## AT Regs CP

Solves none of the case—they’ll circumvent them

Solves none of the case—Presence of guns is bad

## AT States CP

Perm do the counterplan, there’s nothing in the AFF that forces me to defending the federal government because they states are still within the United States.

Federalism leads to ineffective responses to disease outbreaks, terrorist attacks, and natural disaster **Griffin, 07**[[1]](#footnote--1)

**And so it is still the case that when natural disasters strike, the divided power of the federal structure presents a coordination problem. The kind of coordination that had to occur to avoid the Katrina disaster requires long-term planning before the event**. The **American constitutional system makes taking intergovernmental action difficult and complex**. The process of coordinating governments can take years. In many ways, the government was just at the beginning of that process at the time of Katrina, [n48](http://www.lexisnexis.com.proxy.lib.umich.edu/us/lnacademic/frame.do?tokenKey=rsh-20.623515.1689064805&target=results_DocumentContent&reloadEntirePage=true&rand=1215280977638&returnToKey=20_T4099813154&parent=docview" \l "n48#n48) although we are now four years distant from the terrorist attacks of September 11, 2001 that set the latest round of disaster coordination in motion. Suppose, however, that we don't have the luxury of taking the time to satisfy every official with a veto. This is the key point of tension between what contemporary governance demands and what the Constitution permits. The kind of limited change that occurred in 1927 can take us only so far. What Hurricane Katrina showed was that even after decades of experience with natural disasters, the federal and state governments were still uncoordinated and unprepared. The reasons they were unprepared go to the heart of the constitutional order. **Unless we learn some lessons, Katrina will happen again. It may be a massive earthquake, an influenza pandemic, a terrorist attack, or even another hurricane, but the same ill-coordinated response will indeed happen again unless some attention is paid to the constitutional and institutional lessons of Katrina. We need to "stop** **federalism" before it kills again. That is, we need to stop our customary thinking about what** **federalism requires in order to prevent another horrific loss of life and property.**

Extinction **Yu 9**[[2]](#footnote-0)

A **pandemic will kill off all humans**. In the past, humans have indeed fallen victim to viruses. Perhaps the best-known case was the bubonic plague that killed up to one third of the European population in the mid-14th century (7). While vaccines have been developed for the plague and some other infectious diseases, **new viral strains are constantly emerging — a process that maintains the possibility of** a pandemic-facilitated human **extinction**. Some surveyed students mentioned AIDS as a potential pandemic-causing virus. It is true that scientists have been unable thus far to find a sustainable cure for AIDS, mainly due to HIV’s rapid and constant evolution. Specifically, two factors account for the virus’s abnormally high mutation rate: 1. HIV’s use of reverse transcriptase, which does not have a proof-reading mechanism, and 2. the lack of an error-correction mechanism in HIV DNA polymerase (8). Luckily, though, there are certain characteristics of HIV that make it a poor candidate for a large-scale global infection: HIV can lie dormant in the human body for years without manifesting itself, and AIDS itself does not kill directly, but rather through the weakening of the immune system. However, for more easily transmitted viruses such as influenza, the evolution of **new strains could prove far more consequential**. The simultaneous occurrence of **antigenic drift** (point mutations that lead to new strains) **and antigenic shift** (the inter-species transfer of disease) in the influenza virus **could produce a new version** of influenza for **which scientists may not immediately find a cure**. Since influenza can spread quickly, this lag time could potentially lead to a “global influenza pandemic,” according to the Centers for Disease Control and Prevention (9). The most recent scare of this variety came in 1918 when bird flu managed to kill over 50 million people around the world in what is sometimes referred to as the Spanish flu pandemic. Perhaps even more frightening is the fact that only 25 mutations were required to convert the original viral strain — which could only infect birds — into a human-viable strain (10).

No impact. Federalism is meaningless. **Greve 12**[[3]](#footnote-1)

In an instructive law review article, the late Bobby Lipkin collected the contemporary Supreme Court’s references to **federalism’s “balance”** and showed that the notion **is empty. It has no constitutional reference** point, **and its** **deployment** as an actual constitutional norm—as opposed to high-toned burble to tart up a result reached on other grounds—**has absurd implications**. **Suppose**, for example, that some otherwise constitutional **federal law shifts the** “constitutionally mandated**” balance to the states’ detriment: could we make it up to the states by giving them a power to**, say, **tax** imports from China? Would that make us feel better about our federalism (because “balance” has been restored)? **I didn’t think so,** either.

## AT Self Defense DA

No link to the AFF Rosenthal says that hospital workers have a variety of options that they can use to defend themselves; handguns are just counterproductive for doing that, and escalate the situation making it worse.

## AT PTX Skeleton

Fiat means the AFF happens immediately, so there’s no debate in Congress and no loss of polcap.

The disad isn’t intrinsic a logical policymaker could do the AFF and still pass XXX policy.

[Won’t pass]

Winners win. **Green 10**[[4]](#footnote-2)

Moreover**, there is a** continuously evolving and **reciprocal relationship between presidential boldness and achievement.** In the same way that **nothing breeds success like success, nothing sets the president up for achieving his or her next goal better than succeeding dramatically on the last go around. This is absolutely a matter of perception, and you can** **see it best in the way that Congress and especially the Washington press corps fawn over bold and intimidating presidents like Reagan and** George W**. Bush. The political teams surrounding these presidents understood the psychology of power all too well. They knew that by** simultaneously **creating a steamroller effect** and feigning a clubby atmosphere for Congress and the press**, they could leave such hapless hangers-on with only one remaining way to pretend to preserve their dignities. By jumping on board the freight train, they could be given the illusion of being next to power, of being part of the winning team.** And so, with virtually the

[No impact]

## AT Constitution DA

We don’t link to this argument their evidence speaks to instances where handguns were banned for the entire population, not the AFF. Obviously the constitution allows for handguns to be banned in specific places like airports or schools.

Fiat solves the link, the constitution allows for provisions to change it and the AFF fiats that those take place meaning that there is no violation.

No-Uniqueness we violate the constitution all the time. **Shapiro 14**[[5]](#footnote-3)

One of Barack Obama’s chief accomplishments has been to return the Constitution to a central place in our public discourse. Unfortunately, **the** **president** **fomented this upswing** in civic interest not by talking up the constitutional aspects of his policy agenda, but **by blatantly violating** the strictures of **our founding document**. And he’s been most frustrated with the separation of powers, which doesn’t allow him to “fundamentally transform” the country without congressional acquiescence. But that hasn’t stopped him. In its first term, the Administration launched a “We Can’t Wait” initiative, with senior aide Dan Pfeiffer explaining that “when Congress won’t act, this president will.” And earlier this year, President Obama said in announcing his new economic plans that “I will not allow gridlock, or inaction, or willful indifference to get in our way.” And so, as we reach the end of another year of political strife that’s fundamentally based on clashing views on the role of government in society, I thought I’d update a list I made two years ago and hereby present President Obama’s top 10 constitutional violations of 2013. 1. Delay of Obamacare’s out-of-pocket caps. **The Labor Department announced** in February that **it was delaying** for a year the **part of the healthcare law** that limits how much people have to spend on their own insurance. This may have been sensible—insurers and employers need time to comply with rapidly changing regulations—**but changing the law requires** actual **legislation**. 2. Delay of Obamacare’s employer mandate. The administration announced via blogpost on the eve of the July 4 holiday that it was delaying the requirement that employers of at least 50 people provide complying insurance or pay a fine. This time it did cite statutory authority, but the cited provisions allow the delay of certain reporting requirements, not of the mandate itself. 3. Delay of Obamacare’s insurance requirements. The famous pledge that “if you like your plan, you can keep it” backfired when insurance companies started cancelling millions of plans that didn’t comply with Obamacare’s requirements. President Obama called a press conference last month to proclaim that people could continue buying non-complying plans in 2014—despite Obamacare’s explicit language to the contrary. He then refused to consider a House-passed bill that would’ve made this action legal. 4. Exemption of Congress from Obamacare. A little-known part of Obamacare requires Congressmen and their staff to get insurance through the new healthcare exchanges, rather than a taxpayer-funded program. In the quiet of August, President Obama directed the Office of Personnel Management to interpret the law to maintain the generous congressional benefits. 5. Expansion of the employer mandate penalty through IRS regulation. Obamacare grants tax credits to people whose employers don’t provide coverage if they buy a plan “through an Exchange established by the State”—and then fines employers for each employee receiving such a subsidy. No tax credits are authorized for residents of states where the exchanges are established by the federal government, as an incentive for states to create exchanges themselves. Because so few (16) states did, however, the IRS issued a rule ignoring that plain text and allowed subsidies (and commensurate fines) for plans coming from “a State Exchange, regional Exchange, subsidiary Exchange, and federally-facilitated Exchange.” 6. Political profiling by the IRS. After seeing a rise in the number of applications for tax-exempt status, **the IRS in 2010 compiled a** “be on the lookout” (“**BOLO**”) **list** to identify organizations engaged in political activities. **The list included words such as “Tea Party,” “Patriots,” and “Israel”;** subjects such as government spending, debt, or taxes; **and activities such as criticizing the government**, educating about the Constitution, or challenging Obamacare. The targeting continued through May of this year. 7. Outlandish Supreme Court arguments. Between January 2012 and June 2013, the Supreme Court unanimously rejected the Justice Department’s extreme positions 9 times. The cases ranged from criminal procedure to property rights, religious liberty to immigration, securities regulation to tax law. They had nothing in common other than the government’s view that federal power is virtually unlimited. As a comparison, in the entire Bush and Clinton presidencies, the government suffered 15 and 23 unanimous rulings, respectively. 8. Recess appointments. Last year, President Obama appointed three members of the National Labor Relations Board, as well as the head of the Consumer Financial Protection Bureau, during what he considered to be a Senate recess. But the Senate was still holding “pro forma” sessions every three days—a technique developed by Sen. Harry Reid to thwart Bush recess appointments. (Meanwhile, the Dodd-Frank Act, which created the CFPB, provides that authority remains with the Treasury Secretary until a director is “confirmed by the Senate.”) In January, the D.C. Circuit held the NLRB appointments to be unconstitutional, which ruling White House spokesman Jay Carney said only applied to “one court, one case, one company.” 9. Assault on free speech and due process on college campuses. Responding to complaints about the University of Montana’s handling of sexual assault claims, the Department of Education’s Office of Civil Rights, in conjunction with the Justice Department, sent the university a letter intended as a national “blueprint” for tackling sexual harassment. The letter urges a crackdown on “unwelcome” speech and requires complaints to be heard in quasi-judicial procedures that deny legal representation, encourage punishment before trial, and convict based on a mere “more likely than not” standard. 10. Mini-DREAM Act. **Congress** has shamelessly **failed to pass** any sort of **immigration reform**, including for the most sympathetic victims of the current non-system, young people who were brought into the country illegally as children. **Nonetheless**, President **Obama**, contradicting his own previous statements claiming to lack authority, **directed** **the** Department of Homeland Security to issue **work and residence permits** to the so-called Dreamers. The executive branch undoubtedly has discretion regarding enforcement priorities, but **granting de facto green cards goes beyond a decision to defer deportation in certain cases**. It was hard to limit myself to 10 items, of course—Obamacare alone could’ve filled many such lists—but these, in my judgment, represent the chief executive’s biggest dereliction this year of his duty to “preserve, protect, and defend” the Constitution, and to “take care that the law be faithfully executed.” Alas, things may get worse before they get better. New presidential “counselor” John Podesta’s belief in governance by fiat is no secret; in a 2010 report, he wrote that focusing on executive power “presents a real opportunity for the Obama administration to turn its focus away from a divided Congress and the unappetizing process of making legislative sausage.” Happy New Year!

No Impact– our position in the world is the same whether people hate us or not. Kagan, 06[[6]](#footnote-4)

The striking thing about the present international situation is the degree to which **America remains** what Bill Clinton once called "**the indispensable nation." Despite global opinion polls registering broad hostility** to George W. Bush's United States, **the behavior of governments and political leaders suggests America's position in the world is not all that different** from what it was before Sept. 11 and the Iraq war. **The** much-anticipated global **effort to balance against American hegemony** -- which the realists have been anticipating for more than 15 years now -- **has simply not occurred**. On the contrary, in Europe the idea has all but vanished. European Union defense budgets continue their steady decline, and even the project of creating a common foreign and defense policy has slowed if not stalled. Both trends are primarily the result of internal European politics. But if they really feared American power, Europeans would be taking more urgent steps to strengthen the European Union's hand to check it. Nor are Europeans refusing to cooperate, even with an administration they allegedly despise. Western Europe will not be a strategic partner as it was during the Cold War, because Western Europeans no longer feel threatened and therefore do not seek American protection. Nevertheless, the current trend is toward closer cooperation. **Germany's new government**, while still dissenting from U.S. policy in Iraq, **is working hard** and ostentatiously **to improve relations**. It is bending over backward to show support for the mission in Afghanistan, most notably by continuing to supply a small but, in German terms, meaningful number of troops. It even trumpets its willingness to train Iraqi soldiers. Chancellor Angela Merkel promises to work closely with Washington on the question of the China arms embargo, indicating agreement with the American view that China is a potential strategic concern. **For Eastern and Central Europe, the growing threat is Russia, not America**, and the big question remains what it was in the 1990s: Who will be invited to join NATO?

## AT Elections DA [Dems Good] Take from AFF PTX

Uniqueness overwhelms the link, the Republican Party looks like an absolute circus and the have a clown as the frontrunner, there’s no way Hillary wont win.

Case outweighs on timeframe all my impact scenarios will be triggered before the next president is even elected let alone before they can pass any policies.

DA non-intrinsic a logical policymaker could do the AFF and then pass whatever policies will solve the impact.

Your disad is wrong, gun control, and no other single issue is big enough to swing the election, especially at this point. **Silver 15**[[7]](#footnote-5)

If you were to rank the most exciting presidential nomination contests, the 1996 Republican race would be near the bottom. Bob Dole, the “next-in-line” GOP candidate and the Senate majority leader, built up a huge lead in polls and endorsements early in the race and was never seriously challenged for the nomination. Dole did lose the New Hampshire primary by a single point to Pat Buchanan. But the field soon consolidated around him, and he went on to win 44 of 50 states. And yet, contemporaneous accounts of the sleepy-seeming 1996 campaign portrayed it as incredibly dramatic, full of “unexpected” twists and “unpredictable” turns. Take this March 7, 1996, article from The New York Times, for example — it was written after Dole had won 12 consecutive primaries and caucuses in the previous week. There are four expressions of surprise in a single paragraph: It’s taken as shocking that the early primaries were as competitive as they were, but equally “striking” that Dole rebounded so quickly from them. After an unpredictable early stretch of primaries, where candidates seemed to flicker out like trick birthday candles, only to re-ignite unexpectedly, Mr. Dole’s return to a commanding lead so early in the voting was striking. The positioning and sorting of the field yesterday was particularly unusual: Almost simultaneously, Mr. Lugar and Mr. Alexander bowed out, as Governor Bush and Mr. Kemp put forth their dueling endorsements. I don’t mean to pick on this article, which happens to have been written by a terrific journalist,1 but it’s typical of the breathless fashion in which developments on the campaign trail are reported. There is a constant series of overcorrections in the conventional wisdom. In this case, because the initial threat to Dole was overstated by the press — Buchanan, a factional candidate, had little chance to see his support grow beyond the 27 percent of the vote he won in New Hampshire2 — Dole’s “comeback” was incorrectly portrayed as unexpected and dramatic. These biases hold in coverage of the general election too, of course: There were 68 purported “game changers” in the 2012 general election, **most** of which turned out to be irrelevant. But for the political observer trying to sift faux game changers from genuine twists in the campaign, the primaries present a couple of additional complications. First, there are far more opportunities to be “surprised” in the primaries. Let’s start with the most basic stuff. In a nomination race, there might be a dozen or more candidates, instead of just two. And states vote one at a time, instead of all at once. Furthermore, in a nomination race, there is an abundance of metrics by which you might judge the campaigns: national polls, Iowa polls, New Hampshire polls, favorability ratings, endorsements, fundraising, staffing, even crowd sizes and yard signs. Eventually, we’ll also be able to look at delegates, which can be counted in many different ways. For any of these metrics, you can report on the level of support (“Hillary Clinton is polling at 48 percent”), the trend (“she’s lost 4 percentage points since last month”), or even the second derivative (“she’s losing ground, but not as quickly as before”). Multiply 23 candidates3 by 10 metrics by three ways of reporting on those metrics, and you have 690 opportunities to be “surprised” at any given time. In a sense, the primaries are a lot like the NCAA basketball tournament: You know there are going to be some surprises. The odds of every favorite winning every game in the NCAA tournament are longer than a billion-to-one against. And yet, in the end, one of the front-runners usually wins. (Since the men’s tournament expanded to 64 teams in 1985, all but three champions have been No. 4 seeds or better.) So be wary **of grand pronouncements about What It All Means based on** a handful of “**surprising” developments**. Is Scott Walker’s campaign off to an “unexpectedly” bad start, for instance? Maybe. (I wouldn’t be thrilled if I were one of Walker’s strategists. I’d also remind myself that we have five months to go before the Iowa caucuses.) Even if you grant that Walker is having some problems, however, it would be stunning if all the Democratic and Republican campaigns were doing exactly as well as pundits anticipated. At any given moment, some campaigns are bound to be struggling to meet expectations, or exceeding them. Similarly, while one might not have predicted that Bernie Sanders would be the one to do it, it was reasonably likely that some rival would emerge to Hillary Clinton. It’s happened for every non-incumbent front-runner in the past: Buchanan for Dole; Bill Bradley for Al Gore. The other big difference between the general election and primaries is that **polls** are not very reliable in the primaries. They improve as you get closer to the election, although only up to a point. But they **have** little meaning now, five months before the first states vote. It’s not only that the polls have a poor predictive track record — at this point in the past four competitive races, the leaders in national polls were Joe Lieberman, Rudy Giuliani, Hillary Clinton and Rick Perry, none of whom won the nomination — but **also** that **they** don’t have a lot of intrinsic meaning. At this point, the **polls you see reported on are** surveying broad groups of Republican- or Democratic-leaning **adults who are relatively unlikely to actually vote** in the primaries and caucuses and who haven’t been paying all that much attention to the campaigns. The ones who eventually do vote will have been subjected to hundreds of millions of dollars’ worth of advertising, had their door knocked on several times, and seen a half-dozen more debates. The ballots they see may not resemble the one the pollsters are testing since it’s likely that (at least on the GOP side) several of the candidates will have dropped out by the time their state votes. Some reporters object to this by saying that the polls are meaningful to the extent that they influence the behavior of the campaigns: If Joe Biden enters the race because he reads the polls as indicating that Clinton is vulnerable, that could matter, for instance. Fair enough. But it’s dubious to compare hypothesized behavior with actual outcomes we’ve seen in past election years. If Biden or Mitt Romney thinks the field is weak and makes a late entry, that will be interesting. If Donald Trump or Sanders actually wins the nomination or comes very close to doing so, that will be a watershed in American political history. But there’s a high rate of false alarms compared with the number of late-entry candidates that actually make a bid or watershed moments that actually occur. None of this is to imply that nominations are all that easy to forecast. And some things this year have been genuinely surprising. In particular, that there are 17 Republican candidates, including a dozen or so who have traditional credentials for the White House, is unprecedented. If you want to develop a theory about how “this time is different,” figuring out how to explain the size of the Republican field (and how it might affect the race) seems like a good starting point. Oddly, this abundance of candidates has been somewhat taken for granted in campaign coverage, even though it potentially plays a big role in explaining Trump’s position in the polls, among other things. The reason may be that it’s something we’ve known about for a long time; there aren’t a lot of clicks to be had from the headline “17 Candidates Still Running; Nothing Else Much Changed Today.” Chasing down the bright, shiny object is more exciting, but usually not more revealing.

[Insert Impact Defense]

## AT Elections DA [Dems Bad] Take from AFF PTX

Non-Unique, the republican party looks like an absolute circus with a clown as their frontrunner, there’s no way Hillary wont win.

Case outweighs on timeframe all my impact scenarios will be triggered before the next president is even elected let alone before they can pass any policies.

DA non-intrinsic a logical policymaker could do the AFF and then pass whatever policies will solve the impact.

Gun control is a major issue for the 2016 election—its unpopularity will get pinned to Democrats and cause GOP victory. **Tani 15**[[8]](#footnote-6)

After years of ducking presidential-campaign battles over gun laws out of fear of the powerful gun lobby, it appears that Democrats are finally ready to go on the offensive. **Democrats are becoming more** and more **outspoken about gun violence in the wake of** seemingly ever **increasing mass shootings**, despite the fact that the American public remains as opposed as ever to many gun-control measures. And the increase in mass shootings has guaranteed that candidates will have to address the issue on the campaign trail, **setting it up to become a major issue in the** 2016 presidential **election**. Democratic presidential front-runner Hillary **Clinton**, for example, set the tone early in her campaign after a mass shooting at a historically African-American church in Charleston, South Carolina. And she **has become much more vocal in her calls for stricter gun laws, making it a recurring feature in her stump speeches.** "**This is a controversial issue**. I am well aware of that. But I think it is the height of irresponsibility not to talk about it," Clinton said this week, according to The Washington Post. Clinton's increased calls for gun control mirror President Barack Obama's recent shift to refocus on gun laws in the wake of a slew of mass shootings. In addition to the Charleston incident, there have been high-profile mass shootings at military facilities in Tennessee and at a movie theater in Louisiana. **Obama** has labeled the failure of Congress to pass new gun laws the biggest frustration of his tenure. He **has spoken out multiple times recently** on the subject, including after the Charleston shooting that killed nine people. "I've had to make statements like this too many times," Obama said in a statement from the White House. "At some point, we as a country will have to reckon with the fact that this type of mass violence does not happen in other developed countries." This is a major shift from 2008, when both Clinton and Obama were criticized for failing to talk about the issue. During the heat of the 2012 campaign, Obama was reluctant to bring up the topic of guns even after the mass shooting at a Colorado movie theater. **Passing gun-control measures**, Democrats have long argued, **had helped lead Democrats to overwhelming losses** in the 1994 midterms, which swept Republicans into power in Congress. **The new focus, then, is an interesting political calculus — because many signs actually show that Americans' support for gun rights is growing**.

[Insert Impact defense]

## AT Race DA

We don’t link to this disad, we ban handguns for almost nobody, so it probably won’t have a real effect on incarceration also their entire link is predicated upon non-compliance which they don’t have a link to.

No uniqueness incarceration is high now and there is no way the AFF substantially increases it.

No link your evidence refers to a situation where gun control is disproportionately enforced for certain groups however I fait that the AFF is enforced for all Americans equally.

Not a D-rule, voting solely based on racial politics is as shallow as Spike TV-all components of an issue must be weighed in making a decision. **Bradley 8**[[9]](#footnote-7)

With only a few weeks to Election Day, racial politics has reared its pathetic head as pundits attempt to decipher poll numbers and audience comments at political rallies. It seems silly to imagine that adults in America may vote along racial lines but it should come as no surprise. Many people on the ideological margins of society vote irrationally. In fact, **voting along racial lines says less about racism than it does about the lack of mature civic responsibility among voters who are indifferent to the nation’s common good**. While using race as an ultimate criterion for supporting or rejecting a candidate is equally unjustifiable and shallow, the possibility of doing exactly that is one of the trade-offs of being free. Positively, **freedom permits us to choose a candidate according to important issues such as his or her positions on abortion**, the role of government in meeting the needs of the poor, foreign policy, and education. I am happy to live in a country with this type of liberty rather than a regime where I have no role in choosing leaders to represent me. When I hear African Americans, Latinos, and Asians lament, “It’s 2008 and racism still exists in America,” I want to shout, “What fairytale were you reading that said racism would ever cease?” One of the historic tenets of Judeo-Christianity, along with many other religions, is that evil exists in the world. As long as people lack the moral formation to escape it, **there will always be racism**. What is most alarming about the media’s recent displays of racial politics is that **many American voters do not have the civic virtue to put their personal racial views aside for the sake of what is best for the nation.** Race does not determine a person’s position on issues. **Do Maxine Waters and Condoleezza Rice think alike simply because they are both black women**? Shallow voting is the art of the imperceptive. In light of the gargantuan issues facing the nation—the conflicts in the Middle East, the nationalization of American banking, transitions in our use of energy, new international partnerships among socialist regimes in Europe, Latin America, and Asia, and the multi-layered issues in Africa—we should be embarrassed as a nation for the world to see people downgrade the presidential election to gene preferences. What **Americans must embrace** is **their responsibility as virtuous citizens concerned about the common good. This means that we put non-essential issues like race aside**, to choose a candidate with the character and competence necessary to offer leadership on the pressing issues of our times.

## AT Court Legit DA

We don’t link to this Disad, their evidence speaks to instances where handguns were banned for the entire population, not the AFF. Obviously the constitution allows for handguns to be banned in specific places like airports or schools.

The court is illegitimate now partisanship on a recent immigration case proves. **Denniston 1/20**[[10]](#footnote-8)

**Has the court now inflicted a new wound on its reputation as a citadel of justice by reaching out to expand its review of** President **Obama’s** broad **new immigration policy** on delayed deportation of upwards of four million undocumented immigrants?  Did it need to add a constitutional question that may seem like a broader threat to the policy? A recital of the facts may help sort out the implications of the court’s choice to tell the lawyers in the case of United States v. Texas to include in their briefs and oral arguments their answers to a question under Article II of the Constitution: Whether the new policy violates the Take Care Clause? First, the 26 states that sued to challenge the new deferred deportation policy have been raising that issue from the start of the case. But, second, in preliminary rulings blocking the new policy temporarily, **two lower federal courts chose not to decide anything about the constitutional question**.  **Their decisions were based on federal laws** that govern the use of administrative law by government agencies. Third, **in taking the case to the Supreme Court** seeking review of the lower court orders, **the Obama administration chose to focus only on the administrative law** questions, along with the procedural question of whether the states had a right to sue at all; the government’s theory on that point is that the policy does no injury to them at all, so they have no genuine grievance. Fourth, in urging the court not to hear the case at this point (it has not yet gone to a trial on the merits of the policy’s legality), the challenging states said that, if review were granted, the court should answer their constitutional claim, too Fifth, the administration then countered with the customary argument that the issue had not been decided in the lower courts and thus should not be examined, in the first instance, by the Justices.  Besides, it argued, the constitutional claim did not add anything to the states’ challenge based on federal laws. **The court** considered all of this at a private conference last Friday and then **disclosed on Tuesday that it was going to hear** the government appeal on the federal law questions – plus **the added question** – as posed by the states – **about a claimed violation of the Take Care Clause.** That clause reads this way: “The President shall take care that the laws be faithfully executed.”  **It is a part of the Constitution that has seldom come up in court cases; when it does, those few cases tend to turn on what it means to “faithfully” execute the laws**.  That is a sufficiently difficult inquiry that the court should, indeed, try to avoid dealing with it. It chose otherwise.  Its choice raises these issues: Was it trying to show a balance, reviewing what the government wanted but also what the states had put forward? Could it actually decide the overall validity of the policy without settling its constitutionality – an issue that would hang over the policy; Did it want to short-circuit the continuation of the case in the lower courts by wrapping up the dispute altogether by itself? But it also may suggest these issues: **Did some of the Justices, at least, want to make it harder for the government to salvage its polic**y; Did some of them want to send a signal that the court really does have doubts about the policy’s constitutionality and those doubts are serious enough to break from the usual practice of avoiding such questions; **Have some of them actually viewed the policy through a political lens**? Some answers may emerge when the case is argued in April, or when the final decision comes out.  Or the court’s motives may remain forever unknown to the public.  This is the kind of thing it usually feels no need to explain.

Fiat means that I can change the Supreme Court decision, which means it’s no longer contradictory and solves the impact.

The DA outlines that it solves war but doesn’t outline any specific wars that could be solved by the court that would otherwise exist in the world of the AFF. So you should prefer my evidence on specificity.

Your internal link and impact cards are both close to thirty years old, which means they’re probably no longer relevant to the courts.

## AT Historic Race K/ Black self defense

Past uses of gun control are only racist because of their intentions to make blacks unable to protect themselves. Therefore the AFF does not link because the intention of the AFF is just to bolster relations and stop cartels.

Res K links aren’t links, there are certain things that I’m textually bound to fiating, but that obviously doesn’t mean that I endorse every single representational issue about them.

We don’t link to this argument because we don’t prevent black people from owning guns unless they’re the security staff in a hospital.

We don’t link, their evidence is in the context of a gun ban for everyone, obviously not the AFF.

We’re a prior Q

Permutation do both: Reforms are possible and desirable---tangible change outweighs the risk of cooption and is still a better strategy than the alt. **Omi 13**[[11]](#footnote-9)

In Feagin and Elias's account, white racist rule in the USA appears unalterable and permanent. There is little sense that the ‘white racial frame’ evoked by systemic racism theory changes in significant ways over historical time. They dismiss important rearrangements and reforms as merely ‘a distraction from more ingrained structural oppressions and deep lying inequalities that continue to define US society’ (Feagin and Elias 2012, p. 21). Feagin and Elias use a concept they call ‘surface flexibility’ to argue that white elites frame racial realities in ways that suggest change, but are merely engineered to reinforce the underlying structure of racial oppression. Feagin and Elias say the phrase ‘racial democracy’ is an oxymoron – a word defined in the dictionary as a figure of speech that combines contradictory terms. If they mean the USA is a contradictory and incomplete democracy in respect to race and racism issues, we agree. If they mean that people of colour have no democratic rights or political power in the USA, we disagree. **The US**A is a racially despotic country in many ways, but in our view it **is** also in many respects **a racial democracy,** capable of being influenced towards more or less inclusive and redistributive economic policies, social policies, or for that matter, imperial policies. What is distinctive about our own epoch in the USA (post-Second World War to the present) with respect to race and racism? Over the past decades there has been a steady drumbeat of efforts to contain and neutralize civil rights, to restrict racial democracy, and to maintain or even increase racial inequality. Racial disparities in different institutional sites – employment, health, education – persist and in many cases have increased. Indeed, the post-2008 period has seen a dramatic increase in racial inequality. The subprime home mortgage crisis, for example, was a major racial event. Black and brown people were disproportionately affected by predatory lending practices; many lost their homes as a result; race-based wealth disparities widened tremendously. It would be easy to conclude, as Feagin and Elias do, that white racial dominance has been continuous and unchanging throughout US history. But such a perspective misses the dramatic twists and turns in racial politics that have occurred since the Second World War and the civil rights era. Feagin and Elias claim that we overly inflate the significance of the changes wrought by the civil rights movement, and that we ‘overlook the serious reversals of racial justice and persistence of huge racial inequalities’ (Feagin and Elias 2012, p. 21) that followed in its wake. We do not. In Racial Formation we wrote about ‘racial reaction’ in a chapter of that name, and elsewhere in the book as well. Feagin and Elias devote little attention to our arguments there; perhaps because they are in substantial agreement with us. While we argue that the right wing was able to ‘rearticulate’ race and racism issues to roll back some of the gains of the civil rights movement, we also believe that there are limits to what the right could achieve in the post-civil rights political landscape. So we agree that the present prospects for racial justice are demoralizing at best. But we do not think that is the whole story. **US racial conditions have changed** over the post-Second World War period, in ways that Feagin and Elias tend to downplay or neglect. Some of the major reforms of the 1960s have proved irreversible; they have set powerful democratic forces in motion. These racial (trans)formations were the results of unprecedented political mobilizations, led by the black movement, but not confined to blacks alone. Consider the desegregation of the armed forces, as well as key civil rights movement victories of the 1960s: the **Voting Rights** Act, the **Immigration and Naturalization Act** (Hart- Celler), as well as important court decisions like **Loving v. Virginia** that declared anti-miscegenation laws unconstitutional. While we have the greatest respect for the late Derrick Bell, we do not believe that his ‘interest convergence hypothesis’ effectively explains all these developments. How does Lyndon Johnson's famous (and possibly apocryphal) lament upon signing the Civil Rights Act on 2 July 1964 – ‘We have lost the South for a generation’ – count as ‘convergence’? The US racial regime has been transformed in significant ways. As Antonio Gramsci argues, **hegemony proceeds through the incorporation of opposition** (Gramsci 1971, p. 182). The civil rights reforms can be seen as a classic example of this process; here the US racial regime – under movement pressure – was exercising its hegemony. **But** Gramsci insists that such **reforms** – which he calls ‘passive revolutions’ – cannot be merely symbolic if they are to be effective: oppositions must win real gains in the process. Once again, we are in the realm of politics, not absolute rule. So yes, we think there were important if partial victories that shifted the racial state and transformed the significance of race in everyday life. And yes, we think that **further victories can take place both on** the broad terrain of the state **and** on the more immediate level of social interaction: in **daily interaction**, in the human psyche and across civil society. Indeed we have argued that in many ways the most important accomplishment of the anti-racist movement of the 1960s in the USA was the politicization of the social. In the USA and indeed around the globe, race-based movements demanded not only the inclusion of racially defined ‘others’ and the democratization of structurally racist societies, but also the recognition and validation by both the state and civil society of racially-defined experience and identity. These demands broadened and deepened democracy itself. They facilitated not only the democratic gains made in the USA by the black movement and its allies, but also the political advances towards equality, social justice and inclusion accomplished by other ‘new social movements’: second-wave feminism, gay liberation, and the environmentalist and anti-war movements among others. **By no means do we think that the** post-war movement **upsurge was an unmitigated success**. Far from it: all the new social movements were subject to the same ‘rearticulation’ (Laclau and Mouffe 2001, p. xii) that produced the racial ideology of ‘colourblindness’ and its variants; indeed all these movements confronted their mirror images in the mobilizations that arose from the political right to counter them. **Yet even their incorporation** and containment, even their confrontations with the various ‘backlash’ phenomena of the past few decades, even the need to develop the highly contradictory ideology of ‘colourblindness’, **reveal the** transformative character **of the ‘politicization of the social’**. While it is not possible here to explore so extensive a subject, it is worth noting that it was the long-delayed eruption of racial subjectivity and self-awareness into the mainstream political arena that set off this transformation, shaping both the democratic and anti-democratic social movements that are evident in US politics today.

**Light and Katz 96** From the AFF

Let me weigh the AFF, voting solely based on racial politics is as shallow as Spike TV-all components of an issue must be weighed in making a decision. **Bradley 8**[[12]](#footnote-10)

With only a few weeks to Election Day, racial politics has reared its pathetic head as pundits attempt to decipher poll numbers and audience comments at political rallies. It seems silly to imagine that adults in America may vote along racial lines but it should come as no surprise. Many people on the ideological margins of society vote irrationally. In fact, **voting along racial lines says less about racism than it does about the lack of mature civic responsibility among voters who are indifferent to the nation’s common good**. While using race as an ultimate criterion for supporting or rejecting a candidate is equally unjustifiable and shallow, the possibility of doing exactly that is one of the trade-offs of being free. Positively, **freedom permits us to choose a candidate according to important issues such as his or her positions on abortion**, the role of government in meeting the needs of the poor, foreign policy, and education. I am happy to live in a country with this type of liberty rather than a regime where I have no role in choosing leaders to represent me. When I hear African Americans, Latinos, and Asians lament, “It’s 2008 and racism still exists in America,” I want to shout, “What fairytale were you reading that said racism would ever cease?” One of the historic tenets of Judeo-Christianity, along with many other religions, is that evil exists in the world. As long as people lack the moral formation to escape it, **there will always be racism**. What is most alarming about the media’s recent displays of racial politics is that **many American voters do not have the civic virtue to put their personal racial views aside for the sake of what is best for the nation.** Race does not determine a person’s position on issues. **Do Maxine Waters and Condoleezza Rice think alike simply because they are both black women**? Shallow voting is the art of the imperceptive. In light of the gargantuan issues facing the nation—the conflicts in the Middle East, the nationalization of American banking, transitions in our use of energy, new international partnerships among socialist regimes in Europe, Latin America, and Asia, and the multi-layered issues in Africa—we should be embarrassed as a nation for the world to see people downgrade the presidential election to gene preferences. What **Americans must embrace** is **their responsibility as virtuous citizens concerned about the common good. This means that we put non-essential issues like race aside**, to choose a candidate with the character and competence necessary to offer leadership on the pressing issues of our times.

## AT Fem K

Gender realism imagines the world in white terms. **Mikkola 6**[[13]](#footnote-11)

Uncle Theo holds a realist view of pebbles: he thinks that individual pebbles share the very same universal feature of pebblehood that makes individual pebbles (as opposed to, say, sand). **Feminist theorists** (on Spelman's view) **hold a parallel realist view of gender: individual women** share the very same universal feature of womanness that makes individual women (as opposed to, say, men). Women qua women, then, **have in common the very same feature of womanness found in all and only women.** Spelman went on to argue that no such universal exists and thus that gender realism (of any kind) must be false**.** Spelman maintained first that **the gender realist view,** which she took much of feminist theory to hold, **had resulted from white middle-class Western feminists falsely theorizing gender and gender oppression from the perspective of "white solipsism,**" the tendency to "think, imagine, and speak as if whiteness describes the world" (Adrienne Rich, quoted in Harris 1993, 356). As Spelman explained: If . . . I believe that the woman in every woman is a woman just like me, and if I also assume that there is no difference between [End Page 80] being white and being a woman, then seeing another woman 'as a woman' will involve seeing her as fundamentally like the woman I am. In other words, **the womanness underneath the Black woman's skin is a white woman's, and deep down inside the Latina woman is an Anglo woman waiting to burst through** an obscuring cultural shroud.(1990, 13) In Spelman's view, **white Western middle-class feminists have assumed that women all share some single feature and have theorized this feature as the one *they* possess. In doing so, they** inadvertently **created a notion of womanness where the common nature underneath the distorting cultural conditions is "white, middle-class, heterosexual, Christian, and able-bodied"** (Minow 1993, 339). Furthermore, this false notion of womanness, Spelman claimed, was "being passed off as a metaphysical truth" (1990, 186) thereby **privileging some women while marginalizing others.** White middle-class Western feminists simply did not understand the importance of race and class and by focusing on women merely as women (ignoring race and class differences) **they "conflate[d] the condition of one group of women with the condition of all"** (1990, 3).

What makes a woman a woman is different for all women. All parts of our identities make up who we are and can’t be separated out into things like a universal notion of woman. **Mikkola 6**[[14]](#footnote-12)

Spelman's discussion of white solipsism pointed to a further mistaken assumption that she believed feminist theorists held: what makes one woman a woman is the same as what makes another woman a woman. On the contrary, she claimed, "**gender is constructed and defined in conjunction with elements of identity such as race, class, ethnicity, and nationality**" (1990, 175). As a result, **what makes it true that two women are women is not that they share some common nature we can separate from other aspects of their identities**: What makes it true that Angela and I are women is not some 'woman' substance that is the same in each of us and interchangeable between us. **Selves are not made up of separable units of identity strung together to constitute a whole person.** It is not as if there is a goddess somewhere who made lots of little identical 'woman' units and then, in order to spruce up the world a bit for herself, decided to put some of those units in black bodies, some in white bodies, some in the bodies of kitchen maids in seventeenth century France, some in the bodies of English, Israeli, and Indian prime ministers. (1990, 158) Spelman argued that **those committed to gender realism had falsely assumed a woman's womanness is a neatly distinguishable part of her identity separable from all other aspects of the woman's identity** (such as her racial, cultural, and class identities). This was because, Spelman thought, the realist picture of gender falsely entails that all women qua women share the very same feature of womanness regardless of any other features they possess (such as those invoked [End Page 81] by racial and class identities). A woman's womanness (on this realist view) will remain unaffected by her race and class.

Alt fails – abstract movements won’t produce political results besides violence – embrace the hard work of pragmatic reform. **Condit 15**[[15]](#footnote-13)

Thus, when Žižek and others urge us **to “Act**” with violence to destroy the current Reality, without a vision of an alternative, on the grounds that the links between actions and consequences are never certain, **we can call** his appeal both a failure of imagination and **a** failure of reality. As for reality, we have dozens of revolutions as models, and **the historical record indicates** quite clearly that they generally lead not to harmonious cooperation (what I call “AnarchoNiceness” to gently mock the romanticism of Hardt and Negri) but instead to the **production of** totalitarian states and/or violent factional strife. A materialist constructivist epistemology accounts for this by predicting that it is not possible for symbol-using animals to exist in a symbolic void. All **symbolic movement has a trajectory**, and **if you have not** imagined a potentially realizable alternative for that trajectory to take, then what **people will** leap into is **biological predispositions**—the first iteration of which is the rule of the strongest primate. Indeed, this is what experience with revolutions has shown to be the most probable outcome of a revolution that is merely against an Evil. The failure of imagination in such rhetorics thereby reveals itself to be critical, so it is worth pondering sources of that failure. The rhetoric of “the kill” in social theory in the past half century has repeatedly reduced to the leap into a void because the symbolized alternative that the context of the twentieth century otherwise predispositionally offers is to the binary opposite of capitalism, i.e., communism. That rhetorical option, however, has been foreclosed by the historical discrediting of the readily imagined forms of communism (e.g., Žižek9). The hard **work to invent better alternatives is not as** dramatically **enticing as the story of the kill**: such **labor is** piecemeal, intellectually difficult, requires multi-disciplinary understandings, and perhaps requires more creativity than the typical academic theorist can muster. In the absence of a viable alternative, the appeals to Radical Revolution seem to have been sustained by the emotional zing of the kill, in many cases amped up by the appeal of autonomy and manliness (Žižek uses the former term and deploys the ethos of the latter). But **if one does not provide a** viable vision that offers a reasonable chance of leaving most people better off than they are now, **then** Fox News has a better offering (you'll be free and you'll get rich!). A revolution posited as a void cannot succeed as a horizon of history, other than as constant local scale violent actions, perhaps connected by shifting networks we call “terrorists.” This analysis of the geo-political situation, of the onto-epistemological character of language, and of the limitations of the dominant horizon of social change indicates that the focal project for progressive Left Academics should now include the hard labor to produce alternative visions that appear materially feasible.

Policy focus is key – lack of policy focus destroys hope for change. **Light and Katz 96**[[16]](#footnote-14)

The problematic situation of environmental ethics greatly troubles us, both as philosophers and as citizens. We are deeply concerned about the precasrious state of the natural world, the environmental hazards that threaten humans, and the maintenance of long-term sustainable life on this planet. The environmental crisis that surrounds us is a fact of experience. It is thus imperative that environmental philosophy, as a discipline, address this crisis – its meaning, its causes and its possible resolution. Can philosophers contribute anything to an investigation of environmental problems? Do the traditions, history and skills of philosophical thought have any relevance to the development of environmental policy? We believe that the answer is **yes. Despite the problematic** (and, heretofore, ineffectual) **status of environmental ethics as a practical discipline, the field has much to offer. But the fruits of this philosophical enterprise must be directed towards the practical resolution of environmental problems – environmental ethics cannot remain mired in long-running theoretical debates** in an attempt to achieve philosophical certainty. As Mark Sagoff has written: [W]e have to get along with certainty; **we have to solve practical, not theoretical, problems**; and we must adjust the ends we pursue to the means available to accomplish them. **Otherwise, method becomes an obstacle to morality, dogma the foe of deliberation, and the ideal society we aspire to in theory will become a formidable enemy of the good society we can achieve in fact.** In short, environmental **ethics must develop** for itself a methodology of environmental **pragmatism** – fueled by a recognition that **theoretical debates are problematic for the development of environmental policy**. This collection is an attempt to bring together in one place the broad range of positions encompassed by calls for an environmental pragmatism. For us, **environmental pragmatism is the open-ended inquiry into the specific real-life problems of humanity’s relationship with the environment**. The new position ranges from arguments for an environmental philosophy informed by the legacy of classical American pragmatist philosophy, to the formulation of a new basis for the reassessment of our practice through a more general pragmatist methodology.

## AT Statism K

Focus on institutional change is empirically successful for p/w disabled. Winter 3**[[17]](#footnote-15)**

The history of the efforts of the **disability rights movement on behalf of legislation** which would **facilitate** the attainment of its twin goals of the **inclusion and empowerment** of persons with disabilities can be said to begin in the 1950s. Specifically, it can be traced (Varela 1983: 35) to the "paralyzed veterans . . . fighting for more parking spaces, and for more accessible commodes . . ." and to the fight by people with disabilities "for local and state accessibility laws throughout the 1950s." The first significant federal legislation advancing the goals of the movement came in 1965 with the creation of the National Commission on Architectural Barriers to the Rehabilitation of the Handicapped. The Commission was to "study the problems involved in making all federal buildings accessible to disabled citizens" (Varela 1983: 36). However, the import of the work of the Commission on such problems is not limited to problems of access. As Varela (1983: 36) observes, "the work of the Commission, and, more importantly, of disabled activists . . . [changed] attitudes toward disability . . . ." The change was from "an emphasis on services (that is, on doing something about 'those people')" to "an emphasis on civil rights (that is, the notion that once certain obstacles were removed, disabled people would be able to do a lot more for themselves than society had imagined)" (Varela 1983: 36). In short, efforts to include those with disabilities became efforts to empower them as well. Moreover, the notion that environmental obstacles and not just the impairment of individuals were worthy of attention rendered it plausible to seek the enactment of laws and regulations that would do so. In other words, "environmental variables, unlike individual characteristics can be rectified through legislativeand administrative action" (DeJong 1983: 25). In 1968, the Architectural Barriers Act was passed. It stipulated that any facility built with or merely receiving federal funds had to be accessible to all. However, enforcement was minimal (Varela 1983: 36). Fortunately, the Rehabilitation Act of 1973, in a provision welcomed by the disability right movement, established the Architectural and Transportation Barriers Compliance Board (A&TBCB) to investigate and enforce compliance with established standards. Unfortunately, it "never received the funding it needed to enforce the law or even to investigate all . . . violations . . . reported by disabled consumers" (Varela 1983: 37). Nevertheless, the **fight for accessibility** did **advance the cause of the disability rights** movement. **It helped make** it **clear that barriers included "social**, political and intellectual **obstacles**, as well as physical ones" (Varela 1983: 37). Moreover, the 1973 Rehabilitation Act contained provisions in addition to the establishment of the A&TBCB which were important to the movement (Varela 1983: 40-41). It required the establishment, by state rehabilitation agencies, of selection methods that would ensure that people with severe impairments were not excluded from the agency's programs. In effect, then, the Act made it clear that no impairment, no matter how severe, was to be allowed as a consequences of a state agency's denial of services to become a disability. In addition, the 1973 act included provisions for client rights and for civil rights. Specifically, Section 504 prohibited discrimination against persons with so-called disabilities by any federally supported program. Thus, Section 504 was important to persons with so- called disabilities "who were looking for jobs . . . who wanted to use the same clinic as everyone else, who wanted the same choice of apartments, and who wanted to get into the polling places on election day" (Varela 1983: 42), who wanted simply to be an autonomous, contributing member of society. The next step in the history of legislation to empower and include people with impairments was the passage of Individuals with Disabilities Education Act (IDEA, originally called the Education for All Handicapped Children Act of 1975, P. L. 94-142). IDEA set "forth a comprehensive scheme" to ensure "two basic substantive rights of eligible children with disabilities . . . ." These were: "(1) the right to a free appropriate public education, and (2) the right to that education in the least restrictive environment" (National Council on Disability 2000: 28). The law applied in every state that receives federal funds under IDEA and to all public agencies authorized to provide special education and related services in a state that receives such funds. The Act was amended and reauthorized in 1997 (NCD 2000 30-31). In 1978, the Rehabilitation, Comprehensive Services and Developmental Disabilities Amendments (P. L. 95-602) of the 1973 Rehabilitation Act were passed. The amendments evinced Congress' endorsement of the autonomy premise of the social model described above. That is, the Amendments acknowledged that persons with disabilities should be involved in forming the policies and practices which affect their lives. Specifically, it mandated that a grant for an independent living center "provide assurances that handicapped individuals be substantially involved in [the] policy direction and management of such center, and will be employed by such center" (P. L.. 95-602 as quoted by Varela 1983: 46). **Many**, if not most, however, **view the** enactment of the Americans with Disability Act (**ADA**) in 1990 **as the crowning achievement of** the **disability rights** movement. That act (P. L. 101-336) extended provisions of the Rehabilitation Act of 1973 and the 1978 amendments well beyond the earlier application to federally supported programs and the state rehabilitation agencies and of the IDEA to special education. Indeed, it "codified into law important principles that would henceforth govern the relationship between [American] society and its citizens with disabilities . . . [and] altered public discourse about disability and about the role of people with disabilities in American society" (National Council on Disability 1997b: 4-5). It did so, first, by, in effect, making the marginalization, the exclusion of people with impairments from the mainstream of society in the United States, illegitimate. Specifically, i**t declared** that "**people with disabilities** are an integral part of society and, as such, **should not be** segregated, isolated, or **subjected to** the effects of **discrimination**" (National Council on Disability 1997b: 4). Furthermore, it sought **to enable "people with disabilities to take charge of their lives** . . . by fostering employment opportunities, facilitating access to public transportation and public accommodation, and ensuring the use of our nation's communication system" (National Council on Disability 1997b: 4). Moreover, the principles of **the ADA can** serve as a basis to test and **challenge public policies** and practices **not consistent with** those **principles** and even to demand they be changed. The **ADA**, then, "**upholds** the principle that each individual has the potential, and deserves, **the right to participate** in, and contribute to, society" (National Council on Disability 1997b: 5).

## AT Cap K/CP

Case is a DA to the alt; class movements can’t solve ableism. Kitchin 10**[[18]](#footnote-16)**

It is increasingly clear that the **relationships between disability and society cannot be framed within** either **strict economic** and political terms **or** purely socio-**cultural processes, but must encompass a mixture** of the two. In a mixed approach, **disabled people are excluded not only because of capitalist** mode of **production, but also** because of **socially constructed** modes of **thought** and expression enshrined in cultural representations and cultural myths. The neo-Marxist might claim that such representations and myths are a particular manifestation or expression of capital. Such claims can be rejected: all behaviour and action are not predicated upon capital concerns. For example, exclusionary processes within Northern Ireland between Nationalist and Unionists are predominantly predicated upon territory and power, not capital. Whilst it could be argued that the sociospatial nexus in Northern Ireland was a result of feudal capital relations, the current con¯ ict has shifted in emphasis. **Class**, whilst important, **is only one axis of oppression** within society with disability, gender, race, sexuality, religious beliefs and nationality providing the context in which other power relations operate: there are multiple, interacting ®elds of power (Pile, 1997). Processes of oppression can arise out of the social mobilisation of groups of individuals with con¯ icting interests. The focus of attention should therefore shift from capital and class to power in its various manifestations.

Disability rights are key to challenge capitalism. Russell 02**[[19]](#footnote-17)**

While new social movements fighting against racism, patriarchy and homophobia were gaining prominence in many Western countries in the 1960s,45 movements of disabled people, with more or less coherent programmes and ideologies, also slowly emerged. Unlike other social movements, the various **disability rights movements**46 to date have **received** relatively **little attention from socialists**, union activists or academics, even in the USA, which arguably has one of the strongest and oldest disability rights movements.47 Yet an **examination of their** various **trajectories suggests useful insights that** those seeking to challenge capitalism in other struggles **can learn from** and incorporate in them. To the extent that widespread accommodation to the needs of **disabled workers would** necessarily **transform the workplace and** challenge expectations of ever increasing productivity rates, the **disability rights** movement **can be** seen as **radically democratic and counter-hegemonic** in potential and scope.

Case outweighs and turns the kritik because ableism is the root cause of classism; that’s Siebers. Unskilled workers can be oppressed because they don’t fit the able-body imperative.

## AT ID Politics Bad

Their claim of identity politics de-legitimizes real attempts for policy change – it’s a new link. Kubic 8**[[20]](#footnote-18)**

Arguments of this nature have often been dismissed as shallow “identity politics.” But the modes of blackness described above are no such thing, predicated as they are on a set of behaviors and ideas, not arbitrary standards or biological qualities. The term identity politics has been increasingly used to attack the claims made on the system by blacks, Latinos, women, gays and lesbians, and other marginalized groups. Such posturing paints legitimate calls for policy action to remedy inequality as mere self-interest in pursuit of special privilege, obscuring the self-interest that is the primary reason that dominant groups resist those demands. In any event, the demonization of “identity politics” distracts from the fact that all politics is identity politics. Identity, in all of its 14 many forms, is the very foundation of political behavior, with conflict arising when the ideas and values inherent within identities clash or when different identities are activated against one another, at both the individual and communal levels. Indeed, even policy perspectives widely thought to be divorced from identity politics are quite closely tied. All political actions are closely bound up in individuals’ perceptions of themselves, their priorities, and the actions subsequently required of them – in a word, in their identities.

## AT Speaking For Others

Not speaking for others – the 1AC cites medical professionals who’s job it is to care for disabled people – if that’s a link, their alternative makes change IMPOSSIBLE since it means THERE ARE NO ALLIES to disabled people – the status quo’s marginalization of disabled voices means allies are key

Disability is a contingent and constantly shifting identity, which makes it unique – able-bodiedness is not a permanent status but something that can be changed at any moment – since we are all only temporarily able-bodied we ought to speak out against ableism

Your argument destroys the possibility of critique in public debate – that’s key to social change. Sells 97**[[21]](#footnote-19)**

In her recent article, "The Problems of Speaking For Others," Linda Alcoff points out the ways in which this retreat rhetoric has actually become an evasion of political responsibility. Alcoff's arguments are rich and their implications are many, but one implication is relevant to a vital feminist public forum. **The retreat from speaking for others is** politically dangerous **because it erodes public discourse**. First, **the retreat response** presumes that we can, indeed, "retreat to a discrete location and make singular claims that are disentangled from other's locations." Alcoff calls this a "false ontological configuration" in which we **ignore how our social locations are always** already **implicated in the locations of others**. The position of "**not speaking for others**" thus **becomes an alibi that allows individuals to avoid responsibility** and accountability for their effects on others. **The retreat**, then, is actually a withdrawal to an individualist realm, a move that reproduces an individualist ideology and **privatizes the politics of experience**. As she points out, this move creates a protected form of speech in which **the individual is above critique because she is not making claims about others**. This protection also gives the speaker immunity from having to be "true" to the experiences and needs of others. As a form of protected speech, then, "**not speaking for others" short-circuits public debate by disallowing critique and avoiding responsibility** to the other. Second, **the retreat response undercuts** the possibility of **political efficacy**. Alcoff illustrates this point with **a list of people**--Steven **Biko**, Edward **Said**, Rigoberta **Menchu**--who **have indeed spoken for others with significant political impact**. As she bluntly puts it, both **collective action** and coalition **necessitate speaking for others**.

We benefit from ableism and exercise able-bodied privileged – that creates a special obligation to speak for others – my entire position acknowledges my own complicity in ableism, and it is from here kritik should begin – once this recognition is made speaking for others is a form of empowerment. Kothari 1**[[22]](#footnote-20)**

Now to some of the more specific questions raised by Young: the issue of representation of minorities and recognizing them, a crucial aspect of postcolonialism, invests elite sections with an opportunity and onus of doing the recognizing.  That is what happens in practice.  Baldly stated, **the postcolonial predicament is** academic capital for metropolitan theoreticians **in the first world**, or for Third World theorists now resident in the metropolis.  Similarly, the situations of groups within the postcolonial nation-spaces are fodder for theorization by mainstream groups within that nation-space. **If a member of the ‘oppressive’ group is engaged in the recognizing**, chances are that **she appropriates the voice of the colonized**, representing them—thus engaging in another quasi-orientalist activity. The crucial difference **is that the recognition is not only of the subaltern by the mainstream** or oppressor **group, but also a recognition by the oppressor of herself as complicit** in the structure of oppression. This recognition points to an exercise of the imagination, and a sympathetic entry into the other life-world. **The** **representation that follows** such a preliminary recognition **is not appropriation of a voice but a description of how that voice might sound once it begins to speak.**The balance between facilitating voice to the silent ones while remaining invisible is a delicate one and yet it is important to tread this path.

## AT “Disabled” Bad

Their argument blocks meaningful reform by nitpicking rhetoric – only the aff is a material action to create change

Their focus on euphemism satisfies people with criticism but does nothing to address the second-class status of disabled people in the status quo

Jernigan 9**[[23]](#footnote-21)**

As civilizations decline, they become increasingly concerned with form over substance, particularly with respect to language. At the time of the First World War we called it shell shock—a simple term, two one-syllable words, clear and descriptive. A generation later, after the Second World War had come and gone, we called it combat fatigue. It meant the same thing, and there were still just two words—but the two syllables had grown to four. Today the two words have doubled, and the original pair of syllables have mushroomed to eight. It even has an acronym, PTSD—post traumatic stress disorder. It still means the same thing, and it still hurts as much, but it is more in tune with current effete sensibilities. It is also a perfect example of the pretentious euphemisms that characterize almost everything we do and say. Euphemisms and the **politically correct language** which they exemplify are sometimes only prissy, sometimes ridiculous, and sometimes tiresome. Often, however, they are more than that. At their worst they obscure clear thinking and damage the very people and causes they claim to benefit. The blind have had trouble with euphemisms for as long as anybody can remember, and late twentieth-century America is no exception. The form has changed (in fact, everything is very "politically correct"), but the old notio**ns of inferiority** and second-class **status still remain**. The euphemisms and the **political correctness don't help**. If anything, they make matters worse **since they claim** modern thought and **new enlightenment**. Here is a recent example from the federal government: United States Department of Education Washington, D.C. May 4, 1993 Memorandum TO: Office for Civil Rights Senior Staff FROM: Jeanette J. Lim, Acting Assistant Secretary for Civil Rights SUBJECT: Language Reference to Persons with a Disability As you know, the October 29, 1992, Rehabilitation Act Amendments of 1992 replaced the term "handicap" with the term "disability." This term should be used in all communications. OCR recognizes the preference of individuals with disabilities to use phraseology that stresses the individuality of all children, youth, and adults, and then the incidence of a disability. In all our written and oral communications, care should be given to avoid expressions that many persons find offensive. Examples of phraseology to avoid and alternative suggestions are noted below. "Persons with a disability" or "individuals with disabilities" instead of "disabled person." "Persons who are deaf" or "young people with hearing impairments" instead of "deaf people." "People who are blind" or "persons with a visual impairment" instead of "blind people." "A student with dyslexia" instead of "a dyslexic student." In addition, please avoid using phrases such as "the deaf," "the mentally retarded," or "the blind." The only exception to this policy involves instances where the outdated phraseology is contained in a quote or a title, or in legislation or regulations; it is then necessary to use the citation verbatim. I hope this information has been helpful to you. If you have any questions about any of these favored and disfavored expressions, feel free to contact Jean Peelen, Director, Elementary and Secondary Education Policy Division, at (202) 205-8637. That is what the memorandum says, and if it were an isolated instance, we could shrug it off and forget it. But it isn't. It is more and more the standard thinking, and anybody who objects is subject to sanction. Well, we of the National Federation of the Blind do object, and we are doing something about it. At our recent national convention in Dallas we passed a resolution on the subject, and we plan to distribute it throughout the country and press for action on it . Here it is: Resolution 93-01 WHEREAS, the word “blind” accurately and clearly describes the condition of being unable to see, as well as the condition of having such limited eyesight that alternative techniques are required to do efficiently the ordinary tasks of daily living that are performed visually by those having good eyesight; and

Their censorship replicates the abeleist biomedical model---it attaches stigma to the “disabled identity” by asserting one proper way of dealing with and even DISCUSSING disability---our term is crucial to subvert stigma. Gray, ‘9**[[24]](#footnote-22)**

New, politically correct terms for disabled people, such as ‘physically challenged’ or ‘hearing impaired’, assume that disability poses a challenging problem that one must overcome. For this reason, many disability activists oppose these terms. Terms like ‘physically challenged’ reaffirm the disability as inability model. By using supposedly more sensitive and neutral language, these terms also mask and blur the identity of disability itself, failing to capture the genuine ‘essences’, in this case, positively valued essences, of disabilities. Alternatively, many disabled persons prefer that more straightforward terms like ‘blind’ or ‘deaf’ be adopted and used because they bring the disabled identity to the fore (Linton, 1998). Sometimes these terms may even be substituted with formerly pejorative terms, much in the way that other stigmatized groups have salvaged previously derogatory terms (Fletcher, 1993). Just as gays and lesbians have reappropriated the term ‘queer’, in many non-mainstream disability rights publications, for example, terms such as ‘crip’, ‘invalid’, or ‘gimp’ are used freely and often. In her treatise entitled On Being a Cripple, Nancy Mairs explains why she prefers ‘cripple’ to the more common ‘disabled’ or ‘handicapped’ (1986). This appropriation of traditionally offensive terms signals an attempt to subvert the stigma of disability. By invoking these terms, one can ironically comment on the marginalization of disabled identities and offer an affirmation of the positive features of disability, which is, I have argued, a core distinguishing characteristic of the emerging multicultural narrative of disability.

Their argument assigns shame to disability status. Jernigan 9**[[25]](#footnote-23)**

WHEREAS, there is increasing pressure in certain circles to use a variety of euphemisms in referring to blindness or blind persons―euphemisms such as “hard of seeing,” “visually challenged,” “sightless,” “visually impaired,” “people with blindness,” “people who are blind,” and the like; and WHEREAS, a differentiation must be made among these euphemisms: some (such as “hard of seeing,” “visually challenged,” and “people with blindness”) being totally unacceptable and deserving only ridicule because of their strained and ludicrous attempt to avoid such straightforward, respectable words as “blindness,” “blind,” “the blind,” “blind person,” or “blind persons;” others (such as “visually impaired,” and “visually limited”) being undesirable when used to avoid the word “blind” and acceptable only to the extent that they are reasonably employed to distinguish between those having a certain amount of eyesight and those having none; still others (such as “sightless”) being awkward and serving no useful purpose; and still others (such as “people who are blind” or “persons who are blind”) being harmless and not objectionable when used in occasional and ordinary speech but being totally unacceptable and pernicious when used as a form of political correctness to imply that the word “person” must invariably precede the word “blind” to emphasize the fact that a blind person is first and foremost a person; and WHEREAS, **this euphemism** concerning people or persons who are blind--when used in its recent trendy, politically correct form--does the exact opposite of what it purports to do since it is overly defensive, **implies shame instead of** true **equality**, and portrays the blind as touchy and belligerent; and WHEREAS, **just as an intelligent person** is willing to be so designated and **does not insist upon being called “a person who is intelligent**” and a group of bankers are happy to be called bankers and have no concern that they be referred to as persons who are in the banking business, **so it is with the blind**―the only difference being that **some people** (blind and sighted alike) **continue to cling to the** outmoded **notion that blindness** (along with everything associated with it) **connotes inferiority** and lack of status; now, therefore, BE IT RESOLVED by the National Federation of the Blind in Convention assembled in the city of Dallas, Texas, this 9th day of July, 1993, that the following statement of policy be adopted: We believe that it is respectable to be blind, and **although we have no particular pride in** the fact of **our blindness, neither do we have any shame in it**. To the extent that euphemisms are used to convey any other concept or image, we deplore such use. We can make our own way in the world on equal terms with others, and we intend to do it.

## AT Other Rhetoric

Their argument blocks meaningful reform by nitpicking rhetoric – only the aff is a material action to create change

Their focus on euphemism satisfies people with criticism but does nothing to address the second-class status of disabled people in the status quo

Jernigan 9**[[26]](#footnote-24)**

As civilizations decline, they become increasingly concerned with form over substance, particularly with respect to language. At the time of the First World War we called it shell shock—a simple term, two one-syllable words, clear and descriptive. A generation later, after the Second World War had come and gone, we called it combat fatigue. It meant the same thing, and there were still just two words—but the two syllables had grown to four. Today the two words have doubled, and the original pair of syllables have mushroomed to eight. It even has an acronym, PTSD—post traumatic stress disorder. It still means the same thing, and it still hurts as much, but it is more in tune with current effete sensibilities. It is also a perfect example of the pretentious euphemisms that characterize almost everything we do and say. Euphemisms and the **politically correct language** which they exemplify are sometimes only prissy, sometimes ridiculous, and sometimes tiresome. Often, however, they are more than that. At their worst they obscure clear thinking and damage the very people and causes they claim to benefit. The blind have had trouble with euphemisms for as long as anybody can remember, and late twentieth-century America is no exception. The form has changed (in fact, everything is very "politically correct"), but the old notio**ns of inferiority** and second-class **status still remain**. The euphemisms and the **political correctness don't help**. If anything, they make matters worse **since they claim** modern thought and **new enlightenment**. Here is a recent example from the federal government: United States Department of Education Washington, D.C. May 4, 1993 Memorandum TO: Office for Civil Rights Senior Staff FROM: Jeanette J. Lim, Acting Assistant Secretary for Civil Rights SUBJECT: Language Reference to Persons with a Disability As you know, the October 29, 1992, Rehabilitation Act Amendments of 1992 replaced the term "handicap" with the term "disability." This term should be used in all communications. OCR recognizes the preference of individuals with disabilities to use phraseology that stresses the individuality of all children, youth, and adults, and then the incidence of a disability. In all our written and oral communications, care should be given to avoid expressions that many persons find offensive. Examples of phraseology to avoid and alternative suggestions are noted below. "Persons with a disability" or "individuals with disabilities" instead of "disabled person." "Persons who are deaf" or "young people with hearing impairments" instead of "deaf people." "People who are blind" or "persons with a visual impairment" instead of "blind people." "A student with dyslexia" instead of "a dyslexic student." In addition, please avoid using phrases such as "the deaf," "the mentally retarded," or "the blind." The only exception to this policy involves instances where the outdated phraseology is contained in a quote or a title, or in legislation or regulations; it is then necessary to use the citation verbatim. I hope this information has been helpful to you. If you have any questions about any of these favored and disfavored expressions, feel free to contact Jean Peelen, Director, Elementary and Secondary Education Policy Division, at (202) 205-8637. That is what the memorandum says, and if it were an isolated instance, we could shrug it off and forget it. But it isn't. It is more and more the standard thinking, and anybody who objects is subject to sanction. Well, we of the National Federation of the Blind do object, and we are doing something about it. At our recent national convention in Dallas we passed a resolution on the subject, and we plan to distribute it throughout the country and press for action on it . Here it is: Resolution 93-01 WHEREAS, the word “blind” accurately and clearly describes the condition of being unable to see, as well as the condition of having such limited eyesight that alternative techniques are required to do efficiently the ordinary tasks of daily living that are performed visually by those having good eyesight; and

want to be tedious writers.

## AT Constitution NC

We don’t link to this argument their evidence speaks to instances where handguns were banned for the entire population, not the AFF. Obviously the constitution allows for handguns to be banned in specific places like airports or schools.

Fiat solves the link, the constitution allows for provisions to change it and the AFF fiats that those take place meaning that there is no violation.

## AT Property Rights NC

People are always influenced by external factors such as social and political environments, so there’s no measure for when someone is actually exercising their agency. At best, this means violations of agency are non-verifiable, and at worst, agency doesn’t exist because the social order configures the entirety of individual life. Further, there’s no brightline because we always limit agency to some extent and there’s no measure for when we’ve sufficiently protected agency to meet the standard.

1AC Breckinridge crushes this NC- traditional theories assume able-bodied norm when they don’t explicitly account for the needs of disabled people.

A. Able-bodied people are assumed to want universal values of freedom from intervention – but in a world constructed for able bodies, some intervention is needed to ensure equal access for disabled people

B. Libertarianism might make sense if we can ignore disabled people – self-sufficient individuals interacted freely seem possible UNTIL we realize there are some people who can’t be totally self-sufficient

1AC Curry also takes this out, it indicates that debate is not productive as a conquest of ideal theories, because those theories don’t teach us anything about how to solve problems in the real world where everything doesn’t work so perfectly.

## AT Minarchy NC

1AC Breckinridge crushes this NC Breckinridge- traditional theories assume able-bodied norm when they don’t explicitly account for the needs of disabled people.

A. Able-bodied people are assumed to want universal values of freedom from intervention – but in a world constructed for able bodies, some intervention is needed to ensure equal access for disabled people

B. Libertarianism might make sense if we can ignore disabled people – self-sufficient individuals interacted freely seem possible UNTIL we realize there are some people who can’t be totally self-sufficient

1AC Curry also takes this out, it indicates that debate is not productive as a conquest of ideal theories, because those theories don’t teach us anything about how to solve problems in the real world where everything doesn’t work so perfectly.

1. Interpretation the negative cannot read a case that generates offense based on consistency with the minarchy or minimalist state.
2. Violation…
3. Standards, Qualitative Ground, There’s functionally zero turn ground under the NC standard because offense derives from an increase in state jurisdiction. I can’t show the negative is inconsistent with a minimalist state – the state passing the handgun ban is a necessary consequence of any meaningful policy. Also proves even if there is turn ground, it’s bad since I cannot contest that legislation forces someone into doing something by the state and you say all state coercion is bad, and that aggregation is impossible. impacts: 1. It’s a necessary but insufficient - gives a 2-1 structural advantage because there are great turns to Util. 2. skews aff strategy- forces me to overinvest on a layer I can’t win on and lets him pick the NC or the offense to the AFF to go for in the 2NR based on which one I undercover. No loss of ground or strat under my interp – you get access to a Kantian standard, just not minarchy.
4. Voter, fairness is a voter because debate is a competitive activity and therefore requires the element of being fair in order to be legitimate, education is a voter

Evaluate theory with competing interpretations because otherwise theory becomes arbitrary and impossible to adjudicate.

Drop the debater

1. Key to deterrence brackets and ellipses prove drop the debater actually generates community norms, whereas drop the debater doesn’t because people don’t care if they just lose the argument.
2. The round is permanently skewed after abuse is introduced, so the only way to properly evaluate the round is by dropping the debater.

## AT Self defense NC

Drop the debater

1. Key to deterrence brackets and ellipses prove drop the debater actually generates community norms, whereas drop the debater doesn’t because people don’t care if they just lose the argument.
2. The round is permanently skewed after abuse is introduced, so the only way to properly evaluate the round is by dropping the debater.

Overview to the framework: Rights don’t exist.  Utilitarianism doesn’t deduce rights because all “rights” are violable any time it produces a net benefit, so the right would never constrain.  Deontology doesn’t either because the categorical imperative tests maxims of action for internal consistency, or the results of that procedure are not rights attached to any particular person, but rules by which all must abide.

Also No link to the AFF Rosenthal says that hospital workers have a variety of options that they can use to defend themselves; handguns are just counterproductive for doing that.

Turn, the right to life is a contradiction because whomever you’re defending yourself against also has a right to life that the gun would violate by killing them.

A. Interpretation, the negative must read a necessary and sufficient standard, different from that of the affirmative

B. Violation, Obviously there are ethical concerns other then the right to self defense which the NC doesn’t.

C. Standards, Philosophical education, there’s no way we can get any philosophical education, if the standard is insufficient, then there is no way that it could be practically useful, as it can’t govern all action and subscribes to the underpinnings of greater theories that are conceded to be correct. And philosophical education is an independent voter because it is the only element of education, that is intrinsic to LD, we rarely if ever get it to the same degree elsewhere, and by the very nature that we picked this as an activity we agree that it’s important.

D. Voter fairness is a voter because debate is a competitive activity and therefore requires the element of being fair in order to be legitimate. Education is a voter because it is the portable purpose of debate.

Evaluate theory with competing interps because otherwise theory becomes arbitrary and impossible to adjudicate.

## AT Spec [All varieties]

First overview to theory—The AFF comes prior

1. Debate is only valuable when we discuss oppression instead of making up rules, because it is a learning environment and the former actually teaches something. That’s **Smith 13.** This means rejecting theory is the only way to preserve debate as educational. Education outweighs fairness because it’s the only thing we carry out of round.
2. The **1AC Imre and Siebers** cards indicate that squo policymaking excludes disabled people. Voting on theory does nothing to teach us how to change that, whereas endorsing policies like the AFF helps us develop the skills, which can. That outweighs theory because it has the largest spillover, also outweighs because only I have uniqueness.

A. Counter-Interpritation: The AFF does not have to specify X

B. I meet  
C. Reasons to prefer…

1. **It’s infinitely regressive**. I could always spec more, which causes theory prolif. NEG can always nitpick further details. If I spec the agent they’ll just read SigSpec. Multiple implications.

(a) **Proves they set an arbitrary bright line**, which is a double-turn with the reasonability bad claims.

(b) **Causes theory prolif**. NEG can always nitpick further details. The **substance crowd-out** impact is conceded from the AC. The zero educational value **outweighs on magnitude** even if fairness comes first general.

(c) **Impact magnifier**; if your reading spec you were going to read theory no matter what, which is terminal defense on their standards.

(d) **The topic’s the only universally agreed upon standard**, which means it’s the **least arbitrary** bright line for spec.

2. **No resolutional basis**. I defend **exactly** what the topic asks. That’s most predictable. Also solves your plans good offense with a diversity net benefit. **Nebel 15**[[27]](#footnote-25)

Second, my view is not that plans are bad. On the contrary, **I think that plans are good, but only when they affirm** the resolution. Whether some plan affirms their resolution (i.e., whether it is topical) is a function of the resolution’s semantics. To repeat, I have nothing against plans in general, and I believe that **spec**ification of some resolutional parameter **may be** permissible, if not **obligatory, on many topics.** One of the great things about **LD** is that our **resolutions are diverse** not only in their subject matter but also in their structure. **This requires debaters to analyze each resolution with a fresh eye and not simply** to **import concepts** and assumptions that may have applied to old resolutions into theoretical norms for each new one. But when the only tool you have is a hammer, everything looks like a nail. It is easier to continue with the same assumptions, as long as they are sufficiently shared by one’s peers on the national circuit, rather than reinventing the theoretical wheel every two months. It is important to resist this temptation and not to ignore the meaning of the resolution, even and especially if you may be more comfortable debating a different resolution.

3. **More specific NEG ground is bad**. They already have links to every stock NEG arg. Spec allows PICs or hyper-specific DAs that steal the AFF and force 1AR restart.

4. **Normal means solves**. You could resolve ambiguity by cutting a definition card because I’m bound to defending whatever the topic means.

5. **No abuse**. The same issues of usually apply regardless me specing or not, also at worst this is potential abuse, because I only might’ve de linked stuff, and don’t vote on potential abuse, because then you could vote on fifty “potential” turns I could’ve read.

6. **Topic lit**. Most authors say the same thing—specific examples are used to justify a general conclusion, not something spesific.

7. **CX checks**. They didn’t ask me to spec in CX, so reject his interp. That’s net beneficial—(a) Predictability. they’ll only ask me to defend the advocacy that they want. (b) Topic education. CX checks avoids frivolous theory debate.

**AT: Shifting**

1. No link. I’m not shifty.

2. Ex post facto theory solves.

3. TURN – the resolution itself is the single most stable plan because it’s the only one that’s universally accepted as topical.

4. Spec doesn’t solve. I could be shifty about the function of a plan, too.

5. Definitions check. You could define words in the rez to hold me to one interp.

**AT: Neg Ground**

1. Uniqueness goes aff. Neg has a massive ground skew already. There’s tons of counterplans and great solvency lit.

2. TURN – spec explodes neg ground. They gets tiny process counterplans and hyper-specific DAs.

3. Empirics go aff. Most debates that are policy oriendted are generic counterplans, not States and politics.

4. Side bias impact turns this. Any ground skew moves us closer to equity.

## AT 50 Nifty Bad

First overview to theory—The AFF comes prior

1. Debate is only valuable when we discuss oppression instead of making up rules, because it is a learning environment and the former actually teaches something. That’s **Smith 13.** This means rejecting theory is the only way to preserve debate as educational. Education outweighs fairness because it’s the only thing we carry out of round.
2. The **1AC Imre and Siebers** cards indicate that squo policymaking excludes disabled people. Voting on theory does nothing to teach us how to change that, whereas endorsing policies like the AFF helps us develop the skills, which can. That outweighs theory because it has the largest spillover, also outweighs because only I have uniqueness.
3. Counter interpretation debaters may run a counterplan that chooses the fifty states as the actor instead of the United States Federal Government
4. I meet
5. Standards,

**Predictability**

* 1. There are infinite AFFs, I need some flex in order to answer back the infinite possible AFFs, I can’t cut infinite case NEGs or write infinite counterplans
  2. This was in the literature, and a bunch of debaters have this exact counterplan on their wiki page so you definitely could’ve predicted it.

**Reciprocity,**

You got to spec the actor it would be reciprocal if I can pick one too , you just picked a bad actor that’s your fault not mine.

**Real World education**

1. Learning about different policies make us informed advocates for solutions-it’s illogical to assume congressional action is the best, also my education outweighs beucase it’s far more likely that we are elected to a state congress then the federal one.
2. Critical thinking-forces teams to understand the intricacies of government processes and how it interacts with the net benefit
3. Best policy option-debate is a referendum on policies and if we win the CP you should reward us for choosing the best

d. Crucial to force genuine “Federal key” warrants --- States counterplans alone allow the Aff to manipulate current jurisdiction to avoid this --- and, that’s important for education Columbia Encyclopedia 1[[28]](#footnote-26)

FEDERAL GOVERNMENT [federal government] or federation, government of a union of states in which sovereignty is divided between a central authority and component state authorities. A federation differs from a confederation in that the central power acts directly upon individuals as well as upon states, thus creating the problem of dual allegiance. Substantial power over matters affecting the people as a whole, such as external affairs, commerce, coinage, and the maintenance of military forces, are usually granted to the central government. Nevertheless, retention of jurisdiction over local affairs by states is compatible with the federal system and makes allowance for local feelings. The chief political problem of a federal system of government is likely to be the allocation of sovereignty, because the need for unity among the federating states may conflict with their desire for autonomy.

**Ground**

1. Federal is a central portion of the topic – I should be able to counterplan against
2. Plan debates mean that I get everything outside the plan as ground, as long as its competitive, I lose ground if I don’t.
3. It increases your ground you can always impact turn federalism.

## AT T-Private

First overview to theory—The AFF comes prior

1. Debate is only valuable when we discuss oppression instead of making up rules, because it is a learning environment and the former actually teaches something. That’s **Smith 13.** This means rejecting theory is the only way to preserve debate as educational. Education outweighs fairness because it’s the only thing we carry out of round.
2. The **1AC Imre and Siebers** cards indicate that squo policymaking excludes disabled people. Voting on theory does nothing to teach us how to change that, whereas endorsing policies like the AFF helps us develop the skills, which can. That outweighs theory because it has the largest spillover, also outweighs because only I have uniqueness.

We meet we use the word “private” in the plan text so whatever that means is what we’re defending.

Anyways Counter interp private means non-government **Google No Date[[29]](#footnote-27)**

Provided or **owned by an individual or an independent**, commercial **company rather than** by **the government**

B. We meet; hospital security firms are private companies that can’t have handguns in the world of the AFF

C. Reasons to prefer

1. Over limiting—Their interpretation over limits the topic and forces us to talk about only individual people, when corporations are obviously an entity which either should or shouldn’t own guns. Over limiting is also especially bad given their interpretation limits the topic to like three AFF, and they’ve all been broken.

2. Predictability—My definition comes from the most accessible dictionary meaning that it is most likely to be in accordance with common usage. That’s key to predictability because our perception of what the topic means comes form how we use those words in everyday contexts.

3. AFF offence outweighs—NEG gets 13/7 skew in terms of speaking on theory and a six-minute rebuttal where they can do more weighing.

## AT T-Ownership

First overview to theory—The AFF comes prior

1. Debate is only valuable when we discuss oppression instead of making up rules, because it is a learning environment and the former actually teaches something. That’s **Smith 13.** This means rejecting theory is the only way to preserve debate as educational. Education outweighs fairness because it’s the only thing we carry out of round.
2. The **1AC Imre and Siebers** cards indicate that squo policymaking excludes disabled people. Voting on theory does nothing to teach us how to change that, whereas endorsing policies like the AFF helps us develop the skills, which can. That outweighs theory because it has the largest spillover, also outweighs because only I have uniqueness.

We meet we use the word ownership in the plan text so whatever that means is what we’re defending

Anyways-Counter interp ownership means possession **Google No Date[[30]](#footnote-28)**

**the act**, state, or right **of possessing something**

B. We meet; obviously hospital workers are in the possession of the guns, we prohibit that.

C. Standards

1. Overlimiting- Their interpretation over limits the topic and forces us to talk about only people who own guns in their homes which obviously ignores an array of contexts in which they are used. Over limiting is also especially bad given their interpretation limits the topic to like three AFF, and they’ve all been broken

2. Predictability—My definition comes from the most accessible dictionary meaning that it is most likely to be in accordance with common usage. That’s key to predictability because our perception of what the topic means comes form how we use those words in everyday contexts.

3. AFF offence outweighs—NEG gets 13/7 skew in terms of speaking on theory and a six-minute rebuttal where they can do more weighing.

## AT T-Ban

First overview to theory—The AFF comes prior

1. Debate is only valuable when we discuss oppression instead of making up rules, because it is a learning environment and the former actually teaches something. That’s **Smith 13.** This means rejecting theory is the only way to preserve debate as educational. Education outweighs fairness because it’s the only thing we carry out of round.
2. The **1AC Imre and Siebers** cards indicate that squo policymaking excludes disabled people. Voting on theory does nothing to teach us how to change that, whereas endorsing policies like the AFF helps us develop the skills, which can. That outweighs theory because it has the largest spillover, also outweighs because only I have uniqueness.

We meet we use the word ban in the plan text so whatever that means is what we’re defending

We meet the DC ban was for all people in DC we ban for all people in hospitals functionally the same thing.

We meet the ban applies to all people, just only matters for people in hospitals in the same way that laws apply to everyone but only matter for criminals.

We meet even if the resolution generically means for all people it’s still topical to parametiricize to some.

Anyways-Counter interp ban doesn’t mean everyone **DeFilippis and Zimring 16[[31]](#footnote-29)**

Varad: Hi, I'm Varad Agrawala from Greenhill, um, and my question was in terms of the legal definitions of a ban, uh, would banning for particular groups still count as a ban on private ownership, or would that be more of a restriction? What I mean by that is, would a ban necessitate banning private ownership for all individuals or is it okay to just ban it for like particular groups such as, one might say, you know, domestic violence abusers, or people in dating relationships? Zimring: Okay, in general, the distinction between, and this is the problem with talking about bans. The technical meaning of ban or prohibition is nothing at all. It, it's a wonderful word, but it hasn't been used. The distinction for handgun position regulations is between permissive and restrictive licensing. It is not a question of which group. The question is what's the assumption? Permissive says everybody except can own, and the exceptions are 90% the immature, then criminal records, and then something in the mental health situation. Restrictive licensing reverses the presumption and says nobody can own unless you have a particular good reason. It then has to, if it does it right, say what the good reasons are and what the evidence for them is right. The problem with that, it's highly restrictive. That's the good news. The bad news is, uh, the richer you are, and the more you contributed to last successful mayor, the more likely it is you're going to get a license. Welcome to politics. So, there are implementation problems. Those are the best conceptual frames. DeFilippis: I was just going to add really quickly that, uh, I mean, at risk of having this turn into like a topicality debate or something, but (audience laughs) ... Uh ... Varad: That's the reason I asked the question. DeFilippis: Uh, there's much of the literature as Professor mentioned, ban is not legally operationalized well in gun control literature, but there are **plenty of research articles** that **use the phrase in the context of** you know **people with criminal records** are banned from using guns, most people with different types of mental health records are banned from using guns. I think that in terms of **banning subsets of the population**, uh, I think it can be argued that **it's a ban**. Zimring: Oh, it's done, but it's part of what's really permissive licensing and regulation. Randall: All right. Zimring: It's everybody but ... Randall: Okay, all right. Bietz: Backfired.

B. We meet; hospital guards are banned from owning handguns in the same way only one or some people can be banned from driving.

C. Reasons to prefer

1. Overlimiting- Their interpretation over limits the topic to only one advocacy, this is especially bad this late in the topic because we’ve all debated against, militarism and hyper masculinity and cartels like five times each. This kills, research and makes debates boring and uneducational, it also skews side bias further because the NEG doesn’t have to prep multiple advocacies.

2. Topic Lit—My author directly references the fact that the literature commonly uses ban to refer to specific groups of people, which means that my interp is key to predictability, and topic education sense it is grounded in the core of what we’re supposed to be arguing about.

3. AFF offence outweighs—NEG gets 13/7 skew in terms of speaking on theory and a six-minute rebuttal where they can do more weighing.

AT T Private ownership

First overview to theory—The AFF comes prior

1. Debate is only valuable when we discuss oppression instead of making up rules, because it is a learning environment and the former actually teaches something. That’s **Smith 13.** This means rejecting theory is the only way to preserve debate as educational. Education outweighs fairness because it’s the only thing we carry out of round.
2. The **1AC Imre and Siebers** cards indicate that squo policymaking excludes disabled people. Voting on theory does nothing to teach us how to change that, whereas endorsing policies like the AFF helps us develop the skills, which can. That outweighs theory because it has the largest spillover, also outweighs because only I have uniqueness.

C/I private ownership means owned my a private person or orginavation. **Collins English Dictionary No date**.[[32]](#footnote-30)

the fact of **being owned by a private individual or organization**, **rather** **than** by **the state** or a public body

We meet we use the word term private ownership in the plan text so whatever that means is what we’re defending

C. Standards

1. Overlimiting- Their interpretation over limits the topic and forces us to talk about only people who own guns in their homes which obviously ignores an array of contexts in which they are used. Over limiting is also especially bad given their interpretation limits the topic to like three AFF, and they’ve all been broken

2. Predictability—My definition comes from the most accessible dictionary meaning that it is most likely to be in accordance with common usage. That’s key to predictability because our perception of what the topic means comes form how we use those words in everyday contexts.

3. AFF offence outweighs—NEG gets 13/7 skew in terms of speaking on theory and a six-minute rebuttal where they can do more weighing.

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3. Michael S. Greve is the John G. Searle Scholar at the American Enterprise Institute, 2/10/2012, <http://libertylawsite.org/2012/02/10/obamacaid-revisited-against-balance/> LK [↑](#footnote-ref-1)
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16. Director of the Science, Technology and Society Program at the New Jersey Institute of Technology, teaches environmental philosophy, engineering ethics and the philosophy of technology, and a research fellow in the Environmental Health Program and Adjunct Professor of Philosophy at the University of Alberta [Andrew and Eric, “Environmental Pragmatism,” pp. 1-2] LK [↑](#footnote-ref-14)
17. [(Jerry Alan Winter Allyn Professor Emeritus of Sociology Connecticut College) “The Development of the Disability Rights Movement as a Social Problem Solver” Disability Studies Quarterly Vol 23, No 1 (2003)] [↑](#footnote-ref-15)
18. Director of the National Institute of Regional and Spatial Analysis, served on a number of government boards and consultative panels, doctorate from the University of Wales, Lecturer in the School of Geosciences at Queen's University of Belfastand the Department of Geography at the National University of Ireland, (Rob, 7/1/10, “ Space, power and the exclusion of disabled people”) [↑](#footnote-ref-16)
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29. https://www.google.com/webhp?sourceid=chrome-instant&ion=1&espv=2&ie=UTF-8#q=define%20private [↑](#footnote-ref-27)
30. https://www.google.com/search?q=IU&oq=IU&aqs=chrome..69i57j69i60l2j69i61j0l2.407j0j7&sourceid=chrome&ie=UTF-8#q=define+ownership [↑](#footnote-ref-28)
31. Evan DeFilippis [graduated number one in his class at the University of Oklahoma with degrees in Economics, Political Science, and Psychology. He is a Harry S. Truman Scholar, a David L. Boren Critical Languages Scholar, and currently works as a research analyst at Quest Opportunity Fund. His work on gun violence has been featured in Washington Post, Atlantic, Slate, VICE, Huffington Post, Vox, Media Matters, Boston Review, and many others.], Franklin E. Zimring [Law Professor at University of California, Berkeley School of Law, J.D., University of Chicago, Zimring's major fields of interest are criminal justice and family law, with special emphasis on the use of empirical research to inform legal policy.] “CAL RR FINALS POST-ROUND DISCUSSION [TRANSCRIPT].” Debate Matters. March 5, 2016. [↑](#footnote-ref-29)
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