOWARD A NON-SKEPTICAL APPROACH TO LEGAL/CULTURAL ANALYSIS,” 13 Yale J.L. & Human. 95, Lexis]

The second drawback of the hermeneutics of suspicion is perhaps even more important. As

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normative scholarship cannot extricate scholars from the fundamental questions that I am discussing.

#### It is necessary to learn the language of the state- their form of opposition will always be transitory, getting co-opted by the government or society. It may be necessary but is not sufficient

Sullivan, the New Republic – editor, 1995 (Andrew, Virtually Normal, pg. 91-93)

Moreover, mere cultural redeployment in a free society is always subject to a cultural

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be necessary, but it is not sufficient. To achieve actual results,

to end persecution of homosexuals in the military, to allow gay parents to

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or projects for turning the cage into something more like a human home.”