# Speech 1AC TOC Rd 5 vs Proof 4-24 9AM

#### Theory/paradigm issues after phil

### FW

#### The litmus test for ethics is certainty and non-arbitrariness – blurry guidelines for ethics allows agents to inconsistently understand morality or arbitrarily opt out which renders ethics useless since it can’t serve as a guide to action.

#### Thus, the meta-ethic is egoism –

#### 1] Opacity – individuals can’t access another’s perspective – we can never fully understand who someone else is or what they think so actions are based off individual desire and self-interest. Bindingness o/w – it’s the only way to determine if an ethic can motivate agents to act consistently and anything else fails as a guide to action.

#### 2] Linguistics – moral truths aren’t extrinsic facts to be discovered but indeterminate linguistic categories of artificial creation that requires a domain of discourse.

Wikipedia ND [“Domain of discourse”. Wikipedia. No Date. Accessed 1/9/22. <https://en.wikipedia.org/wiki/Domain_of_discourse> //Xu]

For example, in an interpretation of first-order logic, the domain of discourse is the set of individuals over which the quantifiers range. A proposition such as ∀x (x2 ≠ 2) is ambiguous, if no domain of discourse has been identified. In one interpretation, the domain of discourse could be the set of real numbers; in another interpretation, it could be the set of natural numbers. If the domain of discourse is the set of real numbers, the proposition is false, with x = √2 as counterexample; if the domain is the set of natural numbers, the proposition is true, since 2 is not the square of any natural number. Universe of discourse The term "universe of discourse" generally refers to the collection of objects being discussed in a specific discourse. In model-theoretical semantics, a universe of discourse is the set of entities that a model is based on. The concept universe of discourse is generally attributed to Augustus De Morgan (1846) but the name was used for the first time by George Boole (1854) on page 42 of his Laws of Thought. Boole's definition is quoted below. The concept, probably discovered independently by Boole in 1847, played a crucial role in his philosophy of logic especially in his principle of wholistic reference. Boole’s 1854 definition In every discourse, whether of the mind conversing with its own thoughts, or of the individual in his intercourse with others, there is an assumed or expressed limit within which the subjects of its operation are confined. The most unfettered discourse is that in which the words we use are understood in the widest possible application, and for them the limits of discourse are co-extensive with those of the universe itself. But more usually we confine ourselves to a less spacious field. Sometimes, in discoursing of men we imply (without expressing the limitation) that it is of men only under certain circumstances and conditions that we speak, as of civilized men, or of men in the vigour of life, or of men under some other condition or relation. Now, whatever may be the extent of the field within which all the objects of our discourse are found, that field may properly be termed the universe of discourse. Furthermore, this universe of discourse is in the strictest sense the ultimate subject of the discourse. — George Boole, The Laws of Thought. 1854/2003. p. 42.

#### 3] Psychology – research shows that evolutionary processes collapse to selfish strategies.

Baillie et al 14 [Katherine Unger Baillie (science news officer at the University of Pennsylvania) cites Alexander J. Stewart (Assistant Professor in the Department of Biology and Biochemistry @ the University of Houston) and Joshua B. Plotkin (Walter H. and Leonore C. Annenberg Professor of Natural Sciences at the University of Pennsylvania). “Penn Team’s Game Theory Analysis Shows How Evolution Favors Cooperation’s Collapse”. Penn Today. November 24, 2014. Accessed 7/29/2021. <https://penntoday.upenn.edu/news/penn-team-s-game-theory-analysis-shows-how-evolution-favors-cooperation-s-collapse> //Xu]

Last year, University of Pennsylvania researchers Alexander J. Stewart and Joshua B. Plotkin published a mathematical explanation for why cooperation and generosity have evolved in nature. Using the classical game theory match-up known as the Prisoner’s Dilemma, they found that generous strategies were the only ones that could persist and succeed in a multi-player, iterated version of the game over the long term. But now they’ve come out with a somewhat less rosy view of evolution. With a new analysis of the Prisoner’s Dilemma played in a large, evolving population, they found that adding more flexibility to the game can allow selfish strategies to be more successful. The work paints a dimmer but likely more realistic view of how cooperation and selfishness balance one another in nature. “It’s a somewhat depressing evolutionary outcome, but it makes intuitive sense,” said Plotkin, a professor in Penn’s Department of Biology in the School of Arts & Sciences, who coauthored the study with Stewart, a postdoctoral researcher in his lab. “We had a nice picture of how evolution can promote cooperation even amongst self-interested agents and indeed it sometimes can, but, when we allow mutations that change the nature of the game, there is a runaway evolutionary process, and suddenly defection becomes the more robust outcome.” Their study, which will appear in the Proceedings of the National Academy of Sciences, examines the outcomes of the Prisoner’s Dilemma, a scenario used in the field of game theory to understand how individuals decide whether to cooperate or not. In the dilemma, if both players cooperate, they both receive a payoff. If one cooperates and the other does not, the cooperating player receives the smallest possible payoff, and the defecting player the largest. If both players do not cooperate, they both receive a payoff, but it is less than what they would gain if both had cooperated. In other words, it pays to cooperate, but it can pay even more to be selfish. Stewart and Plotkin’s previous study examined an iterated and evolutionary version of the Prisoner’s Dilemma, in which a population of players matches up against one another repeatedly. The most successful players “reproduce” more and pass along their winning strategies to the next generation. The researchers found that, in such a scenario, cooperative and even forgiving strategies won out, in part because “cheaters” couldn’t win against themselves. In the new investigation, Stewart and Plotkin added a new twist. Now, not only could players alter their strategy — whether or not they cooperate — but they could also vary the payoffs they receive for cooperating. This, Plotkin said, may more accurately reflect the balancing of risk and reward that occurs in nature, where organisms decide not only how often they cooperate but also the extent to which they cooperate. Initially, as in their earlier study, cooperative strategies found success. “But when cooperative strategies predominate, payoffs will rise as well,” Stewart said. “With higher and higher payoffs at stake, the temptation to defect also rises. In a sense the cooperators are paving the way for their own demise.” Indeed, Stewart and Plotkin found that the population of players reached a tipping point after which defection was the predominant strategy in the population. In a second analysis, they allowed the payoffs to vary outside the order set by the Prisoner’s Dilemma. Instead of unilateral defection winning the greatest reward, for example, it could be that mutual cooperation reaped the greatest payoff, the situation described by a game known as Stag Hunt. Or, mutual defection could generate the lowest possible reward, as described by the game theory model known as the Snowdrift or Hawk-Dove game. What they found was that, again, there was an initial collapse in cooperative strategies. But, as the population continued to play and evolve, players also altered the payoffs so that they were playing a different game, either Snowdrift or Stag Hunt. “So we see complicated dynamics when we allow the full range of payoffs to evolve,” Plotkin said. “One of the interesting results is that the Prisoner’s Dilemma game itself is unstable and is replaced by other games. It is as if evolution would like to avoid the dilemma altogether.” Stewart and Plotkin say their new conception of how strategies and payoffs co-evolve in populations is ripe for testing, with the marine bacteria Vibrionaceae as a potential model. In these bacterial populations, the researchers noted, individuals cooperate by sharing a protein they extrude that allows them to metabolize iron. But the bacteria can possess mutations that alter whether they produce the protein and how much they generate, whether and how much they cooperate, as well as mutations that affect how efficiently they can take up the protein, their payoff. The Penn researchers said a “natural experiment” using these or other microbes could put their theory to the test, to see exactly when and how selfishness can pay off. “After this study, we end up with a less sunny view of the evolution of cooperation,” Stewart said. “But it rings true that it’s not the case that evolution always tends towards happily ever after.”

#### 4] Empirics – Best studies prove ethical differences are inevitable

Polzler and Wright 19[Thomas Pölzler and Jennifer Cole Wright- “Empirical research on folk moral objectivism” <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6686698/> NCBI. Published July 5th 2019] UT AI

Examining these studies' results more closely, however, makes it less clear whether this interpretation is appropriate (Pölzler, 2018b). Take again Goodwin and Darley's study. In this study, almost 30% of subjects' responses to the disagreement measure and almost 50% of their responses to the truth‐aptness measure fell on the option that the researchers took to be indicative of subjectivism (Goodwin & Darley, 2008, pp. 1347, 1351). Moreover, while some moral statements were dominantly classified as objective (e.g., the above statement about robbery), many others were dominantly classified as nonobjective (e.g., the stem cell research statement). This suggests that subjects in Goodwin and Darley's study may have actually favored what Wright, Grandjean, and McWhite (2013) called “metaethical pluralism,” i.e., they sometimes sided with objectivism and other times with nonobjectivism. More recent studies have by and large confirmed this hypothesis of folk metaethical pluralism. Wright et al. (2013) and Wright, McWhite, and Grandjean (2014), for example, replicated Goodwin and Darley's results, using the exact same measures, but letting subjects classify the presented statements as moral and nonmoral themselves. Objectivity ratings for statements that were dominantly self‐classified as moral varied between as little as 5% and as much as 85%. Research based on different measures yielded high proportions of intrapersonal variation as well (e.g., Beebe, 2014; Beebe, Qiaoan, Wysocki, & Endara, 2015; Beebe & Sackris, 2016; Fisher, Knobe, Strickland, & Keil, 2017; Goodwin & Darley, 2012; Heiphetz & Young, 2017; Wright, 2018; Zijlstra, forthcoming‐a).2

#### Absent a unifying force, competing truth claims are irresolvable and collapses into the State of Nature –

#### 1] Ambiguity – individuals assert differing perspectives and culminates in irresolvable conflict absent a unifying mediator which renders truth and ethics indeterminate through unending contestation.

#### 2] Violence – individuals must act in self-preservation. Without a force to provide protection, each person acts violently to defend themselves, resulting in infinite uncontrolled violence.

#### To escape the state of nature, people unite to imbue a sovereign with absolute authority to define ethics and enforce them at will.

Parrish 2 [Rick Parrish (assistant professor of Political Science at West Texas A&M University). "Derrida’s Economy of Violence in Hobbes’ Social Contract," John Hopkins University Press, Volume 7, Issue 4. 2005. Accessed 9/25/19. [https://muse.jhu.edu/article/244119/](https://muse.jhu.edu/article/244119//) //Xu]

All of the foregoing points to the conclusion that in the commonwealth the **sovereign’s** first and most **fundamental job is to be the ultimate definer**. Several other commentators have also reached this conclusion. By way of elaborating upon the importance of the moderation of individuality in Hobbes’ theory of government, Richard Flathman claims that peace “is possible only if the **ambiguity and disagreement** that pervade general thinking and acting **are eliminated by** the stipulations of **a sovereign.**”[57](https://muse.jhu.edu/article/244119" \l "f57) Pursuant to debunking the perennial misinterpretation of Hobbes’ mention of people as wolves, Paul Johnson argues that “one of the primary functions of the sovereign is to provide the necessary unity of meaning and reference for the primary terms in which men try to conduct their social lives.”[58](https://muse.jhu.edu/article/244119" \l "f58) “The whole *raison d’être* of sovereign helmsmanship lies squarely in the chronic defusing of interpretive clashes,”[59](https://muse.jhu.edu/article/244119" \l "f59) **without which** **humans would “fly off in all directions”****[60](https://muse.jhu.edu/article/244119" \l "f60) and fall inevitably into the violence of the natural condition.** It is not surprising that so many noted students of Hobbes have reached this conclusion, given how prominently he himself makes this claim. According to Hobbes, “**in the state of nature,** where **every man is his own judge**, and differeth from others concerning the names and appellations of things, **and** from those **differences arise quarrels and breach of peace, it was necessary there should be a common measure of all things, that might fall in controversy.**”[61](https://muse.jhu.edu/article/244119" \l "f61) The main categories of **the sovereign’s** tasks are “to make and abrogate laws, to determine war and peace, [and] to know and judge of all controversies,”[62](https://muse.jhu.edu/article/244119" \l "f62) but each of these duties is a subspecies of its **ultimate duty to be the sole and ultimate definer** in matters of public importance. **It is** only **through the sovereign**’s effective continued accomplishment of this duty **that the people of a commonwealth avoid the definitional problems that typify the state of nature…** Judging controversies, which Hobbes lists as the third main task of the sovereign, is the duty most obviously about being the ultimate definer. In fact, Hobbes declares it a law of nature that “**in every controversy, the parties thereto ought mutually to agree upon an arbitrator, whom they both trust; and mutually to covenant to stand to the sentence he shall give therein**.”[63](https://muse.jhu.edu/article/244119" \l "f63) As I repeatedly alluded to above, this **agreement to abide by the decision of a third party arbitrator, a sovereign** in the commonwealth, **is necessary because of the fundamentally perspectival and relative nature of persons’ imputations of meaning and value** into the situations they construct. Hobbes understands this problem, as evidenced by his claim that “**seeing right reason is not existent, the reason of some man or men must supply the place thereof; and that man or men, is he or they, that have the sovereign power”****[64](https://muse.jhu.edu/article/244119" \l "f64) to dictate meanings that will be followed by all.**

#### Only the sovereign’s power as absolute can resolve linguistic uncertainty via the rule of recognition.

Dyzenhaus and Ripstein 01 [Bracketed for Gendered Language. David Dyzenhaus (Professor of Law and Philosophy at the University of Toronto, holding the Albert Abel Chair of Law) and Arthur Ripstein (Professor of Law and Philosophy at the University of Toronto, holding the Albert Abel Chair of Law). “Law and Morality: Readings in Legal Philosophy”. University of Toronto Press (2001). Accessed 4/24/2022. <https://philpapers.org/rec/DYZLAM#:~:text=Filling%20a%20long%2Dstanding%20need,the%20general%20problems%20of%20jurisprudence>. //Xu]

This revision attributes to Hobbes the position that the rule of recogni- tion, in order to be understood to define a political regime, must have a certain content. His regress argument is therefore reinterpreted as a thesis about how the socially recognized and followed rule of recogni- tion must identify law if government is to be created: namely, that it must specify the law as the product of some kind of human will. But can we reconcile Hobbes's attack on governments founded in law with this revised position's reliance on the rule of recognition? Perhaps. Although Hobbes takes a dim view of the possibility of human beings cooperating in the interpretation of a rule, if the rule of recogni- tion is as simple and straightforward as the revised position above would make it, then even Hobbes might think it possible for human beings to agree on what it means. This is particularly true in the case of monarchical government, where the rule might simply specify one individual as ruler 14 But must a rule of recognition have this form in order to define gov- ernment effectively? And even if our post-Hartian Hobbes isn't right that a legal society must be so defined, is he right that it ought to be so defined if the ends of political society are to be effectively achieved? IV THE STRATIFICATION SOLUTION In order to begin the process of finding answers to these questions, I want to return to Buchanan's "paradox of being governed." I shall offer a solution to that paradox here,lS and then go on to use it to evaluate the effectiveness of Hobbes's arguments against rules of recognition that rely either entirely or in part on something other than human will to define law. That evaluation will then allow us to analyze and defend an interpretation of the structure of modern democratic regimes. This paradox should be solved in the same way that linguistic paradoxes are standardly solved: namely, by differentiating levels of inquiry and analysis. Consider the famous "liar's paradox," which one can illustrate with the sentence "This sentence is false." The sentence cannot be true when it tells us it is false; but if it is false, then given the assertion it is making, it would seem to be true. Tarski resolved this paradox by distinguishing two kinds of language, which he called the "object" language and the "meta" language. The meta language is used to talk about the object language but is not itself part of that language. By understanding the predicates "is true" and "is false" to belong only to the meta language, one avoids the paradox. An assertion in the object language may not involve these words, which are properly employed only as part of evaluations at the meta level. We can employ the same "stratification" solution to the paradox of being governed. Let us start by distinguishing two levels of govern- ment, the object level and the meta level. The object level is the level of laws made by those with legislative power in a regime: call this the level of the "legal system." That which defines this system is the rule of recognition — a rule that is part of the meta level, not the object level. Hart himself calls the rule of recognition a "secondary" rule, one that is about the "primary rules." So, as Hart noted, there are two kinds of laws in the legal system, the kind that defines what the system is, that is, the rule of recognition, and the kind that is created in the system, as specified by the system-defining rule. As I've discussed, if we revise Hobbes's regress argument along Hartian lines, that argument concludes that the system-defining rule must operate by identifying who the makers, interpreters, and enforcers of the primary (or "object") law are. Those who are not authorized by the rule of recognition to perform some aspect of governing would be appropriately considered "the ruled," pure and simple. But how does such a rule of recognition, even if it has the kind of content Hobbes would recommend, get to be authoritative? And who is the person or group that shall judge whether those who are ruling have respected their role as defined by the rules of recognition? These are twentieth-century versions of the questions that troubled Hobbes and Hunton. In a recent article, Jules Coleman argues that the rule of recognition is "authoritative only if there is a social practice in regard to it among relevant officials. "16 That is, it isn't authoritative insofar as it derives its validity from some higher law: "It is not valid or in some other sense correct; it just is." 17 Instead, to use Coleman's phrase, its authoritative- ness is a "social fact," and he refers to the rule as a kind of social "convention." Now surely Coleman is right that a rule of recognition is a social fact, one that sociologists or anthropologists or historians would be con- cerned to discover were they trying to understand the political society that it defined. But how is it that this social fact comes into existence, and how does that generation explain the authority of this social convention? Coleman's language above (which he takes to be suggested by Hart) seems to support the thesis that this fact is generated and maintained by the officials who are operating according to the rule of recognition. But surely this is to get the cart before the horse. The person who is identified as having a certain role in government by the rule of recognition doesn't make that law authoritative over her by obeying it; quite the contrary — it is because [they] she understands it as authoritative over [them] her that [they] she obeys it as [they] she performs that role. Of course, were she to fail to do so, she might be contributing to a weakening of that rule's authority. But whether or not this is true, if she does not obey it, she is flouting a law whose authority derives from something other than her prior obedience to it. This is only to say that, as Hart himself noted, the rule of recognition is a genuine rule, not a mere custom or social regularity but a normative requirement, and one that those who are empowered by it are obligated to respect. 18 So where does its normativity come from? Hart himself suggests that its normativity comes from those who make up the regime when he discusses the source of the "acceptance" of the rule of recognition in a legal society: "Plainly, general acceptance [of the rule of recognition] is here a complex phenomenon, in a sense divided between official and ordinary citizens, who contribute to it in different ways."19 Hart goes on to say that whereas the officials con- tribute by explicitly acknowledging what this law is, and what it means, as they play their roles in the system, in contrast, "The ordinary citizen manifests his acceptance largely by acquiescence in the results of these official operations.

#### Thus, the standard is *consistency with absolute sovereignty*.

#### Impact Calc – its procedural – we embody the position of the sovereign and use its decision-making procedure – to clarify, consequences are a sequencing question.

#### 1] Intentions First – a] sovereignty is formed when individuals cede their intrinsic rights to the sovereign, not some consequence or historical condition b] intent is the only part of the action internal to the subject, so it’s the only thing we can be held ethically responsible for under egoism

#### 2] No Extinction Calculus – a] the sovereign can’t address 1% scenarios since actions always have a chance of extinction on either side which freezes action b] empirical circumstances are interpreted differently which makes impact calculus a matter of conflicting interests but only united through the sovereign

Williams 96 Williams, Michael C. (Professor in the Graduate School of Public and International Affairs at the University of Ottawa). “Hobbes and International Relations: A Reconsideration.” International Organization, Volume 50, Number 2, pgs. 218-220. Spring 1996. <https://www.jstor.org/stable/2704077>. Cho recut from PZ

By themselves, the laws of nature are not enough, not because rational actors cannot trust each other enough to enter into a social contract but because in the condition of epistemological indeterminacy that Hobbes portrays as natural, this universality is at best a partial step. For even if all were to agree on the right to self-preservation, all need not necessarily agree on what comprised threats to that preservation, how to react to them, or how best to secure themselves against them. Conflict is not simply intrinsic to humanity's potential for aggression; nor can it be resolved directly through the utilitarian calcula- tions of competing and conflicting interests. On the contrary, Hobbes believes that the answer lies in recognizing the problem: namely, the inability to resolve objectively the problem of knowing facts and morals in any straightforward manner. Once this is recognized, the stage is set for Hobbes's solution, a solution that lies not-as Donald Hanson has argued-in a flight from politics but rather in an appeal to politics.19 Or, put another way, Hobbes tries to show how rational certainty and skepticism can be paradoxically combined into a solution for politics and a solution by politics. To escape the state of nature, individuals do not simply alienate their "right to everything" to a political authority.20 More fundamentally, what is granted to that authority is the right to decide among irresolvably contested truths: to provide the authoritative criteria for what is and thus to remove people from the state of epistemic and ethical anarchy that form the basis of the state of nature. Hobbes uses his skepticism both to show the necessity of his solution and to destroy (what he views as dogmatic) counterclaims to political authority based upon unsupportable (individual) claims to truth. In arguing against what he views as seditious individual claims against the authority of the sovereign in De Cive, Hobbes puts it in the following way: "the knowledge of good and evil belongs to each single man. In the state of nature indeed, where every man lives by equal right, and has not by any mutual pacts submitted to the command of others, we have granted this to be true; nay, [proved it] ... [But in the civil state it is false. For it was shown. . .] that the civil laws were the rules of good and evil, just and unjust, honest and dishonest; that therefore what the legislator commands, must be held for good, and what he forbids for evil. "21 Earlier in the same work, he phrased the argument even more unequivocally, noting that since "the opinions of men differ concerning meum and tuum, just and unjust, profitable and unprofitable, good and evil, honest and dishonest, and the like; which every man esteems according to his own judgment: it belongs to the same chief power to make some common rules for all men, and to declare them publicly, by which every man may know what may be called his, what another's, what just, what unjust, what honest, what dishonest, what good, what evel; that is summarily, what is to be done, what to be avoided in our common course of life." It follows that for Hobbes: "All judgment therefore, in a city, belongs to him who hath the swords; that is, to him who hath the supreme authority."22 These are the fundamental reasons why the sovereign must be unchallenge- able; to rebel is to return to the subjectively relative claim to know and the conflict that this inevitably entails. They also explain why the sovereign ultimately must control language (which defines what is) and clarify Hobbes's repeated stress on the importance of education rather than coercion as the essential element in a successful sovereign's rule.23 Interpretive dissent leads to political dissension and to conflict. In the words of Hobbes's patron, the Earl of Newcastle, "controversy Is a Civil Warr with the Pen which pulls out the sorde soon afterwards. "24

#### 3] Unjust[[1]](#footnote-1) is “not morally right; not fair”

#### A] The sole aff burden is to prove that the appropriation of private entities in the squo is unjust

#### Is means is Definition of is (Entry 1 of 4) present tense third-person singular of BE **dialectal present tense** first-person and third-person singular **of BE** dialectal present tense plural of BE

Webster ND Definition of IS," Merriam Webster, <https://www.merriam-webster.com/dictionary/is> IS

#### Dialectical present tense means logical coherence which means material consequences don’t link

Your Dictionary ND, "Dialectical Meaning," No Publication, <https://www.yourdictionary.com/dialectical> Cho

The definition of dialectical is a discussion that includes logical reasoning and dialogue, or something having the sounds, vocabulary and grammar of a specific way of speaking. An example of something dialectical is a Lincoln Douglass style of debate, where both parties argue a point in a logical order. Of, or pertaining to dialectic; logically reasoned through the exchange of opposing ideas.

#### B] Permissibility disproves the positive obligation ie not morally right which is aff ground

#### Prefer

#### 1] Performativity – the reason rounds have a winner and loser is because of the judge’s sovereign power to reconcile argumentative clash. Every framework collapse because they all require argumentative evaluation that is our framework.

#### 2] Rule Following – agents formulate an arbitrary or unique understanding of rules and it becomes impossible to verify falsity since they perceive it as legitimate. Only the sovereign solves because it is the absolute mediator of truth and conflict.

#### 3] Moral realism fails because there’s no reason why our minds would grow to track moral facts. Instead it’s more likely that moral judgments are psychological adaptations made in favor of reproductive success.

Street 6

Sharon Street. “A Darwinian Dilemma for Realist Theories of Value.” Phil. Studies 127:109-166, 2006.

The tracking account obviously posits something extra that the adaptive link account does not, namely independent [moral] evaluative truths (since it is precisely these truths that the tracking account invokes to explain why making certain evaluative judgments rather than others conferred advantages in the struggle to surviv[al]e and reproduce). The adaptive link account, in contrast, makes no reference whatsoever to evaluative truth; rather, it explains the advantage of making certain evaluative judgments directly, by pointing out how they got creatures who made them to act in ways that tended to promote reproductive success. Thus, the adaptive link account explains the widespread presence of certain values in the human population more parsimoniously, without any need to posit a role for evaluative truth.

### Advocacy

#### I affirm Resolved: The appropriation of outer space by private entities is unjust. Spec and definitions in doc.

The – “used to point forward to a following qualifying or defining clause or phrase”. Google. <https://www.google.com/search?q=the+definition&rlz=1C1CHBF_enUS877US877&oq=the+definition&aqs=chrome.0.69i59j69i64j69i61j69i60l2.2103j0j7&sourceid=chrome&ie=UTF-8>

Of – “indicating an association between two entities, typically one of belonging”. <https://www.google.com/search?q=of+definition&rlz=1C1CHBF_enUS877US877&oq=of+definition&aqs=chrome..69i57j69i60.1494j0j7&sourceid=chrome&ie=UTF-8>

Outer Space – “the physical universe beyond the earth's atmosphere”. <https://www.google.com/search?q=outer+space+definition&rlz=1C1CHBF_enUS877US877&oq=outer+space+definition&aqs=chrome..69i57j69i60.2363j0j7&sourceid=chrome&ie=UTF-8>

By – “identifying the agent performing an action.”. <https://www.google.com/search?q=by+definition&rlz=1C1CHBF_enUS877US877&oq=by+definition&aqs=chrome.0.69i59.1433j0j7&sourceid=chrome&ie=UTF-8>

#### 1] The property rights of private entities are incoherent under absolute sovereignty.

Lopata 73 [Brackets Original and for Gendered Language. Benjamin B. Lopata (B.Phil from Balliol College, Oxford). “Property Theory in Hobbes.” Political Theory, Vol. 1, No. 2 (May, 1973), pp. 203-218. Accessed 7/31/2021. <https://www.jstor.org/stable/191194?seq=1#metadata_info_tab_contents> //Xu]

Hobbes makes the sovereign absolute and self-perpetuating because he believes that it is only such a wide grant of power to the ruler that will enable him effectively to make and enforce law, thereby preventing a return to the state of nature in which life and security are so tenuous. Hobbes necessarily believes that it is the sovereign who determines property rights, since, in the state of nature, men have the right to all things, a prime cause of strife and war. In what is perhaps Hobbes' definitive statement on property, he notes (Hobbes, 1958: 148) that the sovereign possesses the whole power of prescribing the rules whereby every man may know what goods he may enjoy and what actions he may do without being molested by any of his fellow subjects; and this is it men call propriety [sic]. For before constitution of sovereign power, as has already been shown, all men had a right to all things, which necessarily causes war; and therefore this propriety, being necessary to peace and depending on sovereign power, is the act of that power in order to the public peace [sicl. These rules of propriety. or meum and tuum, and of good, evil, lawful, and unlawful in the actions of subjects, are the civil law. The vital fact, for Hobbes, is that the state of nature is a condition in which no property rights exist; since Schlatter (1951: 140) observes, "All men have a right to everything, it is impossible to conceive of this political authority as protecting men's natural rights to property." The evidence considered points to the realization that, unlike the classical liberal, who views the state as protecting natural rights to private property, Hobbes considers the sovereign as the very institution which determines all property relations. There is no private property in the absence of sovereignty; the Leviathan and private property are necessarily concomitant. One need not turn only to Leviathan to find support for this position. In De Cive, Hobbes (1949: 74) writes that since "the opinions of men differ concerning meum and tuum," it "belongs to the chief power to make some common rules for all men and to declare them publicly, by which every man may know what may be called his, what another's." Again, in A Dialogue between a Philosopher and a Student of the Common Laws of England, written toward the end of his life, Hobbes observes: Lawmakers were before that which you call own, or property of goods and lands ... for without statute-law, all men have right to all things.... You see then that no private [individual] man can claim a propriety in any lands, or other goods, from any title from any other man but the King, or them that have the sovereign power [Schlatter, 1951: 140J.

#### 2] Appropriation means exclusive and limits nations’ access – proves private entities act in conflict with the access of the sovereign.

Trapp 13, Timothy Justin. "Taking up Space by Any Other Means: Coming to Terms with Nonappropriation Article of the Outer Space Treaty." U. Ill. L. Rev. (2013): 1681. (JD Candidate at UIUC Law School)//Re-cut by Elmer

The issues presented in relation to the nonappropriation article of the Outer Space Treaty should be clear.214 The ITU has, quite blatantly, created something akin to “property interests in outer space.”215 It allows nations to exclude others from their orbital slots, even when the nation is not currently using that slot.216 This is directly in line with at least one definition of outer-space appropriation.217

[\*\*Start Footnote 217\*\*Id. at 236 (“Appropriation of outer space, therefore, is ‘the exercise of exclusive control or exclusive use’ with a sense of permanence, which limits other nations’ access to it.”) (quoting Milton L. Smith, The Role of the ITU in the Development of Space Law, 17 ANNALS AIR & SPACE L. 157, 165 (1992)). \*\*End Footnote 217\*\*]

The ITU even allows nations with unused slots to devise them to other entities, creating a market for the property rights set up by this regulation.218 In some aspects, this seems to effect exactly what those signatory nations of the Bogotá Declaration were try3ing to accomplish, albeit through different means.219

#### 3] Companies are only legitimate if they act for the Commonwealth.

Claassen summarizes in 21 [R.J.G. Claassen (Professor of Political Philosophy and Economic Ethics at the Department of Philosophy and Religious Studies of Utrecht University). “Hobbes Meets the Modern Business Corporation”. Polity. Volume 53, Number 1. January 2021. Accessed 1/24/2022. <https://www.journals.uchicago.edu/doi/10.1086/712231> //Xu]

Second, Hobbes talks more elaborately about the economic aspect of the companies of merchants. He tells us that they possess a double monopoly in selling and buying, both at home and abroad. He criticizes this monopoly for not being maximally profitable for the Common-wealth: Of this double Monopoly one part is disadvantageous to the people at home, the other to forraigners. For at home by their sole exportation they set what price they please on the husbandry, and handyworks of the people; and by the sole importation, what price they please on all foraign commodities the people have need of; both which are ill for the people. ... Such Corporations therefore are no other then Monopolies; though they would be very profitable for a Common-wealth, if being bound up into one body in forraigne Markets they were at liberty at home, every man to buy, and sell at what price he could.’ 85 While Hobbes does not explicitly declare the monopolistic character of the companies of merchants to be sufficient reason to abolish them, he clearly does introduce in this passage a public point of view: the profitability of the company for the commonwealth as a whole. This is a public purpose which is internally connected to the private purpose of this specific type of corporation—namely, the profitability of the merchants themselves. Private citizens may strive to attain their private profits, but only in such a way that it is compatible with the profitability of the commonwealth. The latter concern introduces a specific angle to look at the legitimacy of these corporations, which is additional to the general requirements of public law which hold for all citizens.

#### Private entities “A private entity relies on a small group of chosen investors in order to grow and fund their business. This could be employees, colleagues, friends, family, or even large institutional investors. Interested parties are able to support the private entity in order to help the company grow.” i.e. for private profit and not for the commonwealth.

That’s QT Company 20 [“What Are Private Entities?”. Quest Trust Company (custodian of self-directed IRAs located in Houston, Austin, and Dallas, Texas with clients Nationwide. Quest Trust Company, is the leading provider of self-directed retirement account administration services. Quest Trust Company has been in business since 2003 with over $2 Billion in assets under management. As a neutral party, Quest Trust Company does not offer any investments and therefore has no conflicts of interest with what our clients want to do with their IRAs). September 28, 2020. Accessed 12/17/21. <https://www.questtrustcompany.com/2020/09/28/what-are-private-entities/> //Xu]

### Method

#### 1] 1AR theory is legit – anything else means infinite abuse

#### – drop the debater – 1AR is too short to make up for the time trade-off

#### – no RVIs – 6 min 2NR means they can brute force me every time

#### – competing interps – reasonability narrows the theory debate to one issue of brightline, making it easy for the Neg to collapse to the issue in the long 2NR

#### – 1AR theory is the highest layer – the NC has 7 minutes to be abusive and 6 minutes to leverage the abuse against 1A theory in the 2N, making checking abuse lexically impossible

#### 2] Give me new weighing in the 2AR for 1AR shells – I don’t know what arguments will be read in the 2NR so 1AR weighing is impossible as I don’t know what to weigh against.

#### 3] Affirm if I win offense to a counterinterp

#### A] Timeskew – 6 Minute 2NR with collapse to whatever I undercover means that you can win theory and substance, but I need to go for both in half the time and split it between the 2 layers.

#### B] Reciprocity – you get T and theory so I should get theory and an RVI to make the burden reciprocal.

#### 4] Nothing has triggered it, but presumption and permissibility affirm –

#### a) We always default to assuming something true until proven false ie if I told you my name is Daniel you would believe me

#### b) If agents have to justify why every action is morally good we would have to justify actions that are morally neutral ie drinking water

#### c) Lack of offense means it’s ok to do something, but it’s never okay to do something which is prohibited which means that the neg has to win offense.

#### d) logic- if its permissible to do P, then you don’t have an obligation to do not P by definition.

**Paraphrasing McNamara** [Paul McNamara (Associate Professor of Philosophy @ the University of New Hampshire). “Deontic Logic.” Stanford Encyclopedia of Philosophy. First published Tue Feb 7, 2006; substantive revision Wed Apr 21, 2010. Accessed 11/16/19. [. https://archive.md/z26Yy /](https://plato.stanford.edu/entries/logic-deontic//) Xu]

The five normative statuses of the Traditional Scheme are:[[4](https://plato.stanford.edu/entries/logic-deontic/notes.html" \l "4)] it is obligatory that (OB) it is permissible that (PE) it is impermissible that (IM) it is omissible that (OM) it is optional that (OP) The first three are familiar, but the fourth is widely ignored, and the fifth has regularly been conflated with “it is a matter of *indifference* that p” (by being defined in terms of one of the first three), which is not really part of the traditional scheme (more below). Typically, one of the first two is taken as basic, and the others defined in terms of it, but any of the first four can play the same sort of purported defining role. The most prevalent approach is to take the first as basic, and define the rest as follows: PEp ↔ ~OB~p IM*p* ↔ OB~*p* OM*p* ↔ ~OB*p* OP*p* ↔ (~OB*p* & ~OB~*p*).

#### Thus, if you do not have an obligation to do not P, then you have an obligation to do P by the Law of Double Negation.

#### E] empirics

**Shah 19,**[Shah, Sachin. “A STATISTICAL ANALYSIS OF SIDE-BIAS ON THE 2019 JANUARY-FEBRUARY LINCOLN-DOUGLAS DEBATE TOPIC.” NSD Update, National Symposium of Debate, 16 Feb. 2019, <http://nsdupdate.com/2019/a-statistical-analysis-of-side-bias-on-the-2019-january-february-lincoln-douglas-debate-topic/> ]//LHPSS accessed 9/4/19

As a final note, it is also interesting to look at the trend over multiple topics. In the rounds **from** 93 TOC bid distributing tournaments (**2017 – 2019** YTD), **the neg**ative **won 52.99% of ballots** (**p-value < 0.0001)** and 54.63% of upset rounds (p-value < 0.0001). **This suggests the bias might be structural, and not topic specific, as this data spans six different topics.**

#### 5] Ideal theory is good – it promotes advocacy skills and helps us envision what we want structural reforms to do for the world.

Stemplowska and Swift ‘12

Stemplowska, Zofia, and Adam Swift. “Ideal and Nonideal Theory.” Oxford Handbooks Online, 2012, doi:10.1093/oxfordhb/9780195376692.013.0020. <http://www.oxfordhandbooks.com/view/10.1093/oxfordhb/9780195376692.001.0001/oxfordhb-9780195376692-e-20>. [Stemplowska is an Associate Professor of Political Theory and a former lecturer in Political Theory and Political Philosophy. Adam Swift is a professor of Political Theory at the University of Warwick and the Founding Director of the Centre for the Study of Social Justice at Oxford.]

“Suppose our ideal theory correctly identifies the long-term goal we want to achieve. We know from Rawls that this goal is realistic, in the sense that it is achievable, if only in the long, perhaps very long, run. As he says, ideal theory probes ‘the limits of practicable political possibility’ (2001, 4, 13). Why would knowing this long-term goal be irrelevant to us here and now? It would be irrelevant if we were simply not interested in long-term goals, but this seems implausible. Or it would be irrelevant if we had reason to believe that all roads led, equally quickly and efficiently, to the long-term goal. But, for any given long-term goal, it seems very unlikely that it would be equally well pursued by all incremental short-term reforms. And in any case, how could we have reason to believe that all roads led to it if we had not yet identified what the long-term goal was? As A. J. Simmons (2010) has argued, without knowing our long term goal, a course of action that might appear to advance justice, and might indeed constitute a shortterm improvement with respect to justice, might nonetheless make less likely, or perhaps even impossible, achievement of the long-term goal. There is, then, some ambiguity in what it means for a reform to constitute an improvement with respect to, or progress toward, the ideal. In mountaineering, the climber who myopically takes immediate gains in height wherever she can is less likely to reach the summit than the one who plans her route carefully. The immediate gains do indeed take her higher—with respect to altitude she is closer to the top—but they may also be taking her away from her goal. The same is true of normative ideals. To eliminate an injustice in the world is surely to make the world more just, but it could also be to take us further away from, not closer toward, the achievement of a just society. Rawls, as we have seen, sees ideal theory as having both a ‘target’ role and an ‘urgency’ role, each of which can guide us when we engage in nonideal theory: It tells us where we are trying to get to in the long run, but it also informs our justice-promoting attempts here and now by providing the basis on which to evaluate the relative importance or urgency of the various ways in which the world deviates from the ideal. Even if Sen is right that we do not need ideal theory to do the latter, Simmons is right that we do need it for the former.”

#### 6] Universalism and ideal values are radical because they are accessible – ideal theory is a way to rework the status quo and direct it towards radical reforms.

Holmstrom ‘12

Holmstrom, Nancy. “Response to Charles Mills's ‘Occupy Liberalism!".” Radical Philosophy Review, vol. 15, no. 2, 2012, pp. 325–330., doi:10.5840/radphilrev201215223. <https://www.pdcnet.org/pdc/bvdb.nsf/purchase?openform&fp=radphilrev&id=radphilrev_2012_0015_0002_0325_0330>. [Professor Emeritus and former chair of the Philosophy Department at Rutgers University.]

“We have to speak to people where they are, he says, and that means appealing to core values of liberalism: individualism, equal rights and moral egalitarianism. Against what he calls the conventional wisdom among radicals, he argues that there is no inherent incompatibility between these values and a radical agenda. If these values are suitably interpreted, I think he is absolutely right. Over two hundred years ago, Mary Wollstonecraft and Toussaint Louverture took the abstract universalistic principles of the French Revolution and extended them to groups they were intended to exclude. Gradually and incompletely women and blacks and landless men have achieved the democratic rights promised to all (in words) by the anti-feudal revolution. So I agree with Charles that such universalistic principles have great value; even if usually applied in self-serving ways, they have a deeply radical potential and it would be foolish of radicals to reject them, any more than we should reject all of the technological developments of the Industrial Revolution which also developed with the rise of capitalism. In fact, few American radicals have rejected these aspects of liberalism in their political practice but have been their strongest champions since the Revolution; socialists of all kinds helped to build the labor and civil rights movements.”

#### 7] Ideal theory and concrete perspectives are not an either/or choice – it’s only through their integration that ethics becomes truly accessible.

Benhabib ‘94

Benhabib, Seyla. “In Defense of Universalism. Yet Again! A Response to Critics of Situating the Self.” New German Critique, no. 62, 1994, pp. 173–189. JSTOR, JSTOR, [www.jstor.org/stable/488515](http://www.jstor.org/stable/488515). [Professor of Political Science and Philosophy at Yale. Internationally lauded author who has written many books on the integration of normative and material worlds.]

“In their generous and illuminating comments on Situating the Self, by contrast, James Sterba and Iris Young do not focus on what may be termed meta-ethical issues concerning the logic of normative justification, as Peter Dews has done. On the basis of broad agreement with a dialogically reformulated universalist ethics, they analyse the same central issue: my attempt to give a different account of the dialogical ethical standpoint from both Rawls's contractualism and Habermas's restrictive ‘ideal speech situation.’ Sterba as well as Young remark that the integration of the standpoints of the ‘generalized’ and ‘concrete other’ is central to this reformulation. According to the standpoint of the generalized other, each individual is a moral person endowed with the same moral rights as ourselves; s/he is capable of a sense of justice, of formulating a vision of the good, and of engaging in activity to pursue the latter. The standpoint of the concrete other, however, enjoins us to view every moral person as a unique individual, with a certain life history, disposition, and endowment, as well as needs and limitations. I envision the relationship of the standpoints of the generalized and the concrete other along the model of a continuum. In the first place, there is the universalist commitment to considering every human individual as a being worthy of moral respect. This norm is institutionalized in a democratic polity through the recognition of civil, legal, and political rights. The standpoint of the concrete other, by contrast, is implicit in those ethical relationships in which we are always already immersed in the lifeworld. To stand in such an ethical relationship as a parent, sister, brother, or spouse means that as concrete individuals we know what is expected of us by virtue of the kinds of social bonds which tie us to the other.”

1. https://dictionary.cambridge.org/us/dictionary/english/unjust

   [↑](#footnote-ref-1)