# TFA – R6 – 1AC

### 1AC - Framework

#### The metaethic is moral constructivism – prefer -

#### 1 - Strangeness—moral facts can’t be located. We only have knowledge of physical facts that can be falsified through observation. It follows that morals can only be facts about agreement or belief, since those are observable.

#### 2 - Bindingness—only constructed facts bind, since we commit ourselves to them through the acceptance of agreement or identities. If morals existed outside of us, we could rationally reject them.

#### 3 - Epistemology – meta-ethics should not just be concerned with the process of creating rules, but rather the ways that we think. Formulating correct theories requires that we understand the mind and how subjects cohere moral knowledge which means the construction of knowledge over time is valuable.

#### Political Procedures must come from agreement –

#### Governments are pluralistic with inevitable disagreement – An ethical theory dictating a government must form consensus or it freezes action through constant dispute. Outweighs because different actors have different obligations.

John **Rawls 85** Harvard Philosophy Professor Justice as Fairness: Political not Metaphysical, Philosophy and Public Affairs, Vol. 14, No. 3. 1985. <https://www.google.com/books/edition/Twentieth_Century_Political_Theory/4T7Mob-Y4HIC?hl=en&gbpv=1&dq=%22It+should+be+observed+that,+on+this+view,+justification+is+not+regarded+simply+as+valid+argument+from+listed+premises,+even+should+these+premises+be+true.+Rather,+justification+is+addressed+to+others+who+disagree%22&pg=PA19&printsec=frontcover> Recut Lindale PP

Now suppose justice as fairness were to achieve its aim and a publicly acceptable political conception of justice is found. Then this conception provides a publicly recognized point of view from which all citizens can examine before one another whether or not their political and social institutions are just. It enables them to do this by citing what are recognized among them as valid and sufficient reasons singled out by that conception itself. Society's main institutions and how they fit together into one scheme of social cooperation can be examined on the same basis by each citizen, whatever that citizens social position or more particular interests. It should be observed that, on this view, justification is not regarded simply as valid argument from listed premises, even should these premises be true. Rather, justification **is addressed to others who disagree** with us, **and** therefore it **must** always **proceed from** some consensus, that is, from **premises** that **we** and others publicly recognize as true; or better, **publicly recognize as acceptable** to us **for** the purpose of **establishing a working agreement on the fundamental questions of political justice.** It goes without saying that this agreement must be informed and uncoerced, and reached by citizens in ways consistent with their being viewed as free and equal persons." Thus, **the aim of** justice as fairness as **a political conception** is practical**,** and **not metaphysical or epistemological.** That is, **it** presents itself not as a conception of justice that is true, but one that **can serve as a basis of** informed and willing **political agreement** between citizens viewed as free and equal persons. This agreement when securely founded in public political and social attitudes sustains the goods of all persons and associations within a just democratic regime. **To secure** this **agreement we** try, so far as we can, to **avoid disputed philosophical,** as well as disputedmoraland religious, **questions.** We do this not because these questions are unimportant or regarded with indifference,' but **because we** think them too important and **recognize that there is no way to resolve them politically.**

#### The only theory that can resolve pluralism is the Original Position – the Original Position is a procedure where the subject imagines being someone else. Under the Original Position I do not know where in society I am, I just know that society exists with social categories and limited resources – With this understanding I create moral principles that every other subject under the original position would hypothetically agree with.

John Rawls 99, Philosopher and Professor who taught at Harvard and some other big and prominent universities, A theory of justice, 1999 edition, <http://library.lol/main/27C4F7DAB2179426871C0945224FBF1F> Lindale PP – [Bracketed for gendered language]

One should not be misled, then, by the somewhat unusual conditions which characterize the original position. The idea here is simply to make vivid to ourselves the restrictions that it seems reasonable to impose on arguments for principles of justice, and therefore on these principles themselves. Thus it seems reasonable and generally acceptable that no one should be advantaged or disadvantaged by natural fortune or social circumstances in the choice of principles. It also seems widely agreed that it should be impossible to tailor principles to the circumstances of one’s own case. We should insure further that particular inclinations and aspirations, and persons’ conceptions of their good do not affect the principles adopted. The aim is to rule out those principles that it would be rational to propose for acceptance, however little the chance of success, only if one knew certain things that are irrelevant from the standpoint of justice. For example, if [someone] ~~a man~~ knew that ~~he~~ [they] was [were] wealthy, ~~he~~ [they] might ﬁnd it rational to advance the principle that various taxes for welfare measures be counted unjust; if ~~he~~ [they] knew that ~~he~~ [they] [were] was poor, ~~he~~ [they] would most likely propose the contrary principle. To represent the desired restrictions one imagines a situation in which everyone is deprived of this sort of information. One excludes the knowledge of those contingencies which sets men at odds and allows them to be guided by their prejudices. In this manner the veil of ignorance is arrived at in a natural way. This concept should cause no difﬁculty if we keep in mind the constraints on arguments that it is meant to express. At any time we can enter the original position, so to speak, simply by following a certain procedure, namely, by arguing for principles of justice in accordance with these restrictions. It seems reasonable to suppose that the parties in the original position are equal. That is, all have the same rights in the procedure for choosing principles; each can make proposals, submit reasons for their acceptance, and so on. Obviously the purpose of these conditions is to represent equality between human beings as moral persons, as creatures having a conception of their good and capable of a sense of justice. The basis of equality is taken to be similarity in these two respects. Systems of ends are not ranked in value; and each man is presumed to have the requisite ability to understand and to act upon whatever principles are adopted. Together with the veil of ignorance, these conditions deﬁne the principles of justice as those which rational persons concerned to advance their interests would consent to as equals when none are known to be advantaged or disadvantaged by social and natural contingencies.

#### Public reason is essential to a pluralistic society – it ensures reciprocity, freedom, and dialogue.

**Fox 13**, Carl. “Public Reason, Objectivity, And Journalism In Liberal Democratic Societies.” Res Publica 19 (3). 2013. https://philpapers.org/rec/FOXPRO

When Rawls calls something political, he means that it is appropriate to a particular level of discussion, one about the preferred structure and operation of the systems of social cooperation into which we are born and must necessarily engage, and what principles and institutions we should have to govern them. Rawls’s theory of political liberalism, where he develops the ideal of public reason, is designed to have nothing to say about how people live their lives apart from their attitude towards basic political questions and towards members of other comprehensive doctrines when they engage in political debate. The principles that apply at this level must be neutral between reasonable conceptions of the good. In tandem with this, he believes that society needs ‘guidelines of inquiry: principles of reasoning and rules of evidence in the light of which citizens are to decide whether substantive principles properly apply and to identify laws and policies that best satisfy them’ (Rawls 2005, p. 224). These guidelines develop into the ideal of public reason, the point of which is ‘that citizens are to conduct their fundamental discussions within the framework of what each regards as a political conception of justice based on values that others can reasonably be expected to endorse’ (Rawls 2005, p. 226). Despite standing in opposition to comprehensive doctrines, however, this political conception does have normative content: ‘The conception of the person is worked up from the way citizens are regarded in the public political culture of a democratic society, in its basic political texts and in the historical tradition of the interpretation of those texts’ (Rawls 2003, p. 19). Certain ideas, like that of people as being free and equal, are said to be present in the public political culture of a democratic society. What this means is that, for Rawls, there are certain basic ideas that almost all of us buy into and underpin the process of thinking in terms of how we can have a political community at all. He describes comprehensive doctrines as reasonable insofar as they endorse basic respect for persons, toleration and, crucially, accept the necessity of engaging with one another in a constructive dialogue in order to maintain a pluralistic society.9 Reasonableness is the key to the legitimacy of coercive political power10 and when we act as citizens, designing or imposing laws, we owe to our fellow citizens a very particular sort of public justification for our decisions. He introduces the criterion of reciprocity to show how reasonable citizens ought to motivate their political contributions with respect to their fellow citizens; ‘they must also think it at least reasonable for others to accept them, as free and equal citizens, and not as dominated or manipulated, or under the pressure of an inferior political or social position’ (Rawls 2005, p. 446). People will disagree as to what is the best way to organise a political community, but so long as they can come to see that their respective submissions are all reasonable then there can be a stable basis for political dialogue, and ultimately such things as legitimate laws and institutions.

#### Impact Calc - Rawls is deontological – if everyone would agree to an action under the Original Position without knowing who they are or how people act in society then the action is good. The principles are lexical – meaning the first comes before the second – that’s how you weigh between impacts.

#### Thus, the standard is Consistency with the Original Position – Prefer -

#### 1 – Ideal Theory First

#### A - Measurement – Non-Ideal theory collapses to skep because it’s impossible to measure with a constantly changing yardstick

#### B - Is-ought gap – nonideal theories can only tell us what is not what ought to be.

#### C - Reflective Equilibrium means Ideal Theory is inevitable – when we reflect on our desires we compare our desires to an ideal of what we think our desires should be – means all ethics are inevitably ideal theory and that nonuniques any DAs.

#### 2 - Ethical frameworks are topicality interpretations of the word ought so they must be theoretically justified. Prefer on resource disparities—focusing on evidence and statistics privileges debaters with the most preround prep excluding lone-wolfs who lack huge evidence files. A debater under my framework can easily be won without any prep since minimal evidence is required. That controls the internal link to other voters because a pre-req to debating is access to the activity.

#### 3 - Consequences fail –

#### A - They only judge actions after they occur, which fails action guidance and proves they aren’t binding.

#### B - Every action has infinite stemming consequences, because every consequence can cause another consequence. Probability doesn’t solve because a] Probability is improvable, as it relies on inductive knowledge, but induction from past events can’t lead to deduction of future events and b] Probability assumes causation, we can’t assume every act was actually the cause of tangible outcomes

#### C - Every action is infinitely divisible, only intents unify action because we intend the end point of an action – but consequences cannot determine what step of action is moral or not.

#### D - You can’t aggregate consequences, happiness and sadness are immutable – ten headaches don’t make a migraine – causes inaction because you don’t know what kind of consequence matters more.

#### E - Problem of induction – takes out the AC Framework.

Vickers 14 John Vickers, 2014, The Problem of Induction, https://plato.stanford.edu/entries/induction-problem/

The original problem of induction can be simply put. It concerns the support or justification of inductive methods; methods that predict or infer, in Hume's words, that “instances of which we have had no experience resemble those of which we have had experience” (THN, 89). Such methods are clearly essential in scientific reasoning as well as in the conduct of our everyday affairs. The problem is how to support or justify them and it leads to a dilemma: the principle cannot be proved deductively, for it is contingent, and only necessary truths can be proved deductively. Nor can it be supported inductively—by arguing that it has always or usually been reliable in the past—for that would beg the question by assuming just what is to be proved.

### 1AC – Contention

#### Advocacy:  In a democracy, a free press ought to prioritize objectivity over advocacy for climate change related news.

#### 1 - Objectivity - Journalism in a democracy must be transparent and resistant to bias. This necessitates public reason as a method to stay consistent with pluralism.

**Fox 13**, Carl. “Public Reason, Objectivity, And Journalism In Liberal Democratic Societies.” Res Publica 19 (3). 2013. https://philpapers.org/rec/FOXPRO

It is not enough to present the extreme sides of an argument, or to approach both the government and the opposition for quotes. The vital role of journalism in a liberal democracy necessitates a transparent process and an ethos that is hostile to bias. With the intention of recasting the journalistic commitment to objectivity as a definite methodology, I turn now to a discussion of Rawls’s conception of public reason. Public Reason Rawls (1999, 2005) came to be deeply concerned with the implications of what he thought of as the brute fact of reasonable pluralism.5 Reasonable and rational people, intelligent and thoughtful in their attempts to understand and solve fundamental common problems seem inevitably to differ and disagree. Indeed, Rawls described several ‘burdens of judgment’, such as complex and conflicting evidence, the inherent difficulty involved in the weighting of various considerations, and the subtle and shifting subjective biases that arise of the experience of living life itself,6 so as to demonstrate the inevitability of conflict in the generation and application of foundational values and beliefs.7 These factors lead ultimately to a myriad of substantially different worldviews or comprehensive doctrines and, following Mill, he thought that it can be perfectly reasonable for people to disagree so deeply. However, while we have no option but to come to terms with reasonable pluralism, the difficulties it presents are enormous. Indeed, one of the chief tasks of political philosophy is the project of reconciling these doctrines in order to make a legitimate and stable political association a possibility. The idea of public reason is Rawls’s answer to a vital question posed by reasonable pluralism, namely; how can a political community containing many comprehensive doctrines collectively decide fundamental political questions in spite of the apparently irreconcilable conflicts generated by these doctrines? Resolving this problem provides a template for a public sphere robust enough to withstand the difficulties that trouble, for example, Habermas. For Habermas (1996, 2008), the public sphere and the ability of private people to engage in rational public communication was a purely historical development that owes its origin to the radical effect of emerging capitalist values and strategies on the feudal hierarchy of the thirteenth century. It existed only briefly and soon flickered out, extinguished by the march of the very same political, social, and economic forces which gave rise to it. What remains for autonomous individuals is to commit to his ideal discourse theory, which espouses the creation of ideal conditions where ‘everyone is required to take the perspective of everyone else, and thus project herself into the understandings of the self and the world of others’ (Habermas 1995, p. 117). Ideal role-taking, he argues, can produce a common ‘we-perspective’ which will eventually allow for undistorted communication. This is how we can (objectively) share the information we need to participate in political institutions and hold public authorities to account. The problem with using ideal discourse theory to model journalistic objectivity is that, unlike public reason, it requires a profound shift in our collective moral thinking when, if I am correct, we can follow Rawls in more pragmatically demanding that particular institutions conform to the rules of public reason.8

#### Public reason necessitates objectivity in journalism.

**Fox 13**, Carl. “Public Reason, Objectivity, And Journalism In Liberal Democratic Societies.” Res Publica 19 (3). 2013. https://philpapers.org/rec/FOXPRO

Objectivity as a Methodological Commitment to Public Reason I have already argued that objectivity, as it applies to the practice and theory of journalism, should be conceived methodologically. It is my contention that this method can be successfully characterised as that of public reason. The purpose of public reason13 is to facilitate communication by ruling out recourse to irreconcilable values and beliefs. Essentially, it entails a deliberate and reflexive effort on the part of citizens to examine their own belief systems and weed out the propositions that they cannot reasonably expect others to endorse or view as evidential when they are required in certain important contexts to engage with others who do not share them. It involves and evolves a mutual respect between persons in their political dealings. Rawls himself characterises political principles that are agreed upon by way of public reason as objective. He says: ‘a conception of objectivity must establish a public framework of thought sufficient for the concept of judgment to apply and for conclusions to be reached on the basis of reasons and evidence after discussion and due reflection. Indeed, this is required for all kinds of inquiry, whether moral, political, or scientific, or matters of common sense’ (Rawls 2005, p. 110). The public use of reason is a mode of communication that citizens approximate by eliminating the dependence of their arguments or assertions on illegitimate comprehensive assumptions.14 Journalism should aim to accomplish exactly the same goal. Divesting articles, reports, and opinion pieces of implicit biases and reliance on controversial values would succeed in rendering journalism more objective precisely because it makes it less subjective. For example, financial journalists working for the BBC must register their business interests in order to prevent potential conflicts of interest.15 Further, the purpose of a commitment to the public use of reason would be to better serve a diverse audience, the members of which are understood to be entitled to certain types of information. If journalists commit to this method then they commit to selecting and presenting facts and arguments in such a way that even those inclined to disagree with their particular angle are still compelled to acknowledge it as reasonable and, therefore, legitimate. This can establish a solid foundation for our use of information and re-establish trust in journalistic organisations because whatever else they may be, in Baggini’s terms they would be truthful. As communicators, journalists have an interest in building (or rebuilding) this relationship with the public.

#### Journalists fulfill their duty through “pragmatic objectivity”.

**Ward 09**, Stephen. “A Free And Undemocratic Press?.” Center for the Study of Ethics in Society 27:3. February 12, 2022. https://scholarworks.wmich.edu/cgi/viewcontent.cgi?article=1084&context=ethics\_pa pers

The short answer is this: Journalists promote public reason when they fulfill two crucial functions of democratic media - an informative and a deliberative function. On my view, journalists have a duty to improve the informational and deliberative health of citizens as public health officers are responsible for the physical health of citizens. The Informative Function What is the informative function? It is not just reporting any sort of information. It is a combination of three types of journalism that require skill and disciplined inquiry. First, accurate, contextualized reporting on events. Second, investigative journalism, as the necessary exploration of what goes on below the surface of society. And three, informed interpretation of major social areas. Intelligent context and depth of investigation these are two qualities of democratic journalism. And I will mention a third: objectivity. The informative function is best fulfilled when journalists adopt the attitude of what I call “pragmatic objectivity.”? This is not a traditional objectivity of reporting just the facts. It is about adopting an objective stance and then evaluating stories according to a set of norms. Journalists adopt the objective stance when they are disinterested. They are disinterested when they do not prejudge a story in advance but follow the facts where they lead. They are willing to put a critical distance between them and their views. Journalists then have to test their stories with a set of criteria, such as the empirical strength of their reports and their coherence with existing knowledge. Pragmatic objectivity includes the critical evaluation of claims to fact, knowledge, and expertise. Objectivity is not neutrality or perfect knowledge of reality. It is a flexible imperfect method, a way of testing stories and reducing bias. If journalists carry out these three forms of journalism objectivity, they carry out a major task of democratic media. They express views grounded in knowledge, experience, research, and a critical but open mind. They provide a reliable base for all subsequent analysis and comment.

### 1AC – Disclosure

#### Interpretation: Debaters must disclose all constructive positions they read in the cite boxes or open source on the 2021-2022 NDCA LD Wiki under their school name for both sides they debate at TFA State 2022.

**Violation:**

A picture containing text

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#### Standards:

#### 1 - Engagement – disclosure allows in-depth preparation before the round which checks back against unpredictable positions and allows debaters to effectively write case negs and blocks—allows for reciprocal engagement where each side has an equal opportunity to prepare. Engagement outweighs on uniqueness – it’s the only thing differentiating debate from other events

#### 2 - Small School Inclusion – Big schools will always get your docs through having a lot of judges, competitors, and coaches with connections to other judges only disclosure allows small schools equal access.

#### 3 - Reciprocity - They have infinite prep before round to make the perfect strategy – only our interp gives us a crumb of the time. Reciprocity outweighs because it controls the internal link to fairness – fairness means reciprocal access to the ballot.

**4 - Academic Ethics—disclosure deters mis-cutting, power-tagging, abuse of brackets and ellipses, and plagiarism – makes it harder to beat evidence because I can’t find all the issues in-round—it’s a real-world norm and debate loses all educational value if we can just make up cards. I cannot go through all their cards in four minutes and still manage to craft a strategy. I cannot check in round. Academic Ethics outweighs because it controls entry to universities and higher learning – biggest internal link to education, universities will kick you out if you are academically dishonest.**

#### **Fairness is a voter – A] Debate’s a competitive game and requires objective evaluation.** B] Fairness best coheres a winner since if one debater had ten minutes to speak and the other had three there would be incongruence that alters ability to judge the better debater. Procedural unfairness doesn’t compensate since it denies access anyone to the space. C] Determines engagement in substance so it outweighs. D] Jurisdiction – every argument you make concedes the authority of fairness: i.e. that the judge will evaluate your arguments. Hack against them if they contest this since that’s the most unfair thing to do E] Probability – there’s no guarantee you solve structural barriers or out of round impacts but there’s a guarantee my interp makes rounds more fair F] Truth testing – no fairness assumes ability to determine truth value of the K but fairness is a prior question.

DTD – deter abuse

CI – judge intervention

No RVIS on AC theory – encourages 7 min RVI dump that overpowers the 1AR

### 1AC – Adv

#### Climate “experts” are spreading disinformation on behalf of corporate lobbyists. This halts climate legislation, dissaudes the public, and destroys international cooperation – the plan is key.

**Harkins 19**, Steven. “Why Is Climate Change Still Not Top Of The News Agenda?.” The Conversation. September 19, 2019. https://theconversation.com/why-is-climate-change-still-not-top-of-the-news-agenda- 123800

They found that a group of scientific experts challenged the consensus on climate change on behalf of corporations and conservative think tanks. Some of the individuals involved in this had previously challenged scientific consensus on a range of issues including the negative health implications of tobacco smoke. Corporations engage in this creation of doubt through public relations activity because climate change requires international cooperation on environmental legislation. By performing what Tuchman calls a “strategic ritual” of objectivity, journalists obscure the scientific consensus on climate change by reporting it as a debate. This framing makes climate breakdown seem less urgent and therefore less newsworthy. How can we improve? The notion of objectivity needs to be reclaimed through good journalism which invests resources in providing analysis and verification. News organisations are in an important position to explain complex scientific concepts in a language that most people understand, but they need to improve their scientific literacy in order to verify the relative merit of competing claims. Journalists with a better grasp of the science (and indeed social science) of climate change would be less reliant on press releases, reducing the impact of corporate lobbyists and the need to include their public relations activity as part of the news. However, these suggestions are optimistic considering the wider power structures that constrain how journalists operate.

#### Public trust in climate change information is at a low. The plan takes the pen out of agenda-driven stakeholder’s hand.

**Ellison 21**, Jude. “Why Journalists – Not Just Advocates – Need To Report On Climate Change.” The City Journal. March 31, 2021. http://thecityjournal.net/opinion/why-journalists-not-just-advocates-need-to-report- on-climate-change/

As temperatures climb, rivers rise and fires burn, the need for informed and effective coverage of climate change is clear. But who should provide that coverage? Journalists specialising in it are few and far between, particularly in the Global South. In the absence of journalistic coverage, Non Government Organisations (NGOs) have produced news releases and other content for their in-house media centres. These organisations are openly agenda-driven, leaving readers to question if their accounts are accurate and unbiased. Further, unlike most journalistic news outlets, NGOs often publish pieces without bylines. Such work can be difficult to trust – who writes them, and why aren’t the writers credited? These uncertainties give readers reason to doubt what is reported. Doubt compounds inaction, which is an unacceptable outcome for an urgent topic like climate change. But even clear attribution and commitment to fact-based reporting isn’t enough. Journalistic coverage has actively harmed the public perception of climate change’s seriousness and discouraged readers from taking action. What went wrong? Ironically, one of the values that journalists use to earn trust – balance – has caused result in the work becoming less trustworthy. One study found that in a sample of articles from the United States’ “prestige press” between 1988 and 2002, not even 6% of articles stated that human activity alone was responsible for climate change. Worse, nearly the same proportion of articles said that human activity was not responsible for climate change. More than half the articles equivocated, stating that some sources believed human activity to be responsible and some did not. Another piece said that journalists’ sources on climate change issues are not only scientists and other subject experts, but also encompass “a broader range of stakeholders” that gives page space to public relations professionals and other non-experts. The situation is no better in the Global South. A study from the Australian Centre for Independent Journalism found nearly one-third of the articles it examined “did not accept the scientific consensus that human beings are major contributors to global warming”. What could go right? So far, journalistic values have not been helpful in climate change reporting. But it doesn’t have to be that way. For example, instead of perpetuating the illusion of a “he said, she said” debate about anthropogenic climate change, journalists could honour their commitment to balance (and accuracy) by quoting multiple experts who suggest different actions for readers to take. These differences do not need to be balanced in the sense of “put at odds,” which may bewilder readers into inaction – rather, they can be balanced in the sense of “complementary,” giving readers multiple paths to meaningful engagement. Two additional journalistic values, accuracy and fairness, may also support climate change reporters. A University of Kansas study found a neutral tone is more likely than an angry one to convince readers of an issue’s seriousness, so much so that “the more coverage used anger as a way to discuss the issue, the less people felt it was important”. Also, journalistic norms around attribution (that it should be done) and transparency (that conflicts, payments and potential threats to independence should be disclosed) make journalists’ work less susceptible to the scepticism mentioned earlier around byline-free, agenda-driven NGO content. Another thing that may alleviate readers’ reservations is journalism’s code of ethics. Codes vary between regions, but in democratic societies, practitioners pledge to observe a number of guidelines that hold their work to higher standards than that of non-journalists. Adherence to professional codes of ethics is imperfect because those who adhere to them are imperfect, but it is arguably better to have named writers striving to meet the codes’ requirements – and sometimes facing career-ending consequences should they fall short – than to have unknown writers bound to no such codes and at risk of no such consequences.

#### **Enforcement is stringent – employees will be held liable for misinformation about environmental practices.**

**Pellegrino 18**, Nicolette. “A Gap In Causation? Punishing Polluters For Contributing To Climate Change And Increasing Violent Cr.” Pace Environmental Law Review. December 11, 2018. https://digitalcommons.pace.edu/pelr/vol35/iss2/6/

Because climate change leads to migration and psychological stress, which increases the rates of rape and other violence, it is logical for the punishment of those who perpetrate environmental crimes that accelerate climate change to be greater. The vast consequences of environmental crimes that contribute to climate change authorize governments to enforce stricter sanctions. Intensifying the repercussions of perpetrating environmental crimes is likely to promote awareness of the severity of climate change and, in turn, deter individuals and businesses from hurting the environment. Currently, if an individual partakes in illegal deforestation or logging, they will face a potential penalty.127 However, if governments increase the severity of such punishments, individuals will be deterred from acting in damaging ways. The individuals participating in deforestation should not just face regulations and fines but should be criminally punished with prison time. Not only will jail time deter individuals from continuing their illegal acts, but it will also deter others from committing environmental crimes. Regarding businesses, the Supreme Court in Massachusetts v. EPA permitted the EPA to regulate GHG emissions once the Agency confirmed that GHGs contributed to climate change.128 Today, certain corporations are forced to pay large sums of money because of their emissions.129 An example is when Hyundai and Kia violated the CAA and were mandated to pay a $100 million fine and roughly $50 million to combat the damage done.130 Both large and small businesses wish to make a profit, not face sanctions or lose proceeds.131 If companies are faced with massive fines upon hurting the environment, they will be less likely to act in a manner that carries harmful consequences. However, to take it further, not only should the businesses be held liable for damaging the environment, but the individual actors who are partaking in the environmental crimes must be held personally liable, too. If an individual believes that not only will his or her company be forced to pay a substantial fine, but that they will also face civil or criminal penalties, they will be less likely to enable the environmentally hurtful conduct. In United States v. Park,132 the U.S. Supreme Court held that individuals within corporate entities would be liable for the wrongdoings of the company when “the indirect actor” occupied “a position of ‘responsibility and authority’ with regard to the criminal act or transaction.”133 Second, the “indirect actor” “must have had the power to prevent the criminal occurrence through the exercise of the highest standard of foresight and vigilance.”134 Thus, the government was able to hold individuals liable for actions for which it otherwise would have lacked the requisite element of scienter, and the individuals were allowed to prove themselves innocent if they had no power to stop the wrongful act.135 When considering the fines levied in the Hyundai-Kia settlement, it is clear that hefty fines already exist.136 Thus, to make enforcement more stringent, perhaps the fines could increase to $50 million per 1 million metric tons of GHG emissions.137 To ensure that such heavy fines are fair, one must consider the Park individual liability analysis.138 It would be unfair to hold an individual liable for something over which they had no control.139 However, similar to government-enforced “mandatory reporters” of child sexual abuse,140 governments should hold individuals liable who do not attempt to prevent their companies from participating in environmental crimes. For example, if an employee notices that their employer is violating EPA regulations, they will be mandated to report the violation to the proper authority. If they do not report, then they too will be held liable for the company’s violations. The vast implications of environmental crimes and the potential damage to public health permits such stringent punishment and regulation.

#### Warming causes extinction.

Peter Kareiva 18, Ph.D. in ecology and applied mathematics from Cornell University, director of the Institute of the Environment and Sustainability at UCLA, Pritzker Distinguished Professor in Environment & Sustainability at UCLA, et al., September 2018, “Existential risk due to ecosystem collapse: Nature strikes back,” Futures, Vol. 102, p. 39-50

In summary, six of the nine proposed planetary boundaries (phosphorous, nitrogen, biodiversity, land use, atmospheric aerosol loading, and chemical pollution) are unlikely to be associated with existential risks. They all correspond to a degraded environment, but in our assessment do not represent existential risks. However, the three remaining boundaries (climate change, global freshwater cycle, and ocean acidification) do pose existential risks. This is because of intrinsic positive feedback loops, substantial lag times between system change and experiencing the consequences of that change, and the fact these different boundaries interact with one another in ways that yield surprises. In addition, climate, freshwater, and ocean acidification are all directly connected to the provision of food and water, and shortages of food and water can create conflict and social unrest. Climate change has a long history of disrupting civilizations and sometimes precipitating the collapse of cultures or mass emigrations (McMichael, 2017). For example, the 12th century drought in the North American Southwest is held responsible for the collapse of the Anasazi pueblo culture. More recently, the infamous potato famine of 1846–1849 and the large migration of Irish to the U.S. can be traced to a combination of factors, one of which was climate. Specifically, 1846 was an unusually warm and moist year in Ireland, providing the climatic conditions favorable to the fungus that caused the potato blight. As is so often the case, poor government had a role as well—as the British government forbade the import of grains from outside Britain (imports that could have helped to redress the ravaged potato yields). Climate change intersects with freshwater resources because it is expected to exacerbate drought and water scarcity, as well as flooding. Climate change can even impair water quality because it is associated with heavy rains that overwhelm sewage treatment facilities, or because it results in higher concentrations of pollutants in groundwater as a result of enhanced evaporation and reduced groundwater recharge. Ample clean water is not a luxury—it is essential for human survival. Consequently, cities, regions and nations that lack clean freshwater are vulnerable to social disruption and disease. Finally, ocean acidification is linked to climate change because it is driven by CO2 emissions just as global warming is. With close to 20% of the world’s protein coming from oceans (FAO, 2016), the potential for severe impacts due to acidification is obvious. Less obvious, but perhaps more insidious, is the interaction between climate change and the loss of oyster and coral reefs due to acidification. Acidification is known to interfere with oyster reef building and coral reefs. Climate change also increases storm frequency and severity. Coral reefs and oyster reefs provide protection from storm surge because they reduce wave energy (Spalding et al., 2014). If these reefs are lost due to acidification at the same time as storms become more severe and sea level rises, coastal communities will be exposed to unprecedented storm surge—and may be ravaged by recurrent storms. A key feature of the risk associated with climate change is that mean annual temperature and mean annual rainfall are not the variables of interest. Rather it is extreme episodic events that place nations and entire regions of the world at risk. These extreme events are by definition “rare” (once every hundred years), and changes in their likelihood are challenging to detect because of their rarity, but are exactly the manifestations of climate change that we must get better at anticipating (Diffenbaugh et al., 2017). Society will have a hard time responding to shorter intervals between rare extreme events because in the lifespan of an individual human, a person might experience as few as two or three extreme events. How likely is it that you would notice a change in the interval between events that are separated by decades, especially given that the interval is not regular but varies stochastically? A concrete example of this dilemma can be found in the past and expected future changes in storm-related flooding of New York City. The highly disruptive flooding of New York City associated with Hurricane Sandy represented a flood height that occurred once every 500 years in the 18th century, and that occurs now once every 25 years, but is expected to occur once every 5 years by 2050 (Garner et al., 2017). This change in frequency of extreme floods has profound implications for the measures New York City should take to protect its infrastructure and its population, yet because of the stochastic nature of such events, this shift in flood frequency is an elevated risk that will go unnoticed by most people. 4. The combination of positive feedback loops and societal inertia is fertile ground for global environmental catastrophes Humans are remarkably ingenious, and have adapted to crises throughout their history. Our doom has been repeatedly predicted, only to be averted by innovation (Ridley, 2011). However, the many stories of human ingenuity successfully addressing existential risks such as global famine or extreme air pollution represent environmental challenges that are largely linear, have immediate consequences, and operate without positive feedbacks. For example, the fact that food is in short supply does not increase the rate at which humans consume food—thereby increasing the shortage. Similarly, massive air pollution episodes such as the London fog of 1952 that killed 12,000 people did not make future air pollution events more likely. In fact it was just the opposite—the London fog sent such a clear message that Britain quickly enacted pollution control measures (Stradling, 2016). Food shortages, air pollution, water pollution, etc. send immediate signals to society of harm, which then trigger a negative feedback of society seeking to reduce the harm. In contrast, today’s great environmental crisis of climate change may cause some harm but there are generally long time delays between rising CO2 concentrations and damage to humans. The consequence of these delays are an absence of urgency; thus although 70% of Americans believe global warming is happening, only 40% think it will harm them (http://climatecommunication.yale.edu/visualizations-data/ycom-us-2016/). Secondly, unlike past environmental challenges, the Earth’s climate system is rife with positive feedback loops. In particular, as CO2 increases and the climate warms, that very warming can cause more CO2 release which further increases global warming, and then more CO2, and so on. Table 2 summarizes the best documented positive feedback loops for the Earth’s climate system. These feedbacks can be neatly categorized into carbon cycle, biogeochemical, biogeophysical, cloud, ice-albedo, and water vapor feedbacks. As important as it is to understand these feedbacks individually, it is even more essential to study the interactive nature of these feedbacks. Modeling studies show that when interactions among feedback loops are included, uncertainty increases dramatically and there is a heightened potential for perturbations to be magnified (e.g., Cox, Betts, Jones, Spall, & Totterdell, 2000; Hajima, Tachiiri, Ito, & Kawamiya, 2014; Knutti & Rugenstein, 2015; Rosenfeld, Sherwood, Wood, & Donner, 2014). This produces a wide range of future scenarios. Positive feedbacks in the carbon cycle involves the enhancement of future carbon contributions to the atmosphere due to some initial increase in atmospheric CO2. This happens because as CO2 accumulates, it reduces the efficiency in which oceans and terrestrial ecosystems sequester carbon, which in return feeds back to exacerbate climate change (Friedlingstein et al., 2001). Warming can also increase the rate at which organic matter decays and carbon is released into the atmosphere, thereby causing more warming (Melillo et al., 2017). Increases in food shortages and lack of water is also of major concern when biogeophysical feedback mechanisms perpetuate drought conditions. The underlying mechanism here is that losses in vegetation increases the surface albedo, which suppresses rainfall, and thus enhances future vegetation loss and more suppression of rainfall—thereby initiating or prolonging a drought (Chamey, Stone, & Quirk, 1975). To top it off, overgrazing depletes the soil, leading to augmented vegetation loss (Anderies, Janssen, & Walker, 2002). Climate change often also increases the risk of forest fires, as a result of higher temperatures and persistent drought conditions. The expectation is that forest fires will become more frequent and severe with climate warming and drought (Scholze, Knorr, Arnell, & Prentice, 2006), a trend for which we have already seen evidence (Allen et al., 2010). Tragically, the increased severity and risk of Southern California wildfires recently predicted by climate scientists (Jin et al., 2015), was realized in December 2017, with the largest fire in the history of California (the “Thomas fire” that burned 282,000 acres, https://www.vox.com/2017/12/27/16822180/thomas-fire-california-largest-wildfire). This catastrophic fire embodies the sorts of positive feedbacks and interacting factors that could catch humanity off-guard and produce a true apocalyptic event. Record-breaking rains produced an extraordinary flush of new vegetation, that then dried out as record heat waves and dry conditions took hold, coupled with stronger than normal winds, and ignition. Of course the record-fire released CO2 into the atmosphere, thereby contributing to future warming. Out of all types of feedbacks, water vapor and the ice-albedo feedbacks are the most clearly understood mechanisms. Losses in reflective snow and ice cover drive up surface temperatures, leading to even more melting of snow and ice cover—this is known as the ice-albedo feedback (Curry, Schramm, & Ebert, 1995). As snow and ice continue to melt at a more rapid pace, millions of people may be displaced by flooding risks as a consequence of sea level rise near coastal communities (Biermann & Boas, 2010; Myers, 2002; Nicholls et al., 2011). The water vapor feedback operates when warmer atmospheric conditions strengthen the saturation vapor pressure, which creates a warming effect given water vapor’s strong greenhouse gas properties (Manabe & Wetherald, 1967). Global warming tends to increase cloud formation because warmer temperatures lead to more evaporation of water into the atmosphere, and warmer temperature also allows the atmosphere to hold more water. The key question is whether this increase in clouds associated with global warming will result in a positive feedback loop (more warming) or a negative feedback loop (less warming). For decades, scientists have sought to answer this question and understand the net role clouds play in future climate projections (Schneider et al., 2017). Clouds are complex because they both have a cooling (reflecting incoming solar radiation) and warming (absorbing incoming solar radiation) effect (Lashof, DeAngelo, Saleska, & Harte, 1997). The type of cloud, altitude, and optical properties combine to determine how these countervailing effects balance out. Although still under debate, it appears that in most circumstances the cloud feedback is likely positive (Boucher et al., 2013). For example, models and observations show that increasing greenhouse gas concentrations reduces the low-level cloud fraction in the Northeast Pacific at decadal time scales. This then has a positive feedback effect and enhances climate warming since less solar radiation is reflected by the atmosphere (Clement, Burgman, & Norris, 2009). The key lesson from the long list of potentially positive feedbacks and their interactions is that runaway climate change, and runaway perturbations have to be taken as a serious possibility. Table 2 is just a snapshot of the type of feedbacks that have been identified (see Supplementary material for a more thorough explanation of positive feedback loops). However, this list is not exhaustive and the possibility of undiscovered positive feedbacks portends even greater existential risks. The many environmental crises humankind has previously averted (famine, ozone depletion, London fog, water pollution, etc.) were averted because of political will based on solid scientific understanding. We cannot count on complete scientific understanding when it comes to positive feedback loops and climate change.

### 1AC – Method

#### The state is inevitable – someone will gain power in the state of nature and that will snowball.

**Holcombe 03**, Randall. “Government: Unnessessary but Inevitable.” The Independent Review , The Independent Institute, 2003, [www.independent.org/publications/tir/article.asp?id=15](http://www.independent.org/publications/tir/article.asp?id=15). Lindale PP

Without government, people would be vulnerable to predators and therefore would have to find ways to protect themselves. In the anarchy Hobbes described, life is a war of all against all—nasty, brutish, and short. The strong overpower the weak, taking everything the victims have, but the strong themselves do not prosper in Hobbesian anarchy because there is little for them to take. Nobody produces when the product will surely be taken away from them. Even under more orderly conditions than Hobbesian anarchy, predation has a limited payoff because people who have accumulated assets forcibly resist those who try to plunder them, and the ensuing battles consume both predators’ and victims’ resources.10 Disorganized banditry produces Hobbesian anarchy in which nobody prospers because nobody has an incentive to be productive. If the predators can organize, they may evolve into little mafias that can offer their clients some protection. This evolution will create a more productive society, with more income for both the predators and their prey, but the mafias will have to limit their take in order for this outcome to arise. If the mafia can assure its clients that in exchange for payment they will be protected from other predators and allowed to keep a substantial portion of what they produce, output will increase, and everybody’s income can rise. Losses from rivalries among mafias will continue to be borne, however, because competing mafias have an incentive to plunder individuals who do not contract with them. If the mafias become even better organized, they can establish themselves as a state. Predators have every incentive to move from operating as bandits to operating as states because bandits cannot guarantee themselves a long-term flow of income from predation and because if banditry is rampant, people have little incentive to produce wealth. States try to convince citizens that they will limit their take and that they will protect their citizens in order to provide an incentive for those citizens to produce. Governments receive more income than bandits because governments can remain in one place and receive a steady flow of income rather than snatching once and moving on (Usher 1992). In such a situation, citizens gain, too (Holcombe 1994).

#### An inevitable state means the only political obligation left is to mandate what that state ought to do – only Rawls eliminates institutional bias.

Tommie **Shelby 04**, Race and Ethnicity, Race and Social Justice: Rawlsian Considerations, 72 Fordham L. Rev. 1697 (2004). Available at: <https://ir.lawnet.fordham.edu/flr/vol72/iss5/15> Lindale PP

As is well known, Rawls contends that the subject of a political conception of justice is the configuration of the fundamental institutions of society, what he calls the "basic structure," not individuals and their actions in particular circumstances.34 He characterizes an institution as "a public system of rules which defines offices and positions with their rights and duties, powers and immunities, and the like. These rules specify certain forms of action as permissible, others as forbidden; and they provide for certain penalties and defenses, and so on, when violations occur."35 According to Rawls, there are at least two ways of thinking about an institution: (1) as a possible form of conduct expressed by a public system of rules (an institution as an abstract object); or (2) as the realization of these rules in the thought and conduct of particular persons (an institution as realized). Rawls maintains that it is best to conceive of questions of social justice in the second sense, as applying to institutions as realized. Moreover, we should assume that these realized institutions will be "effectively and impartially administered."36 This means that we should take up the question of the substantive justice of an institutional arrangement on the assumption that in practice it will be formally just. Formal justice, or what Rawls sometimes calls "justice as regularity," is the "impartial and consistent administration of laws and institutions, whatever their substantive principles."37 When formal justice obtains, the officials and administrators who operate on the basis of institutionally defined authority treat similar cases similarly (where the relevant similarities and differences are specified by the existing rules of the institution), and they regularly adhere to and properly interpret the institutional rules and procedures. While talk of "formal" justice might suggest that this principle is somehow trivial (or worse) from an egalitarian point of view, Rawls rightly insists that it rules out significant forms of injustice; not just de jure but de facto. For example, formal justice in the case of legal institutions is a component of the rule of law.38 Thus, it is unjust when judges fail to apply the appropriate law or to interpret it correctly. The kinds of injustice that Rawls mainly has in mind here include "the subtle distortions of prejudice and bias as these effectively discriminate against certain groups in the judicial process."39 He surely means to include racial prejudice and bias among the distortions that lead to unfair discrimination in the administration of justice. We can also assess the formal justice of many non-legal institutions in society, for justice as regularity applies to all institutions that are components of the basic structure. The administration of these social institutions, too, is susceptible to corruption or distortion by prejudice and bias. Indeed, I would suggest that we conceptualize one important form of "institutional racism" in just this way. We can think of a social institution-e.g., a criminal justice system-as embodying institutional racism when the administration or enforcement of its rules and procedures is frequently distorted by the racial prejudice and bias of its officials. Such prejudice and bias need not operate on the basis of crude racial stereotypes, but may be more subtle, implicit, or even unconscious. Nor is it necessary that such prejudice and bias spring from malicious motives or hatred. Whatever the degree of individual blameworthiness of officials who possess these skewed perceptions and attitudes, when the influence of racial prejudice and bias on decision-makers causes them to misapply institutional rules or to fail to properly enforce these rules, we are dealing with a form of racial injustice. It is also important to recognize that these decisions would violate formal justice even if the content of the system of rules were more or less in accord with the substantive principles of justice.

### 1AC – UV

**1 - Presumption and permissibility affirm –**

**A - Statements are true before false since if I told you my name, you’d believe me.**

**B - Epistemics – we wouldn’t be able to start a strand of reasoning since we’d have to question that reason.**

**C - Illogical – presuming statements false is illogical since you can’t say things like P and ~P are both wrong.**

**D - Presuming obligations is logically safer since it’s better to be supererogatory than fail to meet an obligation.**

**E - Presuming statements false is impossible since we can’t operate in a world where we don’t trust anything.**

#### 2 - No 2NR RVI, paradigm issues, theory, evidence, or new responses to AC arguments since they’d dump on it for 6 minutes and my 3-minute 2AR is spread too thin.

#### 3 - All K Links must quote explicit lines in the because they are an infinite amount of things the AC can implicitly justify reciprocally exploding neg ground.

#### 4 - RVI on NC theory – you can read arguments such as T that are exclusively neg so I need them to compensate and weighing is structurally unfair since the 7-4-6-3 time skew means that the neg can just dump on weighing and the 2ar becomes impossible. This means that if either side has any offense under any framing then you default aff.