### T

#### Interp and Violation: The affirmative must defend a hypothetical policy implementation of the aff

#### A Strike is a refusal to work

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A strike is a work stoppage caused by employees' refusal to work, typically to protest an employer decision (to close a plant, freeze wages, cut benefits, impose unpopular work rules, or refuse to improve working conditions, for example). The right to strike is protected by the National Labor Relations Act (NLRA), but not all strikes are legal. Whether a strike is lawful depends on the purpose of the strike, whether the collective bargaining agreement includes a "no-strike" clause, and the conduct of the strikers.

#### Vote neg:

#### 1] Fairness – post facto topic adjustment and debates about scholarship breed reactionary generics and allow the aff to cement their infinite prep advantage. They can specialize in 1 area of literature for 4 years which gives them a huge edge over people switching topics every 2 months – this crushes clash because all neg prep is based on the rez as a stable stasis point and they create a structural disincentive to do research – we lose 90% of negative ground while the aff still gets the perm which makes being neg impossible.

#### 2] SSD is good – it forces debaters to consider a controversial issue from multiple perspectives. Non-T affs allow individuals to establish their own metrics for what they want to debate leading to ideological dogmatism. Even if they prove the topic is bad, our argument is that the process of preparing and defending proposals is an educational benefit of engaging it.

#### 3] Small schools disad: under-resourced are most adversely effected by a massive, unpredictable caselist which worsens structural disparities. Inclusion is an independent voter – you can’t debate if you can’t participate which is a prerequisite to accessing their benefits and ensures everyone gains from the activity.

#### 4] TVA: Read an aff about giving those with mental health issues and disabilities the right to strike in the status quo for recognition of those issues. Solves futurity because its about current violence

#### B]

#### The impact is fairness—a] it’s an intrinsic good – debate is fundamentally a game and some level of competitive equity is necessary to sustain the activity, b] probability – debate can’t alter subjectivity, but it can rectify skews which means the only impact to a ballot is fairness and deciding who wins, c] it internal link turns every impact – a limited topic promotes in-depth research and engagement which is necessary to access all of their education

#### Use competing interps – topicality is question of models of debate which they should have to proactively justify and we’ll win reasonability links to our offense.

#### Drop the debater because dropping the arg is severance which moots 7 minutes of 1nc offense

#### No rvis—it’s your burden to be fair and T—same reason you don’t win for answering inherency or putting defense on a disad.

#### They can’t weigh the case—lack of preround prep means their truth claims are untested which you should presume false—they’re also only winning case because we couldn’t engage with it

#### No impact turns—exclusions are inevitable because we only have 45 minutes so it’s best to draw those exclusions along reciprocal lines to ensure a role for the negative

## Case

#### Disabled activists have responded to Trump through mass mobilization in defense of political goals --- claims of ontological exclusion flatten individual orientations, and are profoundly depoliticizing

**Abrams 18**

Abigail Abrams, Politics writer for TIME, “'Our Lives Are at Stake.' How Donald Trump Inadvertently Sparked a New Disability Rights Movement,” TIME. February 26, 2018. <http://time.com/5168472/disability-activism-trump/>

One day last March, Kings Floyd’s boss came into work and asked if she’d like to get arrested.

At first Floyd, 23, did a double take. Floyd has muscular dystrophy and worked at an organization that advocates for people with disabilities, but had never been very political. But when she learned about the Republican health care bill that would repeal parts of the Affordable Care Act and make cuts to Medicaid, **she decided to join more than 50 disability-rights activists in a protest in the Capitol Rotunda**. Brand new to activism at the time, Floyd proudly recalls that she was one of the last people left chanting as police took protesters out of the rotunda one by one.

“That event changed everything,” she says. “**I realized I had a responsibility to support my community**.” In the year since that first protest, Floyd has revived her area chapter of the national disability-rights organization ADAPT, gotten arrested several more times for demonstrating against various proposed laws and spoken at the Women’s March anniversary event in Washington.

Floyd is **part of a new wave of activism by disabled Americans who want to change the way disability is viewed in the U.S.** Responding to federal policies they feel are threatening their community on issues from healthcare to education to fundamental civil rights, **more people with disabilities are getting politically involved**. Others are trying to build a political movement to define disability—roughly one in five Americans has one, according to the Census Bureau—as a form of personal identity, much like race or sexual orientation.

The push to recognize disability rights is not new, but it’s no coincidence that this current of activism surged during the first year of Donald Trump’s presidency. “**It’s far more intense**,” says Anita Cameron, a veteran disability activist who has been arrested more than 130 times with ADAPT, the grass-roots disability rights network. “**We really feel our lives are stake**.”

During his campaign, Trump promised not to touch entitlement programs. Since taking office, however, he and the GOP-controlled Congress have pursued an agenda that could have outsized consequences for disabled Americans. Each of the GOP’s proposals to repeal the Affordable Care Act included cuts to Medicaid, **the**[**main health insurer**](https://www.nytimes.com/2017/06/21/upshot/gop-health-plan-is-really-a-rollback-of-medicaid.html)**for adults and children with disabilities**. Medicaid covers services that other insurers typically do not, such as personal care assistants and lifts that allow people with disabilities to live in their own homes and communities. While the ACA repeal attempts failed, the Trump administration has now allowed states to enact work requirements for those who receive Medicaid—a policy change that [experts say](https://rewire.news/article/2018/01/12/despite-republican-claims-medicaid-work-requirements-hurt-people-disabilities/) will likely result in many disabled people losing coverage.

Affordable Care Act repeal attempts drove activism

**The backlash from the disabled community was fierce**. Activists staged a “die-in” at Republican Senate Leader Mitch McConnell’s office last June, while members of ADAPT organized an average of three protests per day across 30 states over the summer, according to national organizer Gregg Beratan. The demonstrations helped grow the group’s ranks: at least 10 new chapters have emerged since Trump took office, according to ADAPT’s Cameron. Larger chapters, like the one in Denver where ADAPT started, have seen increases in membership and donations. Before the 2016 election, the Denver chapter typically raised about $10,000 each year. In 2017 they doubled that sum. The American Association of People with Disabilities launched a National Disability Voter Registration Week in 2016; last year the number of voter registration events rose nearly 400%. An estimated 45,000 people with disabilities attended the Women’s March on Washington last year, making that day likely the largest gathering of disabled people in American history. For those who could not go in person, an online Disability March drew more than 3,000 participants.

Since disabled people often don’t have access to transportation and may not know others in their area who share their disability, many engage in activism through the Internet. Campaigns like #CripTheVote, started in 2016 by Beratan and activists Alice Wong and Andrew Pulrang, have encouraged disabled people to become politically active and sparked conversations about topics ranging from opioids and chronic pain to disability and identity under Trump.

“I didn’t know disability activism existed until I went on Twitter,” says Kayla Smith, a 20-year-old with autism in Winston-Salem, N.C. Smith joined Twitter just as the presidential primary season was heating up in 2015. “I remember asking why I’d heard about civil rights for African Americans and other groups but not for disabilities,” she recalls. Now Smith plans to start a disability club at her community college later this year. She frequently tweets about disability news, commenting on everything from disabled representation in pop culture to the latest Medicaid update.

**Others are channeling their energy into running for office**. No organization currently tracks disabled candidates, but advocates say there are more candidates openly discussing their disabilities than in recent cycles, from local school board and town council races all the way up to Congressional contests. “It’s time for those of us who have disabilities to step out and do what we can to assume leadership positions to bring visibility to our community,” says Reyma McCoy McDeid, a non-profit executive who is autistic and running for a seat in Iowa’s House of Representatives.

One of the most important goals for many disability advocates is getting people outside the community **to see disability rights as a movement that extends beyond existing stigmas to encompass a broader political identit**y. Though the general population often views disabilities as inconveniences to be pitied or tolerated, **advocates are proud of their disabilities and view them as essential to their identities in the way that many view race, ethnicity and sexual orientation**. Academics point to strong links between disability identity and political involvement. When someone attends a protest or joins an activist group for the first time, they are likely **exposed to ideas they hadn’t previously encountered, which can make them**[**see their own experience in new ways**](http://journals.sagepub.com/doi/abs/10.1177/2167696815579830), says Michelle Nario-Redmond, a psychology professor at Hiram College in Ohio who [studies disabilities](http://www.tandfonline.com/doi/abs/10.1080/15298868.2012.681118) and political advocacy.

Floyd and Smith both followed this pattern. Smith’s explorations on social media led her to discover her identity, while Floyd wasn’t thinking about politics until her boss at the National Council on Independent Living (NCIL) invited her to the ADAPT protest. They’re also part of what some call the “ADA generation”: young adults who grew up largely after the Americans with Disabilities Act established civil rights protections for disabled people in 1990. “Up until this point, we have been fortunate in that we haven’t had to fight in the trenches like some of our predecessors,” says Anjali Forber-Pratt, an expert on disability and identity at Vanderbilt University who is also part of this generation. **The threat of Trump’s policies**, she says, **is playing an important role in identity development**. Research backs this up: a study published in the journal [Rehabilitation Psychology](https://www.ncbi.nlm.nih.gov/pubmed/28758773) last summer found that stigma or discrimination makes people with disabilities much more likely to proudly identify with the disability community.

That’s what happened for Jordan Sibayan. As a child growing up in Denver, Sibayan says he often felt discouraged by his muscular dystrophy. He wanted to be “normal.” But when Sibayan attended an ADAPT youth leadership training program in 2016, he learned how to effectively plan direct actions and lobby lawmakers. And once the Trump administration began proposing legislation he saw as an explicit threat to his community he threw himself into disability activism. “I felt like this is what I should be doing with my **skills** and my energy and my passion,” says Sibayan, who has now traveled to Boston, Washington, D.C., and to GOP Senator Cory Gardner’s Colorado home to protest with the group he describes as his family. “**I’ve gained a sense of pride and self-worth that has taken a long time to develop**,” he says.

Disability rights groups push for systemic change

As more young adults discover their sense of identity, the disability community is becoming **more aware of how its concerns intersect with those of other minority groups**. In 2018, this means both listening to people of color and LGBT individuals in the disability community, as well pushing for broader advocacy networks, such as the Women’s March, to include disability issues as part of their agendas. “Now we’re all forced to pay attention to what each others’ individual groups have been doing so that we can come together and be this coalition,” says Vilissa Thompson, a social worker and disability consultant in South Carolina who founded an initiative called Ramp Your Voice! to highlight the experiences of black disabled women.

**The next step**, activists say, **is to capitalize on the conversations around identity and turn their community’s passion into political clout.** One obstacle is that politicians have not typically tried to win the disability vote in the way they have with black or Latino voters, for example. Voter turnout rates among disabled people have remained stubbornly low in recent years, according to data collected by Lisa Schur and Douglas Kruse at Rutgers University. Even for disabled people who do plan to go to the polls, voting can be a **challenge**: voter ID laws may mean an extra hurdle for those who don’t drive, and 60% of polling places reviewed by the [Government Accountability Office](https://www.gao.gov/products/GAO-18-4) in 2016 had one or more impediments, such as steep entrance ramps or poorly maintained paths into the building, that could prevent a disabled person from casting a ballot.

But **the potential is there for the disability community to become a powerful political constituency**. Nearly 57 million Americans have a disability, according to the Census Bureau, **making the group the country’s largest minority**. And despite the groundswell of protest against Trump and the GOP this year, disabled people do not especially favor one political party. Roughly 50% lean Democratic, according to the [Pew Research Center](http://www.pewresearch.org/fact-tank/2016/09/22/a-political-profile-of-disabled-americans/), and 42% lean Republican. “That’s one of the hopeful things about this,” says Rutgers’ Kruse. “Because people with disabilities are not particularly aligned with one party or the other, both parties have incentives to get them out to vote.”

#### Legislative advocacy changes disability policy and attitudes – empirics prove

**Landmark et al 17** (Leena Landmark, Professor at Ohio University. Dalun Zhang, Professor at Texas A&M University. Song Ju, Professor at the University of Cincinnati. Melissa Yi, MS from Texas A&M University. Timothy C. McVey, BA from Ohio University. “Experiences of Disability Advocates and Self-Advocates in Texas”. Journal of Disability Policy Studies 2017, Vol. 27(4) 203–211)

Legislative advocacy is a prime channel for disability advocates to affect civil rights and disability-related legislation and policy that leads to improved quality of life for individuals with disabilities. To highlight the current status of disability legislative advocacy, this study examined advocacy experiences based on recent data from one state that involved 113 disability advocates and self-advocates. Analyses were conducted to examine the characteristics of advocates, the causes advocated, leadership positions, level of engagement, and frequency of engagement in the legislative advocacy process. Relations among advocates’ characteristics and advocacy experiences were also examined. Results revealed that individuals with disabilities mostly relied on their peers in the advocacy process, and the type of disability was associated with the causes advocated. In addition, holding a leadership position was associated with engagement in the legislative advocacy process. Quality of life is an important goal for all people. For individuals who have disabilities, the degree to which they are satisfied with their lives may have increased importance because they have not always been afforded the opportunity to live according to their desires (Francis, Blue-Banning, & Turnbull, 2014; Verdugo, Navas, Gomez, & Schalock, 2012). Self-determination, one of the comprising domains of the quality-of-life construct, has been linked to positive adult outcomes for individuals with disabilities. Individuals who possess self-determination tend to achieve greater independent living and employment outcomes than individuals who are not as self-determined (Wehmeyer & Palmer, 2003). As a component element of self-determination, self advocacy is essential for improving quality-of-life outcomes. Self-advocacy (including parent advocacy) and leadership skills have played important roles in the history of special education and disability rights. As early as the 1930s, local groups of parents banded together to obtain educational services for their children with disabilities (Yell, Rogers, & Rogers, 1998). By the 1970s, individuals with developmental disabilities announced they were people first, and the self-advocacy movement was spawned in the United States (Longhurst, 1994). An early victory in the effort to gain services required for independent living was the passage of Section 504 of the Rehabilitation Act of 1973, which prohibited establishments receiving federal funding from discrimination against people with disabilities. One of the greatest victories was the passage of the Americans with Disabilities Act of 1990, a civil rights law prohibiting discrimination against people with disabilities. The advocacy movement has allowed people with disabilities the opportunity to explore their group identity, gain a sense of empowerment, and learn how to stand up for equal rights (Browning, Thorin, & Rhoades, 1984). Landmark legislation such as Section 504 of the Rehabilitation Act of 1973, the Education for All Handicapped Children Act of 1975 (renamed the Individuals With Disabilities Education Act in 1990), and the Americans with Disabilities Act of 1990 would not have been enacted without the advocacy efforts of individuals with disabilities and their families. Through legislative advocacy, Americans with disabilities have shaped public policy and made their lives better.

#### Legal and academic engagement is possible and productive—this is not ‘cruel optimism’, it’s putting theory into practice

**Kanter 13**

Arlene S. Kanter (Professor of Law, Syracuse University),  Beth A. Ferri, Righting Educational Wrongs: Disability Studies in Law and Education, 2013, pp. 35-7

Disability studies has emerged within the academy as a new multidisci- plinarv field. It requires us to (re)consider how societv excludes people with disabilities not because of their limitations, but because of the wav in which societv itself is **structured and operates**. From this viewpoint, it is not as if there are **no differences** among people who are Deaf or blind or have other impairments, nor does this view deny the **suffering**, pain, and **lack of needed support** that many people with disabilities experience. Instead, disabilitv studies allows us to explore how to **mitigate or even eliminate** the social outcomes of differences with an awareness of the role that power plays in **shaping the development of laws and legal rights**. Disabilitv legal studies presents to the law and legal education both challenges and opportunities. It challenges legal scholars to view criticallv the place of disabilitv within the legal svstem and the legal academv as well as within society generallv. Viewing law through the lens of disabil- itv studies challenges us to examine disabilitv—like race, gender, class, and sexuality—as a social and political construct derived from a historv Of stigmatization and exclusion. It also challenges us to consider the complex wavs in which our system of laws, government, social structures, institu- tions, culture, and customs contributes to the disablement of persons in our own societv and in societies throughout the world. Disabilitv legal studies also presents **opportunities**. As part of the larger field of disabilitv studies, disabilitv legal studies **provides** legal scholars **the tools** to develop a **critique of the law with respect to disabilitv** and to explore the role and manifestations of ableism in social practices and insti- tutions that "portray people with disabilities as useless, marginal, abnor- mal, a burden on societv, and perhaps most offensivelv, as living a life that is not worth living" (MOT 69). It also provides the context in which to **deconstruct** and reconstruct the meaning Of disabilitv through investigat- ing the social construction of disability as well as **the power structure that supports** and enhances **ableism**. Disability legal studies **does not** seek to maintain the status quo. It is "a radical move as it seeks to **transform mainstream** legal **education**" (IMor 2006, 64n4). It provides **theoretical tools** as well as **advocacv strategies** to challenge our cultural norms that have resulted in the creation of **legal, physical, and attitudinal barriers to inclusion** Of people with disabilities in society. As such, it has the potential to expose legal scholars, our students, and the legal academv to new areas of academic inquiry **bevond what disabilitv studies itself offers**. It adds to the questions posed by disability studies, including: What does it mean to be "normal" for the purpose of **legal decision making**? How does and should the law respond to differ- ences among us? How can we **challenge the privilege** afforded to the able- bodied norm within the legal svstem? A first step in responding to these questions is to increase the visibil- itv of people with disabilities within law schools and within the academy itself. In recent vears, more students with disabilities are demanding their place in law schools, but few facultv with disabilities are visible in most law faculties. Further, when students and facultv with disabilities are noticed or discussed on campuses, thev are often portraved as threats or vulnerable victims, but not as valued members Of the academic communitv. Svracuse Universitv has taken steps to change this situation recruit- ing and retaining more students, faculty, and staff with disabilities; by nurturing the development of disabilitv studies programs; and by ing access and acconunodations with the goal of creating a conununitv of inclusion for all. Although we still have a long way to go, such efforts are well worth it. With such changes, our universities, legal institutions, and society as a whole will **benefit from the participation of people with dis- abilities** in our classrooms, our neighborhoods, and our lives.

#### Psychoanalysis is infinitely regressive, not falsifiable, and too abstract

Gordon 1 – Paul Gordon, accomplished psychotherapist, “Psychoanalysis and Racism: The Politics of Defeat,” RACE & CLASS v. 42 n. 4, 2001, pp. 17-34.

But in the thirty years since Kovel wrote, that attempt to relate mind and society has been fractured by the advent of postmodernism, with its subsumption of the material/historical, of notions of cause and effect, to what is transitory, contingent, free-¯oating, evanescent. Psychoanalysis, by stepping into the vacuum left by the abandonment of all metanarrative, has tended to put mind over society. This is particularly noticeable in the work of the Centre for New Ethnicities Research at the University of East London, which purports to straddle the worlds of the academy and action by developing projects for the local community and within education generally.28 But, in marrying psychoanalysis and postmodernism, on the basis of claiming to be both scholarly and action oriented, it degrades scholarship and undermines action, and ends in discourse analysis a language in which metaphor passes for reality. Cohen's work unavoidably raises the question of the status of psycho- analysis as a social or political theory, as distinct from a clinical one. Can psychoanalysis, in other words, apply to the social world of groups, institutions, nations, states and cultures in the way that it does, or at least may do, to individuals? Certainly there is now a considerable body of literature and a plethora of academic courses, and so on, claim- ing that psychoanalysis is a social theory. And, of course, in popular discourse, it is now a commonplace to hear of nations and societies spoken of in personalised ways. Thus `truth commissions' and the like, which have become so common in the past decade in countries which have undergone turbulent change, are seen as forms of national therapy or catharsis, even if this is far from being their purpose. Nevertheless, the question remains: does it make sense, as Michael Ignatieff puts it, to speak of nations having psyches the way that individuals do? `Can a nation's past make people ill as we know repressed memories sometimes make individuals ill? . . . Can we speak of nations ``working through'' a civil war or an atrocity as we speak of individuals working through a traumatic memory or event?' 47 The problem with the application of psychoanalysis to social institutions is that there can be no testing of the claims made. If someone says, for instance, that nationalism is a form of looking for and seeking to replace the body of the mother one has lost, or that the popular appeal of a particular kind of story echoes the pattern of our earliest relationship to the maternal breast, how can this be proved? The pioneers of psychoanalysis, from Freud onwards, all derived their ideas in the context of their work with individual patients and their ideas can be examined in the everyday laboratory of the therapeutic encounter where the validity of an interpretation, for example, is a matter for dialogue between therapist and patient. Outside of the consulting room, there can be no such verification process, and the further one moves from the individual patient, the less purchase psychoanalytic ideas can have. Outside the therapeutic encounter, anything and everything can be true, psychoanalytically speaking. But if everything is true, then nothing can be false and therefore nothing can be true. An example of Cohen's method is to be found in his 1993 working paper, `Home rules', subtitled `Some re¯ections on racism and nation- alism in everyday life'. Here Cohen talks about taking a `particular line of thought for a walk'. While there is nothing wrong with taking a line of thought for a walk, such an exercise is not necessarily the same as thinking. One of the problems with Cohen's approach is that a kind of free association, mixed with deconstruction, leads not to analysis, not even to psychoanalysis, but to . . . well, just more free association, an endless, indeed one might say pointless, play on words. This approach may well throw up some interesting associations along the way, connections one had never thought of but it is not to be confused with political analysis. In `Home rules', anything and everything to do with `home' can and does ®nd a place here and, as I indicated above, even the popular ®lm Home Alone is pressed into service as a story about `racial' invasion.