## 1 – Theory

#### Interpretation: debaters must disclose all constructive positions on open source on the page with their name and school on the 2021-2022 NCDA LD wiki with highlighting, tags, and cites after the round in which they read them.

#### Violation: they didn’t at most rounds of Harvard and Barkley Forum for High Schools – see screenshot.

#### Graphical user interface, application Description automatically generated

#### Standards:

#### [1] Resource disparities – stealing cards is good because it’s the only way to level the playing field for students such as novices in under-privileged programs.

Louden 10 – Allan D. Louden, professor of Communication at Wake Forest (“Navigating Opportunity: Policy Debate in the 21st Century” Wake Forest National Debate Conference. IDEA, 2010) https://www.americanforensicsassoc.org/wp-content/uploads/2021/02/Navigating-Opportunity-Book.pdf

Groups interested in engaging in competitive National Debate Tournament (NDT)-Cross Examination Debate Association (CEDA)-style policy debate are entering an exciting time in the debate community where **digital resources are making research and networking increasingly accessible**. Those developing programs should be encouraged to choose their own topics and resolutions, but they should also make use of the massive resources available by focusing on the official NDT-CEDA resolution. **New initiatives in the field of open-source debate make evidence sharing, such as the Open Caselist, a powerful tool for new programs to engage and compete against established teams**. It is no coincidence that **the winners of the NDT tend to be the schools with the largest coaching staffs, but the increased distribution and free sharing of evidence and resources have made smaller debate programs increasingly capable of competing against larger institutions**. We are now seeing the beginnings of **increased resource sharing**, with multiple initiatives focusing on regional evidence sharing for groups of developing debate programs. This **is one example of dramatic changes occurring in the community that are capable of opening the doors for new participation in debate**. Regardless of outside influence, such as an organized campaign by preexisting debate organizations to increase resource distribution, students are independently capable of establishing the foundations for a larger competitive program. The following suggestions are a nonlinear set of options available to students who wish to establish a structured and coached debate program, and eventually developing the capability to maintain multiple professional teaching positions, such as those discussed earlier in the chapter.

#### [2] Ev ethics – open source is the only way to verify pre-round that cards aren’t miscut or highlighted/bracketed unethically. That’s a voter – ethical ev practices are key to academics and we should be able to verify they didn’t cheat.

#### [3] Depth of clash – allows debaters to have nuanced objections at a faster rate, which leads to higher quality debates – outweighs because thinking on your feet is nonunique but the best quality responses come from full access to a case.

#### Voters:

#### Fairness: debate is a competitive activity that requires objective evaluation – side constraint to substantive debate.

#### Education: a) it’s the reason schools fund debate and b) it’s the only long-term benefit.

#### Paradigm issues:

#### DTD to a) deter future abuse cuz they won’t reviolate if they lose and b) rectify time skew from reading theory.

#### No RVIs – a) illogical – you don’t win for being fair, and logic is a meta-constraint, b) good theory debaters will bait theory to win on the RVI, which causes abuse, c) chilling effect – makes debaters scared to call out real abuse because they’ll be out-teched on the RVI, d) norming – I can’t concede the counterinterp if I realize I’m wrong, which forces me to argue for bad norms.

#### Competing interps – a) reasonability is arbitrary and requires judge intervention, b) collapses because brightlines concede an offense-defense paradigm, and c) sets norms to achieve the voter instead of deciding case-by-case.

#### NC theory 1st bc they started the abuse

## 2 – T

#### Interpretation: The affirmative debater may defend only an advocacy that the appropriation of outer space by private entities is unjust. To clarify, extra-T bad.

#### Violation: They defended that “The United States ought to rule that private companies violate its non-appropriation obligations under the Outer Space Treaty and its succeeding treaties.” Actions are specifically extra-T because the res poses a value question instead of an action.

#### Standards:

#### [1] Limits and ground – extra-T means they can literally defend anything they want, which means they can get offense from fiating no structural violence, solving any extinction impact, etc. which makes it impossible to debate insofar as we’re forced to negate a utopian society.

#### [2] Predictability – the aff can take us on whatever unpredictable adventure they want because we have no clue what they’ll fiat outside of the res. That explodes my prep burden as they have infinite time to prep and frontline their aff whereas we have 30 minutes at best to come up with a 1N to something random.

#### [3] Reciprocity – we debate with the assumption of the topic; it’s irreciprocal if the aff can arbitrarily change it last-minute, which is definitionally unfair.

#### Voters:

#### C/A paradigm issues, and CI is uniquely important because a) you can’t be “reasonably topical,” b) it’s reasonable to expect you to affirm what you’re supposed to which means any violation is sufficient.

## 3 – TT

**The role of the ballot is to determine the truth or falsity of the resolution.**

**[1] Linguistics – five dictionaries[[1]](#footnote-1) define to negate as to deny the truth of and affirm[[2]](#footnote-2) as to prove true. That outweighs – a) Controls the internal link to predictability and prep which is key for clash and substantive education b)** **Key to jurisdiction since the judge can only endorse what is within their burden.**

#### [2] Every statement is a question of truth – for example, saying “the res is false” is the same as saying, “it is true that the res is false.” That means other ROTBs collapse to truth testing.

#### Permissibility and presumption negate:

#### [1] “Unjust” is defined:

Oxford Languages No Date Oxford Languages, dictionary, “unjust,” no date, Google, accessed 13 January 2022, pg. 1, https://www.google.com/search?q=define+unjust&rlz=1C1CHBF\_enUS909US909&oq=define+unjust&aqs=chrome.0.35i39j0i512l3j0i10i512j0i512l2j0i10i512j0i512l2.1248j1j7&sourceid=chrome&ie=UTF-8

not based on or behaving according to what is morally right and fair.

#### **A neutral action, like walking, does not violate what is moral and is therefore not unjust.**

#### [2] Statements are more often false than true since I can prove something false in infinite ways but true in only one.

#### [3] We require an active reason to believe something; that’s why arguments need warrants.

## 4 – Korsgaard

### Advocacy

#### I negate, resolved: The appropriation of outer space by private entities is unjust.

### Framework

**Ethics are derived a priori from practical reason.**

**[1] Is-ought gap – we only perceive what is, not what ought to be. We can’t derive prescriptive obligation from descriptive premises.**

**[2] Uncertainty – a posteriori ethics is subject to uncertainty. We could be dreaming, hallucinating, or being deceived by an evil demon, so it can’t be the basis of ethics.**

**[3] Infinite regress – we can always ask “why should I follow this framework,” leading to infinite regress, but asking for a reason for reason concedes its authority.**

**That entails universal maxims because of non-contradiction – there is no world in which p and ~p are both true. Acting recognizes the validity of others to take the action, which makes universal maxims a logical side constraint to other frameworks.**

**Thus, the standard is consistency with universal maxims.**

**Prefer additionally:**

**[1] Performativity – freedom is key to argumentation. Abiding by their ethical theory presupposes we own ourselves, making it incoherent to justify a standard without first willing ours.**

**[2] Only Korsgaard applies to justice.**

Miller 17 David Miller, Professor of Political Theory and Senior Research Fellow at the University of Oxford, "Justice," 26 June 2017, Stanford Encyclopedia of Philosophy, accessed 26 December 2021, pg. 1, <https://plato.stanford.edu/entries/justice/#UtilJust> ~ST~

The third aspect of justice to which Justinian’s definition draws our attention is the connection between justice and the impartial and consistent application of rules – that is what the ‘constant and perpetual will’ part of the definition conveys. Justice is the opposite of arbitrariness. It requires that where two cases are relevantly alike, they should be treated in the same way (We discuss below the special case of justice and lotteries). Following a rule that specifies what is due to a person who has features X, Y, Z whenever such a person is encountered ensures this. And although the rule need not be unchangeable – perpetual in the literal sense – it must be relatively stable. This explains why justice is exemplified in the rule of law, where laws are understood as general rules impartially applied over time. Outside of the law itself, individuals and institutions that want to behave justly must mimic the law in certain ways (for instance, gathering reliable information about individual claimants, allowing for appeals against decisions).

### Offense

#### [1] Self-ownership is the ability to interact with external objects. Anything else makes you unable to exercise your own freedom on other things.

Feser 05 Edward Feser, Professor of Philosophy at Pasadena City College, "THERE IS NO SUCH THING AS AN UNJUST INITIAL ACQUISITION," 1 January 2005, Cambridge University Press, accessed 12 1 2022, Pg. 71-73, <https://www.cambridge.org/core/journals/social-philosophy-and-policy/article/abs/there-is-no-such-thing-as-an-unjust-initial-acquisition/5C744D6D5C525E711EC75F75BF7109D1> phs st recut

There is. An alternative, soft-line approach could acknowledge that the initial acquirer who abuses a monopoly over a water hole (or any similar crucial resource) does commit an injustice against those who are disad- vantaged, but such an approach could still hold that the acquirer never- theless has not committed an injustice in acquisition —his acquisition was, as I have said, neither just nor unjust. Nor does he fail to own what he has acquired; he still cannot be said to have stolen the water from anyone. Rather, his injustice is an unjust use of what he owns, on a par with the unjust use I make of my self-owned fist when I wield it, unprovoked, to bop you on your self-owned nose. In what sense does the water-hole owner use his water unjustly, though? He doesn’t try to drown anyone in it, after all— indeed, the whole problem is that he won’t let anybody near it! Eric Mack gives us the answer we need in what he has put forward as the “self-ownership proviso” (SOP).28 This is a proviso not (as the Lock- ean proviso is) on the initial acquisition of property, but rather on how one can use his property in a way that respects others’ self-ownership rights. It is motivated by consideration of the fact that the talents, abilities, capac- ities, energies, etc., that a person rightfully possesses as a self-owner are inherently “world-interactive”; that is, it is of their very essence that they are directed toward the extra-personal environment.29 Your capacity to use your hand, for instance, is just a capacity to grasp and manipulate external objects; thus, what you own in owning your hand is something essentially grasping and manipulating.30 Now if someone were to cut off your hand or invasively keep you from using it (by tying your arm against your body or holding it behind your back), ~~he~~ [they] would obviously be violating your self-ownership rights. But there are, Mack suggests, other, noninvasive ways in which those rights might be violated. If, to use an example of Mack’s, I effectively nullify your ability to use your hand by creating a device that causes anything you reach for to be propelled beyond your grasp, making it impossible for you ever to grasp or manip- ulate anything, I have violated your right to your hand as much as if I had cut it off or tied it down. I have, in any case, prevented your right to your hand from being anything more than a formal right, one that is practically useless. In the interests of guaranteeing respect for substantive, robust rights of self-ownership, then, “[t]he SOP requires that persons not deploy their legitimate holdings, i.e., their extra-personal property, in ways that severely, albeit noninvasively, disable any person’s world-interactive powers.” 31 The SOP follows, in Mack’s view, from the thesis of self-ownership itself; or, at any rate, the considerations that would lead anyone to accept that thesis should also, in his view, lead one to accept the proviso.32 A brief summary of a few of Mack’s thought experiments should suffice to give a sense of why this is so.33 In what Mack calls the Adam’s Island example, Adam acquires a previously uninhabited island and later refuses a shipwrecked Zelda permission to come ashore, as a result of which she remains struggling at sea (and presumably drowns). In the Paternalist Caging example, instead of drowning, Zelda becomes caught offshore in a cage Adam has constructed for catching large sea mammals, and, rather than releasing her, Adam keeps her in the cage and feeds her regularly. In the Knuckle-Scraper Barrier example, Zelda falls asleep on some unowned ground, whereupon a gang of oafish louts encircles her and, using their bodies and arms as barriers, refuses to let her out of the circle (accusing her of assault if she touches them in order to climb over or break through). In the Disabling Property Barrier example, instead of a human barrier, Adam constructs a plastic shield over and around the unowned plot of ground upon which Zelda sleeps, accusing her of trespassing upon his property when she awakens and tries to escape by breaking through the plastic. And in the (similarly named) Disabling Property Barriers example, seem to suggest an Aristotelian-Thomistic conception of natural function, and though this by no means troubles me, it might not be what Mack himself has in mind (nor, of course, is it something every philosopher is going to sympathize with). Mack’s view nevertheless seems to require something like this conception. And something like it —enough like it to do the job Mack needs to be done, anyway—is arguably to be found in Larry Wright’s well- known reconstruction, in modern Darwinian terms, of the traditional notion of natural function. See Larry Wright, “Functions,” Philosophical Review 82, no. 2 (1973): 139–68. Adam, instead of enclosing Zelda in a plastic barrier, encloses in plastic barriers every external object that Zelda would otherwise be able to use — thus, in effect, enclosing her in a larger, all-encompassing plastic barrier of a more eccentric shape. In all of these cases, Mack says, although Zelda’s formal rights of self-ownership have not been violated—no one has invaded the area enclosed by the surface of her skin —her rights over her self-owned powers, and in particular her ability to exercise those powers, have nevertheless been nullified. But a plausible self-ownership- based theory surely cannot allow for this. It cannot, for instance, allow the innocent Zelda justly to be imprisoned in any of the ways described!

#### [2] Space appropriation uniquely avoids freedom violations – no violation exists if no owners exist.

Feser 05 Edward Feser, Professor of Philosophy at Pasadena City College, "THERE IS NO SUCH THING AS AN UNJUST INITIAL ACQUISITION," 1 January 2005, Cambridge University Press, accessed 12 1 2022, Pg. 58-59, <https://www.cambridge.org/core/journals/social-philosophy-and-policy/article/abs/there-is-no-such-thing-as-an-unjust-initial-acquisition/5C744D6D5C525E711EC75F75BF7109D1> JS recut

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 acquisition 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 someone 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.

#### [3] Space only changes the location of property acquisition, not its intrinsic nature, so there’s no moral distinction.

1. <http://dictionary.com/browse/negate> (Dictionary.com, accessed 11 September 2021)

   <http://www.merriam-webster.com/dictionary/negate> (Merriam-Webster, accessed 11 September 2021)

   <http://www.thefreedictionary.com/negate> (The Free Dictionary, accessed 11 September 2021)

   <https://www.vocabulary.com/dictionary/negate> (Vocabulary.com, accessed 11 September 2021)

   <http://www.oxforddictionaries.com/definition/english/negate> (Oxford Dictionaries, accessed 11 September 2021) [↑](#footnote-ref-1)
2. <https://www.dictionary.com/browse/affirm> (Dictionary.com, accessed 11 September 2021)

   <https://www.merriam-webster.com/dictionary/affirm> (Merriam-Webster, accessed 11 September 2021)

   <http://www.thefreedictionary.com/affirm> (The Free Dictionary, accessed 11 September 2021)

   <https://www.vocabulary.com/dictionary/affirm> (Vocabulary.com, accessed 11 September 2021)

   <http://www.oxforddictionaries.com/definition/english/affirm> (Oxford Dictionaries, accessed 11 September 2021) [↑](#footnote-ref-2)