#### Interpretation: the affirmative must defend a university policy about freedom of speech

#### Any means any amount irrespective of specific qualities

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

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

#### Restrict means to confine within bounds.

Merriam Webster “restrict <https://www.merriam-webster.com/dictionary/restrict> JW

Definition of restrict transitive verb 1 : to confine within bounds : restrain 2

#### Constitutionally protected speech is a set of rights guaranteed by the 1st amendment.

US Courts “What Does Free Speech Mean?” <http://www.uscourts.gov/about-federal-courts/educational-resources/about-educational-outreach/activity-resources/what-does> JW

The First Amendment states, in relevant part, that: “Congress shall make no law...abridging freedom of speech.” Freedom of speech includes the right: Not to speak (specifically, the right not to salute the flag). West Virginia Board of Education v. Barnette, 319 U.S. 624 (1943). Of students to wear black armbands to school to protest a war (“Students do not shed their constitutional rights at the schoolhouse gate.”). Tinker v. Des Moines, 393 U.S. 503 (1969). To use certain offensive words and phrases to convey political messages. Cohen v. California, 403 U.S. 15 (1971). To contribute money (under certain circumstances) to political campaigns. Buckley v. Valeo, 424 U.S. 1 (1976). To advertise commercial products and professional services (with some restrictions). Virginia Board of Pharmacy v. Virginia Consumer Council, 425 U.S. 748 (1976); Bates v. State Bar of Arizona, 433 U.S. 350 (1977). To engage in symbolic speech, (e.g., burning the flag in protest). Texas v. Johnson, 491 U.S. 397 (1989); United States v. Eichman, 496 U.S. 310 (1990). Freedom of speech does not include the right: To incite actions that would harm others (e.g., “[S]hout[ing] ‘fire’ in a crowded theater.”). Schenck v. United States, 249 U.S. 47 (1919). To make or distribute obscene materials. Roth v. United States, 354 U.S. 476 (1957). To burn draft cards as an anti-war protest. United States v. O’Brien, 391 U.S. 367 (1968). To permit students to print articles in a school newspaper over the objections of the school administration. Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988). Of students to make an obscene speech at a school-sponsored event. Bethel School District #43 v. Fraser, 478 U.S. 675 (1986). Of students to advocate illegal drug use at a school-sponsored event. Morse v. Frederick, \_\_ U.S. \_\_ (2007).

Merriam Webster defines to remove:

https://www.merriam-webster.com/dictionary/remove

**4:  to get rid of**:  [eliminate](https://www.merriam-webster.com/dictionary/eliminate) remove a tumor surgically

B:

C:

#### Debate over a controversial point of action creates argumentative stasis—that’s key to avoid a devolution of debate into competing truth claims, which destroys the decision-making benefits of the activity

Steinberg and Freeley ‘13

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Debate is a means of settling differences, so there must be a controversy, a difference of opinion or a conflict of interest before there can be a debate. If everyone is in agreement on a feet or value or policy, there is no need or opportunity for debate; the matter can be settled by unanimous consent. Thus, for example, it would be pointless to attempt to debate "Resolved: That two plus two equals four,” because there is simply no controversy about this state­ment. Controversy is an essential prerequisite of debate. Where there is no clash of ideas, proposals, interests, or expressed positions of issues, there is no debate. Controversy invites decisive choice between competing positions. Debate cannot produce effective decisions without clear identification of a question or questions to be answered. For example, general argument may occur about the broad topic of illegal immigration. How many illegal immigrants live in the United States? What is the impact of illegal immigration and immigrants on our economy? What is their impact on our communities? Do they commit crimes? Do they take jobs from American workers? Do they pay taxes? Do they require social services? Is it a problem that some do not speak English? Is it the responsibility of employers to discourage illegal immigration by not hiring undocumented workers? Should they have the opportunity to gain citizenship? Does illegal immigration pose a security threat to our country? Do illegal immigrants do work that American workers are unwilling to do? Are their rights as workers and as human beings at risk due to their status? Are they abused by employers, law enforcement, housing, and businesses? How are their families impacted by their status? What is the moral and philosophical obligation of a nation state to maintain its borders? Should we build a wall on the Mexican border, establish a national identification card, or enforce existing laws against employers? Should we invite immigrants to become U.S. citizens? Surely you can think of many more concerns to be addressed by a conversation about the topic area of illegal immigration. Participation in this “debate” is likely to be emotional and intense. However, it is not likely to be productive or useful **w**ithout focus on a particular question and identification of a line demarcating sides in the controversy. To be discussed and resolved effectively, controversies are best understood when seated clearly such that all parties to the debate share an understanding about the objec­tive of the debate. This enables focus on substantive and objectively identifiable issues facilitating comparison of competing argumentation leading to effective decisions. Vague understanding results in unfocused deliberation and poor deci­sions, general feelings of tension without opportunity for resolution, frustration, and emotional distress, as evidenced by the failure of the U.S. Congress to make substantial progress on the immigration debate. Of course, arguments may be presented without disagreement. For exam­ple, claims are presented and supported within speeches, editorials, and advertise­ments even without opposing or refutational response. Argumentation occurs in a range of settings from informal to formal, and may not call upon an audi­ence or judge to make a forced choice among competing claims. Informal dis­course occurs as conversation or panel discussion without demanding a decision about a dichotomous or yes/no question. However, by definition, debate requires "reasoned judgment on a proposition. The proposition is a statement about which competing advocates will offer alternative (pro or con) argumenta­tion calling upon their audience or adjudicator to decide. The proposition pro­vides focus for the discourse and guides the decision process. Even when a decision will be made through a process of compromise, it is important to iden­tify the beginning positions of competing advocates to begin negotiation and movement toward a center, or consensus position. It is frustrating and usually unproductive to attempt to make a decision when deciders are unclear as to what the decision is about. The proposition may be implicit in some applied debates (“Vote for me!”); however, when a vote or consequential decision is called for (as in the courtroom or in applied parliamentary debate) it is essential that the proposition be explicitly expressed (“the defendant is guilty!”). In aca­demic debate, the proposition provides essential guidance for the preparation of the debaters prior to the debate, the case building and discourse presented during the debate, and the decision to be made by the debate judge after the debate. Someone disturbed by the problem of a growing underclass of poorly educated, socially disenfranchised youths might observe, “Public schools are doing a terri­ble job! They' are overcrowded, and many teachers are poorly qualified in their subject areas. Even the best teachers can do little more than struggle to maintain order in their classrooms." That same concerned citizen, facing a complex range of issues, might arrive at an unhelpful decision, such as "We ought to do some­thing about this” or, worse, “It’s too complicated a problem to deal with." Groups of concerned citizens worried about the state of public education could join together to express their frustrations, anger, disillusionment, and emotions regarding the schools, but without a focus for their discussions, they could easily agree about the sorry state of education without finding points of clarity or potential solutions. A gripe session would follow. But if a precise question is posed—such as “What can be done to improve public education?”—then a more profitable area of discussion is opened up simply by placing a focus on the search for a concrete solution step. One or more judgments can be phrased in the form of debate propositions, motions for parliamentary debate, or bills for legislative assemblies, The statements "Resolved: That the federal government should implement a program of charter schools in at-risk communities” and “Resolved; That the state of Florida should adopt a school voucher program" more clearly identify specific ways of dealing with educational problems in a manageable form, suitable for debate. They provide specific policies to be investigated and aid discussants in identifying points of difference. This focus contributes to better and more informed decision making with the potential for better results. In aca­demic debate, it provides better depth of argumentation and enhanced opportu­nity for reaping the educational benefits of participation. In the next section, we will consider the challenge of framing the proposition for debate, and its role in the debate. To have a productive debate, which facilitates effective decision making by directing and placing limits on the decision to be made, the basis for argument should be clearly defined. If we merely talk about a topic, such as ‘"homeless­ness,” or “abortion,” Or “crime,” or “global warming,” we are likely to have an interesting discussion but not to establish a profitable basis for argument. For example, the statement “Resolved: That the pen is mightier than the sword” is debatable, yet by itself fails to provide much basis for dear argumen­tation. If we take this statement to mean Iliad the written word is more effec­tive than physical force for some purposes, we can identify a problem area: the comparative effectiveness of writing or physical force for a specific purpose, perhaps promoting positive social change. (Note that “loose” propositions, such as the example above, may be defined by their advocates in such a way as to facilitate a clear contrast of competing sides; through definitions and debate they “become” clearly understood statements even though they may not begin as such. There are formats for debate that often begin with this sort of proposition. However, in any debate, at some point, effective and meaningful discussion relies on identification of a clearly stated or understood proposition.) Back to the example of the written word versus physical force. Although we now have a general subject, we have not yet stated a problem. It is still too broad, too loosely worded to promote well-organized argument. What sort of writing are we concerned with—poems, novels, government documents, web­site development, advertising, cyber-warfare, disinformation, or what? What does it mean to be “mightier" in this context? What kind of physical force is being compared—fists, dueling swords, bazookas, nuclear weapons, or what? A more specific question might be, “Would a mutual defense treaty or a visit by our fleet be more effective in assuring Laurania of our support in a certain crisis?” The basis for argument could be phrased in a debate proposition such as “Resolved: That the United States should enter into a mutual defense treaty with Laurania.” Negative advocates might oppose this proposition by arguing that fleet maneuvers would be a better solution. This is not to say that debates should completely avoid creative interpretation of the controversy by advo­cates, or that good debates cannot occur over competing interpretations of the controversy; in fact, these sorts of debates may be very engaging. The point is that debate is best facilitated by the guidance provided

This outweighs –

a. Predictable stasis ensures research accessibility and negative ground. Even if public policy isn’t the best focus for activism, it’s crucial for dialogue because it’s grounded in consistent reporting and academic work – takes out disclosure – your arguments aren’t researchable and I’m less able to engage than something that everyone’s discussing

b. Their model creates a structural disincentive to substantial research – controls the internal link to any activism -- incentivizing research and engaging with well-informed objections is how people learn to convince others of their ideas. That also means their arguments are presumptively false since they haven’t been subjected to well-researched scrutiny

c. Failure to defend the actor and mechanism of the resolution allows them to shift their advocacy to the terms most favorable to them – causes dogmatism and forces the neg into extremist generics – polarization destroys good scholarship.

#### Second – this is a great topic. Debate it.

#### This topic is unique. Most debaters attending TOC will be going to college over the next few years, so they are uniquely situated for activism. College students can effectively change university policy. Understanding the history of student speech and university governance is particularly key – 1960s prove.

**Shaw 12**  Mahauganee Dawn. [masters degree in educational administration in 2004. Assistant professor and consultant on student affairs], "The influence of campus protest on student conduct policies: the case of Indiana University Bloomington." *Journal of the Student Personnel Association at Indiana University* (2012): 14-26.

**Responding to student unrest was a difficult task that marked the** experiences of **1960s** campus administrators across the nation**.** The responsibility entrusted to campus leaders required the simultaneous preservation of essential elements in the academic environment—freedoms of thought, inquiry, opinion, and speech—and maintenance of campus operations and safety. In order to do this, **institutions of higher education had to shift away from the in loco parentis management style, permit students to act and exist as adults, and devise a comprehensive policy on student conduct** that could be effectively applied to any situation**.** The different versions of the policy governing student protest at IUB help construct the story of how campus administrators handled this responsibility and which groups influenced the development of the policy. While campus administrators had the primary responsibility of protecting the integrity of the University, they also had to consider and acknowledge the concerns of campus stakeholders. All campus constituencies—students, staff, faculty, administrators, and trustees—as well as alumni, state residents, and politicians on both the local and state levels held strong opinions regarding how IUB campus administrators should respond to student unrest (see Chavis, 1968; Hillis, 1968; Student Demonstrations, n.d.). Filtering incoming information and opinion and reconciling them with one’s own train of thought on an issue can be a time-consuming process for campus leaders. **The multiple revisions of IUB’s campus policy, continually updated to better address the everexpanding tactics of student activists and meet the needs of the campus, are testament to this fact.** Ironically, it was the actions— unruly demonstrations on behalf of student concerns—of students seeking more authority in campus governance that resulted in the creation of a campus policy and thus increased restrictions on student actions. **Student activism** of the 1960s was a phenomenon that **demanded attention and warranted understanding** both then and now. **It helped define student culture, delineate the boundaries of relationships between different campus constituent groups, and provided a foundation for many of the communication channels that exist between students and administrative personnel today.** The rationale for developing the IUB policy regarding student protests and demonstrations, and the various versions of the policy, are akin to the content and origin of the written emergency management plans that exist on today’s campuses. Contemporary campus administrators can use the lessons learned from the process of governing student unrest in the 1960s to help maintain clarity, foresight, and sanity when dealing with campus disruptions today.

#### This is one of the few topics where debaters have an ability to be directly involved quite soon with real decision making. And free speech is particularly key, it’s a key issue *right now* and students can and are making a difference. Its just a question of if they make the right difference when all is said and done.

**Majeed 17**, Azhar [Director of Policy Reform, Foundation for Individual Rights in Education (FIRE)] Huffington Post: The Blog. “How College Students Can Promote Campus Policy Change and Free Speech in 2016” http://www.huffingtonpost.com/azhar-majeed/how-college-students-can-promote-free-speech\_b\_8923544.html

**Students at** our nation’s **colleges and universities are engaged in** a number of **important issues** these days, ranging from allegations of institutional bias and racism to their schools’ curricular choices**. This was demonstrated** capably **by** the **protests seen last fall**, most notably at the University of Missouri but taking place at numerous other institutions across the country**.** **It’s** **terrific to see** this level of **activism**, **rather than apathy**, from students**.** **However, one** critical **element seems** to be **missing** too often in these discussions: **the** paramount **value of** the First Amendment and of respecting others’ **free speech** rights**.** In 2016, I hope that college students will embrace the principles of free expression more consistently so that everyone can participate in the dialogue and debates that are needed. At the Foundation for Individual Rights in Education (FIRE, where I work), we are sadly accustomed to seeing university administrations infringe upon the freedom of expression of students and faculty members. However, we are dismayed that students themselves are now calling for censorship of fellow students and others who happen to disagree with them on a particular issue. This bodes ill for the free exchange of viewpoints that is supposed to be taking place in the quintessential “marketplace of ideas,” the college campus. This need not be the case at all. Students should recognize the primacy of the First Amendment in any discussion, and they must afford their ideological opponents the same freedom to speak that they would like for themselves. As a new semester gets underway, the good news is that there are a number of ways for students to improve the climate for free speech at their colleges and universities. My colleagues at FIRE and I are always happy to work with students and student organizations toward getting their schools to revise unconstitutional and restrictive “speech codes” — policies and regulations that prohibit speech protected by the First Amendment. **Speech codes are** far **too pervasive** on college campuses; not only do they violate students’ core free speech rights, **they** abandon the mission and purpose of institutions dedicated to free expression and **teach students the wrong lessons** **about** living in **a free society.** **Here are** some **ways** in which **students can fight** back against speech codes **at their institutions:** **Look up your university’s policies** on speech and expressive activity. Many students are simply unaware of the policies and regulations maintained by their institution, so **this is a crucial first step.** Your university may well be in FIRE’s Spotlight database for campus speech codes. If it isn’t, be sure to look through its student handbook, code of student conduct, and similar policy materials. If you’re not sure how well the policies you find fare in terms of protecting free speech, just ask us, and we’ll let you know! **Use strength in numbers**. **Being part of a student** **group** dedicated to campus expression issues and networking with other students and groups **can be a powerful tool. It allows you to amplify your voice** **and convey** to university administrators and policymakers that **these are serious issues** **that** many **students** on campus **care about.** In addition, your student group or coalition may be able to put together some ideas for campus events to raise student awareness about speech codes. Make good use of the student press. **If you are part of a** student **newspaper** on campus, you should consider **writ**ing **about First Amendment issues** and the need to protect students’ rights, both **in policy and** in **practice.** Even if you’re not a regular contributor, **a well-written op-ed can go a long way** **toward convincing** **administrators** (and fellow students) that your university’s **speech codes must be revised.** Cultivate and develop administrative contacts. If you have a previous relationship with a member of the university administration (for example, someone you worked with as part of a student group), that person can be a good starting point for policy discussion. Even if he or she does not ultimately have authority over the specific policies, he or she may be able to put you in touch with the necessary officials or departments. When contacting or meeting with administrators, be polite but firm, and make clear that you and other students care deeply about protecting First Amendment rights on campus. Join FIRE’s Student Network. Our Student Network is a great tool for students, allowing them to get in touch with free speech-minded students across the nation. In addition, Student Network members can take advantage of FIRE’s numerous free resources and publications. These resources will help to inform you and fellow students about your rights and the best ways to protect them. In 2015, FIRE made great strides reforming speech codes across the country. We were able to help six colleges and universities improve to our highest speech code rating, a “green light.” That’s a significant achievement considering that only 23 total schools currently enjoy this rating. Moreover, our annual speech code report found that, for the first time ever, the percentage of colleges and universities earning our worst, “red light” rating fell below 50 percent. **There is much work left to be done**, of course, and we hope to celebrate more successes in 2016. In order to do that, **we need the help of dedicated students.** I hope more students will utilize the steps outlined above and pursue speech code reform on their campuses this year!

#### Discussion of the first amendment amongst high school students is key, both for creating space for high school activism as well as for its broader impact on real policy.

**Newton 14,** Eric [former managing editor of the Oakland Tribune and founding managing editor of the Newseum, is Knight Foundation’s senior adviser to president Obama.] “*Future of the First Amendment 2014 Survey of High School Students and Teachers”*

**As students become more and more connected** to the neverending news streams **in cyberspace, as they add their voices to** the **global conversation**, **is it any wonder they seem to** know more, to **care more**, **about the freedoms that make this possible? That said, teaching still matters.** Indiana’s Jim Streisel, Dow Jones Newspaper Fund Journalism Teacher of the Year at Carmel High School, believes digital media works hand-inhand with the classroom. “**If you’re a kid who has always used social media, you’re enjoying** the **freedom** you have **without thinking much about it,”** he said. “**When you take a class,** especially a media class, **you start to understand** what that means, of **how the First Amendment is behind the scenes.”** This year’s **Future of the First Amendment survey confirmed that students who had a class dealing with the First Amendment**—7 in 10 said they did—**support freedom of expression in greater numbers.** Classes help even heavy media users. For example: 65% of the students who use digital news daily agreed strongly that people should be able to express unpopular opinions, but if they had a First Amendment-related class, the strong support for free speech rose to 69%. Same with students who consumed news daily via social networks: 57% strongly support unpopular opinions, but if they’ve also had a class, the support rises to 61%. Ditto with daily news consumers via mobile: without a class, 58%; with it, 62%. Journalism teacher Streisel says **it’s important for classes to teach** both media literacy and **the First Amendment. T**hat’s the way it has always been in high school journalism classes. **Students create media responsibly, learn about the First Amendment and emerge supporting freedom. But many** of today’s classes that **teach about freedom** do it **from the view of social studies** or history, **not the most hands-on approach.** **“In driver’s ed**,” Streisel says, “**we don’t just show pictures of cars** and say ‘go drive one yourself’**.** We put an adult in there to help students learn. **Social media is the same way.”** The study raised other issues of concern. **Most high school students say that First Amendment** rights **should apply to their school activities. But most teachers disagree.** How can the First Amendment be taught without being allowed? In addition, **most students oppose having** their **online activities monitored** by business or spied upon by government. **Yet few students** (and few teachers) **knew** a lot **about revelations that the National Security Agency collects vast amounts of domestic data** from phone calls and emails**. Public opinion about the First Amendment matters. The views of the people form the context within which the U.S. Supreme Court interprets the amendment’s meaning. Yet we know** too well **how volatile public opinion can be. After** the **9/11** attacks, for example, adult **support for the First Amendment plummeted**; the public was willing to give up some freedom in the name of national security**.** Support bounced back, only to be sunk again after the 2013 Boston Marathon bombing. **Whether young people will turn their First Amendment support into new and resilient social rules** and norms **is an open question.** But this new generation’s overwhelming use of social and mobile media—forms of media it will shape as students grow older, in the best of all worlds influenced by good teachers—offers new hope that American values can live on in the 21st Century.

Impacts:

#### Third – limits: Their interpretation obfuscates the role of the negative by setting the baseline for the discussion. Allowing the AFF to arbitrarily redefine the topic based on an infinite number of critiques about the resolution ensures that our research is always irrelevant and they always pick the true topic. Fairness is a prior question to whether their discussion is good, because it determines if we can adequately participate. Fairness also key to motivate the best research practices and innovation – the neg won’t engage in specific strategies or case negs if they know it’s a Sisyphean task

#### Fourth – Pragmatic methodology. Institutions are alterable by democratic exchange. However, we need to engage via democratic deliberation. We need points of criticism to encourage reform.

Ralston 10, Can Pragmatists Be Institutionalists? John Dewey Joins the Non-Ideal/Ideal Theory Debate. Shane J. Ralston - 2010 - Human Studies 33 (1):65-84.

In responding to this objection, we must first ask what institutions are **for** **Dewey** **and** for **pragmatists**, generally. In short, institutions consist of funded beliefs, habits and activities - what organizational theorists collectively label "organizational culture" (Schein 1993; Cook and Yanow 1993; Trice and Beyer 1993 and Martin 2002) and Michael Eldridge calls "révisable practice" (2009, p. 17) - that persist in time and space.25 All jokes concerning how institutions outlive individuals aside, their longevity is likely a function of how coherent the beliefs, habits and activities are that constitute them**.** According to Dewey, "[t]o say... [something] is institutionalized is to say that it involves a tough body of customs, ingrained habits of actions, organized and authorized standards and methods of procedure" (1927/1996, LW 3:153). So, ideas and ideals do not exhaust political experience; for their meaning to be suitably enriched, they should also manifest in political forms. In Dewey's words, "[i]**deals... that are not embodied in institutions are of little avail**" (1947, p. 10). However, ideals qualify the stability of institutional forms, permitting them to organically develop through criticism and reform. **While** Dewey acknowledges that successful "institutions**...** are stable and enduring," their stability is "only relatively fixed" because "they constitute the structure of the processes that go on... **and are not forced upon processes from without"** (1941/ 1996, LW 14:119). In Hegel's (1807/1979) philosophy of right, Kant's opposition between intellect and sense transforms into the dialectical-historical progression from self-alienation (slavery) to self-unification (self-consciousness) to reconciliation (the Absolute), where the principle that "the real is rational, and the rational is real" is realized in an institutional form: viz. the constitutional state. While **Dewey's** Hegel-influenced **pragmatism** dispenses with the Absolute, it **retains a concern for how ideas** and ideals **influence** **the growth and reconstruction of institutions**.

D. Voter

T’s not a voter for them a. Going for a prefiat rejection of T is inconsistent with their role of the ballot arguments -- It flips the script and overdetermines what’s allowed in politics by a single interest. Instead, the judge should use agonistic pluralism – the terms of the debate should be a subject of debate rather than assumed by fiat, b. **Talisse 5** means we should experiment with ideological opposition – reading T is a good thing even if false since it makes us think about its validity, c. It’s a performative contradiction, if theory’s bad, and you vote against them on that argument, you’re voting on theory.

# 2nr

Topic important:

A) Internal link to the aff-- to spread activism effectively outside the debate space, we need to have the freedom to speak about the issues we care about. If you don't understand both sides of the debate, you won't be able to argue for your speech rights to have discussions at all.

B) Free speech governs all modes of relation on college campuses since they frame how we engage in activism – being able to understand intricacies of the issues is necessary to be politically engaged college students – outweighs case

C) It’s a specific and tangible goal that can be fought for, whereas things like “embracing the feminist killjoy” is a mindsets to be adopted that you have no control over – that’s also terminal defense to case solvency