### 1NC: T-Any

A. Interpretation: the aff must defend allowing *all* constitutionally protected speech in public colleges and universities in the United States.

B. Violation: they only defend a specific type.

C. Standards:

1. Textuality. “Any” means no matter what kind or quality.

Collins English Dictionary 14 Collins English Dictionary Complete and Unabridged, “any” 12th Edition 2014 <http://www.thefreedictionary.com/any> JW

one, some, or several, as specified, no matter how much or many, what kind or quality, etc: any cheese in the cupboard is yours; you may take any clothes you like.

That means spec isn’t topical—the aff doesn’t prove that any kind of free speech should be protected, regardless of its qualities—it just proves a specific kind. Prefer this interpretation of “any.”

A. It’s most consistent with the ‘almost test.’

Lallas 17 Jackson (accomplished debater) “A DEFENSE OF T-ANY” Los Angeles Debate Intensive February 9th 2017 <http://www.theladi.org/blog/2017/2/9/a-defense-of-t-any> JW

I. The Semantics of Any There is a lot of debate about the meaning of the determiner any. In rounds the issue tends to be whether any is used in the universal or existential form[2]. Consider these sentences: (1) Did you debate any debaters? (2) Any debater could win that round. In (1) any seems to function as an existential. If you debated at least one debater, you would answer yes to the question. However, (2) operates as a universal – pick any debater and they should be able to win the round. A good rule of thumb for telling the difference between a universal and existential any is the ‘almost test,’ (See Carlson 1981, and Kadmon and Landman 1993). Almost can only modify universal determiners (Kadmon and Landman 1993). Consider: (3) Did you debate almost any debaters? (4) Almost any debater could win that round. We see that (3) is incoherent, but (4) still makes sense. (4) now has a smaller scope than (2), as some debaters would not be able to win the round. Using the almost test, it’s clear that our current topic is an example of the universal any: (5) Public colleges and universities ought not prohibit almost any constitutionally protected speech. Though awkward, this sentence has a clear meaning. It reads: “With a small amount of exceptions, constitutionally protected speech ought not be prohibited by public colleges and universities.” Since the resolution passes the almost test, we know that it uses any as a universal determiner. This demonstrates that the semantics of the resolution favor a generic reading, as we would intuitively expect.

B. The widening effect proves “any” means “all.”

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Another semantic justification for the negative position comes from the ‘widening effect’ of any (Kadmon and Landman 1993). Consider this example, slightly modified for clarity from Kadmon and Landman: (6) Owls hunt mice. (7) Any owl hunts mice. Although both sentences are generic, they conclude that (7) rules out exceptions more strongly than (6). (7) applies to more cases than (6) so it is a broader statement. From an intuitive perspective, this happens because the determiner any emphasizes a statement’s generality. Now consider the following sentences: (8) Countries ought to prohibit the production of nuclear power. (9) Countries ought to prohibit any production of nuclear power. (10) In the United States, private ownership of handguns ought to be banned. (11) In the United States, all private ownership of handguns ought to be banned. (12) Public colleges and universities in the United States ought not restrict constitutionally protected speech. (13) Public colleges and universities in the United States ought not restrict any constitutionally protected speech. There are two observations to be made here that support the negative side of T - Any. The first is that (12) and (13) are analogous to the construction of (6) and (7), so the widening effect indicates that (13) applies to a larger quantity.

Maintaining topicality comes first–best links to fairness and education.

Nebel 15 Jake “The Priority of Resolutional Semantics” vbriefly February 20th 2015 <http://vbriefly.com/2015/02/20/the-priority-of-resolutional-semantics-by-jake-nebel/> JW

1.1 The Topicality Rule vs. Pragmatic Considerations There is an obvious objection to my argument above. If the topicality rule is justified for reasons that have to do with fairness and education, then shouldn’t we just directly appeal to such considerations when determining what proposition we ought to debate? There are at least three ways I see of responding to this objection. One way admits that such pragmatic considerations are relevant—i.e., they are reasons to change the topic—but holds that they are outweighed by the reasons for the topicality rule. It would be better if everyone debated the resolution as worded, whatever it is, than if everyone debated whatever subtle variation on the resolution they favored. Affirmatives would unfairly abuse (and have already abused) the entitlement to choose their own unpredictable adventure, and negatives would respond (and have already responded) with strategies that are designed to avoid clash—including an essentially vigilantist approach to topicality in which debaters enforce their own pet resolutions on an arbitrary, round-by-round basis. Think here of the utilitarian case for internalizing rules against lying, murder, and other intuitively wrong acts. As the great utilitarian Henry Sidgwick argued, wellbeing is maximized not by everyone doing what they think maximizes wellbeing, but rather (in general) by people sticking to the rules of common sense morality. Otherwise, people are more likely to act on mistaken utility calculations and engage in self-serving violations of useful rules, thereby undermining social practices that promote wellbeing in the long run. That is exactly what happens if we reject the topicality rule in favor of direct appeals to pragmatic considerations. Sticking to a rule that applies regardless of the topic, of the debaters’ preferred variations on the topic, and of debaters’ familiarity with the national circuit’s flavor of the week, avoids these problems. A second strategy denies that such pragmatic benefits are relevant. This strategy is more deontological. One version of this strategy appeals to the importance of consent or agreement. Suppose that you give your opponents prior notice that you’ll be affirming the September/October 2012 resolution instead of the current one. There is a sense in which your affirmation of that resolution is now predictable: your opponents know, or are in a position to know, what you will be defending. And suppose that the older resolution is conducive to better (i.e., more fair and more educational) debate. Still, it’s unfair of you to expect your opponents to follow suit. Why? Because they didn’t agree to debate that topic. They registered for a tournament whose invitation specified the current resolution, not the Sept/Oct 2012 resolution or a free-for-all. The “social contract” argument for topicality holds that accepting a tournament invitation constitutes implicit consent to debate the specified topic. This claim might be contested, depending on what constitutes implicit consent. What is less contestable is this: given that some proposition must be debated in each round and that the tournament has specified a resolution, no one can reasonably reject a principle that requires everyone to debate the announced resolution as worded. This appeals to Scanlon’s contractualism. Someone who wishes to debate only the announced resolution has a strong claim against changing the topic, and no one has a stronger claim against debating the announced resolution (ignoring, for now, some possible exceptions to be discussed in the next subsection). So it is unfair to expect your opponent to debate anything other than the announced resolution. This unfairness is a constraint on the pursuit of education or other goods: it wrongs and is unjustifiable to your opponent. Another deontological argument might appeal to legitimate authority. The NSDA is the only entity with the legitimate authority to determine the topics. This process begins with a committee: anyone can sit in on the committee’s meetings and suggest topics on their website. The process ends with a democratic voting procedure. Some philosophers believe that democratic procedures generate obligations to obey rules. This would yield an obligation to debate the resolution as worded. And some philosophers believe that legitimate authorities can generate reasons that exclude (not merely outweigh) other considerations that would usually be relevant. In general, if your teachers instruct you to do something, then you don’t get to weigh up the reasons for or against it; you just have to do it.3 Similarly, although the fact that some proposition would be good to debate would usually be a reason to debate it, or a reason for the NSDA to propose it and for debaters to vote for it, that fact is irrelevant and no longer a reason if that proposition is not the chosen resolution. Here is a third kind of response to the view that we should directly appeal to pragmatic considerations when evaluating topicality. This view justifies debating propositions that are completely irrelevant to the resolution but are much better to debate. Once you say that pragmatic benefits can justify debating a proposition that isn’t really what the resolution means, or that the resolution means whatever it would be best for it to mean, there is no principled way of requiring any particular threshold of similarity in order to be an eligible interpretation of the resolution. This means that the pragmatic approach justifies affirmatives that have nothing to do with the resolution. Of course some see no problem with non-topical affirmatives whose impacts outweigh the reasons to debate the resolution. But suppose you want a principled response to such strategies. You have one if you take seriously the idea that the debate should be about the resolution, and the idea that the proposition expressed by the resolution is independent of what proposition would be best to debate. Without a commitment to debating the proposition that the resolution actually means, I don’t think there is a principled response to such strategies, as I discuss below.

And, vote on jurisdiction – if the aff isn’t T vote neg since the ballot asks you who did the better debating in the context of the tournament given resolution so it’s impossible to endorse their advocacy.

2. Ground. Constitutional free speech is already easy to defend—a variety of different philosophical approaches all conclude that people have the freedom to speak and most of the lit is in agreement with the aff. The only viable neg positions are hate speech DAs and generic Ks, which are already extremely limited. Spec means the aff can choose the most desirable slice of the resolution that cuts out as much neg ground as possible by weakening the link to the hate speech DA. They get the hyper-specific ground of the aff, the philosophical benefits of free speech, but I lose an already tenuous negative strategy that’s essential to fairness because otherwise aff will win most rounds.

3. Limits. Their interpretation allows for hundreds of affs.

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LD has had its share of deeply under-limited topics, such as environmental protection vs resource extraction, nuclear power, and beneficence. But under the affirmative interpretation, this topic is just as bad if not worse than many of them. The existential reading includes cases such as ones that specify a single type of speech or mode of communication. Even if we apply further limits, such as requiring the aff advocacy to get rid of a specific speech code, there are still far too many affs. The Foundation for Individual Rights in Education (FIRE) provides some helpful statistics that demonstrate the scope of the resolution. In their 2017 survey of speech codes, they reviewed at 345 public colleges. 33.9% of these schools had a red light rating. Using the data provided, we can also see that about 59% of public colleges surveyed had a yellow light rating. To put this in perspective we need to understand the methodology behind the survey. FIRE defined a red light rating as: “A red light institution is one that has at least one policy both clearly and substantially restricting freedom of speech, or that bars public access to its speech-related policies by requiring a university login and password for access.” A yellow light rating is slightly more complicated: “A yellow light institution maintains policies that could be interpreted to suppress protected speech or policies that, while clearly restricting freedom of speech, restrict only narrow categories of speech . . . Yellow light policies are typically unconstitutional, and a rating of yellow light rather than red light in no way means that FIRE condones a university’s restrictions on speech. Rather, it means that in FIRE’s judgment, those restrictions do not clea­­rly and substantially restrict speech in the manner necessary to warrant a red light rating.” But maybe these limits aren’t so bad – what if these universities only have one policy that caused the red or yellow light rating? These are the assumptions that the aff interpretation would need to make and they are far too generous. Realistically, these schools have multiple codes that FIRE takes issue with. There are also roughly 1600 public colleges in the United States. The survey only looks at 345. When you combine these facts, the number of possible affs just about speech codes is likely in the hundreds and maybe thousands. Keep in mind that speech code affs are only a subset of those allowed by the aff interpretation. In reality there are more ways to limit content of speech and modes of communication, a common example on this topic being free speech zones. The aff interpretation would allow for these too, which makes it even more under-limited.

Two impacts. A. Kills fairness-if the aff knows their position before the round but I don’t then they have a prep advantage and I’ll always lose the topical debate. B. Kills education—if I can’t research your aff then we won’t have an interesting or nuanced debate because I’ll be forced to go for boring generics.

D. Voters. Fairness is a voter- debate’s a competitive activity so you can’t assess the better debater if the round is skewed. Education’s a voter- it’s why schools fund debate and provides portable skills for the real world.

Drop the debater: 1. Substance is permanently skewed- I’ve had to invest time and alter 1N strategy to check abuse, 2. Deterrence-a loss discourages future unfair practices for fear of losing the round.

Use competing interps: 1. Race to the bottom- people will be incentivized to barely meet the brightline while still being abusive. 2. Collapses to competing interps- you use offense/defense to determine whether reasonability is good which concedes the authority of competing interps. Saying reasonability is reasonable is circular.

No RVIs: 1. Topical clash- RVIs force the entire round into theory debates which moots substantive education about the topic. 2. Chilling effect- RVIs discourage debaters from reading theory for fear of losing the round, allowing abusive practices. That outweighs- a world with some theory is better than a world with no theory which has infinite abuse. 3. Resolvability- RVIs justify voting a debater up just for being fair which logically results in both debaters winning, which is irresolvable. That comes first because every debate needs a winner.

# 2NR

## C/I

### AT: Solvency Advocate

1. Doesn’t solve—there are thousands of colleges and probably angry student bloggers for each one. Nobody has time to meticulously comb through every article and prep out each one.

2. You don’t meet your threshold—no author advocates the specific phrasing of the aff plan text exactly which means no plan would meet.

3. No qualifier for what counts—under your interp you could claim yourself or any crackpot author, which makes it just as hard to prep.

4. Doesn’t solve ground—even if authors talk about it, that doesn’t mean that there are still counter-authors with good and nuanced arguments.

### AT: Disclosure

1. I only know about disclosure right before the round—this doesn’t solve pre-round prep, which is the internal link to limits.

2. Doesn’t solve—lots of debaters put up dozens of plan texts they don’t plan on reading just to scare people off from prepping, this causes a terrible norm.

3. Nobody has time to go through every single plan text on the wiki before a tournament.

4. Doesn’t solve ground—even if it’s on the wiki the neg arguments against it are bad. Doing prep can’t fix that.

### AT: Aff Flex

1. Whole res affs are easy to defend—they have the lit on their side.

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However, this objection needs to be covered in more depth. If the ground loss from violating T – Any turned out to not be that bad then the weighing argument would not hold. My next response to this argument is that the premise that whole res leaves the aff with bad ground does not apply. As a society we overwhelmingly favor free speech and there are years of defending it in the literature. Things like hate speech have been heavily covered through controversial Supreme Court cases in the past (Skokie comes to mind) and free speech on college campuses has been a big topic in the literature from the 90s to the present. It seems clear that the aff has plenty of arguments to choose from and also that there has been a dialogue among scholars which can help answer common negative positions.

2. No impact on this topic—there aren’t that many neg positions to choose from—its just Ks and hate speech.

3. No reason why aff flex is good—neg is side biased because affs have infinite pre-round prep, the persuasive last word in the 2AR which leaves an impression on the judge before they sign the ballot and more speeches to develop and extend their offense, making it more clear to the judge.

### AT: Stable Advocacy

1. Non-unique. Under my interp, you have to defend free speech for every single type of constitutional speech so it’s impossible for affs to shift without literally severing their advocacies. My interp isn’t “general principle,” its just a much larger plan.

2. T-very specific plans are shifty since there are lots of different implementation, enforcement and funding mechanisms.

3. CX solves ambiguities; I can hold you to things through clarification and asking.

4. If you do shift, I can just read 2NR theory after the fact, which is better for my strategy since it’s a persuasive argument with in round abuse.

5. Don’t vote on altruistic standards-if I thought that was an issue I wouldn’t have read theory.

### AT: PICs

1. Doesn’t make sense—except for the hate speech PIC, no one is going to read a PIC out of newspapers or free speech zones since those are great aff arguments. These PICs just don’t exist.

2. You can always read PICs bad in the 1AR—that’s a compelling argument since PICs moot aff ground specifically against the affs my interp justifies.

3. You do not have to do specific prep against PICs. You can just say that they’re less of the aff and leverage case.

4. Turn: you allow for more PICs—when you bring it down to the micro level of every different right, I could find more nit-picky implementation issues to PIC out of.

### AT: Policymaking

1. Non-unique—under my interp you still defend a policy, just a larger policy. You can read specific advantages that are functionally plans which takes out all your offense-we still get education I’m just allowed links to other disads.

2. T—I control the internal link. If the aff is not predictable or doesn’t have good neg ground, we won’t be able to have an interesting policy debate. This outweighs: empirically people don’t usually engage plans in a super educational way—they read generics, process CPs and Ks.

3. T-not all of us will become policymakers but all of us need to know about generic current events in our life, meaning my interp is more useful in the real world.

4. Debating in policy solves your offense-you can switch activities but LD is key to whole res debates so my offense is unique.

### AT: Depth

Breadth is better than depth-here’s a carded pedagogical meta-study with lots of warrants.

Bile 87 Jeffrey Bile (Associate Professor, School of Communication, Spalding University) “When the Whole is Greater than the Sum of the Parts: The Implications of Holistic Resolutional Focus” Contemporary Argumentation & Debate 8-15 1987

Holistic resolutional focus is pedagogically preferable to the par- ametric approach. Academic debate is a powerful educational tool. In addition to the plethora of other process-based advantages, debaters are forced to learn a great deal substantively about significant contemporary topics in their world (Freeley, 1986). Once we accept that debaters will learn about the topics they debate, we must confront the question "What is it that we want them to learn?" Holistic topic focus promotes a more general education than relatively narrow parametric sub-topics. This stands to reason since the research, preparation presentation; and analysis of more general arguments is encouraged by a more general focus. The pedagogical question becomes: "Is a general or a specific educational focus pedagogically superior?" Murty (1963) argues that "unless a man is capable of thinking and planning for himself, and unless he is able to rise above the parochial- ism of his own time, race and society . . . he cannot lead a full and integrated life. General education alone can enable everyone to do this" (po 44). Murty lists holistic and synthetic thinking as well as recognition of pattern and perspective among the fruits of a general education. This author favors general education for a number of reasons. Initially, general education enhances content relevance. Ulrich (1985) suggests that arguing generics can force the debater to understand issues common to a wide range of affairs. Sawhill (1970) concludes that general education has importance far beyond its immediate concern. This is intuitive. It is very unlikely that our students will ever be asked to decide the fate of a proposal for a one percent increase in M-16’s; it is far more likely however that they will be asked to make decisions regarding the appropriate level of general military preparedness our nation should pursue. Additionally , general education tends to have greater longevity (Goodlad, 1976) since "theories" tend to have more staying-power than "facts." Educators argue for example that "liberal education provides a general background which makes reorientation easier. By stressing the theory of a subject matter, it avoids imprisonment in the narrow applications which may soon be obsolete" (Eastman, 1981, p. 30). The general intellectual skills associated with a broad based education are quite valuable. Biscounti's research (1976) found that only 8% of graduates listed specific knowledge as the most important aspect of their education and that the number decreased as their careers progressed. "Instead they reported that general concepts of their majors, general learning , in college, and the study experience itself were more valuable. These results suggest that, over time, the value of specific knowledge declines while the importance of general intellectual skills associated with liberal education grows." For example understanding the specifics of Reagan's military policies will have less relevance after 1989, understanding the merits of military preparedness how- ever, will have utility for as long as there are m ilitaries. General education is preferable therefore since it enhances the relevance and longevity of learning.