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More Black Americans will end up in prison than receive college degrees – means the federal ban on prisoner Pell grants exacerbates racism

**Taylor 8** writes[[1]](#footnote-1)

According to USA Today editorial: Like it or not, college has become the new high school. This reality is why forward thinking educators and government **officials are** **looking for ways to ensure more** high school **graduates** go on to **get** associate, if not **bachelor**, **degrees. That’s** especially **important for** poor and **minority students at risk of falling** even **further behind and becoming part of a permanent underclass."** On average state invest as much as ($24,000) supporting their students’ public school earned baccalaureates as they spend annually ($25,000) incarcerating their prisoners. The standard return on the states’ higher education investments are approximately $2 million in economic stimulus and $375,000 in state tax revenues during each graduate’s working lifetime. This return on investment in the prisoner-student becomes further manifest when factoring in all the socio-economic savings from significantly reduced criminal behaviors, coupled with the increased state and federal tax revenues, and the productive and consumptive economic stimulus generated by the more highly educated worker. Consider this positive economic outcome as opposed to the all-too-common disruptive anti-social actions and demand for revenue-draining social services that recidivistic offenders can create. With the primary goal of education and treatment programs to reduce crime, in one of the first assessments of prison college programs nearly thirty-five years ago this holistic benefit was summarized as: "Simply, and aside from humanitarian concerns – it is cheaper in the no-so-long run to pay (adequately) for effective anti-recidivism measures, than to finance law enforcement, justice administration, and penal services and apparatus." Or as J. Michael Quinlan, the former director of the Federal Bureau of Prisons during the Reagan and Bush Administrations so bluntly put it, "I recognize," the director explains, "that the cost of college is really very insignificant (i.e., 10% of a year of annual cost of incarceration alone) when you compare the cost and damage done by crime." \*In 1930, the rate of African-American incarcerations was three times that of Anglo-Americans. By 1990, that ratio had increased to five times the number of blacks to whites. In 1996, there were eight African-Americans to every Anglo-American incarcerated in proportion to the racial composition of the nation. At the end of the millennium, one-in-three black men aged 20-29 were under some form of correctional supervision. One of the effects of this focused criminal justice effort is that **by their thirties,** almost **twice as many black men will** have been **cycle**d **through the penal system as have received baccalaureates.** Charles Sullivan, the executive director of the public advocacy group Citizens United for the Rehabilitation of Errants (CURE), claimed during the **exclusionary legislation** debate that it **"smacks of racism since the majority of the penal population is composed of minorities." and thus** Sullivan reasoned **minority groups had been clearly disproportionably affected by banning prisoners from** the **Pell Grant programs.** With more black males in prison than on college campuses, Sullivan wondered, as absurd as the concept was about having to go to prison to receive a college education, were we then going to close off that avenue as well? The answer is apparently yes. Across the country, the enrollment demographics of prison-college programs supported Sullivan’s contention. The composition of incarcerated collegiate student bodies generally mirrored the makeup of the penal populations. Thus once creating the most generally racially integrated university settings in the nation. Moreover, the racial composition that paid short-and-long term social dividends. Besides experiencing significantly reduced recidivism, these prisoner-students were some of the best behaved and also served as some of the few positive role models in a milieu normally bereft of such. Robert Powell, the assistant academic affairs officer at Shaw University observed in 1991, "**if you want to educate black men**, if you want **to reclaim that talent** out there, **you have to go into the prison.**" Ironically, Shaw University created its own prisoner-student fee-waiver scholarship program that was later negated by the state prison system, because it was in conflict with its’ policies prohibiting such inmate-exclusive funding programs.

Educational inequalities that descendants of slaves face are a result of slavery and segregation – reparations are key

**Diaz 14** writes[[2]](#footnote-2)

Notwithstanding the abolition of slavery, African Americans were only free in the literal sense of the word because they were not free from the shackles of poverty and limited educational opportunities. The **freed slaves were deprived of the opportunity to become economically self-sufficient**—all they had was their freedom and no reparations action was ever taken.31 **Poverty is a direct result of** the United States’ **failure to compensate** the **freed slaves** for the injuries that were inflicted upon them which would have enabled them to become economically independent.32 Because the descendants of slaves inherited that poverty, they are entitled to some form of reparations, like the Japanese Americans were compensated $20,000 per person for being placed in internment camps during World War II,33 and the restoration of property to some Native American tribes.34 **Not only did** the **descendants** of slaves **inherit poverty** because no reparations action was ever taken, **but because poverty has** its **collateral consequences**, African Americans’ **access to educational opportunities was** severely **limited**. During slavery, in the South, it was a crime to teach slaves how to read.35 And once slavery was abolished, and freed Blacks were allowed to learn to read and write,36 they attended racially segregated substandard schools with inadequate resources.37 Segregation deprived Blacks of equality of treatment because it required children to attend inferior facilities, and as articulated by the United States Supreme Court in Brown v. Board of Ed., segregation had “a tendency to (retard) the educational and mental development of [African American] children.”38 **If Blacks were** first **prohibited from learning how to read or write when** they **slaves, and** were **later required to attend schools that were substantially inferior** to those attended by whites when they were liberated, their **descendants have been** similarly **deprived** of the opportunities that were denied to their ancestors by virtue of inheritance. Accordingly, African Americans are more likely to be poor because one of the lingering vestiges of slavery is the economic inferiority of African Americans,39 and they are more likely to be less educated than whites because their ancestors were first prohibited from learning how to read or write, and were later required to attend inferior schools. **Because income inequality and disparities in education are direct consequences** and continuing effects **of slavery that are significantly connected to crime, Blacks are entitled to reparations in the c**riminal **j**ustice **s**ystem since there is an overwhelmingly disproportionate number of African Americans incarcerated for which the government is partly responsible.

Thus the **plan**: The United States federal government should grant access to Pell grants to Black American inmates in the United States criminal justice system.

**Advantage 1** is Competitiveness

US economic competitiveness is declining now due to lack of skilled workers. Specifically, our tech industry is lagging, and investment in education is key.

**Cooper et al. 12**[[3]](#footnote-3)

**The** U.S. **economy is weakening relative to our global competitors.** Recent economic growth is 40 percent below any other growth period since World War II as other economies around the globe draw in more investment, both foreign and domestic. In contrast, despite still being the world’s leading recipient of direct foreign investment, business investment overall in the United States between 2001 and 2007 was the slowest in U.S. history. Meanwhile, competition is on the rise. From 1980 to 2011 **China increased** its share of world economic **output** from 2 percent to 14 percent. **And India more than doubled** its output during that period, from 2.5 percent of global production to 5.7 percent. The U.S. share of the world economy fell to 19 percent from 25 percent. While increasing global competition is inevitable, lackluster U.S. performance need not be. Indeed, rising growth and incomes in other countries present potential new opportunities and markets for American workers and companies. But if the United States means to continue to lead the world and to share our prosperity with it, U.S. **policymakers must deploy** an American strategy that is responsive to modern economic challenges—a strategy that makes it possible for every American family to ensure that children entering adulthood are prepared to find a successful place in the global economy. What should the strategy be? Economists of all stripes point to **a robust pipeline of skilled workers** as the essential ingredient of a strong and growing economy. Indeed, the two countries most rapidly gaining on the United States in terms of economic competitiveness—**China and India**—**have ambitious national strategies of** investing and **promoting** improved **education**al outcomes for children to strengthen their positions as contenders in the global economy. This is obviously a sweeping and complex topic, which we document in detail in the main pages of this report. But here is a brief summary of the report’s findings and recommendations. The U.S. competitiveness problem and the case for investing in children Competition from rapidly growing countries such as China and India are changing business norms and the links between national economies. We are quite familiar with what economists call “global labor arbitrage,” the substitution of high-wage workers in advanced economy countries with low-wage workers in developing economies. That’s led to a global re-ordering of production, jobs, and growth. More recently, **tech**nological **advances** in telecommunications and transportation, as well as **[and] skills development in the developing world**, are **drag**ging more **U.S. industries—including computer** programming, **high-tech** manufacturing, **and service sectors—into international competition.** This development is feeding a mounting demand for high-skilled labor around the world. To position the United States for the future, substantial investments are needed in research, infrastructure, and education. The most important of these areas to address is education. Why? Because as this report shows, the **overwhelming** economic **evidence points to education**—and human capital investments, generally—**as the key driver**s **of** economic **competitiveness in the long term.** Harvard University economist Gregory Mankiw, for example, has shown that **in** advanced countries such as **the U**nited **S**tates, **human capital investment had three times the positive effect on economic growth as did physical investment.** And educational investment is particularly important in early childhood development and learning, according to growth economists. The return on investment from interventions such as prenatal care and early childhood programs is higher than for virtually any class of financial assets over time, according to Nobel Prize winning economist James Heckman. The academic literature also shows that failing to provide broad opportunities for nurturing, learning, and productive development harms economic growth and national competitiveness.

Plan solves tech industry competitiveness. 3 links.

A. Pell Grants are key to community college programs which teach key tech skills. **Young 11**[[4]](#footnote-4)

Partnerships between corrections and community colleges with their links to business and industry were once common. **Until the mid-1990’s community colleges provided** large numbers of **prisoners** with **post-secondary education** and vocational training. Their programming was shown to reduce recidivism and increased returning inmates’ employment and earning power. 21 **But Pell grants** and other federal sources **that supported community college programs** categorically **dried up** as the result of changes in the law in the late 1990’s. 22 During the academic year 2009-2010 only 6% of all state prisoners enrolled in vocational or academic postsecondary programs and of these 86% were concentrated in just 13 states. 23 States such as Illinois that still provide community college instruction for prisoners do so with support from one or another combination of line items in the state corrections budget, student head-count funds provided to participating community colleges, or state financial aid, 24 funding that is no more likely to increase in the near future than is funding for other correctional programs. **The federal gov**ernment **could still** provide needed **support** for **a strong community college role in reentry.** In recent years **the Department of Labor awarded community colleges substantial grants for training in tech**nological **fields** such as nuclear and renewable energy, “green” retrofitting and cyber security. 25 The Program for **Prison** Reentry **Strategies would urge** that the Department of Labor invite applicant **community colleges to collaborate with corrections agencies** on one hand and businesses on the other and **to integrate returning prisoners into grantfunded academic** and vocational **programming.** Ordinarily, gaining the attention of the leadership of a major federal agency such as the Department of Labor for an issue like prisoner reentry might be difficult. Fortunately, the Administration recently created the Federal Interagency Reentry Council and charged it with exactly this task. 26

B. Pell Grants are key to SMART grants which encourage science education.

**Kolovic 13**[[5]](#footnote-5)

**Students** who have been determined **eligible for the** Federal **Pell Grant may** also **be eligible for the** National Science and Mathematics Access to Retain Talent (**SMART**) **Grant**. If you’re interested in the physical, life, or computer sciences, mathematics, technology, engineering, a critical foreign language, or non-major single liberal arts programs, don’t rule out this generous grant. What is a SMART Grant? **The SMART Grant** came onto the scene in 2005 to **reward[s] students** who, yes, are smart, but are also **interested** in fields predominantly **in math and science** and other high-demand areas. As a federal grant, you’ll need to fill out a Free Application for Federal Student Aid, or FAFSA, to determine whether you’re eligible for the SMART Grant and how much funding you could be eligible to receive. (You should always fill that application out anyway as it’s your ticket to free money from all government programs.) Your college should notify you if you’re eligible for the grant. Who may be eligible for SMART Grants? Only those in their third or fourth year of an undergraduate degree program – or fifth year of a five-year program – are eligible for the grant. **Eligible recipients must already be Pell recipients**, and show that they have high enough need to qualify for grant funding beyond their Pell award. Students must also have a minimum GPA of 3.0, and have at least one class in an eligible field of study the year the grant would be awarded.

C. Targeting prisoners is key to competitiveness. They’re a huge population, and they have 0 skilled work opportunities absent Pell Grants. **Chazelle 11**[[6]](#footnote-6)

The practical benefits of educating prisoners are well documented. **Over ninety percent of inmates eventually return to society; those who receive education**al programming **behind bars are more likely to find jobs** and do without government assistance. They have greater capacity to support relatives financially, contribute in positive ways to their communities, and help their kids succeed in school and stay out of trouble. The benefits extend to the wider public, as well, as study after study shows that educating inmates reduces recidivism – the rate at which they commit new crimes leading to re-arrest or re-incarceration. Although statistics vary, it appears that recidivism among offenders who complete some college work in prison drops by ten percent or more, even if they do not finish a degree. **Postsecondary** correctional **education is**, moreover, a **cost-effective** tool for improving public safety, **since it is** invariably **less expensive than prison** (an average of $25,251 per federal inmate in 2009). By lowering recidivism it saves taxpayers’ money, **and given our massive incarcerated population – over 2.3 million – it helps address the growing education gap between the US and other countries.** That prisons should offer postsecondary education would therefore seem common sense, yet this trait is in short supply among our politicians. The problem lies on both sides of the political spectrum: when it comes to educating inmates or, indeed, to implementing any reform that might mitigate the harshness of our penal system, Democrats, fearful of the soft-on-crime label, are as bad as – if not worse than – Republicans. The Clinton era illustrates this well. Our jail and prison population soared under Clinton, who signed into law the Violent Crime Control and Law Enforcement Act of 1994, a bill sponsored by Democrat Representative Jack Brooks and written by then-Senator Joe Biden. Among the measures of this legislation, sometimes called the “Biden Law,” was a $9.7 billion plan to build new prisons and a sharp increase in the number of crimes subject to the death penalty. Although the bill provided $6.1 billion for prevention initiatives, it contained a bipartisan amendment egregiously counter-prevention: inmates were henceforth barred from Pell grants, the major federal source of college financial assistance for low-income students. The average grant was small, only about $1500 per student in 1994, yet the cumulative impact was huge. With passage of the 1965 Higher Education Act, on which Pell grants were based, the number of postsecondary correctional education programs shot up from twelve that year to 350 during the Reagan presidency. **Ending Pell grants to inmates saved** enough to increase grants to **non-prison students** by **a paltry $5 each** per semester, **while decimating prison postsecondary education programs. After 1994, only eight remained open.**

Tech leadership is key to science diplomacy which solves every existential risk. **Fedoroff 8** writes[[7]](#footnote-7)

Chairman Baird, Ranking Member Ehlers, and distinguished members of the Subcommittee, thank you for this opportunity to discuss science diplomacy at the U.S. Department of State. The U.S. is recognized globally for its leadership in science and technology. Our **scientific strength is** both **a tool of “soft power”** – part of our strategic diplomatic arsenal – and a basis for creating partnerships with countries as they move beyond basic economic and social development. Science diplomacy is a central element of the Secretary’s transformational diplomacy initiative, because science and technology are essential to achieving stability and strengthening failed and fragile states. S&T advances have immediate and enormous influence on national and global economies, and thus on the international relations between societies. Nation states, nongovernmental organizations, and multinational corporations are largely shaped by their expertise in and access to intellectual and physical capital in science, technology, and engineering. Even as S&T advances of our modern era provide opportunities for economic prosperity, some also challenge the relative position of countries in the world order, and influence our social institutions and principles. **America must remain at the forefront** of this new world **by maintaining its tech**nological **edge**, and leading the way internationally through science diplomacy and engagement. The Public Diplomacy Role of Science Science by its nature facilitates diplomacy because it strengthens political relationships, embodies powerful ideals, and creates opportunities for all. **The global scientific community embraces** principles Americans cherish: **transparency,** meritocracy, accountability, the **objective** evaluation of **evidence, and broad** and frequently **democratic participation.** Science is inherently democratic, respecting evidence and truth above all. **Science is also a common global language, able to bridge deep political and religious divides.** Scientists share a common language. Scientific interactions serve to keep open lines of communication and cultural understanding. As scientists everywhere have a common evidentiary external reference system, members of ideologically divergent societies can use the common language of science to cooperatively address both domestic and the increasingly trans-national and global problems confronting humanity in the 21st century. There is a growing recognition that science and technology will increasingly drive the successful economies of the 21st century. Science and technology provide an immeasurable benefit to the U.S. by bringing scientists and students here, especially from developing countries, where they see democracy in action, make friends in the international scientific community, become familiar with American technology, and contribute to the U.S. and global economy. For example, in 2005, over 50% of physical science and engineering graduate students and postdoctoral researchers trained in the U.S. have been foreign nationals. Moreover, many foreign-born scientists who were educated and have worked in the U.S. eventually progress in their careers to hold influential positions in ministries and institutions both in this country and in their home countries. They also contribute to U.S. scientific and technologic development: According to the National Science Board’s 2008 Science and Engineering Indicators, 47% of full-time doctoral science and engineering faculty in U.S. research institutions were foreign-born. Finally, some **types of science** – particularly those **that address** the **grand challenges** in science and technology – **are inherently** international in scope and **collaborative** by necessity. The ITER Project, an international fusion research and development collaboration, is a product of the thaw in superpower relations between Soviet President Mikhail Gorbachev and U.S. President Ronald Reagan. This reactor will harness the power of nuclear fusion as a possible new and viable energy source by bringing a star to earth. ITER serves as a symbol of international scientific cooperation among key scientific leaders in the developed and developing world – Japan, Korea, China, E.U., India, Russia, and United States – representing 70% of the world’s current population. The recent elimination of funding for FY08 U.S. contributions to the ITER project comes at an inopportune time as the Agreement on the Establishment of the ITER International Fusion Energy Organization for the Joint Implementation of the ITER Project had entered into force only on October 2007. The **elimination of** the promised **U.S. contribution drew** our **allies to question our** commitment and **credibility** in international cooperative ventures. More problematically, **it jeopardizes** a platform for reaffirming U.S. **relations with key states.** It should be noted that even at the height of the cold war, the United States used science diplomacy as a means to maintain communications and avoid misunderstanding between the world’s two nuclear powers – the Soviet Union and the United States. In a complex multi-polar world, relations are more challenging, the threats perhaps greater, and the need for engagement more paramount. Using Science Diplomacy to Achieve National Security Objectives The welfare and stability of countries and regions in many parts of the globe require a concerted effort by the developed world to address the causal factors that render countries fragile and cause states to fail. Countries that are unable to defend their people against starvation, or fail to provide economic opportunity, are susceptible to extremist ideologies, autocratic rule, and abuses of human rights. As well, **the world faces** common threats, among them climate change, **energy and water shortage**s, public **health emergencies, environmental degradation,** poverty, **food insecurity, and** religious **extremism**. These threats can undermine the national security of the United States, both directly and indirectly. Many are blind to political boundaries, becoming regional or global threats. The United States has no monopoly on knowledge in a globalizing world and the **scientific challenges facing humankind are enormous.** Addressing these common challenges demands common solutions and necessitates scientific cooperation, common standards, and common goals. We must increasingly harness the power of American ingenuity in science and technology through strong partnerships with the science community in both academia and the private sector, in the U.S. and abroad among our allies, to advance U.S. interests in foreign policy. There are also important challenges to the ability of states to supply their populations with sufficient food. The still-growing human population, rising affluence in emerging economies, and other factors have combined to create unprecedented pressures on global prices of staples such as edible oils and grains. Encouraging and promoting the use of contemporary molecular techniques in crop improvement is an essential goal for US **science diplomacy**. An essential part of the war on terrorism is a war of ideas. The creation of economic opportunity **can** do much more to **combat** the rise of **fanaticism** than can any weapon. The war of ideas is a war about rationalism as opposed to irrationalism. Science and technology put us firmly on the side of rationalism by providing ideas and opportunities that improve people’s lives. We may use the recognition and the goodwill that science still generates for the United States to achieve our diplomatic and developmental goals. Additionally, the Department continues to use science as a means to reduce the proliferation of the weapons’ of mass destruction and prevent what has been dubbed ‘brain drain’. Through cooperative threat reduction activities, former weapons scientists redirect their skills to participate in peaceful, collaborative international research in a large variety of scientific fields. In addition, **new global efforts focus on** improving **biological, chemical, and nuclear security** by promoting and implementing best scientific practices as a means to enhance security, increase global partnerships, and create sustainability.

The standard is **maximizing happiness**.

Brain studies prove personal identity doesn’t exist. **Parfit 84** writes[[8]](#footnote-8)

Some **recent medical cases provide striking evidence in favour of the Reductionist View.** Human beings have a **lower brain and** two **upper hemispheres**, which **are connected by a bundle of fibres.** In treating a few people with severe epilepsy, **surgeons have cut these fibres.** The aim was to reduce the severity of epileptic fits, by confining their causes to a single hemisphere. This aim was achieved. But the operations had another unintended consequence. **The effect**, in the words of one surgeon, **was the creation of ‘two separate spheres of consciousness.’ This effect was revealed by** various **psychological tests.** These made use of two facts. We control our right arms with our left hemispheres, and vice versa. And what is in the right halves of our visual fields we see with our left hemispheres, and vice versa. When someone’s hemispheres have been disconnected, **psychologists can thus present** to this person two different written **questions in the two halves of his visual field, and can receive two different answers** written by this person’s two hands.

In the absence of personal identity, only end states can matter. **Shoemaker 99**[[9]](#footnote-9)

Extreme reductionism might lend support to utilitarianism in the following way. Many people claim that we are justified in maximizing the good in our own lives, but not justified in maximizing the good across sets of lives, simply because each of us is a single, deeply unified person, unified by the further fact of identity, whereas there is no such corresponding unity across sets of lives. But if the only justification for the different treatment of individual lives and sets of lives is the further fact, and this fact is undermined by the truth of reductionism, then nothing justifies this different treatment. **There are no deeply unified subjects of experience. What remains are merely the experiences themselves, and so any ethical theory distinguishing between individual lives** and sets of lives **is mistaken.** If the deep, further fact is missing, then there are no unities. **The morally significant units should then be the states people are in at particular times, and an ethical theory that focused on them** and attempted to improve their quality, whatever their location, **would be the most plausible. Util**itarianism **is just such a theory.**

Second, revisionary intuitionism

Revisionary intuitionism is true and leads to util.

**Yudkowsky 8** writes[[10]](#footnote-10)

I haven't said much about metaethics - the nature of morality - because that has a forward dependency on a discussion of the Mind Projection Fallacy that I haven't gotten to yet. I used to be very confused about metaethics. After my confusion finally cleared up, I did a postmortem on my previous thoughts. I found that my object-level moral reasoning had been valuable and my **meta-level moral reasoning had been worse than useless.** And this appears to be a general syndrome - **people do much better when discussing whether torture is** good or **bad than when they discuss the meaning of "good" and "bad". Thus, I deem it prudent to keep moral discussions on the object level** wherever I possibly can. Occasionally **people object** to any discussion of morality on the grounds **that morality doesn't exist**, and in lieu of jumping over the forward dependency to explain that **"exist" is not the right term to use** here, I generally say, "But **what do you do anyway?**" and **take the discussion back down to the object level.** Paul Gowder, though, has pointed out that both the idea of choosing a googolplex dust specks in a googolplex eyes over 50 years of torture for one person, and the idea of "utilitarianism", depend on "intuition". He says I've argued that the two are not compatible, but charges me with failing to argue for the utilitarian intuitions that I appeal to. Now "intuition" is not how I would describe the computations that underlie human morality and distinguish us, as moralists, from an ideal philosopher of perfect emptiness and/or a rock. But I am okay with using the word "intuition" as a term of art, bearing in mind that "intuition" in this sense is not to be contrasted to reason, but is, rather, the cognitive building block out of which both long verbal arguments and fast perceptual arguments are constructed. **I see** the project of **morality as a project of renormalizing intuition.** We have intuitions about things that seem desirable or undesirable, intuitions about actions that are right or wrong, intuitions about how to resolve conflicting intuitions, intuitions about how to systematize specific intuitions into general principles. **Delete all** the **intuitions, and** you aren't left with an ideal philosopher of perfect emptiness, **you're left with a rock. Keep all your** specific **intuitions and** refuse to build upon the reflective ones, and you aren't left with an ideal philosopher of perfect spontaneity and genuineness, **you're left with a** grunting **caveperson** running in circles, due to cyclical preferences and similar inconsistencies. "Intuition", as a term of art, is not a curse word when it comes to morality - there is nothing else to argue from. **Even modus ponens is an "intuition"** in this sense - **it**'s **just** that modus ponens **still seems like a good idea after being** formalized, **reflected on**, extrapolated out to see if it has sensible consequences, etcetera. So that is "intuition". However, Gowder did not say what he meant by "utilitarianism". Does utilitarianism say... That right actions are strictly determined by good consequences? That praiseworthy actions depend on justifiable expectations of good consequences? That probabilities of consequences should normatively be discounted by their probability, so that a 50% probability of something bad should weigh exactly half as much in our tradeoffs? That virtuous actions always correspond to maximizing expected utility under some utility function? That two harmful events are worse than one? That two independent occurrences of a harm (not to the same person, not interacting with each other) are exactly twice as bad as one? That for any two harms A and B, with A much worse than B, there exists some tiny probability such that gambling on this probability of A is preferable to a certainty of B? If you say that I advocate something, or that my argument depends on something, and that it is wrong, do please specify what this thingy is... anyway, I accept 3, 5, 6, and 7, but not 4; I am not sure about the phrasing of 1; and 2 is true, I guess, but phrased in a rather solipsistic and selfish fashion: you should not worry about being praiseworthy. Now, what are the "intuitions" upon which my "utilitarianism" depends? This is a deepish sort of topic, but I'll take a quick stab at it. First of all, it's not just that someone presented me with a list of statements like those above, and I decided which ones sounded "intuitive". Among other things, **if you try to violate** "**util**itarianism", **you run into paradoxes, contradictions**, circular preferences, **and other** things that aren't **symptoms of** moral wrongness so much as **moral incoherence.** After you think about moral problems for a while, and also find new truths about the world, and even discover disturbing facts about how you yourself work, you often end up with different moral opinions than when you started out. This does not quite define moral progress, but it is how we experience moral progress. As part of my experienced moral progress, I've drawn a conceptual separation between questions of type Where should we go? and questions of type How should we get there? (Could that be what Gowder means by saying I'm "utilitarian"?) The question of where a road goes - where it leads - you can answer by traveling the road and finding out. If you have a false belief about where the road leads, this falsity can be destroyed by the truth in a very direct and straightforward manner. When it comes to wanting to go to a particular place, this want is not entirely immune from the destructive powers of truth. You could go there and find that you regret it afterward (which does not define moral error, but is how we experience moral error). But, even so, wanting to be in a particular place seems worth distinguishing from wanting to take a particular road to a particular place. Our intuitions about where to go are arguable enough, but our intuitions about how to get there are frankly messed up. **After** the two hundred and eighty-seventh **research** study **showing that people will chop their own feet off if you frame the problem the wrong way, you start to distrust first impressions. When you've read enough research on scope insensitivity** - people will pay only 28% more to protect all 57 wilderness areas in Ontario than one area, **people will pay the same amount to save 50,000 lives as 5,000 lives**... that sort of thing... Well, the worst case of scope insensitivity I've ever heard of was described here by Slovic: Other recent research shows similar results. Two Israeli psychologists asked people to contribute to a costly life-saving treatment. They could offer that contribution to a group of eight sick children, or to an individual child selected from the group. The target amount needed to save the child (or children) was the same in both cases. Contributions to individual group members far outweighed the contributions to the entire group. There's other research along similar lines, but I'm just presenting one example, 'cause, y'know, eight examples would probably have less impact. If you know the general experimental paradigm, then the reason for the above behavior is pretty obvious - focusing your attention on a single child creates more emotional arousal than trying to distribute attention around eight children simultaneously. So people are willing to pay more to help one child than to help eight. Now, **you could** look at this intuition, and **think it was** revealing **some** kind of **incredibly deep moral truth** which shows that one child's good fortune is somehow devalued by the other children's good fortune. But what about the billions of other children in the world? Why isn't it a bad idea to help this one child, when that causes the value of all the other children to go down? How can it be significantly better to have 1,329,342,410 happy children than 1,329,342,409, but then somewhat worse to have seven more at 1,329,342,417? **Or you could** look at that and **say: "The intuition is wrong: the brain can't** successfully **multiply** by eight and get a larger quantity than it started with. **But it ought to**, normatively speaking." And once you realize that the brain can't multiply by eight, then the other cases of scope neglect stop seeming to reveal some fundamental truth about 50,000 lives being worth just the same effort as 5,000 lives, or whatever. You don't get the impression you're looking at the revelation of a deep moral truth about nonagglomerative utilities. It's just that the brain doesn't goddamn multiply. Quantities get thrown out the window. If you have $100 to spend, and you spend $20 each on each of 5 efforts to save 5,000 lives, you will do worse than if you spend $100 on a single effort to save 50,000 lives. Likewise if such choices are made by 10 different people, rather than the same person. As soon as you start believing that it is better to save 50,000 lives than 25,000 lives, that simple preference of final destinations has implications for the choice of paths, when you consider five different events that save 5,000 lives. (It is a general principle that Bayesians see no difference between the long-run answer and the short-run answer; you never get two different answers from computing the same question two different ways. But the long run is a helpful intuition pump, so I am talking about it anyway.) The aggregative valuation strategy of "shut up and multiply" arises from the simple preference to have more of something - to save as many lives as possible - when you have to describe general principles for choosing more than once, acting more than once, planning at more than one time. Aggregation also arises from claiming that the local choice to save one life doesn't depend on how many lives already exist, far away on the other side of the planet, or far away on the other side of the universe. Three lives are one and one and one. No matter how many billions are doing better, or doing worse. 3 = 1 + 1 + 1, no matter what other quantities you add to both sides of the equation. And if you add another life you get 4 = 1 + 1 + 1 + 1. That's aggregation. **When you've read enough** heuristics and **biases research, and enough coherence** and uniqueness **proofs for** Bayesian probabilities and **expected utility**, and you've seen the "Dutch book" and "money pump" effects that penalize trying to handle uncertain outcomes any other way, **then you don't see** the **preference reversals** in the Allais Paradox **as** revealing **some** incredibly **deep moral truth** about the intrinsic value of certainty. **It just goes to show that the brain doesn't** goddamn **multiply.** The primitive, perceptual intuitions that make a choice "feel good" don't handle probabilistic pathways through time very skillfully, especially when the probabilities have been expressed symbolically rather than experienced as a frequency. So you reflect, devise more trustworthy logics, and think it through in words. When you see people insisting that no amount of money whatsoever is worth a single human life, and then driving an extra mile to save $10; or when you see people insisting that no amount of money is worth a decrement of health, and then choosing the cheapest health insurance available; then you don't think that their protestations reveal some deep truth about incommensurable utilities. Part of it, clearly, is that **primitive intuitions don't successfully diminish the emotional impact of** symbols standing for **small quantities** - anything you talk about seems like "an amount worth considering". And part of it has to do with preferring unconditional social rules to conditional social rules. Conditional rules seem weaker, seem more subject to manipulation. If there's any loophole that lets the government legally commit torture, then the government will drive a truck through that loophole. So it seems like there should be an unconditional social injunction against preferring money to life, and no "but" following it. Not even "but a thousand dollars isn't worth a 0.0000000001% probability of saving a life". Though the latter choice, of course, is revealed every time we sneeze without calling a doctor. The rhetoric of sacredness gets bonus points for seeming to express an unlimited commitment, an unconditional refusal that signals trustworthiness and refusal to compromise. So you conclude that moral rhetoric espouses qualitative distinctions, because espousing a quantitative tradeoff would sound like you were plotting to defect. On such occasions, people vigorously want to throw quantities out the window, and they get upset if you try to bring quantities back in, because quantities sound like conditions that would weaken the rule. But you don't conclude that there are actually two tiers of utility with lexical ordering. You don't conclude that there is actually an infinitely sharp moral gradient, some atom that moves a Planck distance (in our continuous physical universe) and sends a utility from 0 to infinity. You don't conclude that utilities must be expressed using hyper-real numbers. Because the lower tier would simply vanish in any equation. It would never be worth the tiniest effort to recalculate for it. All decisions would be determined by the upper tier, and all thought spent thinking about the upper tier only, if the upper tier genuinely had lexical priority. As Peter Norvig once pointed out, if Asimov's robots had strict priority for the First Law of Robotics ("A robot shall not harm a human being, nor through inaction allow a human being to come to harm") then no robot's behavior would ever show any sign of the other two Laws; there would always be some tiny First Law factor that would be sufficient to determine the decision. Whatever value is worth thinking about at all, must be worth trading off against all other values worth thinking about, because thought itself is a limited resource that must be traded off. When you reveal a value, you reveal a utility. I don't say that morality should always be simple. I've already said that the meaning of music is more than happiness alone, more than just a pleasure center lighting up. I would rather see music composed by people than by nonsentient machine learning algorithms, so that someone should have the joy of composition; I care about the journey, as well as the destination. And I am ready to hear if you tell me that the value of music is deeper, and involves more complications, than I realize - that the valuation of this one event is more complex than I know. But that's for one event. When it comes to multiplying by quantities and probabilities, complication is to be avoided - at least if you care more about the destination than the journey. **When you've reflected** on enough intuitions, **and corrected enough absurdities, you** start to **see a common denominator, a meta-principle** at work, **which one might phrase as "Shut up and multiply."** Where music is concerned, I care about the journey. When lives are at stake, I shut up and multiply. It is more important that lives be saved, than that we conform to any particular ritual in saving them. And the optimal path to that destination is governed by laws that are simple, because they are math. **And that's why I'm a utilitarian** - at least when I am doing something that is overwhelmingly more important than my own feelings about it - which is most of the time, because there are not many utilitarians, and many things left undone.

Prefer my evidence

a. Solves normal disads to intuitionism – revisionary intuitionism doesn’t commit the is-ought fallacy since we’d change our intuitions if they’re cognitively biased, which also solves the objection that intuitions are relative

b. Filters out supposedly intuitive objections to util – err aff because those intuitions are cognitively biased

Third, act-omission distinction doesn’t apply to states.

**Sunstein and Vermuele 5** write[[11]](#footnote-11)

The most fundamental point is that unlike individuals, **governments always** and necessarily **face a choice between** or among **possible policies for regulating third parties. The distinction between acts and omissions may not be intelligible in this context,** and even if it is, the distinction does not make a morally relevant difference. Most generally, government is in the business of creating permissions and prohibitions. When it explicitly or implicitly authorizes private action, it is not omitting to do anything or refusing to act. **Moreover, the distinction between authorized and unauthorized private action** – for example, private killing – **becomes obscure when government** formally **forbids private action but chooses a** set of **policy** instruments **that do[es] not** adequately or **fully discourage it.**

3 impacts

a. Deon fails because a government is morally responsible for inaction in conflict scenarios

b. Means that skep, permissibility and presumption are substantively irrelevant because the government always has to take an action

c. If the neg wins a non-utilitarian framework, this means extinction scenarios link since their standard now requires maximizing whatever good they specify

And fourth, morality must take the form of a universal rule. **Singer 9** writes[[12]](#footnote-12)

**When I prescribe something**, using moral language, **my prescription commits me to a** substantive **moral judgment about all** relevantly **similar cases. This includes hypothetical cases in which I am in a different position from my actual one. So to make a moral judgment, I must put myself** in the position of the other person affected by my proposed action – or to be more precise, **in the position of *all* those affected** by my action. Whether I can accept the judgment – that is, whether I can prescribe it universally – will then depend on whether I could accept it if I had to live the lives of all those affected by the action.

Universalizability justifies util. **Singer 93**[[13]](#footnote-13)

The universal aspect of ethics, I suggest, does provide a persuasive, although not conclusive, reason for taking a broadly utilitarian position. My reason for suggesting this is as follows. **In accepting that ethical judgments must be** made from a **universal** point of view, **I am accepting that my own interests cannot,** simply because they are my interests, **count more than the interests of anyone else. Thus my** very natural **concern that my own interests be looked after must**, when I think ethically, **be extended to** the interests of **others.** Now, imagine that I am trying to decide between two possible courses of action – perhaps whether to eat all the fruits I have collected myself, or to share them with others. Imagine, too, that I am deciding in a complete ethical vacuum, that I know nothing of any ethical considerations – I am, we might say, in a pre-ethical stage of thinking. How would I make up my mind? One thing that would be still relevant would be how the possible courses of action will affect my interests. Indeed, if we define ‘interests’ broadly enough, so that we count anything people desire as in their interests (unless it is incompatible with another desire or desires), then it would seem that at this pre-ethical stage, only one’s own interests can be relevant to the decision. Suppose I then begin to think ethically, to the extent of recognizing that my own interests cannot count for more, simply because they are my own, than the interests of others. In place of my own interests, I now have to take into account the interests of all those affected by my decision. **This requires me to weigh** up **all** these **interests and** adopt the course of action most likely to **maximize the interests of those affected.**

Neg burden is to defend a competitive post-fiat policy. Offense-defense is key to fairness and real world education. This means ignore skepticism, permissibility, presumption, and pre-fiat kritiks.

**Nelson 8** writes[[14]](#footnote-14)

And **the truth-statement model** of the resolution **imposes an absolute burden of proof on the aff**irmative: if the resolution is a truth-claim, and the afﬁrmative has the burden of proving that claim, in so far as intuitively we tend to disbelieve truthclaims until we are persuaded otherwise, the afﬁrmative has the burden to prove that statement absolutely true. Indeed, one of the most common theory arguments in LD is conditionality, which argues it is inappropriate for the afﬁrmative to claim only proving the truth of part of the resolution is sufﬁcient to earn the ballot. Such a model of the resolution also gives the negative access to a range of strategies that many students, coaches, and judges ﬁnd ridiculous or even irrelevant to evaluation of the resolution.

If the **neg**ative **need only** prevent the affirmative from proving the truth of the resolution, it is logically sufficient to negate to **deny our ability to make truth-statements or** to **prove** normative **morality does not exist** or to deny the reliability of human senses or reason. Yet, even though most coaches appear to endorse the truth-statement model of the resolution, they complain about the use of such negative strategies, even though they are a necessary consequence of that model. And, moreover, **such strategies** seem fundamentally unfair, as they **provide the neg**ative **with functionally inﬁnite ground**, as there are a nearly inﬁnite variety of such skeptical objections to normative claims, while continuing to bind the afﬁrmative to a much smaller range of options: advocacy of the resolution as a whole.

Instead, it seems much more reasonable to treat the resolution as a way to equitably divide ground: the affirmative advocating the desirability of a world in which people adhere to the value judgment implied by the resolution and the negative advocating the desirability of a world in which people adhere to a value judgment mutually exclusive to that implied by the resolution. By making the issue one of desirability of **[Under] competing world-views** rather than of truth, the affirmative gains access to increased flexibility regarding how he or she chooses to defend that world, while the **neg**ative **retains equal flexibility while being denied** access to those **skeptical arguments** indicted above. Our ability to make normative claims is irrelevant to a discussion of the desirability of making two such claims. Unless there is some significant harm in making such statements, some offensive reason to reject making them that can be avoided by an advocacy mutually exclusive with that of the affirmative such objections are not a reason the negative world is more desirable, and therefore not a reason to negate. Note this is precisely how things have been done in policy debate for some time: a team that runs a kritik is expected to offer some impact of the mindset they are indicting and some alternative that would solve for that impact. A team that simply argued some universal, unavoidable, problem was bad and therefore a reason to negate would not be very successful. It is about time LD started treating such arguments the same way.

**Such a model** of the resolution has additional benefits as well. First, it **forces both debaters to offer offensive reasons to prefer** their worldview, thereby further **enforcing a parallel burden structure.** This means debaters can no longer get away with arguing the resolution is by definition true of false. The “truth” of the particular vocabulary of the resolution is irrelevant to its desirability. **Second, it is intuitive. When people evaluate** the truth of **ethical claims, they consider their implications in the real world.** They ask themselves whether a world in which people live by that ethical rule is better than one in which they don’t. Such debates don’t happen solely in the abstract. We want to know how the various options affect us and the world we live in.

Prefer aff interpretations. Key to clash. **O’Donnell 4** writes[[15]](#footnote-15)

**AFC preserves the value of the first aff**irmative constructive **speech. This speech is the starting point for the debate.** It is a function of necessity. The debate must begin somewhere if it is to begin at all. **Failure to grant AFC** is a denial of the service rendered by the affirmative team’s labor when they crafted this speech. Further, if the affirmative does not get to pick the starting point, **[renders] the opening speech** act is essentially rendered **meaningless while the rest of the debate becomes a debate about what we should be debating about.**

## 1AR

I’ll concede that the pre-fiat layer comes first. Only pre-fiat arguments are relevant.

First, the 1AC is a symbolic rejection of the racist criminal justice system, that’s Taylor 8. More Black Americans are thrown into the prison system than receiving bachelor’s degrees – this is a real problem that his armchair intellectual approach to the terms I use can never address.

Second, vote aff to endorse the genealogy of prisoner pell grants that I will undertake in this speech

Genealogy is uniquely important in the context of rehabilitation and retribution. **Foucault 76**[[16]](#footnote-16)

To put it another way: to the extent that these notions of "the bourgeoisie" and "the interests of the bourgeoisie" probably have no content, or at least not in terms of the problems we have just raised, what we have to realize is precisely that there was no such thing as a bourgeoisie that thought that madness should be excluded or that infantile sexuality had to be repressed; but there were **mechanisms** to exclude madness and techniques to keep infantile sexuality under **[of] surveillance**. At a given moment, and for reasons that have to be studied, they **generate**d a certain **economic profit,** a certain **political utility, and** they **were therefore** colonized and **supported by global mechanisms and**, finally, by **the** entire system of the **State. If we concentrate on** the **techniques of power** and show the economic profit or political utility that can be derived from them, in a certain context and for certain reasons, **then we can understand how these mechanisms** actually and eventually **became part of the whole.** In other words, the bourgeoisie doesn't give a damn about the mad, but from the nineteenth century onward and subject to certain transformations, the procedures used to exclude the mad produced or generated a political profit, or even a certain economic utility. They consolidated the system and helped it to function as a whole. The bourgeoisie is not interested in the mad, but it is interested in power over the mad; the bourgeoisie is not interested in the sexuality of children, but it is interested in the system of power that controls the sexuality of children. **The bourgeois**ie **does not give a damn about delinquents, or** about **how they are punished or rehabilitated**, as that is of no great economic interest. On the other hand, the set of **mechanisms whereby delinquents are controlled**, kept track of, **punished, and reformed does generate a bourgeois interest that functions within the economicopolitical system as a whole.** That is the fourth precaution, the fourth methodological line I wanted to follow.

Comes before his role of the ballot – he concedes that you prefer aff interps of the topic, that’s O’Donnell 4. That means you prefer roles of the ballot specific to rehabilitation because I get to limit the round to my plan which is a form of rehab.

Capitalism is the root cause of racism – if racism is an a priori issue then cap outweighs

**IBT 93**[[17]](#footnote-17)

The absence of any scientific basis for distinguishing one "race" from another makes the whole concept meaningless. Yet biological refutation does not affect the social reality. As Richard Fraser, a veteran American Trotskyist, pointed out in "The Negro Struggle and the Proletarian Revolution," a document written in the 1950s and recently republished, race remains "a reality in spite of the fact that science reveals that it does not exist." Fraser wrote that: "The concept of race has now been overthrown in biological science. But *race*as the keystone of exploitation remains. Race is a social relation and has only a social reality." **Racism is rooted in** the historical development of **cap**italism as a world system**.** It has proved through several centuries to be a useful and flexible tool for the possessing classes. It justified the brutal wars of conquest and genocide, which established the European colonial empires. It rationalized **the slave trade**, which **produced** the primitive accumulation of **capital necessary for the industrial revolution.** Today racism in its various guises remains an important ideological mainstay for the capitalist elites, providing a rationale for the barbaric oppression of minorities. **Racism "explains,"** for example, **why black people in America fail to get a piece of the "American Dream" one generation after another.** It can be used to "explain" why Japanese capitalism has been much more successful than its European and North American rivals. The arguments offered by **racists**, whether the psychotic ravings of a lumpenized skinhead or the "objective," pseudo-scientific scholarship of a Harvard professor, **seek to direct popular anger away from** the workings of an irrational and decaying **cap**italist system **to** some group of **"outsiders." Racism** has proved integral and necessary for the proper functioning of capitalist society for a variety of reasons. In the first place, it **provides one of the essential axes along which the working class can be divided against itself, encouraging one segment of the proletariat to identify with the exploiters. This impedes** the development of **class consciousness and undermines** the **unity necessary to challenge cap**italist rule**.** The working class of every imperialist country has been so poisoned with chauvinism and racism (also promoted by pro-capitalist misleaderships within the workers' movement) that in "normal" periods, workers often identify their interests with those of their "own" oppressors and exploiters rather than with those of workers in other countries. Secondly, racism, in common with other forms of biological determinism, has an essential ideological function. **The bourgeoisie rose** to ascendancy **under the banner of "Liberty, Equality, Fraternity." Yet for** hundreds of **millions** of people **daily reality in** the world **cap**italist order **is** misery, **oppression and poverty.** Even in the so-called advanced capitalist countries there is a growing cynicism about the electoral process, with most adults recognizing that the "equality" of the ballot box is no different from the "equality of the market place—every dollar is equal, and big money takes all. **Racists** are not burdened with the obligation to prove that capitalist society is egalitarian. Instead, they openly **claim that** the **inequalities of class society are based on natural distinctions.**

The federal ban on Pell Grants for prisoners’ education was engrained in neoliberal logic of economic competitiveness that privileged vocational training over liberal arts education. **Yates 9** writes[[18]](#footnote-18)

In 1971, Supreme Court Justice Warren Burger spoke at the first National Conference on Corrections, “We know that today the programs of (prisoner) education range from nonexistent to inadequate, with all too few exceptions. However we do it, the illiterate and the unskilled who are sentenced for substantial terms must be given the opportunity, the means, and the motivation to learn his way to freedom” (Burger, 1985 p. 193). Prison-based programs have dated back to the 1800s as reformers sought to extend basic and vocational education, as well as moral education to those who had been convicted of crimes (Welch, 1996). Gehring and Wright (2003) propose that many of these early reformers were not just interested in improving the virtues of the inmates, but also had a sophisticated understanding of the anti-democratic nature of penal systems. They had the progressive notion that prisoners were capable of being agents in their own reformation by taking responsibility for education. Gehring and Wright call the presence of these early radical prison educators, “the hidden heritage of correctional education” (p. 52 5). They suggest this thread of progressiveness extended up through World War II after which Cold War pragmatism resulted in a return to basic education (Gehring & Wright 2003). Much of the **programs of the** 19**60s and** 19**70s** followed a functionalist approach that **equated an inmate’s** future **success** as a law-abiding citizen **with** the knowledge required to obtain lawful employment and negotiate legal society. These skill sets focused primarily on obtaining **vocational skills** and basic literacy. Howard Davidson describes this theory: “it propounds that crime results from individuals making poor (i.e. criminal) decisions when faced with life‟s many problems. **Out of neoliberalism comes the market metaphor, in which individuals make rational decisions based on calculating benefits against costs**” (Davidson, 1995, p.4). How did the modern functionalist approach to prisoner education take root? Much of the impetus seems to have arisen from human capital theory. **One** of the **primary feature**s **of neoliberal thought** and practice **is the reliance upon** human capital theory to explain the purpose of education. Human capital theory has been described by Robert Hart and Thomas Moutos (1995) as an investment of **skills training in workers that seeks to balance the costs of training with the return on** the **investment.** Even the proponents of human capital theory describe it as reductionist, mechanical and based upon “homogenized factors.” During the reign of neoliberalism, human capital theory slithered from its manufacturing origins into the corridors of education. Perhaps the most succinct description of the human capital theory of education is provided (without apparent irony) by Joop Hartog and Hessel Oosterbeek (2007): “The basic human capital model of schooling envisages two options (1) go to school for s years and earn an income Ys every year after leaving school, or (2) go to work right away and earn 53 annual income Yo” (p. 7). This reductionist view of the role of schooling does not take into account exogenous factors that can affect income level such as discrimination and availability of jobs in the market (Livingstone, 1997). The role of human capital theory in education reached a high level of urgency among neoliberals as concern arose regarding the United States competiveness in global markets. Chief among the proponents were Presidents George Bush and Bill Clinton through the Goals 2000 project which set the priority for education to create the workers who could increase the U.S. efficacy in international capitalism (Briscoe, 2000). A center-piece of the thrust toward implementation of human capital theory in education was the No Child Left Behind legislation which narrowed the focus of educational curricula toward those basic skills required for technical society such as math, reading and science at the expense of those for an active, well-rounded life such as social studies, art, music and physical education. According to Pauline Lipman (2007) No Child Left Behind is “explicitly designed to meet the needs and technical rationality of business… symbolically, as well as practically, national testing constitutes a system of quality control, verifying that those who survive the gauntlet of tests and graduate have the literacies and dispositions business requires” (Lipman, 2007, p. 46). Lipman sees the legislation as a disciplinary process with the end product being docile workers, the ultimate in human capital. Prisoner job training programs fulfilled this need. In the 1970s and 1980s, **in part due to** the availability of **the Pell Grant,** a **liberal arts** curriculum **became a major component of** many **prison education** programs in a way that it never had before**.** According to Mary Wright (2001) the correction education liberal arts programs remained in favor well into the 1990s even as it was de-emphasized in the 54 larger academic world. She gives several reasons, including the slow pace of change in prisons, the lack of flexibility and increased cost of obtaining equipment for technical job training programs. However, **in the** 19**90s, liberal arts** in a correctional setting **fell into disfavor, and** adult basic education and **vocational education programs reasserted their primacy** in the penal system (Wright, 2001). Vocational programs in prison included plumbing, carpentry, electrical wiring, painting, heating and air conditioning as well as computer literacy. In addition, the emphasis on job training spilled over into the **language arts and math** programs as they **were retooled to focus on technical** and applied **reading and writing** (Steuer, 2001). Between 1995 and 2000, **the percentage of state prisons offering college courses decreased** from 31% to 26% **while** those offering basic adult education increased from 76% to 80%. State prisons offering **vocational education increased** from 54% to 55% and in private prisons it increased from 25% to 44% in the same time period (Harlow, 2003). Several reasons are given for this change in addition to the dissolution of prisoner Pell Grants. One is the perceived threat liberal arts curricula pose to the penal institution. Wright (2001) states that “a **liberal arts** curriculum, **which** often **emphasizes critical thinking,** intellectual and **moral reasoning and development of an inmate’s sense of self may pose a challenge to the established order of a correctional facility**” (p. 13). In addition, with Pell Grants gone, prisoner education programs became more dependent upon outcome-based funding. Performance-based management of these programs, like the parallel evolution in public schools, led to “school report cards” that evaluated the effectiveness of the programs in turning out their product (Linton, 2005). Curricula that can lend to empirical studies, such as testing in basic adult education, were given priority 55 over liberal arts, which seemingly has more nebulous outcomes. According to John Linton (2005) of the U.S. Department of Education‟s Correction Education division: “The current climate [requires] that expenditure of public funds be restricted to „scientifically proven‟ effective interventions” (p. 91). Job training fits well to this regime because the results of the program could be measured empirically through the numbers of the test group who are able to obtain work. In addition, recidivism rates could be obtained. Numerous studies have pointed to the inverse relationship between vocational technical programs and recidivism (Hall & Bannatyne, 2000; Mattuci & Johnson, 2003; Young & Mattuci, 2006, Gordon & Weldon, 2003). Empirical studies focusing strictly on recidivism as a measurement of achievement have not been without their faults. In his examination of the more recent works, Charles Ubah (2002) has found a tendency for the inmates to self-select into the programs. These participants were probably more motivated, as a whole, to succeed upon their release, than those who did not participate (Ubah, 2002). Ubah‟s findings bring up another important question: What about those who slip through the cracks in the empirical studies? An example may be found in Robert Mattuci‟s (2003) description of the vocational program that he set up in a New York state prison. It consisted of an eight session program to teach the students basic plumbing skills in order to increase their employment prospects upon release. Mattuci, who had a bachelor‟s degree in education and twenty years experience as a plumber, appeared to incorporate a well-thought out system of pedagogy. He relates that “many inmates have never known a positive schooling experience so they lack the needed confidence to succeed at learning something new. A key to the program is therefore validating their differences as 56 individuals and accommodating their multiple learning styles” (p. 16). Mattuci had them work in groups for all hands-on activities and encouraged group brainstorming and problem solving. Yet, despite the care in which the teacher took in order to facilitate a sense of community on the shop floor, there were a significant number of inmates who did not take to the class. “Especially for the younger inmates, gang activity is very evident. The dropout rate of the male youth in three of the groups was 90%. For those influenced by gangs, there is a total lack of respect for the process of setting goals and working toward them” (Mattuci & Johnson, 2003, p. 17). A conventional vocational program may not reach this group of inmates who, as dropouts of the program are more likely to return to prison. While recidivism is an important issue, it must be understood within context of the many variables that exist both within the inmates and, just as importantly, the conditions that exist once they are released. Barriers to post-release employment include lack of current job skills in a rapidly changing market, lack of available jobs in a tight market, the large hole in the employment history created by incarceration, and perhaps most significantly, the criminal record. With the rise of the information society, even jobs considered “menial,” require criminal background checks. The perceived and actual impediments to employment can decrease the seeker‟s motivation and self image (Pavis, 2002). Combined with conditions that facilitated a life of crime in the first place: poverty, discrimination, substance abuse, the deck is stacked against the average inmate. Conventional job training in itself is clearly not going to arm these people against the challenges of life on the outside. The attributes previously described that led some 57 prisons to reject liberal arts education; the “critical thinking, intellectual and moral reasoning” leading to a “sense of self,” must be cultivated (p. 1). Friere (2004), Giroux (2006) and others have called for a pedagogy that is freed from the bonds of the “bottom-line.” Mike Cole (2005) puts it succinctly, calling for schools to become sites where “teachers, other school workers and pupils/students not only agitate for changes within the classroom and within the institutional context of the school, but also support a transformation in the objective conditions in which students and their parents labor” (p. 16). In this vision, there is no room for docile workers. Schools would be transformed into emancipatory institutions where workers would not only be provided basic literacy, vocational skills and liberal arts, but would also learn to advocate for a better world. I explore this possibility further in Chapter 5.

Analysis of Congressional transcripts shows that in both houses of Congress the ban on Pell Grants was premised upon discursive framing of criminals as parasitic upon working-class Americans. **Yates 9** writes[[19]](#footnote-19)

**In the** U.S. **House, the fight to deny Pell grants to prisoners was led by Bart Gordon** (D-TN). Gordon represents a district bordering Nashville that “embodies qualities of both the Old and New South” (Congressional Quarterly, 1993, p. 1424) with both rural and suburban areas. Gordon‟s voting record is moderately liberal with high ratings from the AFL-CIO‟s grading of votes on labor issues and low scores from the American Conservative Union. In the early 1990s, Gordon may have started feeling some of the pressure from the Republican electoral tide sweeping the South. In 1990 he easily won re-election with 67% of the vote compared with 29% for his Republican opponent. In 1992, the year before he pushed through legislation denying Pell grants for prisoners, Gordon won election by a considerably narrower margin of 57 to 41%, his lowest spread ever. That year Gordon sought publicity for his most precious cause: educational fraud. According to the Congressional Quarterly, removing access to Pell grants for “shoddy” trade schools became a mission for Gordon, one in which he gained a considerable amount of publicity. While in Congress, he personally went undercover as a prospective student in a sting operation involving vocational schools at part of an NBC News expose (Congressional Quarterly, 1993). Gordon‟s attempts to gain maximum exposure from his causes, combined with his increasingly precarious state as a Southern White Democrat, increase the possibility his embrace of anti-crime rhetoric was an attempt to re-position himself in the eyes of voters. Gordon tried several legislative tactics to deny prisoner Pell Grants, including attaching amendments to education bills (ultimately deleted). But it was in the 91 supercharged arena of the debate surrounding the Omnibus Crime Bill that Gordon met with success. Gordon spelled out his case for his legislation on the House floor: Let me remind Members that every time that a prisoner gets a Pell grant that means a traditional student does not get a Pell grant. Not only do they not get it, but since prisoners have no income, they are first in line. So nobody else gets a Pell grant until all of the prisoners, with no income, get what they want. (1992, p. H1893) Here the congressman attempts to push the inmate students to the margins of consideration for Pell grants by identifying inmate students solely within the term “prisoner,” not inmate student or men or women. Thus he de-personalizes those in prison as compared to “traditional students.” **Gordon** also **attempts to drive a wedge between Us and Them by suggesting that grants toward prisoner** **s**tudents somehow **result in denial of grants to those who are not inmates. Unlike some grants** and scholarships, **Pell Grants have never been competitive.** In addition, **Gordon** deftly **turns** the one aspect of prisoner existence that would seemingly draw a modicum of sympathy, **the prisoner’s poverty, into a drawback.** Their lack of income puts them “first in line.” The illocutionary effect of this rhetorical device would be to view incarcerated student’s lack of personal income as some kind of unfair advantage over free students. **In the world** being **constructed by Gordon, being sentenced to prison placed them in** a position of **privilege.** This position is enforced through another passage: Let me just relate to Members a true story that happened to me. It was about 4 or 5 weeks ago. A policeman in my hometown of Murfreesboro was talking to me about trying to help his son get some financial aid to go to school. We all know that policeman (sic) are not overly paid, but he made too much money to be able to get in any kind of a Pell grant program. Let me tell Members, that policeman's son could not get a Pell grant. But if he arrested someone for breaking into your house tonight and put them in jail, then they could get a Pell grant. That just does not seem to make much sense. (1992, p. H1893)92 The tale apparently involved a member of the police department who tells the congressman he needs financial help for his son to continue his education. There the “true story” ends. No elaboration. Did his son achieve the minimal grade requirements for entrance? What kind of school was he attempting to enter? Not all institutions offer Pell grants. Not all majors are Pell grant eligible, so what was his? Was it continuing education? Gordon admits the officer made too much money for his son to be eligible for Pell grants, although “we all know that policeman (sic) are not overly paid.” Compared to whom? This sets up a “common sense” understanding in which it is assumed that all officers are underpaid, no matter what their rank. In Gordon’s world, like everyone’s, the blank spaces are filled with implied understandings that are informed by shared values. However, unlike most people, he has an inordinate amount of influence in creating these values given his status. In Gordon’s world, prisoners, who are blessed with no possessions, are taking advantage of police officers. It is likely that street cops are underpaid, but the same may be said of most firemen, teachers and mechanics, all of whom the congressman may have spoken to and obtained “true stories.” Yet, Gordon for some reason chose this particular tale. It is possible he chose the narrative of the policeman to further re-enforce the binary between the Us and Them. What better way to further marginalize inmates than to set up a contrast with the upholder of societal virtue: the policeman. Further, by associating himself with the victims of the alleged scam perpetrated by the prisoners, **Gordon sets himself up as defending** the shared or **“common sense” values**; thus **establishing his** and his fellow elites‟ **hegemonic position as** the vox populi or 93 **spokesman for the people.** This would surely play well with the folks back home in Murfreesboro. Like a cascading of dominos, Gordon’s cohorts (from both political parties) appeared to key in to his strategy. When opponents to the Gordon amendment offered up substitute legislation to deny prisoner Pell grants only if and when research indicated they did not reduce recidivism, Jack Fields (R-TX), rose in unequivocal opposition: Mr. Chairman, today we have the opportunity, once and for all, to make incarcerated prisoners ineligible to receive Pell grants--the grant program designed to help low- and middle-income students meet the costs of attending college. We can do that by voting for the Gordon-Holden-Fields amendment to the crime bill. Today, incarcerated prisoners are applying for, and obtaining Pell grants. Every dollar in Pell grant funds obtained by prisoners means that fewer law-abiding students who need help in meeting their college costs are eligible for that assistance. It also means that lawabiding students who meet eligibility criteria receive smaller annual grants than they might otherwise obtain. Mr. Speaker, the Federal Government spends up to $100 million a year on education and training programs specifically targeted at prisoners--and that's more than enough, as far as I'm concerned. This amendment mandates that incarcerated prisoners be ineligible to receive Pell grants. Now. Period. No more studies, no more delays. It is a straightforward, simple amendment. If you oppose Pell grants for prisoners, you should vote for the Gordon-Holden-Fields amendment. We do not need any more studies. We need more higher education funds for our constituents' sons and daughters who are struggling to pay for their children's college expenses. Our constituents already pay to feed, house, clothe and rehabilitate prisoners. Their sons and daughters shouldn't have to do without so that incarcerated prisoners can use Pell grant funds to go to college. (1994, p. H2545) Using seemingly populist rhetoric, Fields attempts to set up a binary between the imprisoned and the free by implying prisoners are virtual freeloaders living off the largesse of the taxpayer. To emphasize their status, Fields states that they are not only prisoners, but “incarcerated prisoners,” [emphasis added] four times in his diatribe. Those who deserve Pell grants are “law-abiding,” “students” and “son and daughters,” although most prisoners who receive grants fall into [at least] two of those categories. 94 Fields, through his syntactic choices, drives a wedge between the students on the outside and those on the inside. **Chief sponsor** of prisoner Pell grants legislation **in the Senate was Kay** Bailey **Hutchison** (R-TX). At the time of the debates, she had just won a special election to replace Senator Lloyd Bentsen who had accepted a cabinet position in the Clinton Administration. In the special election she won against the Democratic candidate to the office by a decisive margin of 67% to 33%. Her support was widespread across Texas and included every region with the exception of the extremely low-income, largely Hispanic border counties. Hutchison is considered a “tried and true Texas conservative” who has “anti-regulatory and pro-entrepreneurial beliefs” (Congressional Quarterly, 1993, p. 1443). In her speech, she appears to take a cue from her Democratic counterpart in the House, Gordon, by hitting upon similar themes of pitting prisoner students against non-prisoner students: My amendment is aimed at stretching every possible dollar for those young people who stay out of trouble, study hard, and deserve a chance to further their education, fair to working Americans who pay their taxes and do without in order that their children will have advantages they never had: a better education, more opportunities, a better future. The American people are frustrated by a Federal Government and a Congress that cannot seem to get priorities straight. They are frustrated and angry by a Federal Government that sets rules that put convicts at the head of the line for college financial aid, crowding out law abiding citizens (1993, p. S15748). In this passage **she isolates inmate students to the margins of humanity by constructing a** counter punctual **lexicon between, on the one hand, “students,”** “people,” “children,” **“Americans” and “citizens” and on the other, “convicts.”** Most prisoners probably qualify to be considered people, children, and citizens, but the Senator chooses not to include them as such. Hutchison, like Gordon and Fields in the previous passages, 95 attempts to set herself up as a defender of the “working Americans’” interests by positioning herself as the spokesperson of that ubiquitous police officer whose child can‟t qualify for a Pell grant: “One police officer whose daughter couldn't quality for a Pell grant summed up his frustration when he said recently, `Maybe I should take my badge off and rob a store” (1993, p. S15748). In this telling of the “true story,” the child is a daughter, not a son. In addition, the father‟s frustration over not qualifying for the Pell grant has raised to the point that he is contemplating going over to the other side through a life of crime. The implication is that the unfairness of current prisoner Pell grant policy threatens the basic values of the nation, as epitomized by the police officer‟s moral quandary of whether he should turn to crime to finance his child‟s education. There is one point in the excerpt above where Hutchison attempts to bridge the space between the inmate students and the students on the outside, but the gap is crossed only at a point of conflict as the prisoners and non-prisoners metaphorically jockey for position to obtain financial aid. In her narrative she describes inmate students as “convicts” who go “to the head of the line for financial aid, crowding out law-abiding citizens.” This phrase “crowding out” conjures two images: one of a large mass of prisoners, in itself having the potential to raise anxiety in the listener. Crowding out is accomplished through physical touch. Hutchinson takes the scene further in another passage: “The Department of Education apparently is aware that as many as 100,000 youngsters are being elbowed aside by those behind bars” (1993, p. S15586). In this passage she clinches her argument with a rhetorical flourish as **she invokes the image of** “100,000 **youngsters**” who are **being “elbowed aside” by** the **undeserving convicts**, thus establishing the discursive link between education policy run amok and physical violence against its young victims. The similarities of Gordon‟s, Fields and Hutchison’s rhetorical devices, within their contributions to the debate over the legislation to limit Pell grants, suggest the possibility of intentional use of the same rhetorical devices and/or myths. The “true story” of the police officer who could not afford to send his child to college managed to spread from the Democratic to the Republican side of the aisle and even from the U.S. House building to the Senate building. All evoke images of hordes of convicts pushing helpless youngsters aside in their apparent bloodlust for a college education. The repetitive use of these images, both temporally and spatially, undoubtedly had an effect on the undiscerning listener and viewer through the establishment of a “common sense” worldview of Pell grant policy. In this view it is only fair that access be cut off because the effect would be to tip the scales of justice toward some semblance of balance, thus setting up a situation where everyone wins when Pell grants are cut off for prisoners. In the words of Senator Hutchison: “As I said at the outset, this is not fair. It is not fair to taxpayers. It is not fair to law-abiding citizens. It is not fair to the victims of crime. But we can set things right. We only need to make a choice. And for me, it is an easy choice” (1993, p. S15746). Hutchison presents a functionalist argument for cutting off prisoner Pell grants by framing it as a win-win situation. Fairness is the order of the day – for the law-abiding taxpayer and the crime victim by making the rational decision, the common sense “easy choice” to deny prisoners the Pell Grant.

Focusing on interim reforms is better than being an armchair intellectual and criticizing the terms I use – Black Americans in the CJS are suffering right now and your criticism does nothing to address that

If his evidence is correct that “Black” is what white oppressors use to differentiate people, using the term “Black” is the only way to challenge oppression in the CJS. If my plan text said “African-American”, the Eurocentric oppressors would say, “Who is this policy for? These people are *Black*.”

Just because I say “Black” in my plan text doesn’t mean I’m using the word in the same way that Europeans during the slave trade did.

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