# R4 Harvard 1N vs. Mahtomedi SS

## Offs

### Theory

#### Interpretation: All 1AC standards must delineate

#### What type of ethical framework their standard consists of (deontological, consequential, or procedural)

#### Weighing metrics under their framework

#### Explanations of what constitutes general offense

#### Violation – they didn’t

#### 1. Shiftiness – if the framework is too vague, I can’t generate offense – they can be shifty and rearticulate their framework in the 1NR – decimates 1NC stasis which is the only basis for strategy – also uniquely harms novices who don’t know what to ask or don’t know how frameworks operates- CX checks fail because they can be shifty and judges don’t flow it

#### 2. Phil education – Non-conventional frameworks need specification - nobody knows how to follow their standard and everyone disagrees on what offense matters which also means the judge can’t resolve it which outweighs a~ Phil ed is unique to LD debate and b~ resolvability means judges cannot make a decision

#### Fairness – a] testing – b]

#### Education- a] schools fund debate

#### No RVIs – A] logic – you don’t win for meeting your burden, that o/w all args need to make logical sense to be evaluated – B] creates a chilling effect – aff is dangerous on theory because they get to prep a long counterinterp and get both speeches to weigh which chills neg reading theory means infinite abuse

#### Prefer Competing Interps over reasonability – A] reasonability’s arbitrary and forces judge intervention especially with 2ar recontextualizations to always sound like the more reasonable debater – B] norm setting - we find the best possible norms – C] reasonability collapses - you use offense/defense paradigm to evaluate brightlines

#### DTD – A] Epistemic Skew – I was structurally precluded from engaging in substance, means you can eval it, they are always ahead – B] deters future abuse – empirically confirmed via a priori

#### I get new 2nr paradigm issues and arguments – A] forces an irreciprocal and unmanageable time burden on the negative b/c you haven’t read the shell – B] norming – it’s the most contextual to your shell

#### NC theory first – A] they were abusive first means it comes lexically prior, my abuse was justified in response to theirs – B] we have more speeches to norm over it, so it produces the best norm

### Theory

#### "Resolved:" the appropriation of outer space by private entities is "unjust" entails policy action:

#### 1---Resolved.

Merriam Webster '18 (Merriam Webster; 2018 Edition; Online dictionary and legal resource; Merriam Webster, "resolve," <https://www.merriam-webster.com/dictionary/resolve;> RP)  
: a legal or official determination especially: a legislative declaration

#### 2---Unjust.

Black’s Law [The Law Dictionary Featuring Black's Law Dictionary Free Online Legal Dictionary 2nd Ed. No Date. <https://thelawdictionary.org/unjust/>] brett

What is UNJUST?

Contrary to right and justice, or to the enjoyment of his rights by another, or to the standards of conduct furnished by the laws.

#### Violation: There’s no plan, they defend the res as a general rule.

#### Prefer:

#### 1---Vagueness---debates inevitably involve the AFF defending something, but only our interp forces that to be clearly defined that from the start. Their model leads to late-breaking debates that destroy ground, for example we won’t know if asteroid mining or space exploration are offense until the 1AR, which skews neg prep.

#### 2---Topic ed---specific policies teaches lets us go deep into the topic, uniquely important given the evolving character of space law – outweighs bc we only have 2 month topics, and phil ed is solved by free textbooks – space law is inseparable from actual policy actions.

### NC

#### Permissibility negates – A] Semantics - unjust is defined as morally prohibited or bad which means permissibility is definitionally negative ground as proving the affirmative would require proving a prohibition which permissibility denies – B] Shiftiness – Permissibility ground encourages the aff to load up with triggers and the 1ar controls the direction of the round which means they can moot all my offense, I need permissibility in the 2n to compensate

#### Presumption negates – A] We assume statements to be false until proven true. That is why we don’t believe in alternate realities or conspiracy theories. The lack of a reason something is false does not mean it is assumed to be true – B] Statements are more often false then true. If I say this pen is red, I can only prove it true in one way by demonstrating that it is indeed red, where I can prove it false in an infinite amount of ways.

#### Their framework doesn’t explain a coherent solution to skepticism. To clarify, ethical frameworks are capable of justifying why skepticism is false, we are simply just proving that their framework isn’t actually sufficient to be an ethical theory capable of responding to skep:

#### 1] Hume’s Guillotine – nothing can cross the is-ought gap, Hume 1739:

David Hume, Philosopher, “A Treatise of Human Nature,” 1739 //LHP AV

**In every system of morality**, which I have hitherto met with, I have always remark'd, that **the author proceeds for some time in the ordinary ways of reasoning**, and establishes the being of a God, **or makes observations concerning human affairs**; **when** all of a sudden **I** am surpriz'd to **find**, that instead of the usual copulations of propositions, is, and is not, **I meet with no proposition that is not connected with an ought, or an ought not**. **This change is imperceptible; but is however, of the last consequence.** **For as this ought, or ought not, expresses some new relation or affirmation**, 'tis necessary that it shou'd be observ'd and explain'd; and at the same time that **a reason** should be given; **for what seems altogether inconceivable**, **how this new relation can be a deduction from others, which are entirely different from it.**

#### 2] Cartesian skepticism – truth requires absolute certainty, Sinnott-Armstrong 15:

Sinnot-Armstrong, Walter, (Philosopher), “Moral Skepticism”, Stanford Encyclopedia of Philosophy. September 17, 2015. <https://plato.stanford.edu/entries/skepticism-moral/#MorExp>. //LHP AV

The final kind of argument derives from René Descartes (1641). I do not seem justified in believing that what I see is a lake if I cannot rule out the possibility that it is a bay or a bayou. Generalizing**, if there is any contrary hypothesis that I cannot rule out, then I am not justified in believing** that **what I see** is a lake. **This is** supposed to be **a common standard for justified belief**. When this principle is applied thoroughly, **it leads to skepticism**. **All a skeptic needs to show is that, for each belief, there is some contrary hypothesis that cannot be ruled out**. It need not be the same hypothesis for every belief, but skeptics usually buy wholesale instead of retail, so they seek a single hypothesis that is contrary to all (or many common) beliefs and which cannot be ruled out in any way.

#### One cannot rule out the possibility of a deceptive demon, Sinnott-Armstrong 2:

Sinnot-Armstrong, Walter, (Philosopher), “Moral Skepticism”, Stanford Encyclopedia of Philosophy. September 17, 2015. <https://plato.stanford.edu/entries/skepticism-moral/#MorExp>. //LHP AV

The famous Cartesian hypothesis is of **[Consider]** **a demon who deceives me in all of my beliefs about the external world, while also ensuring that my beliefs are completely coherent.** **This** possibility **cannot be ruled out by any experiences or beliefs, because of how the deceiving demon is defined**. This hypothesis is also contrary to my beliefs about the lake. So **my beliefs** about the lake **are not justified**, according to the above principle. And there is nothing special about my beliefs about the lake. **Everything I believe about the external world is incompatible with the deceiving demon hypothesis.** Skeptics conclude that **no** such **belief is justified.**

#### 3] Solipsism – we can only verify our own existence:

#### a] Reasoners – their framing doesn’t explain how we can verify others as agents, and the only possible response is falsely assuming so without justification.

#### b] Science – only solipsism explains low entropy - Albrecht 8: [Andreas Albrecht and Lorenzo Sorbo (Department of Physics, UC Davis) “Can the universe afford inflation?” February 1st 2008 <http://arxiv.org/pdf/hep-th/0405270v2.pdf> JW 1/22/15]

A century ago Boltzmann considered a “cosmology” where the observed universe should be regarded as a rare ﬂuctuation out of some equilibrium state. The prediction of this point of view, quite generically, is that **we live in a universe which maximizes the total entropy** of the system consistent with existing observations. Other universes simply occur as much more rare ﬂuctuations. This means as much as possible of the system should be found in equilibrium as often as possible. From this point of view, **it is very surprising that we ﬁnd the universe around us in such a low entropy state. In fact, the logical conclusion of this line of reasoning is utterly solipsistic. The most likely ﬂuctuation consistent with everything you know is simply your brain** (complete with “memories” of the Hubble Deep ﬁelds, WMAP data, etc) **ﬂuctuating brieﬂy out of chaos and then immediately equilibrating back into chaos** again. This is sometimes called the “Boltzmann’s Brain” paradox.

#### Reject uncarded responses—theoretical physics requires deep scientific knowhow.

#### 4] Culpability – their framing cant prescribe obligations in the physical towards agents – a strong divide between the noumenal and phenomenal means that ethical calculus in one cannot transfer into the other as obligations are nonsensical in the physical if reason exists independent.

#### 5] One can never justify the inference from p to q without another proposition – that’s infinitely regressive, so all logical argumentation is impossible – turns regress - Carroll 95:

Reprinted from Lewis Carroll, [Charles Lutwidge Dodgson, better known by his pen name Lewis Carroll, was an English writer of children's fiction, notably Alice's Adventures in Wonderland and its sequel Through the Looking-Glass. He was noted for his facility with word play, logic, and fantasy.] "What the Tortoise Said to Achilles," Mind 4, No. 14 (April 1895): 278-280. //LHP AV DOA: 7/13/21

**Achilles had overtaken the Tortoise**, and had seated himself comfortably on its back. "So you've got to the end of our race-course?" said the Tortoise. "Even though it does consist of an infinite series of distances? I thought some wiseacre or other had proved that the thing couldn't be done?" "It can be done," said Achilles. "It has been done! Solvitur ambulando. You see **the distances were constantly diminishing**; and so --" "**But if they had been constantly increasing**?" the Tortoise interrupted "How then?" "Then I shouldn't be here," Achilles modestly replied; "and you would have got several times round the world, by this time!" "You flatter me -- flatten, I mean" said the Tortoise; "for you are a heavy weight, and no mistake! Well now, **would you like to hear of a race-course, that most people fancy they can get to the end of in two or three steps, while it really consists of an infinite number of distances, each one longer than the previous one?"** "Very much indeed!" said the Grecian warrior, as he drew from his helmet (few Grecian warriors possessed pockets in those days) an enormous note-book and a pencil. "Proceed! And speak slowly, please! Shorthand isn't invented yet!" "That beautiful First Proposition of Euclid!" the Tortoise murmured dreamily. "You admire Euclid?" "Passionately! So far, at least, as one can admire a treatise that won't he published for some centuries to come!" "Well, now, let's take a little bit of the argument in that First Proposition -- just two steps, and the conclusion drawn from them. Kindly enter them in your notebook. And in order to refer to them conveniently**, let's call them A, B, and Z**: -- (**A)** **Things that are equal to the same are equal to each other**. (**B) The two sides of this Triangle** **are** things that are **equal to the same**. (**Z) The two sides** of this Triangle **are equal** to each other. Readers of Euclid will grant, I suppose, that Z follows logically from A and B, so that any one who accepts A and B as true, must accept Z as true?" "Undoubtedly! The youngest child in a High School -- as soon as High Schools are invented, which will not be till some two thousand years later -- will grant that." "And if some reader had not yet accepted A and B as true, he might still accept the sequence as a valid one, I suppose?" "No doubt such a reader might exist. He might say 'I accept as true **the Hypothetical Proposition that, if A and B be true, Z must be true**; but, I don't accept A and B as true.' Such a reader would do wisely in abandoning Euclid, and taking to football." "And might there not also he **some reader who would say 'I accept A and B** as true, **but I don't accept the Hypothetical** '?" "Certainly there might. He, also, had better take to football." "And neither of these readers," the Tortoise continued, "is as yet under any logical necessity to accept Z as true?" "Quite so," Achilles assented. "Well, now, I want you to consider me as a reader of the second kind, and to force me, logically, to accept Z as true." "A tortoise playing football would be -- " Achilles was beginning "-- an anomaly, of course," the Tortoise hastily interrupted. "Don't wander from the point. Let's have Z first, and football afterwards!" "I'm to force you to accept Z, am I?" Achilles said musingly. "And your present position is that **you accept A and B, but you don't accept the Hypothetical** --" "Let's call it **C**," said the Tortoise. "-- but you don't accept **(C) If A and B are true, Z must be true**. " "That is my present position," said the Tortoise. "**Then I must ask you to accept C."** "I'll do so," said the Tortoise, "as soon as you've entered it in that note-book of yours. What else have you got in it?" "Only a few memoranda," said Achilles, nervously fluttering the leaves: "a few memoranda of -- of the battles in which I have distinguished myself!" "Plenty of blank leaves, I see!" the Tortoise cheerily remarked. "We shall need them all!" (Achilles shuddered.) "Now write as I dictate: -- (A) Things that arc equal to the same are equal to each other. (B) The two sides of this Triangle are things that are equal to the same. (C) If A and B are true, Z must be true. (Z) The two sides of this Triangle are equal to each other." "You should call it D, not Z," said Achilles. "It comes next to the other three. If you accept A and B and C, you must accept Z." "And why must I?" "Because it follows logically from them. If A and B and C are true, Z must be true. You don't dispute that, I imagine?" "**If A and B and C are true, Z must be true**," the Tortoise thoughtfully repeated. "**That's another Hypothetical**, isn't it? And, if I failed to see its truth, I might accept A and B and C', and still not accept Z. mightn't I?" "You might," the candid hero admitted; "though such obtuseness would certainly be phenomenal. Still, the event is possible. **So I must ask you to grant one more Hypothetical**." "Very good. I'm quite willing to grant it, as soon as you've written it down. We will call it (**D) If A and B and C are true, Z must be true**. "Have you entered that in your notebook?" "I have!" Achilles joyfully exclaimed, as he ran the pencil into its sheath. "And at last we've got to the end of this ideal race-course! Now that you accept A and B and C and D, of course you accept Z." "Do I?" said the Tortoise innocently. "Let's make that quite clear. I accept A and B and C and D. Suppose I still refused to accept Z?" "Then Logic would force you to do it!" Achilles triumphantly replied. "Logic would tell you 'You can't help yourself. Now that you've accepted A and B and C and D, you must accept Z!' So you've no choice, you see." "Whatever Logic is good enough to tell me is worth writing down," said the Tortoise. "So enter it in your book, please. We will call it (E) If A and B and C and D are true, Z must be true. Until I've granted that, of course I needn't grant Z. So it's quite a necessary step, you see?" "I see," said Achilles; and there was a touch of sadness in his tone. Here narrator, having pressing business at the Bank, was obliged to leave the happy pair, and did not again pass the spot until some months afterwards. When he did so, Achilles was still seated on the back of the much-enduring Tortoise, and was writing in his note-book, which appeared to be nearly full. The Tortoise was saying, "**Have you got that last step written down? Unless I've lost count, that makes a thousand and one. There are several millions more to come**. And would you mind, as a personal favour, considering what a lot of instruction this colloquy of ours will provide for the Logicians of the Nineteenth Century -- would you mind adopting a pun that my cousin the Mock-Turtle will then make, and allowing yourself to be re-named Taught-Us?" "As you please!" replied the weary warrior, in the hollow tones of despair, as he buried his face in his hands. "Provided that you, for your part, will adopt a pun the Mock-Turtle never made, and allow yourself to be re-named A Kill-Ease!"

#### 6] Zeno’s Paradox – assume we are starting at any position A and want to get to position Z. In order to move from position A to Z we must cross halfway point B, but in order to get to position B, we must cross the halfway point in between A and B, being C, and so on until infinity. Two impacts: a] movement is theoretically illogical thus the plan does nothing means you vote negative on presumption b] empirical conjectures result in external world skep – disproving logical premises with material examples justifies a disconnect between logic and the physical. Proving motion possible in the physical proves a rejection of the physical given the illogicality of the example, meaning we could be deceived and its not verifiable.

## Case

### Overview

#### hegel is racist – Aeon:

<https://aeon.co/essays/racism-is-baked-into-the-structure-of-dialectical-philosophy>

Let’s consider in some detail the case of Hegel, arguably the creator of the most systematic philosophy in modern thought. **Hegel** certainly **was** **an explicit racist**. **He believed**, for example, **that Black Africans were a ‘race of children that remain immersed in a state of naiveté’.** **He further wrote that Indigenous peoples lived in ‘a condition of savagery and unfreedom’**. And in The Philosophy of Right (1821), **he argued that there is a ‘right of heroes’ to colonise these people in order to bring them into a progress of European enlightenmen**t.It is not immediately obvious, however, that these racist remarks leave any trace on Hegel’s philosophical system. In his encyclopaedic writings on metaphysics, aesthetics, history, politics and even botany and magnetism, he worked to show how there existed a universal process of dialectical transformation. Hegel’s dialectics are notoriously complicated, but we can roughly define them as the bringing together of opposites in order to show how the contradictions between things eventually break down, and lead to the creation of a truer and more encompassing idea. One frequently cited example is what is sometimes called the ‘master-slave dialectic’, a discussion of the path to equal relations between two people that Hegel included in various writings. In these passages, Hegel shows how the opposition between master and slave fosters unbearable and unstable conditions that must eventually break down, lead to rebellion and, hopefully, create a system of equals.From this example, one might reasonably conclude that Hegel’s philosophical system couldn’t have been racist. The critical theorist Susan Buck-Morss has gone so far as to [argue](https://upittpress.org/books/9780822959786/) that Hegel was writing the Haitian Revolution into his philosophy through the master-slave dialectic. Even if he held racist views, Hegel’s philosophical pursuit of truth led him to argue for universal justice through revolutionary struggle. If this is the case, then his philosophical system might reasonably be seen to contradict his racism. It is precisely because of such dissonance that commentators [justify](https://www.radicalphilosophy.com/extras/exchange-on-hegels-racism) the distinction between Hegel’s explicit racism and the meaning of his philosophical system. This distinction breaks down, however, if we look more deeply into where Hegel’s idea of dialectics originated. In so doing, we will find that **colonial racism directly informs the very concept of dialectics. Just like systemic racism in the world today, understanding the systemic racism of philosophy cannot be done by simply looking at a single individual or set of beliefs. We have to understand the historical context of ideas, how racism informed their genesis, and how that racism continues to structure our thinking today in ways that we might not fully realise.**

### Hijack

#### That justifies a minimalist libertarian state – Otteson 09

James R. Otteson, 2009, “Kantian Individualism and Political Libertarianism,” The Independent Review, v. 13, n. 3., Winter 2009, available at [https://www.independent.org/pdf/tir/tir\_13\_03\_4\_otteson.pdf //](https://www.independent.org/pdf/tir/tir_13_03_4_otteson.pdf%20//) LHP PS

**The link between Kantian agency and the limited libertarian state is plausible, and indeed the former explains the latter;** moreover, **the evidence suggests that Kant himself believed that the former implied the latter**. That conclusion leaves us, however, with the final question of how exactly to characterize Kant’s position. To approach this question, consider two claims. **First, Kant believes that people create a state in order to protect their rational, autonomous agency and that this state is justified insofar as it protects that agency.** **Moreover, coercive state action can also be justified if it serves only to secure the conditions necessary for continued or more effective protection of this agency**. A plausible extension of this argument is that the **conditions of morality themselves are possible only within the protections of a Kantian minimal state**. Given that extension, Kant’s endorsement of limited, state-based welfare measures might have been motivated by a belief that they exemplify **state coercion necessary to secure the conditions of agency**. For the reasons explained earlier, I deny that such institutions can be defended successfully on these grounds, but the particular application notwithstanding, we may be able to endorse—consistently and rationally—Kant’s principle of granting the state those, and only those, coercive powers necessary for the protection of “right.” Second, Kant may not have been as convinced as one might be today of intermediary “civil” institutions’ ability to do the work of foundling hospitals and so on. Substantial evidence now attests, however, to the perhaps surprisingly effective scope and reach of civil society’s private institutions to find and meet the needs of society’s most destitute (for a recent treatment, see Beito, Gordon, and Tabarrok 2002). Kant might well have been unaware of such institutions, or—for reasons owing to his particular time and place—he might have been positively suspicious of them, including organized churches. I believe these two points absolve Kant of the claim of contradiction. He can claim consistently that the state’s purpose is to protect individual free agency and that it is justified in using coercion to secure the conditions that allow such protection—but not in any other circumstances. If this account correctly represents Kant’s position, then **we may properly describe him as a political libertarian, though one sensitive to libertarianism’s limitations. Thus, we might aptly call his position constrained libertarianism.**

#### Vote neg –

#### 1] Injustice requires someone wronged, but initial acquisition doesn’t violate any entity’s rights– therefore, private appropriation of outer space cannot be unjust, Feser 05:

Edward Feser, [Associate Professor of Philosophy at Pasadena City College] “THERE IS NO SUCH THING AS AN UNJUST INITIAL ACQUISITION,” 2005 //LHP AV

The reason **there is no such thing as an unjust initial acquisition** of resources is that there is no such thing as either a just or an unjust initial acquisition of resources. The concept of **justice**, that is to say, simply **does not apply** to initial acquisition. **It applies only after initial acquisition has already taken place**. In particular, it applies only to transfers of property (and derivatively, to the rectification of injustices in transfer). This, it seems to me, is a clear implication of the assumption (rightly) made by Nozick that **external resources are initially unowned**. Consider the following example. **Suppose** **an individual** **A seeks to acquire some previously unowned resource R**. **For it to be** the case that A commits an **injustice** in acquiring R, it would also have to be the case that **there is some individual** **B** (or perhaps a group of individuals) **against whom A commits the injustice**. **But for B to have been wronged** by A’s acquisi- tion of R, **B would have to have had a rightful claim over R,** **a right to R**. By hypothesis, **however**, **B did not have a right to R, because no one had a right to it—it was unowned, after all**. So B was not wronged and could not have been. In fact, **the very first person who could conceivably be wronged by anyone’s use of R would be, not B, but A himself, since A is the first one to own R**. Such a wrong would in the nature of the case be an injustice in transfer—in unjustly taking from A what is rightfully his—not in initial acquisition. **The same thing, by extension, will be true of all unowned resources: it is only after some- one has initially acquired them that anyone could unjustly come to possess them, via unjust transfer**. It is impossible, then, for there to be any injustices in initial acquisition.7

#### 2] Submitting to international limits on power is a contradiction in will – it weakens the republic and has no binding force.

Waltz ’62 (Waltz, Kenneth N. "Kant, Liberalism, and War." The American Political Science Review 56, no. 2 (1962): 331-40. doi:10.2307/1952369.)

So long at least as the state "runs a danger of being suddenly swallowed up by other States," it must be powerful externally as well as internally. In international relations the difficulties multiply. The republican form is preferable, partly because republics are more peacefully inclined; but despotisms are stronger-and no one would expect or wish to bring the state into jeopardy by decreasing its strength.15 Standing armies are dangerous, arms races themselves being a cause of war, but in the absence of an outside agency affording protection, each state must look to the effectiveness of its army.'6 A freely flowing commerce is a means of promoting peace, but a state must control imports, in the interests of its subjects "and not for the advantage of strangers and the encouragement of the industry of others, because the State without the prosperity of the people would not possess sufficient power to resist external enemies or to maintain itself as a common- wealth."'7 Not only standing armies but also, indeed more so, the disparity of economic capacities may represent danger, occasion fear, and give rise to war. Kant's concern with the strength and thus the safety of the state is part of his perception of the necessities of power politics. Among states in the world, as among individuals in the state of nature, there is constantly either violence or the threat of violence. States, like "lawless savages," are with each other "naturally in a nonjuridical condition.'8 There is no law above them; there is no judge among them; there is no legal process by which states can pursue their rights. They can do so only by war, and, as Kant points out, neither war nor the treaty of peace following it, can settle the question of right. A treaty of peace can end only a particular war; a pretext for new hostilities can always be found. "Nor can such a pretext under these circumstances be regarded as un- just; for in this state of society every nation is the judge of its own cause."'19 More surely than those who extract and emphasize merely Kant's republican aspirations and peaceful hopes, Khrushchev speaks as though he had read Kant correctly. "War," in Khrushchev's peculiar yet apt phrase, "is not fatalistically inevitable." Kant does set forth the "shoulds" and "oughts" of state behavior.2' He does not expect them to be followed in a state of nature, for, as he says, "philosophically or diplomatically composed codes have not, nor could have, the slightest legal force, since the States as such stand under no common legal constraint.... 22 His intention clearly is that the "oughts" be taken as the basis for the juridical order that must one day be established among states, just as the rights of the individual, though not viable in a state of nature, provided the basis for the civil state.

#### 3] The aff violates the rights of private entities – a] no one owns space and can exclude them on legitimate grounds, and they want to go to space so stopping them is a contradiction in will b] private entities expend and have expended resources to claim things in space like making rockets or rocket fuel, preventing that is a violation of property rights since you are not allowing them to use what they own as they want