*[This aff was built to read against debaters that read only deontological NCs.]*

## Neoliberalism AC

### Plan

Prison labor is modern-day slavery-a form of oppression intertwined with social and economic condition.

Khalek 11 Rania Khalek (independent journalist living in the Washington, DC, area) “21st-Century Slaves: How Corporations Exploit Prison Labor” July 21st 2011 Alternet <http://www.alternet.org/story/151732/21st-century_slaves%3A_how_corporations_exploit_prison_labor> JW 1/19/15

The exploitation of prison labor is by no means a new phenomenon. Jaron Browne, an organizer with People Organized to Win Employment Rights (POWER), maps out how the exploitation of prison labor in America is rooted in slavery. The abolition of slavery dealt a devastating economic blow to the South following the loss of free labor after the Civil War. So in the late 19th century, "an extensive prison system was created in the South in order to maintain the racial and economic relationship of slavery," a mechanism responsible for re-enslaving black workers. Browne describes Louisiana’s famous Angola Prison to illustrate the intentional transformation from slave to inmate: “In 1880, this 8000-acre family plantation was purchased by the state of Louisiana and converted into a prison. Slave quarters became cell units. Now expanded to 18,000 acres, the Angola plantation is tilled by prisoners working the land—a chilling picture of modern day chattel slavery.” The abolition of slavery quickly gave rise to the Black Codes and Convict Leasing, which together worked wonders at perpetuating African American servitude by exploiting a loophole in the 13th Amendment to the US Constitution, which reads: “Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.” The Black Codes were a set of laws that "criminalized legal activity for African Americans" and provided a pretext for the arrest and mass imprisonment of newly freed blacks, which caused the rate of African Americans prisoners to “surpass whites for the first time”, according to Randall G. Sheldon in the Black Commentator. Convict leasing involved leasing out prisoners to private companies that paid the state a certain fee in return. Convicts worked for the companies during the day outside the prison and returned to their cells at night. The system provided revenue for the state and profits for plantation owners and wasn’t abolished until the 1930s. Unfortunately, convict leasing was quickly replaced with equally despicable state-run chain gangs. Once again, stories of vicious abuse created enough public anger to abolish chain gangs by the 1950s. Nevertheless, the systems of prisoner exploitation never actually disappeared. Today’s corporations can lease factories in prisons, as well as lease prisoners out to their factories. In many cases, private corporations are running prisons-for-profit, further incentivizing their stake in locking people up. The government is profiting as well, by running prison factories that operate as "multibillion-dollar industries in every state, and throughout the federal prison system," where prisoners are contracted out to major corporations by the state.

Cheap prison labor is a form of global neoliberalism-paying low wages is solidarity with oppression-government reform is key.

ISO 14 “Prison reform on the path to prison abolition” International Socialist Organization of Aotearoa/New Zealand September 15th 2014 <http://iso.org.nz/2014/09/15/prison-reform-on-the-path-to-prison-abolition/> JW 1/19/15

Reforms that have most impacted on me and my whanau, have stemmed from an abundance of research, reports, and theories, promoted by the bourgeoisie to be beneficial for those most disenfranchised by capitalism but in reality these reforms have simply compounded day-to-day struggle, and served to neatly stack the issues we face into a intellectual box that from time to time some do-gooder drags out to the applause of their cheering left mates. The people who are most intimately affected by poverty and incarceration are the voices that are seldom heard in the capitalist media, aside from a few token ‘success stories’ drip-fed back to us by the ruling class. They are poster prisoners held up like trophies of success, who through a number of “evidence-based programs” have finally become enlightened to their criminal ways and learnt how to obey the law and successfully assimilate. The research touched on statistics about prisoner’s class and race, sadly, yet predictably the recommended reforms focused on individual behaviour modification as opposed to addressing wider social conditions that prisoners face. We know that 86% of women in prison depend on welfare, and therefore are living below the poverty line before and after incarceration. Those left to care for the children of imprisoned mothers predominately rely on welfare as well. For whanau predominantly living in poverty, suffering severe financial hardship losing an income earner, coupled with the extra financial burden of supporting that whanau member as well as any dependant tamariki that person normally cares for is a day-in, day-out struggle of survival. When the cost of incarceration is discussed, and here was no exception, it’s generally discussed in terms of cost to the state to imprison – the cost to the state being the driving argument for change. The real cost is seldom discussed and never financially analysed. The actual personal economic cost when the state forcefully removes someone from society – the ability to earn through employment, care for dependent children, and participate in their community, your home – is the personal cost that destroy lives and yet unless you experience it, you are unlikely to grasp the magnitude of the impact that taking someone out of society has on that person and their loved ones. For a whanau that’s just lost a loved on to incarceration and is trying to hold the threads of family life together, maintaining frequent and free communication is paramount to be able to try to mitigate some of the raft of negative consequences of incarceration, both emotionally, spiritually, and financially. Prisoners have better outcomes when they are able to maintain relationships on the outside. Isolation and segregation from people from their whanau is damaging in a multitude of ways. Reforming the way in which prisoners are able to access their whanau seems logical given that currently Telecom are making excessive profit from prisoners’ overpriced phonecalls. Prisoners have to rely on friends and whanau to provide the money to purchase phone cards, and toiletries, as well as rent a TV from the Corrections department. The Minister for Courts Chester Borrows announced a $27.8-million programme to upgrade nine prisons and 14 district courts to allow audio-visual links between prisons and court, and Mr Borrows is named as a friend of ‘Justspeak’ but somehow it isn’t a priority to allow prisoners to access this form of technology to promote communication with their outside support networks? Substituting real and lasting connections with whanau for paid and contracted connections with church members and NGOs is the type of reform advocated for. Building databases of suitable volunteers to connect with prisoners doesn’t sound like reforms that take priority in the emancipation of prisoners, but these are the type of reforms Justspeak sees as beneficial for prisoners. As I opened the research to begin reading what Justpeak advocate for, I was sick to the stomach to see that this very document was printed using the exploitation of prisoners themselves at the Rimutaka printing press. Justspeak, I learned, are huge fans of prison-work schemes and, as part of their reforms they advocate for implementation of more work schemes that use the **slave labour of prisoners**. This **follows a** global neoliberal agenda **of “inviting businesses** to come into prisons **to take advantage of the effectively free labour**”, as British Conservative Prison Minister Crispin Blunt put it. Justspeak advocate the same right-wing propaganda we hear time and time again. Prisoners need training and should be thankful they are given an opportunity to learn new skills. The labour carried out by prisoners often resembles all the elements of an apprenticeship, with one distinctive defining feature between the two, pay. Employers who hire apprentices who are not in prison, must as of 1 April 2014, pay $11.40 an hour for those paid by the hour or by piecework, for those paid by the day, $91.20 for an 8-hour day (and $11.40 per hour per each additional hour worked over 8 hours in a day), and for those paid by the week, $456.00 for a 40-hour week (and $11.40 per hour per each additional hour worked over 40 hours in a week). **Workers in prison are expected to work for as little as $7 a week**, and demand for employment in prison is high, competition brutal, so retaining your job is important and is often used as a form of power and control by screws against the prisoners. **To support** a **prison labour** force that works **for ‘skills training’ with no**ne of the **protection of** employment laws or **wages**, **is taking part in** the oppression **of prisoners.**

Thus, the plan: The United States Federal Government ought to require that companies that employ prisoners in federal, state, and local prisons to pay a living wage.

Low wages makes recidivism inevitable-a living wage breaks the cycle of exploitation-this is the solvency advocate.

Decker 13 Charles Decker (Policy Fellow for the Yale Institution for Social and Policy Studies) “Time to Reckon with Prison Labor” Yale ISPS October 1st 2013 <http://isps.yale.edu/news/blog/2013/10/time-to-reckon-with-prison-labor-0#.U6jW1_ldWSo>

These challenges alone clearly make the case for expanded work opportunities in prison. Of course, prison labor is alive and well. According to the Federal Bureau of Prisons, federal inmates earn 12 cents to 40 cents per hour for jobs serving the prison, and 23 cents to $1.15 per hour in Federal Prison Industries factories. Prisoners are increasingly working for private companies as well. A significant cut of even these token wages goes to criminal justice system fees. Offenders thus have little hope of saving money while in prison, and this lack of money combined with fragile post-release support systems is an explosive formula for recidivism and reincarceration. As such, the time has come to institute a living wage for prison labor. This wage need not be at the same level in prison as it would be outside. But prison wages must be high enough to cover the fees imposed by the criminal justice system while allowing offenders to reserve enough money to have a fair start upon release. Such a policy could make a big difference in reducing recidivism and bringing down the incarceration rate even further.

Mass incarceration is built on neoliberal ideals-to silence the lower classes and strengthen the Leviathan.

Wacquant 10 Loic Wacquant (University of California, Berkeley, and Centre de sociologie europe´enne, Paris, France) “Crafting the Neoliberal State: Workfare, Prisonfare, and Social Insecurity” Sociological Forum, Vol. 25, No. 2, June 2010 JW 1/19/15

Third, like other leading analysts of contemporary punishment such as Jock Young (1999), Franklin Zimring (Zimring et al., 2001), and Michael Tonry (2004), Garland sees the punitive turn as the reactionary spawn of right-wing politicians. But Punishing the Poor finds, first, that the penalization of poverty is not a simple return to a past state of affairs but a genuine institutional innovation and, second, that it is by no means the exclusive creature of neoconservative politics. If politicians of the Right invented the formula, it was employed and refined by their centrist and even ‘‘progressive’’ rivals. Indeed, the president who oversaw by far the biggest increase in incarceration in U.S. history is not Ronald Reagan but William Jefferson Clinton. Across the Atlantic, it is the eoLeft of Blair in the United Kingdom, Schro¨ der in Germany, Jospin in France, d’Alema in Italy, and Gonzalez in Spain who negotiated the shift to proactive penalization, not their conservative predecessors. This is because the root cause of the punitive turn is not late modernity but neoliberalism, a project that can be indifferently embraced by politicians of the Right or the Left. The jumble of trends that Garland gathers under the umbrella term of late modernity—the ‘‘modernizing dynamic of capitalist production and market exchange,’’ shifts in household composition and kinship ties, changes in urban ecology and demography, the disenchanting impact of the electronic media, the ‘‘democratization of social life and culture’’—are not only exceedingly vague and loosely correlated; they are either not peculiar to the closing decades of the twentieth century, specific to the United States, or show up in their most pronounced form in the social-democratic countries of Northern Europe that have not been submerged by the international wave of penalization. 15 Moreover, the onset of late modernity has been gradual and evolutionary, whereas the recent permutations of penality have been abrupt and revolutionary. Punishing the Poor contends that it is not the generic ‘‘risks and anxieties’’ of ‘‘the open, porous, mobile society of strangers that is late modernity’’ (Garland, 2001:165) that have fostered retaliation against lower-class categories perceived as undeserving and deviant types seen as irrecuperable, but the specific social insecurity generated by the fragmentation of wage labor, the hardening of class divisions, and the erosion of the established ethnoracial hierarchy guaranteeing an effective monopoly over collective honor to whites in the United States and to nationals in the European Union. The sudden expansion and consensual exaltation of the penal state after the mid-1970s is not a culturally reactionary reading of ‘‘late modernity,’’ but a ruling-class response aiming to redefine the perimeter and missions of Leviathan so as to establish a new economic regime based on capital hypermobility and labor flexibility and to curb the social turmoil generated at the foot of the urban order by the public policies of market deregulation and social welfare retrenchment that are core building blocks of neoliberalism. TOWARD A SOCIOLOGICAL SPECIFICATION OF NEOLIBERALISM Punishing the Poor contends that it is not the generic ‘‘risks and anxieties’’ of ‘‘the open, porous, mobile society of strangers that is late modernity’’ (Garland, 2001:165) that have fostered retaliation against lower-class categories perceived as undeserving and deviant types seen as irrecuperable, but the specific social insecurity generated by the fragmentation of wage labor, the hardening of class divisions, and the erosion of the established ethnoracial hierarchy guaranteeing an effective monopoly over collective honor to whites in the United States and to nationals in the European Union. The sudden expansion and consensual exaltation of the penal state after the mid-1970s is not a culturally reactionary reading of ‘‘late modernity,’’ but a ruling-class response aiming to redefine the perimeter and missions of Leviathan so as to establish a new economic regime based on capital hypermobility and labor flexibility and to curb the social turmoil generated at the foot of the urban order by the public policies of market deregulation and social welfare retrenchment that are core building blocks of neoliberalism.

Pragmatic state policy is key to resisting neoliberalism-purely critiquing systems doesn’t solve.

**Connolly 8** William Connolly (Professor of Political Science at John Hopkins) Capitalism and Christianity, American Style. 2008.

Before turning to possible strategies to promote these objectives, we need to face an objection posed by one segment of the left: "Don't you depend a lot upon the state, when it must be viewed as the enemy?" My response is threefold. First, **there is no way to take on** global **warming without engaging the state** in the effort as well as international agencies, and global warming is a key danger of this epoch. Second, **it is less the state** itself **and more its** existing **subsidies** and priorities that are at issue. If you were to oppose both the market and the state **you** might **reduce** **the** democratic **left to pure critique, with no presentation of positive possibilities and strategies.** But **critique is always important and never enough**, as the left has begun to rediscover and as the American right has known for forty years. Third, **although one must acknowledge** the issues of cumbersome state **bureaucracy**, corporate **crony­ism**, **and** state **corruption**, all three increased radically when the evangelical-capitalist resonance machine achieved hegemony, and **they will get worse unless eco-egalitarians enter the fray at the** interceded **level**s **of** micropolitics, microeconomic experiments, and **the state**. It is unwise to act as if the state must always be what it has become. Challenging the media is critical in this respect, making it become a watchdog of corporations, the state, religious movements, and the multiple imbrications between them. My view, as be­comes clear in the next few pages, is that **no interim agenda** on the left **can proceed far without** finding expression in **state policy,** and state policy must draw inspiration from microeconomic experiments initially launched outside its canopy: **microeconomic experiments and creative state policies must in­form each other**. **We** thus **seek to include the state without becoming statist.** Those who invest hope in revolutionary overthrow may oppose such a com­bination. I suspect that revolution, were it to occur, would undermine rather than vitalize democratic culture.29

Resisting neolib is key even if it doesn’t address capitalism as a whole.

**Connolly 2** William Connolly (Krieger-Eisenhower Professor of Political Science at Johns Hopkins University). The Fragility of Things: Self-Organizing Processes, Neoliberal Fantasies, and Democratic Activism. Duke University Press. 2013.

It is also true that **the above critique concentrates on neolib**eral capitalism, not capitalism writ large. That is because it seems to me that we need to specify the terms of critique as closely as possible and think first of all about interim responses. If we lived under, say, Keynesian capitalism, a somewhat different set of issues would be defined and other strategies identified. **Capitalism writ large** – while it sets a general context that neoliberalism inflects in specific ways – **sets too large and generic a target. It can assume multiple forms**, as the differences between Swedish and American capitalism suggest; **the times demand** a set of **interim agendas targeting the hegemonic form of today**, pursued with heightened militancy at several sites. **The point** today **is not to wait for a revolution** that overthrows the whole system. **The “system**,**”** as we shall see further, **is replete with too many** loose ends, uneven edges, **dicey intersections with nonhuman forces, and uncertain trajectories to make** such **a wholesale project plausible. Besides,** things are too urgent and **too many people** on the ground **are suffering too much now.**

The privatization of public goods in prisons is a perfect example of domestic neoliberalism-the impact is mass oppression.

**Hamann 9** Trent H. Hamann is an Assistant Professor of Philosophy at St. John's University. “Neoliberalism, governmentality, and ethics,” Foucault Studies, No 6, 2009

One of the significant developments in contemporary life that might fall under the heading of ”**neolib**eralism” **can be recognized through the various ways that** the traditional **distinctions between the public and** the **private** on the one hand, **and the political and** the **personal on the other have been gradually blurred**, reversed, or re-moved altogether. The exposure of formerly private and personal realms of life has occurred not only through the more striking examples of growing government and corporate surveillance (think of the telecoms and the warrantless monitoring of elec-tronic communications paid for with taxpayer dollars or the growing use of human implantable radio-frequency identification [RFID] microchips), but, more subtly and significantly, the extent to which activities of production and consumption typically practiced in public spaces are increasingly taking place in the home, a space once exclusively reserved for leisure time and housework. It has become more and more common to find such activities as telecommuting, telemarketing, and shopping via the Internet or cable television taking place within the home. Nearly ubiquitous technologies such as the telephone, home computers with worldwide web access, pagers, mobile phones, GPS and other wireless devices have rendered private space and personal time accessible to the demands of business and, increasingly, the inter-ests of government. To put it simply, it is no longer true, as Marx once claimed, that the worker “is at home when he is not working, and when he is working he is not at home.”5Reality television, social networking sites, personal webcams and confes-sional blogging have all contributed toward exposing the private realm in ways un-foreseen by the well-known feminist adage from the 1960’s: ”the personal is politi-cal”. Within this formerly public realm we now find that private interests or pub-lic/private amalgams have gained greater control and influence. In major urban areas Business Improvement Districts (BIDs) have appropriated many traditional governing functions from financially strapped municipalities including taxation, sa-nitation, and policing. **For years the** U.S. **federal gov**ernment **has given away** traditional **public goods** such as parklands, water, and the airways **to** profit-making **businesses**, often **in exchange for** shallow and **unfulfilled promises to serve the public interest.** Many formerly public or government institutions such as hospitals, schools, and **prisons are now managed** privately **as for-profit corporations as** increasing numbers of people go without healthcare, education levels drop, and **prison populations increase.** An ongoing effort has been made to further privatize if not eliminate traditional social goods such as healthcare, welfare, and social security. In addition, problems once recognized as social ills have been shifted to the personal realm: **poverty, environmental degradation,** unemployment, **homelessness, racism, sexism, and heterosexism: all have been reinterpreted as** primarily **private matters to be dealt with through voluntary charity, the invisible hand of the market,** by **cultivating personal “sensitivity” towards others** or improving one’s own self-esteem. **Corporations, churches, universities and other institutions have made it** part of **their mission** to organize the mandatory training of employees in these and other areas of personal development and self-management. Just as illness and disease are more of-ten addressed in the mainstream media as a problem of revenue loss for business than as an effect of poor environmental or worker safety regulations, corporations have stepped up the practice of promoting full worker responsibility for their own health and welfare, offering incentives to employees for their participation in fitness training, lifestyle management and diet programs. We can also find a sustained ex-pansion of ”self-help” and ”personal power” technologies that range from the old “think and grow rich” school to new techniques promising greater control in the self-management of everything from time to anger.6These and many other examples demonstrate the extent to which **so much** that was **once understood as social and political has been re-positioned within the domain of self-governance**, often through techniques imposed by private institutions such as schools and businesses.

This turns deon NCs: A. oppression is manipulation by one group over another which is by definition coercive B. willing oppression is a contradiction in conception since if you will the oppression of others you will your own oppression which undermines the value of your will.

### Framework

Morality must be able to account for the structure of action-I.E. what constitutes an action from a mere happening-otherwise we couldn’t guide action since we wouldn’t know what to actually guide. However, actions don’t always stem from our intention-sometimes they are influenced by creativity which arises spontaneously.

**Connolly 3** William Connolly (Krieger-Eisenhower Professor of Political Science at Johns Hopkins University). The Fragility of Things: Self-Organizing Processes, Neoliberal Fantasies, and Democratic Activism. Duke University Press. 2013.

As individual and collective agents of multiple types, we exercise one dimension of freedom when we pursue existing desires and another when we reflexively reconsider them and seek outlets to act upon revised desires. But those desires are not merely given in the first instance, and the reflexive process in the second does not always render explicit what was already “implicit” in operative assumptions and desires. There is often more pluripotentiality in the rush of desire forward to consolidation in action than is captured by the lazy idea of the implicit. **There is** also **pluripotentiality during** those fecund **moments when an entire constituency coalesces under** new circumstances, with the change in “circumstances” often shaped by **rapid shifts in nonhuman force fields** with which they are involved. **In such circumstances the creative element of freedom comes into play**. To put the point briefly, neither the tradition of negative freedom nor that of positive freedom comes to terms sufficiently with the role of creativity in freedom. Creativity here means, as a first cut action by the present upon ambiguities arising from the past oriented toward the future in a way that is not entirely reducible to the past as either implicit in the present or an aggregation of blind causes that produce the future. It might involve an exploratory movement back and forth between different parties in a cloudy situation that issues in a new result none intended at the start. These initiatives may then be consolidated by disciplinary processes and tactics that help to sediment them into the soft tissues of cultural life. Reflexivity, you might say, begins to do its work after the uncanny, creative element in freedom has begun to unfold, for good or ill. Creative processes flow through and over us, and reflexivity doubles the creative adventure. **Actions are** thus **not entirely controlled by pre-existing intentions**; rather the creative dimension helps to compose and refine intentions as they become consolidated in action. To articulate the creative dimension of freedom, then, is to insert a fundamental qualification or hesitation into the ideas of both the masterful agent and agency as the activation of intentions already there. The creative element is located somewhere between active and passive agency. When creative freedom is underway in an unsettled context we may find ourselves allowing or encouraging a new thought, desire, or strategy to crystallize out of the confusion and nest of proto-thoughts that precede it. An agent, individual or collective, can help to open the portals of creativity, but it cannot will that which is creative to come into being by intending the result before it arrives. Real creativity is thus tinged with uncertainty and mystery. **The creative dimension of freedom** discloses an ambiguity that haunts extant ideas of intention, desire, agency, and reflexivity. It **exposes the ambiguity of agency** in the practice of freedom. This ambiguity may find expression**, say, in a basketball game as a**n accomplished **player** under intense defensive pressure **spontaneously fires up the first jump shot ever** attempted **amid the flow of action**. The shot, initially lacking a name, surprises the shooter and mystifies defenders. It was not implicit in the athlete’s repertoire; it emerged in the pressure of action. After being repeated, named, and perfected through relentless training, it may spread like wildfire across the basketball landscape, as that type of shot did in the 1950s in the United States. Everything else in the game now shifts to some degree too. Other players, coaches, and referees now adopt creative responses to it, generating changes in the game through a mélange of partisan mutual adjustments that no individual or organization intended at the outset. Or take a young point guard who spontaneously completes a fast break with a blind, behind-the-back pass and then finds himself negotiating with his coach to decide just when such passes can be allowed in the future. Such modes of **creative**, mutual **adjustment**, neither simply assignable to one player or coach, nor fitting neatly into extant notions of preformed intention, nor reducible to a reflexive dialectic, **occur all the time in multiple domains. They form part of the essence of freedom.**

Two impacts: A. takes out practical reason frameworks-unity of action arguments don’t accurately describe action since in assuming pre-existing intentions are what causes our actions deon ignores action’s creative nature. B. willing the undermining of creativity is a contradiction in conception since action would no longer be coherent if everyone willed that.

And, creativity is key to value to life.

**Connolly 4** William Connolly (Krieger-Eisenhower Professor of Political Science at Johns Hopkins University). The Fragility of Things: Self-Organizing Processes, Neoliberal Fantasies, and Democratic Activism. Duke University Press. 2013.

If **creativity finds expression in** the human estate, it will sometimes do so at surprising moments during a disruption in a practice, opening the door to a **scientific invention, a new concept,** a **political initiative,** a new **social movement,** an **artistic innovation, market spontaneity,** a **language change**, a cooking invention, teaching improvisation, a new type of film scene, a musical production, the use of new media, or the invention of a new product. And so on endlessly. Our **identification with life** – our tacit sense of belonging to a human predicament **worthy of embrace** – **is partly rooted in reflexive reconsideration of** established **desires and ends. But it is grounded too in** those **uncanny** experiences of **creativity by** means of **which something new enters the world**. This may be one of the reasons people cleave to the sweetness of life. **It ties the sweetness of life to a vitality of being**, even more than to a preordained end, purpose, or “fullness” with which it is officially invested. The intimate relation between freedom and creativity is why **freedom is never sufficiently grasped by** the idea of **a lack to be fulfilled,** successful action upon **preset desires, or the drive to render the implicit explicit**. The experience of uncertainty or incompleteness is sometimes an occasion of fecundity.

Impacts: A. Value to life is a key framing issue-if an ethical theory can’t adequately explain why life has value, reject it since ethics would be irrelevant if our lives lacked value. B. Creativity re-frames what freedom means in the first place so any freedom-based NC standard has to accept mine as preceding it.

Neoliberalism destroys creativity and comes first.

**Connolly 5** William Connolly (Krieger-Eisenhower Professor of Political Science at Johns Hopkins University). The Fragility of Things: Self-Organizing Processes, Neoliberal Fantasies, and Democratic Activism. Duke University Press. 2013.

The danger of “serfdom” today, you might say, is the emergence of a regime in which a few **corporate overlords monopolize creativity to sustain a bankrupt way of life**; in which military, prison, and security budgets are increased significantly to cling to American hegemony in a world unfavorable to it; in which the element of **creativity is squeezed out of work life** for many citizens; in which the ideology of **freedom is winnowed to** a set of **consumer choices between preset options**; and in which compensatory drives to extremism in secular dogmatism and religious faith intensify. Moderate neoliberalism cannot sustain itself under these circumstances. Its erstwhile proponents are today pressed either to allow a new priority to course through them or to give themselves to an extremism many have heretofore hesitated to accept. But is there not also a tension in the positive account pursued here? Yes. If you embrace both an ethos of responsibility encoded into multiple interacting practices and the creative element in freedom, you have introduced a tension between these two values. **Any theory that acknowledges only one value, as radical neoliberals tend to do in one way and holists in another, is not worth its salt.** The question is how to negotiate the tension. Perhaps **the best hope is to** keep one eye on each of these values. We **keep the door open to creativity** in the practices of art, citizen movements, entrepreneurial innovations, court interpretations, sports activity, scientific experiments, religious movements, consumption choices, state modes of regulation, and the like as we also commit ourselves to debate the quality of these innovations situationally with one eye on their probable effects upon the interim future. That is one reason the elements of care for the world and reflexivity are so important to a culture that prizes the element of creativity. There is no guarantee we will always get the balance right, particularly in a world that is periodically jolted by surprises. But at least we will have committed ourselves to pay due attention to the several elements in play, keeping in mind that both the element of creativity and participating with dignity in a larger system help to make life worth living.

Thus, the standard is resisting neoliberalism. Prefer:

1. Oppression. Inequality creates flawed epistemic conclusions, making normative decision making impossible.

Medina Medina, J. (2011). Toward a Foucaultian Epistemology of Resistance: Counter-Memory, Epistemic Friction, and Guerrilla Pluralism. Foucault Studies, 1(12), 9–35

Foucault invites us to pay attention to the past and ongoing epistemic battles among competing power/knowledge frameworks that try to control a given field. Different fields—or domains of discursive interaction—contain particular discursive regimes with their particular ways of producing knowledge. In the battle among power/ knowledge frameworks, some come on top and become dominant while others are displaced and become subjugated. Foucault’s methodology offers a way of exploiting that vibrant plurality of epistemic perspectives which always contains some bodies of experiences and memories that are erased or hidden in the mainstream frameworks that become hegemonic after prevailing in sustained epistemic battles. What Foucault calls subjugated knowledges3 are forms of experiencing and remembering that are pushed to the margins and rendered unqualified and unworthy of epistemic respect by prevailing and hegemonic discourses. Subjugated knowledges remain invisible to mainstream perspectives; they have a precarious subterranean existence that renders them unnoticed by most people and impossible to detect by those whose perspective has already internalized certain epistemic exclusions. And with the invisibility of subjugated knowledges, certain possibilities for resistance and subversion go unnoticed. The critical and emancipatory potential of Foucaultian genealogy resides in challenging established practices of remembering and forgetting by excavating subjugated bodies of experiences and memories, bringing to the fore the perspectives that culturally hegemonic practices have foreclosed. The critical task of the scholar and the activist is to resurrect subjugated knowledges—that is, to revive hidden or forgotten bodies of experiences and memories—and to help produce insurrections of subjugated knowledges.4 In order to be critical and to have transformative effects, genealogical investigations should aim at these insurrections, which are critical interventions that disrupt and interrogate epistemic hegemonies and mainstream perspectives (e.g. official histories, standard interpretations, ossified exclusionary meanings, etc). Such insurrections involve the difficult labor of mobilizing scattered, marginalized publics and of tapping into the critical potential of their dejected experiences and memories. An epistemic insurrection requires a collaborative relation between genealogical scholars/activists and the subjects whose experiences and memories have been subjugated: those subjects by themselves may not be able to destabilize the epistemic status quo until they are given a voice at the epistemic table (i.e. in the production of knowledge), that is, until room is made for their marginalized perspective to exert resistance, until past epistemic battles are reopened and established frameworks become open to contestation.

This outweighs freedom based NCs: A. the comparative freedom violation is small-it’s a little more money taken away from employers but a lot more freedom given to prisoners. B. oppression spills over to every other type of liberty-restrictions of free speech, political inclusion, etc, so I control the internal link to your impacts. C. Certain groups have been marginalized for a long time, so correcting that skew ensures the possibility for future change; prioritizing other violations allows that marginalization continues indefinitely.

2. Neoliberalism emphasizes that money is the only thing that matters which makes any form of obligation impossible.

**Giroux** Henry Giroux. “The Disappearance of Public Intellectuals: The Crisis of Education as a Public Good.” http://www.kritischestudenten.nl/bibliotheek/opinie-bibliotheek/the-disappearance-of-public-intellectuals/

As a theater of cruelty and mode of public pedagogy, economic Darwinism removes economics and markets from the discourse of social obligations and social costs. The results are all around us ranging from ecological devastation and widespread economic impoverishment to the increasing incarceration of large segments of the population marginalized by race and class. **Economics** now **drives politics, transforming citizens into consumers and compassion into an object of scorn**. The language of **rabid individualism and harsh competition** now **replace**s the notion of the public and all forms of **solidarity not aligned with market values**. As public considerations and issues collapse into the morally vacant pit of private visions and narrow self-interests, the bridges between private and public life are dismantled making it almost impossible to determine how private troubles are connected to broader public issues. Long term investments are now replaced by short term profits while compassion and concern for others are viewed as a weakness. As public visions fall into disrepair, the concept of the public good is eradicated in favor of **Democratic public values are scorned because they subordinate market considerations to the common good. Morality in this instance** simply **dissolves, as humans are stripped of** any **obligations to each other**. How else to explain Mitt Romney’s gaffe caught on video in which he derided “47 percent of the people [who] will vote for the president no matter what”?[i] There was more at work here than what some have called a cynical political admission by Romney that some voting blocs do not matter.[ii] Romney’s dismissive comments about those 47 percent of adult Americans who don’t pay federal income taxes for one reason or another, whom he described as “people who believe that they are victims, who believe the government has a responsibility to care for them, who believe that they are entitled to health care, to food, to housing, to you-name-it,”[iii] makes clear that the logic disposability is now a centralfeature of American politics. As the language of privatization, deregulation, and commodification replaces the discourse of the public good, all things public, including public schools, libraries, transportation systems, crucial infrastructures, and public services, are viewed either as a drain on the market or as a pathology.[iv] The **corrupting influence of money and concentrated power** not only supports the mad violence of the defense industry, but **turns politics** itself **into mode of sovereignty in which sovereignty** now **becomes identical with policies that benefit the rich, corporations, and the defense industry**.”[v] Thomas Frank is on target when he argues that “Over the course of the past few decades, the power of concentrated money has subverted professions, destroyed small investors, wrecked the regulatory state, corrupted legislators en masse and repeatedly put the economy through he wringer. Now it has come for our democracy itself.”[vi] Individual prosperity becomes the greatest of social achievements because it allegedly drives innovation and creates jobs. At the same time, massive disparities in income and wealth are celebrated as a justification for a survival of the fittest ethic and homage to a ruthless mode of unbridled individualism. **Vulnerable populations** once protected by the social state **are** now **considered a liability because they are viewed as either flawed consumers or present a threat to a right-wing Christian view of America** as a white, protestant public sphere. The elderly, young people, the unemployed, immigrants, and poor whites and minorities of color now constitute a form of human waste and are considered disposable, unworthy of sharing in the rights, benefits, and protections of a substantive democracy. Clearly, this new politics of disposability and culture of cruelty represents more than an economic crisis, it is also speaks to a deeply rooted crisis of education, agency, and social responsibility. **Under such circumstances**, to cite C. W. Mills, **we are seeing** the **breakdown of democracy**, the disappearance of critical intellectuals**, and “**the **collapse of** those **public spheres which offer** a sense of **critical agency and social imagination**.”[vii] Since the 1970s, we have witnessed the forces of market fundamentalism strip education of its public values, critical content, and civic responsibilities as part of its broader goal of creating new subjects wedded to consumerism, risk-free relationships, and the destruction of the social state. Tied largely to instrumental purposes and measurable paradigms, many institutions of higher education are now committed almost exclusively to economic goals, such as preparing students for the workforce. Universities have not only strayed from their democratic mission, they seem immune to the plight of students who have to face a harsh new world of high unemployment, the prospect of downward mobility, debilitating debt, and a future that mimics the failures of the past. The question of what kind of education is needed for students to be informed and active citizens is rarely asked.[viii]

Two impacts: A. morality is by definition action guiding so if nobody can use your framework it fails. B. even if you win your framework is true I control the highest layer since nobody would have any sort of obligations in a neoliberal society.

Underview to the framework:

1. No intent foresight distinction-mental states like intention have no bearing on action.

Enoch David (Professor of the Hebrew University at Jerusalem). Intending, Foreseeing, and the State. Legal Theory, Vol. 13, No. 2. 2007. Pgs. 16-17

Think about a hard medical decision – say, whether to give a suffering patient a deadly dose of morphine in order to relieve his pain (at the price of his likely death). And let’s assume that in the circumstances the (medically, and also morally) right thing to do is to give the morphine. Now add the following piece of information: The physician making the decision and administering the procedure enjoys perverted pleasures from killing patients. If he gives the patient the morphine, he will do it intending to enjoy these perverted pleasures. He foresees that the patient’s pain will be relieved, but this is not why he acts as he does. Of course, now that we know these disturbing facts about the doctor and his relevant mental states, we will morally judge him accordingly, and will no doubt try to let someone else decide about the appropriate procedures. But – and this is the crucial point in our context – should this information make us change our mind regarding the permissibility of the relevant action? Could facts about these mental states of the doctor giving the morphine make us take back our judgments that this is the appropriate action in the circumstances, even when all other factors are held equal? The answer, it seems, is “no”. Thomson suggests that we learn from such examples that the agent’s mental states are simply irrelevant for the moral permissibility of the relevant action. They are very relevant, of course, for the evaluation of the agent, but this is an entirely different story. And because mental states are irrelevant for the moral status of the action, the intending-foreseeing distinction, understood as a distinction between two mental states, and applied to the moral evaluation of actions, is without moral weight22. Of course, as it stands this line of thought is too quick. Strictly speaking, what the example at most shows is that sometimes the agent's mental states are irrelevant to the permissibility of the relevant action, not that they never are. But the strength of the intuitive judgment Thomson uses, together with the distinction between the evaluation of the action and that of the agent, and given the absence of an obvious rationale for why it is that the mental states should be relevant to permissibility in some circumstances but not others – all these factors together strongly suggest, I think, the more general conclusion.

2. Current debate is a space where academics can suppress critical intellectuals and perpetuate neoliberalism.

**Giroux 2** Henry A. Giroux (Giroux has held positions at Boston University, Miami University, and Penn State University), “Cultural Studies in Dark Times: Public Pedagogy and the Challenge of Neoliberalism,” 2005, http://www.henryagiroux.com/online\_articles/DarkTimes.htm

In spite of the professional pretense to neutrality, **academics** in the field of cultural studies **need to do more** pedagogically **than simply teach students how to argue and question.** Students need much more from their educational experience. Democratic societies need educated citizens who are steeped in more than the skills of argumentation. And it is precisely this democratic project that affirms the critical function of education and refuses to narrow its goals and aspirations to methodological considerations. As Amy Gutmann (1999) argues, **education is always political because it is connected to** the acquisition of **agency**, the ability to struggle with ongoing relations of power, **and is a precondition for creating informed** and critical **citizens** who act on the world. This is not a notion of education tied to the alleged neutrality of the academy or the new conservative call for "intellectual diversity" but to a vision of pedagogy that is directive and interventionist on the side of producing a substantive democratic society. This is what makes critical pedagogy different from training. And it is precisely the failure to connect learning to its democratic functions and goals that provides rationales for pedagogical approaches that strip critical and democratic possibilities from what it means to be educated. Cultural studies theorists and educators would do well to take account of the profound transformations taking place in the public sphere and reclaim pedagogy as a central element of cultural politics. In part, this means once again recognizing, as Pierre Bourdieu (2003) has insisted, that the "power of the dominant order is not just economic, but intellectual—lying in the realm of beliefs"(p. 66), and it is precisely within the domain of ideas that a sense of utopian possibility can be restored to the public realm. Such a task suggests that **academics** and other cultural workers **actively resist the ways** in which **neolib**eralism **discourages teachers and students from becoming critical intellectuals by turning them into human data banks.** Educators and other cultural workers need to build alliances across differences, academic disciplines, and national boundaries as part of broader efforts to develop social movements in defense of the public good and social justice. No small part of this task requires that such groups make visible the connection between the war at home and abroad. If the growing authoritarianism in the U.S. is to be challenged, it is necessary to oppose not only an imperial foreign policy, but also the shameful tax cuts for the rich, the dismantling of the welfare state, the attack on unions, and those policies that sacrifice civil liberties in the cause of national security.

3. Use an epistemically modest method of framework evaluation-that’s probability of the moral theory multiplied by the action’s value under the theory if it were true-key to real-world decision-making.

Bistagne and Overing Bob Overing (TOC 2012 finalist) and Adam Bistagne (debated for Loyola). “Epistemic Modesty Part 1.” Premier Debate Today August 31st, 2014 http://premierdebatetoday.com/2014/08/31/epistemic-modesty-part-1-by-bob-overing-and-adam-bistagne/

There is substantial philosophical debate about normative uncertainty and epistemic disagreement. Let’s sketch some arguments for why some philosophers have found the modest view persuasive. First, **epistemic modesty seems consistent with everyday decision-making**. The following example is taken from the dissertation of Andrew Sepielli, now a professor at the University of Toronto: Suppose that I am deciding whether to drink a cup of coffee. **I have a degree of belief of .2 that the coffee is mixed with** a deadly **poison, and a** degree of belief of **.8 that it’s** perfectly **safe. If I act on** the hypothesis in which I have **the highest credence, I’ll drink the coffee. But** this seems like a bad call. A **good chance of coffee isn’t worth** such a **significant risk of death** – at least, not if I assign commonsensical values to coffee and death, respectively.[2] It’s hard to argue that confidence gets it right here. We should think **similarly** when deliberating about normative theories. Employing some social-contract theory, **we might think that the** United States **government should take only Constitutional action; however, some** Constitutional **violation might be permissible to protect a large city from a terror**ist **attack even if we care less about util**itarian **reasons.**

Epistemic modesty is key to aff strat.

Bistagne and Overing 2 Bob Overing (TOC 2012 finalist) and Adam Bistagne (debated for Loyola). “Epistemic Modesty Part 1.” Premier Debate Today August 31st, 2014 http://premierdebatetoday.com/2014/08/31/epistemic-modesty-part-1-by-bob-overing-and-adam-bistagne/

That’s all well and good but why should we adopt it in debate? Epistemic modesty might remedy a lot of the fairness concerns with frameworks. Necessary/insufficient burdens, **[NIBs,] skep**ticism, **and unturnable cases** lose their force when the criterion is no longer all-or-nothing. Those arguments **create reciprocity problems** precisely **because they exclude** the opponent’s **offense. Under** a frame of **e**pistemic **m**odesty, **they would not be exclusive; the aff can weigh** its offense. **Status quo LD** framework debate **incentivizes** finding **frameworks that heavily favor one side** such that winning the criterion is sufficient to vote. More reasonable, inclusive frameworks are crowded out in favor of more unfair ones. For instance, a deontological framework is a predictable, reasonable framework, but epistemic confidence makes it much more likely to create structural unfairness. **If the neg defends** a **narrow** conception of **deon**tology, **a strong act/omission distinction**, that **perfect duties** strictly **precede imperfect duties**, and that any risk of a violation of the standard is sufficient to negate, **aff offense** under the neg framework **is** effectively **impossible**. These arguments alone are not problematic, however. **If the aff can weigh the advantages** of the plan **even when the framework debate favors the neg,** then **the aff** still **has options**. Epistemic modesty makes the strength of the aff impacts matter at the end of the day. Perhaps **such** a method of evaluation **will help the time-press**ur**ed 1AR beat back neg layering strategies without** resorting to **theory** arguments.

### Underview

First, neg abuse outweighs aff abuse-4 minute 1AR puts me at a strategic disadvantage since the neg can craft a perfect strategy to the aff-supercharged by 6 minute 2nr which allows you to collapse to any issue and crush me on it. Proven empirically-according to tabroom, neg won 66% of outrounds at VBT.

Second, T is an issue of reasonability with a brightline of link and impact turn ground, and disclosure of the plan text on the wiki over two weeks before the tournament. A. There are multiple interps of the topic-I don’t know which one to defend given that I’m the first one to speak-the neg can always read T so don’t punish me for setting grounds. B. Increase topical clash by avoiding unnecessary theory-obviously if its reasonably fair then we should debate under it instead of debating about what to be debating about. C. Reactivity solves your offense-I can’t read T on you and you can always pick a strategy that adapts to meet the AC and give you a shot at winning the round.

Third, T with competing interps is an RVI for the aff if I win a counter interp-the nature of T makes it a NIB since it’s a layer before theory and the neg doesn’t have to be topical so I can’t turn it-outweighs other disads to the RVI since it’s intrinsic the structure of theory and not a side effect or substantive abuse.

Fourth, debate about criminal justice is most educational.

**Nielson** Toni Nielson (Assistant Director of Debate at CSU Fullerton, 4.3 Overall Rating on Ratemyprofessors.com as of 4/7/13). “Prison Reform Topic Paper.” 25 April 2011. http://www.cedadebate.org/forum/index.php?action=dlattach;topic=2381.0;attach=664

Second, **if a large percent**age **of debaters enter** into **law** school, **political science, or social justice** work post their undergraduate studies, **then the prison topic would be valuable** as practical **research for** their **future studies. Debate skills, such as research**, listening, public speaking, personal expression, problem-solving skills, **are highly transferable** in these areas of graduate study. We are all familiar with research indicating **70% of judges recommend** participation in **intercollegiate debate as a precursor to law school** (Freely & Steinberg, 2009). **Debaters** themselves **list law school prep**aration **as one** of the **advantage**s **of** intercollegiate **debate** (Williams, McGee & Worth, 2001). You aren't likely go to law school and skip over a discussion of the penal system. **The debate community has an opportunity to prepare** our undergraduates **for** work in **a field they are most likely to go into.**

## A2 “Employer” T

### A2 Employers T

1. I meet-the the AC companies are employers-just not employers of prisoners. They still employ other people, for example *wardens* that aren’t prisoners. So even if prisoners aren’t employees they still work for employers. Err aff on I meets-in the real world, you’re innocent until proven guilty. They are initiating theory, so they have a proactive burden to prove I violate their interpretation. If you are at all unsure, default aff and evaluate substance-that’s key to proportional punishment which link turns fairness offense-don’t punish me for something I didn’t do.

2. Role of the ballot outweighs. Debate is a rigged game to protect oppressive power structures-your enforcement of rules feeds into this mode of thought.

Spanos 11 William V. Spanos (distinguished professor of English and Comparative Literature at the SUNY Binghamton) “Interview Questions” September 15th 2011 kdebate <http://kdebate.com/spanos.html>

The reason I asked you that question is because I've always thought that the debate system is a rigged process, by which I mean, in your terms, it's framed to exclude anything that the frame can't contain and domesticate. To frame also means to "prearrange" so that a particular outcome is assured," which also means the what's outside of the frame doesn't stand a chance: it is "framed" from the beginning. It was, above all, the great neo-Marxist Louis Althusser's analysis of the "problematic" - the perspective or frame of reference fundamental to knowledge production in democratic-capitalist societies -- that enabled me to see what the so called distinterestness of empirical inquiry is blind to or, more accurately willfully represses in its Panglossian pursuit of the truth. Althusser's analysis of the "problematic" is too complicated to be explained in a few words. (Anyone interested will find his extended explanation in his introduction --"From Capital\* to Marx's Philosophy" -- to his and Etienne Balibar's book \*Reading Capital\*. It will suffice here to say that we in the modern West have been \*inscribed\* by our culture --"ideological state apparatuses (educational institutions, media, and so on)-- by a system of knowledge production that goes by the name of "disinterested inquiry," but in reality the "truth" at which it arrives is a construct, a fiction, and thus ideological. And this is precisely because, in distancing itself from earthly being --the transience of time --this system of knowledge production privileges the panoptic eye in the pursuit of knowledge. This is what Althusser means by the "problematic": a frame that allows the perceiver to see only what it wants to see. Everything that is outside the frame doesn't exist to the perceiver. He /she is blind to it. It's nothing or, at the site of humanity, it's nobody. Put alternatively, the problematic -- this frame, as the very word itself suggests, \*spatializes\* or \*reifies\* time -- reduces what is a living, problematic force and not a thing into a picture or thing so that it can be comprehended (taken hold of, managed), appropriated, administered, and exploited by the disinterested inquirer. All that I've just said should suggest what I meant when, long ago, in response to someone in the debate world who seemed puzzled by the strong reservations I expressed on being informed that the debate community in the U.S. was appropriating my work on Heidegger, higher education, and American imperialism. I said then -- and I repeat here to you -- that the traditional form of the debate, that is, the hegemonic frame that rigidly determines its protocols-- is unworldly in an ideological way. It willfully separates the debaters from the world as it actually is-- by which I mean as it has been produced by the dominant democratic I capitalist culture --and it displaces them to a free-floating zone, a no place, as it were, where all things, nor matter how different the authority they command in the real world, are equal. But in \*this\* real world produced by the combination of Protestant Christianity and democratic capitalism things -- and therefore their value --are never equal. They are framed into a system of binaries-Identity/ difference, Civilization/barbarism I Men/woman, Whites/blacks, Sedentary/ nomadic, Occidental/ oriental, Chosen I preterit (passed over), Self-reliance I dependent (communal), Democracy I communism, Protestant Christian I Muslim, and so on -- in which the first term is not only privileged over the second term, but, in thus being privileged, is also empowered to demonize the second. Insofar as the debate world frames argument as if every position has equal authority (the debater can take either side) it obscures and eventually effaces awareness of the degrading imbalance of power in the real world and the terrible injustices it perpetrates. Thus framed, debate gives the false impression that it is a truly democratic institution, whereas in reality it is complicitous with the dehumanized and dehumanizing system of power that produced it. It is no accident, in my mind, that this fraudulent form of debate goes back to the founding of the U.S. as a capitalist republic and that it has produced what I call the "political class" to indicate not only the basic sameness between the Democratic and Republican parties but also its fundamental indifference to the plight of those who don't count in a system where what counts is determined by those who are the heirs of this quantitative system of binaries.

3. Counter interp: Merriam Webster no date defines “employee” as

http://www.merriam-webster.com/dictionary/employee

a person who works for another person or for a company for wages or a salary

I meet-prisoners given wages from a company. Prefer: A. Dictionaries are credible and objective because their sole agenda is to define things. B. Common usage. Dictionaries rank definitions from most to least commonly used. Common usage is key to topic lit since topic lit is written in English-key to fairness and education since it’s where we get our prep. C. Accessibility. Anyone could have Googled this-which link turns your offense since nobody can abide by your interp if they don’t know it exists D. Speaking of Google, my definition is the first result when you google “definition of employee” . This means my definition is most predictable.

### AT Legal Precision/Education

1. Legal precision isn’t key to predictability. This aff would easily be discovered even if we didn’t know the legally precise terms of the topic.

2. T-their interp kills legal education by ruling out affs about unconventional employment contracts. We should learn about all types.

### AT Limits

1. Their interp doesn’t solve. Their definition of “employer” is so broad that the neg prep burden is still large, so aff offense outweighs.

2. No link. Neg still gets most NCs and disads that say living wage is bad even if they couldn’t predict the specific aff. Cut a kritik. There’s plenty about prison abolition.

### AT Ground

1. You get generics to fall back on plus the fact that living wage is not the squo.

2. You get prison abolition counterplans which solve all aff offense-also you still get access to competitiveness and politics DAs.

## A2 Plans Bad

### C/I

Counter interp: the aff may defend the US enforces a living wage in prisons. I meet. Prefer:

1. Cross apply-Nielsen 11-criminal justice education is most important since most of us become lawyers in the real world-debate is an activity in which we should prepare ourselves for the real world-this outweighs on timeframe-no one will care about the specifics of this round in 7 years but we will care if we garnered educational benefits from the activity.

2. Resolvability-only way to analyze the resolution is specific policies since there are multiple mutually exclusive policies that couldn’t be implemented simultaneously-such as different overlapping groups of people or methods of calculation. That’s the strongest internal link to fairness since I can’t actually affirm the resolution under your interp.

3. Stable advocacy. Without spec the aff can shift out of your disads and substantive args saying they defend a different method of implementation or a different country or set of countries. Kills fairness because if arguments can be shifted out of the neg has no shot at winning.

4. Depth. Spec lets us actually focus on an implementable policy instead of spreading ourselves thin on lots of issues. Focusing on one policy forces discussion on an actual issue-key to education since it ensures we’re learning things.

### A2 Nebel

1. Generic statements allow for specification of definite singulars, i.e. a specific group.

Leslie Sarah Jane Leslie (Professor of Linguistics at Princeton University) “Generics” https://www.princeton.edu/~sjleslie/RoutledgeEncyclopediaEntry2.pdf

**Generics are statements such as “dogs are mammals”**, “a tiger is striped”, “the dodo is extinct”, “ducks lay eggs”, and “mosquitoes carry the West Nile virus”. Generic statements **[they] express general claims about kinds, rather than claims about particular individuals. Unlike** other general **statements such as** “all dogs are mammals” or **“most tigers are striped”, generics do not involve the use of** explicit **quantifiers** (**such as “all” or “most”** in these examples). In English, **generics can be expressed using a variety of syntactic forms: bare plurals** **(e.g. “ducks lay eggs**”), **[or]** indefinite singulars (e.g. “a tiger is striped”), and **definite singulars [e.g.]** (“**the dog is a mammal**”). (Sometimes, **habitual statements** **such as** “Mary smokes” or “**John runs in the park**” **are classified generics**, but we will not follow this practice here.)

Prefer my definition-it’s from someone qualified in the field of grammatics and literature who explicitly states that general statements allow for further specification, means it’s the most contextual and thus most likely correct.

2. Topic lit comes first. We learn what the topic means through research. The text isn’t a prereq to knowing what topic lit means since we don’t usually Google the topic wording.

### A2 Predictability/Limits

1. This whole aff has been on peoples wikis since December-it’s been on mine for a few weeks-if you haven’t cut cards that’s just laziness. Also solvency advocate checks it back-I have a qualified author saying living wage for prisons in the US is good so there’s no real abuse here. *Also USFG solves-it’s the country we live in and 99% of cards are specific to it. If you don’t have prep then you haven’t cut a single card.*

2. T-not defending policies is unpredictable because the neg wouldn’t be able to predict the combination of policies the aff actually defends-defending one action means there is predictable offense you can pin me too.

3. T-you over-limit since whole rez is the only topical aff. I have no strategic leeway for crafting cases.

4. Reading predictability standards kills education by limiting creativity and discouraging exploration of new ideas to what is “predictable”

### A2 Research Burdens

1. Give me a break. There aren’t that many that many plans on the wiki. It’s a marginal increase in research burdens in exchange for so much rich discussion.

2. T-doing more research is good. It allows us to learn more about the topic and increase our knowledge of the world.

3. This whole aff has been on peoples wikis since December-it’s been on mine for a few weeks-if you haven’t cut cards that’s just laziness. Also solvency advocate checks it back-I have a qualified author saying living wage for prisons in the US is good so there’s no real abuse here. *Also USFG solves-it’s the country we live in and 99% of cards are specific to it. If you don’t have prep then you haven’t cut a single card.*

### A2 Ground

1. T-you get the best ground since all neg authors discuss US specific arguments, allowing general principle means I can shift out of those and leave you with shitty ground.

2. Stock positions solve-there are lots of good NCs and Ks to fall back on-means you have tiny strength of link.

3. The fact that there isn’t a living wage in the squo for prisoners proves you have great qualitative ground-otherwise it would already happen.

### A2 Breadth

1. T-plans are key to breadth. They let us explore different areas of the topic instead of focusing on the same stock args.

2. T-cross apply my depth standard. Depth is key to breadth because if we go in depth on a different issue each round, we’re going to get a breadth of info anyway.

3. We can get breadth in other rounds. Not everyone reads plans.

## A2 Abolish Prisons CP

### Shell

A. If the negative defends abolition of prisons they must specify a replacement mechanism for punishing and/or rehabilitating criminals.

B. they just say abolition is good but don’t provide an alternative.

C. Standards

1. real world education-we should debate about policies that are capable of being implemented-obviously a complete withdrawal from the prison system with no practical alternative would never happen which means we shouldn’t be discussing it-no education since it’ll never happen.

2. ground-no alternative to prisons means I can’t link turn your offense-you just defend an absence of my harms but no actual action I can answer-gives you qualitatively easier access to the ballot which kills fairness. That’s also a terminal solvency takeout-you have no alternative so no way to actually tell you’ll solve for your harms.

D. Vote on fairness, debate’s a competitive activity-no debater ought to have a structural advantage. Vote on education-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 1AR strategy to check abuse, but the 2N has 6 minutes so no neg RVI 2. Reject the arg is no punishment-just lets them pick a different layer to crush me on.

Competing interps since 1. Any brightline is arbitrary and bites judge intervention 2. Reasonability causes a race to the bottom to see who can be the most abusive under the given brightline 3. Competing interps forces a race to the top-an offense defense paradigm fosters good norms for the activity.

### Perms n stuff

1. Perm-pay a living wage now until prisons are abolished-it would take a long time to tear down all the buildings and structures and provide a way to allow prisons to reenter society-until then they should have enough money to live in the outer world.

2. Perm-pay a living wage to prisoners and have their job be tearing down prison buildings-that solves everyone’s offense since they get money and we remove prisons.

3. Perm-do both. If there is no prison labor then prison employers wouldn’t exist and so would be trivially obligated to do everything, including paying a living wage.

4. Prison abolition is utopian and can’t solve crime. Reducing recidivism through reform is preferable.

Herbert 8 Nick Herbert (Conservative MP for Arundel and South Downs). “The abolitionists’ criminal conspiracy.” The Guardian. July 27th, 2008. http://www.theguardian.com/commentisfree/2008/jul/27/prisonsandprobation.youthjustice

Last week saw an International Conference on Penal Abolition. With such a heady ambition, what can be next? A global conference to abolish crime? **The ambition** of an eccentric minority **to abolish prison is**n't just dotty. It's **a distraction from a** real and **pressing agenda**, which is **to reform prisons** which simply aren't working. A century ago, prisons had hard labour and treadmills. Today, they have colour TVs in cells. Jails may have changed, but the enduring truth that they are necessary has not. **We will always have** a small minority of **offenders who**, by their behaviour, **pose so great a threat** to the lives and property of the law-abiding majority **that they must be kept apart from us. Ignoring this reality** and arguing for the total abolition of prison **is** a **hopelessly utopian** goal that does the credibility of penal reformers no service. The case for penal abolition rests on a series of tenuous assertions. Let's set aside the obvious, if uncomfortable, fact that part of the purpose of prison is to punish. **It's said that short-term** prison **sentences don't work, because recidivism rates are** shockingly **high and there is little time for** any **restorative programmes to work**. But since the evidence is that longer sentences have lower recidivism rates, and provide the opportunity to rehabilitate offenders, **this might be an argument to lengthen sentences, not abolish them altogether**. After all, another purpose of prison is to incapacitate offenders. Of course, overcrowded prisons that are awash with drugs, and a system which gives short-term prisoners no supervision or support on release, is almost calculated to fail. But this could equally be an argument – the one which the modern Conservative party is making – for a complete transformation of prison regimes and a system of support for offenders when they are released from jail. It's a logical non sequitur on a grand scale to argue that because short-term prison sentences currently aren't working, we should therefore stop using them at all. Abolitionists say that short-term prison sentences have a poorer recidivism rate than community sentences. In fact, both have a lamentable record – and one that has deteriorated in the last ten years. But the difference is hardly surprising, since the worst recidivists are bound to end up in jail. According to Home Office figures (pdf), only 12% of those sentenced to prison have no previous convictions. Over half have five or more previous convictions, and over a third have ten or more. Those who say that prison should be reserved for serious or serial offenders tend to ignore the fact that it already is. Serial offenders who end up with custodial sentences have usually run through the gamut of weak community sentences already. If we want to avoid magistrates having little choice but to send them down, the logical thing to do is to make community sentences far more effective. Yet the perverse reaction of the abolitionists is to recommend that the very community disposals that have, by definition, already failed are used again. Over a third of unpaid work requirements are not completed. Drug rehabilitation requirements have an even worse record – fewer than half are completed. If a fraction of the energy and resources that are being devoted to the cause of penal abolition were directed to thinking seriously about how better to design non-custodial punishments, short-term prison sentences would be less necessary. **What do** the **abolitionists really want? If it's the end of all custody**, including for the most serious and dangerous offenders, **then we can dismiss their demands as** truly **silly**. If it's the abolition of short-term custodial sentences, then the effect on the overall prison population will be minimal. Justice ministry tables show (pdf) that over 87% of the current prison population are serving sentences of over 12 months. Abolishing prison for those serving, say, six months or less would mean watering down 60,000 sentences – but it would reduce the prison population by less than 7,000. **The more effective** and sustainable **way to reduce the prison population in the long term is to reduce re-offending, as** the Conservative party's radical "**rehab**ilitation revolution" **proposes**. It would be nice to live in a society where there were no prisons, just as it would be nice if there were no hospitals because there was no illness. But until someone steps forward with a ten-year plan to Make Crime History, jails are here to stay. The challenge is to create prisons with a purpose – not to hold lazy conferences making futile calls for their abolition.

5. Prison is necessary and better than alternatives, but prison reform like the aff is still key.

Posner 14 Richard Posner (American jurist, legal theorist, and economist. He is currently a judge on the United States Court of Appeals for the Seventh Circuit in Chicago and a Senior Lecturer at the University of Chicago Law School). “We Need a Strong Prison System: But we need to imprison people for fewer crimes and for less time.” The New Republic. May 24th, 2014. http://www.newrepublic.com/article/117803/inferno-anatomy-american-punishment-robert-ferguson-reviewed

**Imprisonment is** an **indispensable** social practice, **and** it is **more humane than killing,** mutilating, **flogging, or visiting punishment on the criminal’s relatives** as well as on the criminal himself. **Some criminals are** at once **dangerous** and incorrigible, **and for them there is no practical alternative** to long prison terms. **But** it is demonstrable that **too much conduct has been made criminal** in this country, **and** that **many** prison **sentences are** far **too long**. About half our prison inmates are drug dealers: were the purchase and sale of illegal drugs decriminalized, the prison population would plummet, and as a result prison conditions would improve dramatically. Oddly Ferguson does not advocate decriminalization but merely amnesty for those drug offenders “who conquer their addiction in prison.” There are also other candidates for decriminalization, such as prostitution and copyright infringement (which should be just a civil offense); and it is time that the age of consent were reduced to 16 or even 15, in recognition of contemporary sexual mores. Gambling should be decriminalized, and probably environmental offenses as well, such as killing a migratory bird; such offenses should be left to the civil law, with its financial sanctions.

## A2 Politics DA

T-CJS reform is politically popular. Public opinion is becoming less retributive.

**Schwartz 7-9** Joe Schwartz (media relations office at Cornell). “REDEEM Act follows evolving public opinion on incarceration.” July 9th, 2014. http://mediarelations.cornell.edu/2014/07/09/redeem-act-follows-evolving-public-opinion-on-incarceration/

Peter **Enns**, associate professor of government at Cornell and **an expert on public opinion and its effect on policy, says that** introduction of the REDEEM Act by senators Cory Booker (D-N.J.) and Rand Paul (R-Ky.) is an important first step in breaking the cycle of incarceration for non-violent offenders. Enns says: “Bill Piper, national affairs director for the Drug Policy Alliance, says that **criminal justice reform has become politically popular**. Indeed, **my research shows that public opinion has** indeed **been moving in a less punitive direction**. “**This matters because public opinion since** 19**53 has been a fundamental determining factor in** why **incarceration rates** have increased — and my research shows that **politicians have followed, not led, public attitudes**. “The U.S. incarcerates a higher proportion of its population than any other country in the world. We may now be seeing a political response to public opinion moving in the other direction.”

## A2 Prison Violence DA

### stuff

1. The impact is minimal and relies on too many internal links-that I cause scale back of jobs, that makes people idle, and that causes prison violence-makes your impact much smaller.

2. The people who bear the costs of paying living wage are corporations that make billions-they have no need to cut the programs.

3. This evidence talks about paying minimum wage-but living wage would actually be less than since prisoners already have home and food for free.

4. T-higher pay incentivizes prisoners to sign up for labor-that means less idle time and less violence.

5. T-Low personal income leads inmates to forego medical care, causing disease spread.

**Pilenzo and Bond 3** Ronald Pilenzo (affiliated with FedCURE) and Karen Bond (JD, executive director of Federal Cure). “The Mandatory Prison Work and Drug Testing Act of 2003, Federal CURE's Position Paper on S672.” 2003. http://www.fedcure.org/alerts/S672positionpaper.shtml#.U6oS1yjvmBo

8. **Inmates** in the federal system **are required to pay co-pay**ments **of $2.00 for medical care.** In order to avoid co-payments, **inmates with limited or no income** except from families and friends, **avoid medical assistance** in order **to use their limited funds for personal items.** Thus, in avoiding medical care, **they often spread infectious diseases among other inmates**. Hepatitis is one good example. The end result is increased healthcare costs for the Federal Bureau of Prisons.

6. This evidence is pretty old-1993-default to recent literature when evaluating costs and benefits to ensure accurate risk analysis.

### A2 AIDs Impact

1. No internal link to general AIDs-prisoners are contained in prisons for most of their lives so it won’t spread.

2. No disease impact. Empirics and evolution

Posner 5 Senior Lecturer, U Chicago Law. Judge on the US Court of Appeals 7th Circuit. AB from Yale and LLB from Harvard. (Richard, Catastrophe, <http://goliath.ecnext.com/coms2/gi_0199-4150331/Catastrophe-the-dozen-most-significant.html>)

Yet the fact that Homo sapiens has managed to survive every disease to assail it in the 200,000 years or so of its existence is a source of genuine comfort, at least if the focus is on extinction events. There have been enormously destructive plagues, such as the Black Death, smallpox, and now AIDS, but none has come close to destroying the entire human race. There is a biological reason. Natural selection favors germs of limited lethality; they are fitter in an evolutionary sense because their genes are more likely to be spread if the germs do not kill their hosts too quickly. The AIDS virus is an example of a lethal virus, wholly natural, that by lying dormant yet infectious in its host for years maximizes its spread. Yet there is no danger that AIDS will destroy the entire human race. The likelihood of a natural pandemic that would cause the extinction of the human race is probably even less today than in the past (except in prehistoric times, when people lived in small, scattered bands, which would have limited the spread of disease), despite wider human contacts that make it more difficult to localize an infectious disease.

3. Empirically denied. Extinction should have happened in the 4,000 years before we had public hygiene, hospitals, and modern medicine.

4. Immunities solve.

**Sowell 1**  <Fellow at Hoover Institution (Thomas Sowell, March 5 2001, Jewish World Review, “The Dangers of “Equality”, http://www.jewishworldreview.com/cols/sowell030501.asp)>

**People have different** vulnerabilities and **resistances** to a variety of diseases. That is why **one disease is unlikely to wipe out the** human **species**, even in one place. **An epidemic** that sweeps through an area **may leave some** people **dying** like flies **while others remain** as **healthy** as horses.

5. AIDS won’t cause extinction – even in high prevalence areas they aren’t affecting population growth.

Caldwell 2K (Joseph, PhD in mathmatics @ The University of North Carolina, "The End of the World, and the New World Order," March 6, http://www.foundationwebsite.org/TheEndOfTheWorld.htm)

Disease could wipe out mankind. It is clear that HIV/AIDS will not accomplish this – it is not even having a significant impact on slowing the population explosion in Africa, where prevalence rates reach over thirty percent in some countries. But a real killer plague could certainly wipe out mankind. The interesting thing about plagues, however, is that they never seem to kill everyone – historically, the mortality rate is never 100 per cent (from disease alone). Based on historical evidence, it would appear that, while plagues may certainly reduce human population, they are not likely to wipe it out entirely. This notwithstanding, the gross intermingling of human beings and other species that accompanies globalization nevertheless increases the likelihood of global diseases to high levels.

6. Humans can evolve to withstand AIDS – Northern Europeans prove.

Smith 6 (Stephen, Reporter at Health and Science Desk for Boston Globe, “A Darwinian view of AIDS”, March 2006, http://www.boston.com/news/science/articles/2006/03/13/a\_darwinian\_view\_of\_aids/?page=full)

As researchers unlocked the secrets of HIV, they found a gene mutation they suspect may protect against the virus that causes AIDS. Human cells have locks on their surface -- scientists call them receptors -- and a virus must insert its key into these locks to gain entry. One of those is called CCR5, and HIV needs to unlock it to be able to infect cells. But scientists in recent years discovered that 5 to 10 percent of people in northern Europe don't have CCR5 receptors. ''And that's where the story gets interesting," said Dr. Calvin Cohen, research director for Community Research Initiative of New England, which conducts trials of AIDS drugs. In contrast, people in Africa and Asia universally possess CCR5. So researchers theorized that lower HIV rates in northern Europe might be due in part to some people lacking the cellular lock. But why don't they have it? Right now, it's only an informed hunch, but scientists suspect that the mutation exhibited by northern Europeans may be an artifact of the bubonic plague. The theory goes like this: As the plague swarmed Europe starting in the 14th century, it wiped out people who possessed CCR5 but spared those who lacked it. ''What we're talking about is a Darwinian process," Harmit Malik, who specializes in the study of genetic conflict at the Fred Hutchinson Cancer Research Center in Seattle. ''What was a really rare mutation was what survived. Everyone else had fallen prey to this particular pathogen."