# Lex 2022 r3 1nc

## 1

#### A: Interp – The affirmative must read all arguments concerning fairness or education first in the affirmative speech. To clarify, theory arguments must be read at the top of the affirmative case before all substantive arguments. Evaluate the spirit of my interp to disincentive blippy i-meets.

#### B: Violation – Spikes on bottom

#### C. Standards –

#### 1. Strat skew – Absent spikes on top, I don’t know what I have to do until after I formulate a strategy which means I will always violate at least one of your spikes. Two impacts a) infinite abuse since ill always violate a norm and b) kills time tradeoff since I’m forced to spend all my prep restarting my strategy. My interp solves and is always net beneficial since I can understand what makes the round fair before I violate which is better for your strategy.

#### 2. Substantive engagement – I have to be able to understand the parameters for a fair strategy in order to engage in that strategy. This also allows for a better debate on the substantive layer that you want since I can spend more time thinking about a substantive strategy rather than thinking about a shell I can read on you before I get hit with 8 different spikes.

#### Fairness –Skews ability to evaluate substance – if one debater had ten minutes to speak and the other had three there would be incongruence that alters ability to judge the winner

#### Education – it’s the only portable skill in debate

## 2

#### Interp: The affirmative must define “private entities” in a delimited text in the 1AC.

#### “Private Entities” are flexible and has too many interps – normal means shows no consensus and makes the round irresolvable since the judge doesn’t know how to compare between types of offense and o/w since it’s a side constraint on decision making.

UpCounsel ND [“Private Entity: Everything You Need to Know”. UpCounsel (interactive online service that makes it faster and easier for businesses to find and hire legal help). No Date. Accessed 12/17/21. <https://www.upcounsel.com/private-entity> //Xu]

A private entity can be a partnership, corporation, individual, nonprofit organization, company, or any other organized group that is not government-affiliated. Indian tribes and foreign public entities are not considered private entities.

Unlike publicly traded companies, private companies do not have public stock offerings on Nasdaq, American Stock Exchange, or the New York Stock Exchange. Instead, they offer shares privately to interested investors, who may trade among themselves.

Private Company vs. Private Entity

The Companies Act of 2013 governs the registration of private companies.

This type of company is formed by following the steps laid out by this law.

Private entities are determined not by this law but by ownership and holding. For example, sole proprietorships and partnerships are designed as private entities.

A private entity is not necessarily a private company, but all private companies are private entities.

How Private Entities Work

Although private companies can be of any size, they often include a small group of chosen investors who may include employees, colleagues, friends and family, and other interested parties. If this type of company needs funding to grow, it may seek it from venture capital firms or from large institutional investors. Some private companies eventually decide to go public with an initial public offering (IPO) of stock shares on a public exchange. Sometimes, public companies go private when a large investor buys a bulk of the outstanding stock shares and plans to remove them from public exchanges.

How FOIA Affects Private Entities

The Freedom of Information Act (FOIA) is a federal law that requires certain agencies to provide certain types of records to any person who asks. Major government bodies such as federal courts and Congress are exempt from FOIA. Some state agencies are also exempt depending on state laws governing public records. In general, FOIA applies to:

Federal, state, and local government agencies, such as the Federal Communications Commission.

Certain state legislatures depending on the laws in those states.

Most private entities are not bound by federal FOIA laws. However, these laws may apply to private entities involved in government business. This situation occurred in Colorado in 2000, when a nonprofit corporation was required by the state's Court of Appeals to share documents related to a project it was working on with the city of Denver.

#### Violation – you don’t.

#### Prefer –

#### 1] Stable Advocacy – they can redefine in the 1AR to wriggle out of DA’s which kills high-quality engagement. We lose access to Tech Race DA’s, Asteroid DA’s, basic case turns, and core process counter plans that have different definitions and 1NC pre-round prep.

#### 2] Real World – Policy makers will always define the entity that they are recognizing. It also means zero solvency, absent spec, private entities can circumvent since there is no delineated way to enforce the aff and means their solvency can’t actualize.

Xapply voters

## 3

#### and presumption negate:

#### [1] Resolution indicates the affirmative has to prove a proactive obligation, and permissibility would deny the existence of an obligation

#### [2] Logic – Propositions require positive justification before being accepted, otherwise one would be forced to accept the validity of logically contradictory propositions regarding subjects one knows nothing about, i.e if one knew nothing about P one would have to presume that both the “P” and “~P” are true.

#### [3] Statements are more often false than true because any part can be false. This means you negate if there is no offense because the resolution is probably false.

#### Determinism is true and negates: A. The aff says the appropriation of outer space is unjust, but the action of appropriating space is predetermined making statements that prescribe one incoherent. B. Determinism denies the existence of free will which makes willing a moral obligation impossible. Norwitz quotes Inwagen who doesn’t agree with the terminal conclusion of the NC.

[Michael Norwitz, “Free Will and Determinism,” Philosophy Now, 1991.] SHS ZS

Inwagen presents three premises in his main argument: that **free will is** in fact **incompatible with determinism**, that **moral responsibility is incompatible with** **determinism**, and that (since we have moral responsibility) determinism is false. Hence, he concludes, we have free will. The argument for the first premise runs as follows [p.56]: “**If determinism is true**, then **our acts are the consequences of the laws of nature** and events in the remote past. But **it is not up to us what went on before we were born**, and neither is it up to us what the laws of nature are. **Therefore the consequences of these things** (including our present acts) **are not up to us**.” The argument for the second premise [p. 181]: “**If** (i) **no one is morally responsible for having failed to perform any act**, **and** (ii) **no one is morally responsible for any event**, **and** (iii) **no one is morally responsible for any state of affairs, then there is no such thing as moral responsibility**.” For the third premise van Inwagen does not present a concise summary of his line of argument. He takes it as being self-evident that we have moral responsibility, as we do, after all, continue to hold people morally responsible for their actions.

#### This negates irrespective of permissibility because it proves that agents cannot have moral obligations. Since “unjust” in the resolution implies moral obligations, without a moral obligation, the resolution is false.

#### [1] Causality: The first law of thermodynamics holds that nothing can be created or destroyed[[1]](#footnote-1), thus everything must have a cause if something cannot come from nothing. This means that either A. Free will, which definitionally causes itself, is illogical as it does not have one or B. Our free will is caused by something which is a contradiction and proves determinism true.

#### [2] Cognition – the best neuroscientific, psychological, and medical evidence show free will doesn’t exist. Lavazza

[Andrea Lavazza, Neuroethics, Centro Universitario Internazionale, Arezzo, Italy, Free Will and Neuroscience: From Explaining Freedom Away to New Ways of Operationalizing and Measuring It, 2016, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4887467/> ///AHS PB BRACKETED FOR CLARITY] SHS ZS

All these **experiments** seem to **indicate** that **free will is an illusion.** Yet, these relevant experiments can be interpreted in many ways. A possible view is that, in some way, **determinism can be observed directly within ourselves.** This interpretation might lead to the conclusion that **free will is just an illusion**. In fact, if one considers as a condition of free will the fact that it should be causa sui (i.e., it should be able to consciously start new causal chains), such a condition is incompatible with determinism as it is usually defined. For it, in fact, **all events are linked by casual relations in the form of natural laws**, **which started long before we were born** and which we cannot escape. However, **determinism has generally been regarded as a metaphysical claim**, not refutable by empirical findings. One could properly talk of automatism in the brain, not of determinism, based on the evidence available. (In any case, endorsing indeterminism might lead to consider our behavior as the causal product of choices that every time produce different results, as if we rolled a dice. This doesn’t seem to make us any freer than if determinism were overturned; cf. Levy, 2011). Most importantly, **another feature of freedom seems to be a pure illusion**, namely the role **of consciousness**. **The experiments considered** thus far heavily question **the claim that consciousness** actually **causes voluntary behavior**. **Neural activation starts the decisional process culminating in the movement, while consciousness “comes after”,** when “**things are done**”. **Therefore**, [and] **consciousness cannot trigger our voluntary decisions.** But the role of consciousness in voluntary choices is part of the definition of free will (but the very definition of consciousness is a matter of debate, cf. Chalmers, 1996). Empirical research in psychology also shows that **our mind works and makes choices without our conscious control**. As proposed by psychologist Wegner (2002, 2003, 2004) and Aarts et al. (2004), **we are “built” to have the impression to consciously control our actions or to have the power to freely choose, even though all that is only a cognitive illusion**. Many priming experiments show **that people act “mechanically**” (even when their behavior might appear suited to the environment and even refined). **Automatic cognitive processes**, of which we aren’t always aware, **originate our decisions**, and they were only discovered thanks to the most advanced scientific research. **Ultimately, consciousness**, which should exercise control and assess the reasons for a choice, **is thus allegedly causally ineffective**: a mere epiphenomenon, to use the terminology of the philosophy of mind. This is what has been called Zombie Challenge, “based on an amazing wealth of findings in recent cognitive science that demonstrate the surprising ways in which **our everyday behavior is controlled by automatic processes that unfold in the complete absence of consciousness**” (Vierkant et al., 2013).

## 4

#### Paradigm for 1AR shells and independent voters:

#### a)The 2NR must overcover theory since they get 3 minute 2ar collapse on one of the layers and persuasiveness advantage of a 3 minute 2ar

#### b) Resolvability double bind—either you automatically accept 2AR responses to 2NR counter-standards which means they always win since I can't answer those responses, or you have to intervene to determine the credence you give those 2AR responses, which makes it irresolvable and unfair.

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#### RVIs – 1AR being able to spend 20 seconds on a shell and still win forces the 2N to allocate at least 2:30 on the shell which means RVIs check back time skew – outweighs on quantifiability.

1. https://www.grc.nasa.gov/www/k-12/airplane/thermo1.html [↑](#footnote-ref-1)