## 1

#### Our Interpretation is the affirmative should instrumentally defend the resolution – hold the line, CX and the 1AC prove there’s no I-meet – anything new in the 1AR is either extra-T since it includes the non-topical parts of the Aff or effects-T since it’s a future result of the advocacy which both link to our offense.

#### “Resolved” means to enact by law.

Words & Phrases ’64

(Words and Phrases; 1964; Permanent Edition)

Definition of the word “resolve,” given by Webster is “to express an opinion or determination by resolution or vote; as ‘it was resolved by the legislature;” It is of similar force to the word “enact,” which is defined by Bouvier as meaning “to establish by law”.

#### [4] Standards to Prefer:

#### First - Fairness – radically re-contextualizing the resolution lets them defend any method tangentially related to the topic exploding Limits, which erases neg ground via perms and renders research burdens untenable by eviscerating predictable limits. Procedural questions come first – debate is a game and it makes no sense to skew a competitive activity as it requires effective negation which incentivizes argument refinement, but skewed burdens deck pedagogical engagement.

#### Fairness turns the Aff – 1] Solutions to status quo unfairness should not be to remove them for all but work to ensure that fairness in every instance is remedied and 2] An unlimited topic hurts low-income and minority debaters by allowing big schools infinite capacity to break non-T Affs – for people who can’t afford to work on debate full-time due to income concerns, their interp says unless you prep out every possible Aff, you will always lose.

#### Fairness,

#### 1] its an independent impact and prior to the aff intrinsically true in the context of a competitive activity, before you feel comfortable voting aff, you should determine the fair basis to adjudicate substance its contradictory to vote on fairness bad you have no obligation to evaluate their arguments or conclude the aff is a good idea, which proves the lack of fairness renders the activity incoherent

#### 2] Scope, it’s the only impact you can solve for, voting for them doesn’t resolve antiasianness in debate but voting for T remedies procedural inequalities caused by their aff

#### 3] Only way the game works, undergirds competitive incentive to research and prep engage and clash for argumentative evaluation, OOR and prep solves their education offense, but fairness ensures that this hour is productive, this protects under resourced debaters from impossible research burdens, their version makes debate pay to play, but our model makes that better by forcing large teams to be bound to the topic

#### Second - Clash – picking any grounds for debate precludes the only common point of engagement, which obviates preround research and incentivizes retreat from controversy by eliminating any effective clash. Only the process of negation distinguishes debate and discussion by necessitating iterative testing and effective engagement, but an absence of constant refinement dooms revolutionary potential.

#### Third – SSD – their model that allows them to side-step the topic on both the Aff and Neg hurts debate as a site of role experimentation – choosing to individually engage both sides solves argument refinement and self-reflexivity breeding constantly evolving methodology which is key to activist resistance BUT side-stepping it ingrains ideological dogmatism by imposing artificial lines in the sand for what not to experiment replicating imperial ideologies about exclusion.

#### Fiat is not "coercive mimeticism" but a pragmatic engagement with the law that embraces multiple consciousness – that’s to material changes, no matter how small. Independently, affirming the "Asian American" as a static category is bad BUT deconstruction thru pragmatic struggle solves.

**Chang, 93** **(Robert S. Chang, serves on the advisory board of Berkeley’s Asian American Law, October 1993, accessed on 2-13-2021, *California Law Review*, "Toward an Asian American Legal Scholarship: Critical Race Theory, Post-structuralism, and Narrative Space", https://digitalcommons.law.seattleu.edu/faculty/411/) //lex dy**

We see, then, that though there is power in affirming the category Asian American, the category is also limiting, especially because it remains defined in terms of the dominant group.414 As long as our identity is defined oppositionally or in contradistinction to others, we are still enslaved to a degree. That the term "Asian American" can be an oppressive categorization is the starting point of the third branch of Asian American Legal Scholarship-post-structuralism-which deconstructs the category "Asian American," emancipating us from its limits. Only when we are free of it can we be free to give ourselves our own identity.415 Only in this way can we be free to embrace our identity rather than having our identity thrust upon us from the outside.416 The question becomes whether Asian American Legal Scholarship can survive this post-structural deconstruction of the category "Asian American."417 If a full post-structural critique deconstructs all categories, including race, then once the category "Asian American" is deconstructed, so the question goes, how can it any longer serve as a useful category? This critique misunderstands deconstruction. Part of the problem lies in the word "deconstruction" which implies a breaking down or breaking apart.418 Deconstruction does no such thing. It reveals things to be historically situated and socially constructed, but this realization in no way changes the current construction of the category except to remove any foundational claims.419 Deconstruction simply reveals the potential for change; a category could be constructed differently in the future, or perhaps our present could be reconstructed differently by revising or reinterpreting our past.420 To reiterate, in no way does deconstructing the category "Asian American" change the fact that I am an Asian American. My context has constructed me as Asian American. This understanding of contextual situatedness enables Post-structural Asian American Legal Scholarship to use multiple consciousness as a method to understand and participate in Stages One, Two, and Three without inconsistency.421 It is able to do this because it understands law as a contextual practice that has certain rules. Even while it criticizes and tries to undermine those rules, it can engage in civil rights struggles because it understands that removal of oppression is beneficial, even if it must come in stages. Mari Matsuda's article, Voices of America: Accent, Antidiscrimination Law, and a Jurisprudence for the Last Reconstruction, 422 is an example of multiple consciousness at work. She says at the end of her article, "I have written to persuade readers of good will to adopt legal rules and ethical positions that promote linguistic pluralism. I have used existing legal doctrine, traditional liberal theory, and new critical theories in this effort."423 She recognizes the inherent contradictions, the internal inconsistencies of doing all three, yet she is able to do it because an Asian American Legal Scholarship has a pragmatic face. It has a multiple consciousness that can assume various guises. It assumes these guises with a final goal in mind: liberation. Tremendous diversity exists within the category "Asian American." And tremendous diversity exists among the disempowered. We must remember, though, that it is only through solidarity that we will one day be free to express our diversity.

#### TVA – [Affirm a unconditional right to strike for asian people that attempts to declare radicality with the system, solves all of your offense]

#### TVA is terminal defense – proves our models aren’t mutually exclusive - any response to the substance of the TVA is offense for us because it proves our model allows for clear contestation. Form over Content doesn’t take it out since we don’t restrict Form, just the substantive burden of the Aff.

#### Prefer Competing Interpretations – reasonability is arbitrary and causes a race to the bottom. This means reject Aff Impact Turns predicated on their theory since we weren’t able to adequately prepare for it.

### 2

#### **A. Interpretation: If the affirmative reads arguments related to anti-asian violence they must give a content warning before their speech.**

#### **These conversations are empirically trauma inducing and warnings are a good idea. Carter 15,** [Angela Carter (Ph.D. Candidate in Feminist Studies, University of Minnesota), "Teaching with Trauma: Trigger Warnings, Feminism, and Disability Pedagogy," Disabilities Studies Quarterly, 2015] Similarly, in their original petition, Oberlin students suggested trigger warnings when "issues of privilege and oppression" arise in the classroom (AAUP). Such suggestions also conflate potential discomfort, or personal injury, with the disabling affects of trauma and being triggered. However, an opportunity arises when students make these conflations. As educators, rather than dismissing trigger warnings outright, we could engage students about how systems of oppression work and explain the difference between pedagogically productive discomfort and trigger-induced re-traumatization. As educators, we could use this conversation as an opportunity to discuss the use of trigger warnings before the Internet. Historically, trigger warnings, Andrea Smith reminds us, began as "a part of a complex of practices" within the anti-violence movement working to recognize "that we are not unaffected by the political and intellectual work that we do" and that "the labor of healing has to be shared by all" (Smith).

#### **B. Violation: They didn’t give a content warning.**

Graphical user interface, text, application

Description automatically generated

#### **C. Standard:**

#### **1. Access – Content warnings for those who suffer from trauma or anxiety are excluded from the conversation without content warnings. Carter 15,** [Angela Carter (Ph.D. Candidate in Feminist Studies, University of Minnesota), "Teaching with Trauma: Trigger Warnings, Feminism, and Disability Pedagogy," Disabilities Studies Quarterly, 2015] Given these findings, it is imperative that the debate on trigger warnings focus on the inherent questions of access. However, because of the misuse of "triggered" to reference anything that makes someone uncomfortable, disagreements about the classroom as a "safe space" often divert the conversation away from any real discussion of pedagogy and access in higher education. In his 2012 research, Mark Salzer found that students with mental illness were more likely to withdraw because of the impact of "perceived sigma and discrimination" than because of personal struggles with the symptoms or stresses related to their disability (Salzer 1). Because such students are "often viewed as disruptive, lacking academic skill, prone to violence" they are often socially isolated and left alone to question "how welcome they are on campus" (2). These findings suggest that simply providing information about mental illness and "chiding the audience to treat individuals with mental illness" by noting the available resources, is not an effective approach to decreasing the rate of withdraw for disabled students (6). The false conflations of access with "safety" allow accommodations to be dismissed, and only serve to further marginalize mentally disabled students by telling them they are in fact not welcome because their needs disrupt the processes of learning their peers deserve. In the most basic sense, accommodations are not about "safety," but about access to opportunity for a more livable life. When disability is denied because it is not understood or seen, or when access is denied because it is inconvenient or complicated, humanity is denied. While it is certainly possible to recognize trauma as a mental disability and still be hesitant toward trigger warnings as an accommodation practice,14 the content and tenor of that conversation would be far removed from the outright hostility and rejection that has reverberated most widely. When presented as an access measure, it becomes evident that trigger warnings do not provide a way to "opt out" of anything, nor do they offer protection from the realities of the world. Trigger warnings provide a way to "opt in" by lessening the power of the shock and the unexpectedness, and granting the traumatized individual agency to attend to the affect and effects of their trauma. Traumatized individuals know that trigger warnings will not save us. Such warnings simply allow us to do the work we need to do so that we can participate in the conversation or activity. They allow us to enter the conversation, just like automatic doors allow people who use wheelchairs to more easily enter a building.

#### Voters: Access is an independent voter – a) it’s a prior question to engaging in the space b) it’s a violation of the humanity of the opponent c) we are people before we’re debaters which makes it most intrinsic to the nature of the activity.