**1**

**Kantian philosophy excludes disabled people from participating.**

**Wasserman et al**

Wasserman, David, Asch, Adrienne, Blustein, Jeffrey and Putnam, Daniel, "Cognitive Disability and Moral Status", *The Stanford Encyclopedia of Philosophy* (Fall 2013 Edition), Edward N. Zalta (ed.), URL = <http://plato.stanford.edu/archives/fall2013/entries/cognitive-disability/>.

A second approach, derived from or inspired by Kant, sees moral status in terms of the respect demanded by the possession of one or more attributes, such as **autonomy or rational agency** (e.g., Korsgaard 1996). **This** approach **regards the possession of** an autonomous will as conferring dignity and demanding respect, so that a being with such a will must not be treated as a mere means, but as an end. T**his Kantian conception of full moral status** is often regarded as a paradigm, in **identifying an attribute that does not vary continuously**,[5] and **whose possession** appears to **have clear moral implications**. The threshold for moral status set by many Kantian accounts is a high one. If **those accounts regard the capacity for autonomy as the threshold for full moral status, and** if they understand that **capacity as grounding moral status in moral responsibility,** then a since “**there is nothing** for which **we would hold** human infants or **severely cognitively disabled adults morally responsible, it is argued, such humans must lack Kantian moral status**” (Kain 2009, 66).[6] Even if humans did not need to be held morally responsible to enjoy full moral status, many would still lack the capacity for autonomy that seems essential on any Kantian account. A third approach, associated with contractualism, sees moral status in terms of the attributes needed for membership in a moral community, or for participation in relationships of mutual recognition and concern.[[7]](http://plato.stanford.edu/entries/cognitive-disability/notes.html#7) It is the capacity for forming such relationships, not their actual formation, which grounds full moral status. A cognitively normal human being would have such status even if he were abandoned on a desert island. **This approach**, the most clearly symmetrical, **treats certain attributes as necessary for moral status not because their mere possession generates moral obligations**, but because they are requisites for the kind of relationships in terms of which the proponents of this approach understand moral obligations. **This requirement may appear to give cognitive and psychological attributes a more instrumental role** than they are assigned by the second approach. It's not that their mere possession demands respect, but that they enable their possessors to form relationships of which mutual respect is an integral part. Though relationship- or community-based accounts differ conceptually from respect-based accounts, they differ little in practical terms. They will identify different human beings as having full moral status only if humans can have the cognitive or other psychological capacities held to be necessary for respect but lack the empathy or motivation held to be necessary for membership in a moral community (or vice-versa). For example, a moral-community account might exclude psychopaths. But so might a respect-based account, if it denied psychopaths autonomy because they lacked the capacity to be motivated by a sense of duty, or more broadly, a capacity to recognize and act on moral reasons (see Shoemaker 2007). A respect-based account might also exclude psychopaths if it attributed their moral deficits to severe disabilities in practical reason. Relationship- or community-based accounts would, like Kantian ones, appear to set a very high threshold for full moral status. **The greater the moral accountability demanded by** the relationship or community, **the more difficult** it may be to claim that **human beings with** radical cognitive **impairments are capable of participation**.

**Reject philosophies that have a dominant conception of personhood. Philosophies rooted in the notion of intellectual function exclude disabled bodies and privileges those with perceived ability.** **MIT**

“The Moral Status of the Profoundly Disabled: Personsor something less?” <http://mitpress.mit.edu/sites/default/files/titles/content/9780262513272_sch_0001.pdf>

If the potential importance of personhood to shaping the rights of the pro- foundly disabled is acknowledged, then the issue becomes the criteria for personhood. **A central task of moral philosophy is to identify a set of char- acteristics that distinguish “persons” from other living beings**.21 That task is not necessarily confined to distinguishing human beings from nonhu- man animals. Considerable controversy exists about whether all live hu- man beings qualify as persons (with concomitant full moral status). A number of **philosophers contend that personhood requires a level of intel- lectual function that would exclude some or all profoundly disabled be- ings**. **For those philosophers, neither mere existence as a human being nor sentience (capacity for pleasure and pain) suffices for personhood.** While many philosophers regard high intellectual function as the princi- pal determinant of personhood (and as the element that gives humans spe- cial moral value), there is no consensus about the precise level of intellectual function that is necessary and sufficient to confer personhood. Some philosophers look to autonomy and rationality (capacity to reflect and act on reason) as the key determinant.22 Others demand greater intellectual ca- pacity, such as a capability to make life plans and projects or a capability to communicate with others by language. Some go further and demand moral agency—the capacity to ponder and grasp moral principles—as a ￼￼prerequisite to personhood.23 Along those lines, Tom Beauchamp reserves moral personhood to those who “understand moral reciprocity and com- munal expectation.”24 At a less demanding level, some philosophers look to self-consciousness—awareness of personal identity over time—as the key element.25 Self-consciousness is sometimes given a refined meaning— “reflective consciousness”—under which a person must not only be aware of self but also aware of having personal experiences. James Walters goes further, including in his definition of self-consciousness “the capacity to be aware of one’s distinctive self as a relatively autonomous being among other such selves.”26 **Any position viewing high intellectual capacity of the human mind as the key to personhood and concomitant full moral status would exclude some profoundly disabled beings.** Some profoundly disabled people are so severely neurologically damaged that they cannot reason or communicate, although they can experience pleasure and pain.27 Others have the capac- ity for rudimentary autonomy, yet their mental function is so limited that they cannot qualify as moral agents: “Ethical reasoning depends upon cer- tain kinds of cognitive as well as emotional capacities, including complex intellectual skills required to universalize and empathize.”28 Even a less de- manding standard than moral agency—**one that requires psychological continuity (a consciousness of personal identity over time)—would ex- clude** at least some profoundly **disabled beings from personhood**.29 This would especially be so under a definition of self-consciousness that re- quires “reflective consciousness” as opposed to mere sensory awareness of self and of an environment.30 The status of a profoundly disabled be- ing would also be uncertain under a view that treats capacity for human relationships as the key to personhood.31 The nature of the intellectual or emotional capacities deemed critical to human relationships would then determine the status of profoundly disabled beings. Other philosophical conceptions of the criteria necessary for person- hood are more expansive and would clearly encompass the profoundly dis- abled (even if they would exclude some other human beings). One example is a position that accords personhood to any conscious human being who is capable of interacting on any level with other humans.32 While perma- nently unconscious humans would then be excluded from personhood,33 virtually all profoundly disabled humans would be included despite their very limited cognitive capacity. Another expansive position acknowledges the personhood of any human being who is sentient and capable of expe- riencing pleasure or pain.34 An even more expansive position—one that is often grounded in a religious perspective—upholds the intrinsic value of any live human being, even a permanently unconscious one.35 Such a po- sition would accord full moral status and concomitant rights to any live human being, no matter how profoundly disabled.

**The alternative is to vote negative to endorse an “ethics of disability” instead of kantianism. A system of ethics that starts from the experiences and values of disabled people instead of traditional exclusionary ethics. To clarify it is a plan inclusive kritik, I endorse the entirety of the aff absent their use of utilitarianism.**

**Jarman 2**, Michelle. "Disability Studies Ethics: Theoretical Approaches for the Undergraduate Classroom." *University of Hawaii*, U of Hawaii, scholarspace.manoa.hawaii.edu/bitstream/10125/58368/750.pdf. Accessed 12 Oct. 2020.

Disability studies scholars and rights activists, in their shared commitment to challenge stigmas around physical and cognitive impairments and advocate for full integration, self determination, and maximum civic participation of disabled people, often find themselves engaged in reconfiguring ethical theory, debate, and action. **At the heart of disability studies lies an ideal of social participation for all people**, to the fullest extent possible, regardless of impairment diagnosis. **This ideal positions disabled and nondisabled people as moral and legal equals, and does not formulate citizenship or personhood standards around rationality, independence, or self-sufficiency,** as many ethical and social justice theories have done traditionally. In challenging physical and cognitive norms—as these have been defined and enforced—as well as historical exclusions of people with disabilities, **an ethics of disability demands an expansion of long-standing conceptualizations of human embodiment and conscious engagement. Discussing ethics from a disability perspective becomes all the more urgent and complex as we look at some of the most polarizing debates about human life,** such as selective abortion, euthanasia, and the potential eugenic outcomes of prenatal testing and genetic technological advances. As many scholars in the field have pointed out, **much of the medical and popular media representations of these debates have privileged cure and eradication of disability over attitudinal change and greater efforts to integrate and support the access needs of disabled people** (Wendell, 1996; Parens & Asch, 2000; Glover, 2006). At the University of Wyoming, as faculty members in the newly established undergraduate minor in disability studies1 considered the layered ethical conversations that would inevitably arise within undergraduate courses, we decided to integrate ethical components across the core courses and popular electives of the curriculum2 . This essay introduces some of the pedagogical and theoretical approaches we are implementing by looking closely at some of the disability ethics content in three distinct courses. The first, Introduction to Disability Studies, is a required survey course, where students are encouraged to extrapolate the driving ethical commitments of disability studies within a social justice context. The second elective course, Women with Disabilities, focuses on feminist approaches and multiple perspectives of disabled women. This course provides a unique location to explore care ethics and to introduce a few of the productive complications disability studies has introduced to feminist theories. The final required course, Supports and Services, provides students with opportunities to meet service professionals, disabled clients and activists, and policy experts who provide first-hand accounts of how local and national support systems operate. In addition, students are exposed to broader theories of human rights, social justice, and vulnerability, and are encouraged to use these critical lenses to analyze the ethical guidelines within their own fields or professions. The ultimate goal is to provide students in the minor with a comprehensive understanding of the principles animating disability studies, and with the tools for articulating and integrating these values into an active ethical practice in their professional lives—within and beyond academia. Articulating an Ethics of Disability As an interdisciplinary field of inquiry, disability studies draws upon many areas of scholarship to inform its ethical commitments. The introductory survey class reflects this diversity by encouraging students to identify and cull out from our course readings some of the foundational ethical principals informing disability studies. Drawing upon leading scholars and activists in the field, students investigate critiques of the medical and moral models, and explore the political salience of the British social model and the minority/civil rights model that has emerged in the United States. As the perspectives of disabled people are moved to the center, students come to realize how marginalized these voices are in mainstream public discourse, and how meanings of disability have been shaped by limiting cultural narratives built around individual tragedy, charity, and heroic overcoming. From the outset, students are introduced to the ideals driving disability studies and disability rights, such as claims to full personhood and respect, maximum integration, and appreciation of dependencies and interdependencies. The importance of putting these ideals into practice are most salient as students are exposed to historical and contemporary exclusions of people with disabilities, the potentially oppressive power of medical authority, and the pervasive stereotypes that continue to cast disability as individual medical tragedy, moral punishment, or villainous attribute. As students begin to unpack the medical model, they are often struck by the power of the concept of normal to stigmatize and exclude people with disabilities. Linton (1998) has explained this process in the following way: “The medicalization of disability casts human variation as deviance from the norm, as pathological condition, as deficit, and significantly, as an individual burden and personal tragedy” (p. 11). Davis (1999) has elaborated further, pointing out that the very idea of normal, codified during the eugenics period, is relatively new. With the institutionalization of the bell curve in the early twentieth century, Davis has suggested, “The concept of normality…created an imperative to be normal” (p. 504) by drawing stark lines between so-called normal and abnormal bodies. Readings from such scholars push students to reevaluate their own assumptions about normalcy, and many uncover conceptual exclusions within their own thinking that become illuminating. The perspective shift from the medical to the social model, as well, is quite noticeable in the classroom. Wendell (1996) has captured the nature of this shift in The Rejected Body: "One of the most crucial factors in the deconstruction of disability is the change of perspective that causes us to look in the environment for both the source of the problem and the solutions” (p. 46). The invitation to look at specific environments allows students with and without disabilities to actively participate in locating barriers and suggesting ideas for more inclusive practices. As we explore the nature of disability oppression and prejudice, students are also encouraged to approach the insights of disability studies as generative, and applicable to human experience more broadly. In this vein, we begin to focus on the ways that **values produced by disability perspectives might enhance social theories, philosophical ideals, and cultural practices.** In his classic essay on disability culture, Longmore (1995) has delineated the provocative nature of disability values: “**[P]eople with disabilities have been affirming the validity of values drawn from their own experience. Those values are markedly different from, and even opposed to, nondisabled majority values.** They declare that **they prize not self-sufficiency but selfdetermination, not independence but interdependence, not functional separateness but personal connection, not physical autonomy but human community** (p. 36). In this formulation, **Longmore has rightly drawn upon the experience of disabled people as an alternative “source of values and norms”** (p. 36), and this provides an excellent starting point to discuss some of the major ethical traditions in philosophy, especially to investigate where the dominant assumptions critiqued above have originated, and how these theories continue to influence contemporary ideas and practices around disability. While our foray into philosophy is admittedly superficial, students are introduced to key ethical theories and encouraged to think about concepts and exclusions that might affect people with disabilities. Initially, the class considers the differences between consequentialist (teleological) and nonconsequentialist (deontological) theories (Thiroux, 1998). Consequentialist theories such as egoism, and act and rule utilitarianism, share a focus upon consequences of actions, and determining rules or personal actions in order to bring about beneficial consequences. Nonconsequentialist theories, such as intuitionism, Kant’s duty ethics, and virtue ethics, differ in many ways but broadly share the assumption that human beings have an internal moral guide, or that they have the capability, through reason, to develop moral rules and abide by them. Such theories see ethics as a process of internal intuition or reflective learning. For the purposes of this paper, I’ll outline a few of the questions disability studies brings to the discussions of a representational theory in each category: utilitarianism and Kant’s duty ethics.

**The role of the ballot is to vote for the best method to reject ableism.**

**We need to deconstruct ableism in an educational setting.**

**Nocella**, Anthony. "Emergence of Disability Pedagogy." *University of Syracuse*, U of Syracuse, www.jceps.com/wp-content/uploads/PDFs/6-2-05.pdf. Accessed 12 Oct. 2020.

It is without a doubt that **education is liberation and when individuals are marginalized**, segregated, and have no access to education, there exists, as Paulo Freire the founder of critical pedagogy would note, oppression (1997). People are of course oppressed for a diversity of reasons -- race, class, gender, age, nationality, ethnicity, religion, sexuality, and ability. Ability is the foundation of the justification of the term and philosophy of disability, while disability has been the justification to kill, test on, segregate, abort, and abandon. Oppression is a universal experience that is felt by everyone at one time or another. What must be stressed is that the cause and experience of oppression is not universal, it is personal, while social, political and economic. **The central task of** critical theorists and **critical pedagogues is to analyze and identify the cause, justification, and history of particular oppressions and to provide space for experiences of that oppression to be heard and understood.** We must challenge the systematic domination of all, which creates experiences of oppression, suppression, and repression. Sara Bareilles, the singer of ―Love Song‖ expresses a brilliant, poetic, simple and succinct, experience of oppression in the opening of her song: Head under water, And they tell me to breathe easy for a while. The breathing gets harder, even I know that. This is the essence of the experience of oppression, where the dominator similar to that of a doctor (i.e., expert) says, ―Relax, it‘s not too bad,‖ even though the dominator has never been dominated in such that manner, i.e., felt this experience before. Another classic case is when one individual emotionally hurts another and then says, ―I did not hurt you.‖ This statement, like the lyrics of the song, takes away the ownership of the experience, which is the central understanding and empowerment of knowing one is oppressed. **If one does not critically understand they are oppressed** and the state that they are in**, they can never** want or **wish to be liberated and become free. Therefore, to control others is to take away their experience, for their experience is what unites them to create a collective identity, which aids in developing a social movement.** Recently critical scholarship on disability has been undertaken by people that are ―disabled‖ and allies around the world, while still in its infancy disability studies is making an explosive appearance across college campuses on a global scale. Linton in the beginning of her book ―Claiming Disability. Knowledge and Identity, ‖ writes that disability studies is, a location and a means to think critically about disability, a juncture that can serve both academic discourse and social change. Disability studies provides the means to hold academics accountable for the veracity and the social consequences of their work, just as activism has served to hold the community, the education system, and the legislature accountable for disabled people compromised social position. (1998, pp.1-2) Anthony J. Nocella II P a g e | 78 She goes on to write, The field explores the critical divisions our society makes in creating the normal versus the pathological, the insider versus the outsider, or the competent citizen versus the ward of the state. It is an interdisciplinary field based on a sociopolitical analysis of disability and informed both by the knowledge base and methodologies used in traditional liberal arts. Disability studies have emerged as a logical base for examination of the construction and function of ‗disability.‘ (1998, p. 2) Therefore, as Linton notes,disability studies is not an approach or based on the classroom, but a dynamic philosophy looking at the macro socio-economically constructed relationships which create the dominator versus the dominated.Linton, Mello and O‘Neill state that, disability studies challenges the idea that the social and economic status and assigned roles of people with disabilities are inevitable outcomes of their condition, and idea similar to the argument that women‘s roles and status are biologically determined. But disability studies goes beyond cataloguing discrimination and arguing for social change. It challenges the adequacy of the content and structure of the current curriculum. As with women‘s studies, disability studies redresses omitted histories, ideas, or bodies of literature and also analyzed the construction of the category ‗disability,‘ the impact of that construction on society, and on the content and structure of knowledge. (Linton, Mello & O‘Neill, 1995) Disability studies is further defined by Linton (1993), Disability Studies reframes the study of disability by focusing on it as a social phenomenon, social construct, metaphor, and culture utilizing a minority group model. It examines ideas related to disability in all forms of cultural representations throughout history, and examines the policies and practices of all societies to understand the social, rather than the physical or psychological, determinants of the experience of disability. Disability Studies both emanates from and supports the Disability Rights Movement, which advocates for civil rights and self-determination. This focus shifts the emphasis from a prevention/treatment/remediation paradigm, to a social/cultural/political paradigm. This shift does not signify a denial of the presence of impairments, nor a rejection of the utility of intervention and treatment. Instead, Disability Studies has been developed to disentangle impairments from the myth, ideology, and stigma that influence social interaction and social policy. The **scholarship challenges the idea that the economic and social statuses and the assigned roles of people with disabilities are inevitable** outcomes of their condition. (1993) In what follows **[there] is a critical engagement of dissecting the history and definition of disability on how it is used to oppress, dominate, repress, and suppress others and an emergence of a new pedagogy for those identified as disabled.** Dissecting Disability

**Fiat ignores social change that happens outside the state. Non-state politics are necessary and effect people in their day-to-day lives. Very few debaters become policy makers, but we can all engage in social change.** **Traber**, Becca. “Fiat and radical Politics.” Nsdupdate. January 17, 2018. Web. <http://nsdupdate.com/2018/fiat-and-radical-politics-by-becca-traber/>

**Insisting on fiat** in all cases functionally **means** that **we cannot run arguments about politics outside the state** without radically distorting the nature of that politics. Many debaters assume that the only “practical” or “pragmatic” politics occur through the state. However, this is not the case. Things like the feminist **movements** intervention **on norms** of sexual harassment **are examples of politics outside the state.** Collapsing the recent backlash to sexual harrasment precipitated by Harvey Weinstein and others to possible state action ignores that **the state could not** possibly **intervene** in an **adequate[ly]** way to change those norms. The norms about sexual behavior in the workplace must change, but they can only reasonably change through politics engaged outside the state. Thinking of it in terms of state **politics conceals the necessity of non-state politics.**This is uniquely bad because the reality of the situation is that the percentage of debaters who will have a chance to be internal to the state is minuscule, but **all debaters could** plausibly **engage in non-state movement politics.** All the evidence that people read in favor of fiat and state-based implementation makes education claims that assume the necessary training one needs to engage in politics involves thinking about the state, but fiat is not the tool to do that. Fiat doesn’t ask us to think about how to engage in politics as citizens who live under a state, it asks us to pretend that we are the state. In a real way, it is also inadequate as a way of roleplaying a policy-maker, because the reality of politics as a legislature is significantly more complicated than being able to wave a magic wand and implement whatever policy is wanted. Fiat is a construction where we don’t even roleplaying as a human, much less as plausibly political actors.

**2**

**Interpretation: The affirmative must defend the implementation of the resolution via the enactment of a hypothetical policy action.**

**Resolved means a policy action.**

**Louisiana State Legislature**. "Legislative Glossary." *Louisiana State Legislature*, www.legis.la.gov/legis/Glossary.aspx. Accessed 29 Jan. 2022.

**Resolution**

**A legislative instrument that generally is used for making declarations, stating policies, and making decisions where some other form is not required. A bill includes the constitutionally required enacting clause; a resolution uses the term "resolved".** Not subject to a time limit for introduction nor to governor's veto. ([Const. Art. III, §17(B)](https://www.legis.la.gov/legis/Law.aspx?d=206413) and [House Rules 8.11](https://www.legis.la.gov/legis/Law.aspx?d=113366), [13.1](https://www.legis.la.gov/legis/Law.aspx?d=113215), [6.8](https://www.legis.la.gov/legis/Law.aspx?d=113341), and [7.4](https://www.legis.la.gov/legis/Law.aspx?d=113358) and [Senate Rules 10.9](https://www.legis.la.gov/legis/Law.aspx?d=180372), [13.5](https://www.legis.la.gov/legis/Law.aspx?d=180415) and [15.1](https://www.legis.la.gov/legis/Law.aspx?d=180476))

**Resolved with a colon means a policy action.**

**U.S. Army Institute for Professional Development**. "Principles of Word Usage, Punctuation, Capitalization, and Spelling." *Effective Army Writing Subcourse Number IS1460 Edition A*, <https://rdl.train.army.mil/catalog-ws/view/100.ATSC/5D2BDA88-E8E5-4119-89D1-3FC243778F94-1308929329079/is1460/ch4.htm>. Accessed 29 Jan. 2022.

*The colon.* The colon is a mark of anticipation. **The material which follows the colon illustrates, restates, or depends on that which precedes the colon.** (1)  **Colons introduce**: A list, but only after as follows, the following, or a noun for which the list is an appositive: Each soldier will carry the following: MREs for three days, a survival knife, and a sleeping bag. The division had four new officers: Lieutenants Smith, Tucker, Fillmore, and Lewis. A long quotation (one or more paragraphs): In *The Killer Angels* Michael Shaara wrote: "You may find it a different story from the one you learned in school. There have been many versions of that battle [Gettysburg] and that war [the civil War]." The brackets indicate that the comment was added by the person quoting the author. A formal quotation or question: The President declared: "The only thing we have to fear is fear itself." The question is: What can we do about it? A second independent clause which explains the first: Potter's motive is clear: he wants the assignment. After the introduction of a business letter: Dear Sirs: or Dear Madam: The details following an announcement: For sale: Large lakeside cabin with dock. **A formal resolution, after the word *resolved*: Resolved: That this council petition the mayor** . . . . The words of a speaker in a play: Macbeth: She should have died hereafter.

**Standards:**

**1. Ground: The resolution is a policy action asking whether *the government should prevent private entities* from appropriating outer space. This is core to most neg ground, i.e. phil NCs about coercion, disads about state interference in the private sector, etc. The aff just magically fiats that private corporations stay out of space, which kills neg ground because the neg is limited to only arguments that prove companies should proactively appropriate space.**

**Fairness is a voter because the ballot makes debate a game and without fairness you’re voting for the better cheater not the better debater.**

**Fairness:**

**DTD:**

**No RVIs:**

**CI:**

**3**

**Reject 1AR Theory:**

**1. It gives them a 7-6 time skew.**

**2. All of the responses to my counterinterp will be new which means the aff has a massive structural advantage, since they just get to make up random turns against the counterinterp and auto win.**

**3. You get two speeches on it and I only get one.**

**4. Worst case scenario use reasonability and drop the argument on 1AR shells, this is especially key since it prevents them from blitzing like 8 1AR shells and auto winning every round. This checks infinite abuse because you can beat abusive practices with theory.**

**5. On Infinite Abuse:**

**a) If they leverage this make them meet an infinite abuse brightline in the 1AR.**

**b)You have other metrics of uplayer which check without the setbacks.**

**c)Spikes solve, you can just preempt what would be infinitely abusive.**

**6. Reject AC paradigm issues, make them justify specific paradigm issues in the 1AR and let the 2N respond. This is key because I don’t know whether or not to respond to the paradigm issues without seeing the shell. Additionally, I shouldn’t have to answer them in the NC since I either respond to them and waste time, or drop them and you read like 10 shells.**

**7. Neg Shells Outweigh**

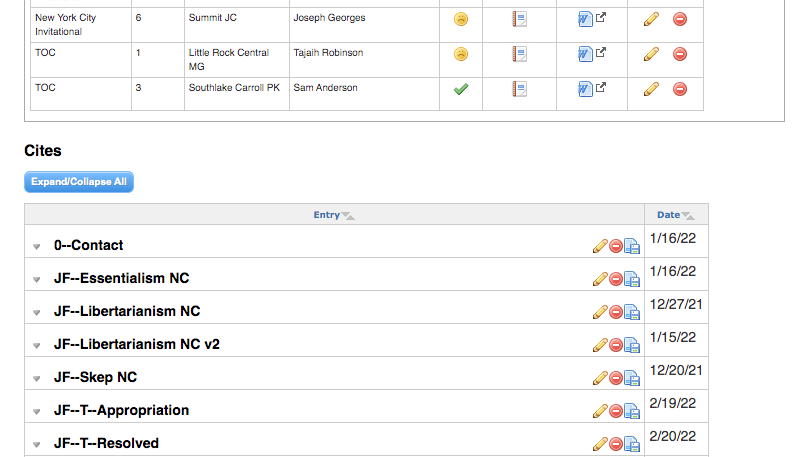
**a) Aff abuse justifies neg abuse, my strategy was designed in response to your aff which means the abuse is your fault.**

**b) It’s more tested, since we have more time and speeches on the shells to flush them out.**

**c) Cross apply how 1AR shells are massively aff skewed.**

**8. No 1AR weighing on 1AR shells because it means any weighing arg I drop is an auto loss since it gets blown up in the 2AR with no 3NR to reconcile.**

**On Case**

****