# 1n

## 1st

#### Interpretation: the affirmative debater must not read aff gets 1ar theory, 1ar theory is drop the debater, and evaluate the debate after the 1ar

#### Violation: 1 point and 3 point of underview

#### Standard – infinite abuse – you can ready any shell in the 1ar and win

#### Fairness voter, a] in reading any argument, you presuppose the judge is evaluating it fairly in the first place, b] debate is a competitive activity that requires fair evaluation

#### Also a reason to vote neg on substance since I couldn’t engage

#### DTD, a] to deter them from reading the abuse in the future, b] they’ve already skewed substance with the abuse so you have to evaluate the shell first

#### No RVI – a] baiting, good theory debaters bait with abusive positions and always win on the RVI, b] logic

#### Competing interps > reasonability

#### No cross-apps, overviews, or meta theory – make them win the CI cause they know they’re abusive and have to read takeouts to theory to win when called out, anything else recreates their abuse and assumes it was justified in the first place since they just try to commit more abuse to take out the shell

## 2nd

#### Next, agents justify their actions based on individual moral preferences and deal with ethical dilemmas by prioritizing their own beliefs. Gauthier.

[David Gauthier, Canadian-American philosopher best known for his neo-Hobbesian social contract theory of morality, Why Contractarianism?, 1998, ///AHS PB] SHS ZS

Fortunately, I do not have to defend normative foundationalism. One problem with accepting moral justification as part of our ongoing practice is that, as I have suggested, **we no longer accept the world view on which it depends**. But perhaps a more immediately pressing problem is that we have, ready to hand, an alternative mode for justifying our choices and actions. In its more austere and, in my view, more defensible form, this is to show that **choices and actions maximize** **the agent ’s expected utility**, **where utility is a measure of considered preference.** In its less austere version, this is to show that **choices and actions satisfy, not a subjectively defined requirement such as utility, but meet the agent ’ s objective interests.** Since I do not believe that we have objective interests, I shall ignore this latter. But it will not matter. For the idea is clear; **we have a mode of justification that does not require the introduction of moral considerations.** 11 Let me call this alternative nonmoral mode of justification, neutrally, **deliberative justification**. Now moral and deliberative justification are directed at the same objects – **our choices and actions. What if they conflict?** And what do we say to the person who offers a deliberative justification of his choices and actions and refuses to offer any other? We can say, of course, that his behavior lacks moral justification, but this seems to lack any hold, unless he chooses to enter the moral framework. And such entry, he may insist, lacks any deliberative justification, at least for him. **If morality perishes, the justificatory enterprise**, in relation to choice and action, **does not perish with it**. Rather, one mode of justification perishes, a mode that, it may seem, now hangs unsupported. But not only unsupported, for it is difficult to deny that **deliberative justification** is more clearly basic, that it **cannot be avoided insofar as we are rational agents**, so that if moral justification conflicts with it, morality seems not only unsupported but opposed by what is rationally more fundamental. **Deliberative justification relates to our deep sense of self**. What distinguishes human beings from other animals, and **provides the basis for rationality**, is the capacity **for semantic representation**. You can, as your dog on the whole cannot, represent a state of affairs to yourself, and consider in particular whether or not it is the case, and whether or not you would want it to be the case. **You can represent to yourself the contents of your beliefs, and your desires or preferences**. But in representing them, you bring them into relation with one another. You represent to yourself that the Blue Jays will win the World Series, and that a National League team will win the World Series, and that the Blue Jays are not a National League team. And in recognizing a conflict among those beliefs, you find  rationality thrust upon you. Note that the first two beliefs could be replaced by preferences, with the same effect. Since in representing our preferences we become aware of conflict among them, the step from representation to choice becomes complicated. **We must, somehow, bring our conflicting desires and preferences into some sort of coherence. And there is only one plausible candidate for a principle of coherence – a maximizing principle**. We order our preferences, in relation to decision and action, so that we may choose in a way that maximizes our expectation of preference fulfillment. **And in so doing, we show ourselves to be rational agents, engaged in deliberation and deliberative justification**. There is simply nothing else for practical rationality to be. The foundational crisis of morality thus cannot be avoided by pointing to the existence of a practice of justification within the moral framework, and denying that any extramoral foundation is relevant. For an extramoral mode of justification is already present, existing not side by side with moral justification, but in a manner tied to the way in which we unify our beliefs and preferences and so acquire our deep sense of self. **We need not suppose that this deliberative justification is itself to be understood foundationally. All that we need suppose is that moral justification does not plausibly survive conflict with it.**

#### Thus, the standard is consistency with contractarianism. Agents must engage in the project of mutual self-restraint as to not impede upon the moral authority of others. Stanford.

[Stanford Encyclopedia of Philosophy. “Contractarianism.” <https://plato.stanford.edu/entries/contractarianism/> Published 18 June 2000] SHS ZS

A brief sketch of the most complete and influential contemporary contractarian theory, David Gauthier’s, is in order. **Gauthier’s project** in Morals By Agreement **is to employ a contractarian approach to grounding morality in rationality** in order **to defeat the moral skeptic.** (However, Anita Superson (2009) points out that Gauthier attempts to answer only the skeptic who asks “why should I be moral?” but leaves both the motive skeptic, who argues that it is enough to act morally but need not be motivated by morality, and the amoralist, who denies that there is any such thing as morality, that is, that there are true moral statements.) **It is** generally **assumed that humans can have no perfect natural harmony of interests** (otherwise morality would be largely superfluous), and that there is much for each individual to gain through cooperation. However, **moral constraint on the pursuit of individual self-interest is required because cooperative activities almost inevitably lead to a prisoner’s dilemma**: a situation in which the best individual outcomes can be had by those who cheat on the agreement while the others keep their part of the bargain. This leads to the socially and individually sub-optimal outcome wherein each can expect to be cheated by the other. But by disposing themselves to act according to the requirements of morality whenever others are also so disposed, they can gain each others’ trust and cooperate successfully. **The contractarian element of the theory comes in the derivation of the moral norms. The compliance problem—the problem of justifying rational compliance with the norms that have been accepted—must drive the justification of the initial situation and the conduct of the contracting situation**. **It is helpful to think of the contract situation as a bargain, in which each party is trying to negotiate the moral rules that will allow them to realize optimal utilit**y, and this has led philosophers to apply a number of bargaining solutions to the initial contract situation. Gauthier’s solution is the “minimax relative concession” (1986, ch. V). **The idea of minimax relative concession is that each bargainer will be most concerned with the concessions that she makes from her ideal outcome relative to the concessions that others make**. If she sees her concessions as reasonable relative to the others, considering that she wants to ensure as much for herself as she can while securing agreement (and thereby avoiding the zero-point: no share of the cooperative surplus) and subsequent compliance from the others, then she will agree to it. What would then be the reasonable outcome**? The reasonable outcome, according to this view, is the outcome that minimizes the maximum relative concessions of each party to the bargain** (Gauthier 1986, ch. V). Equally important to the solution as the procedure is the starting point from which the parties begin. For some contractarians (like Gauthier) there is no veil of ignorance—each party to the contract is fully informed of their personal attributes and holdings. However, without the veil of ignorance, contractors will be aware of the differences in bargaining power that could potentially affect the outcome of the bargain. **It is important, then, that the initial position must have been arrived at non-coercively if compliance to the agreement is to be secured.** A form of the “Lockean proviso” (modeled after Locke’s description of the initial situation of his social contract): that one cannot have bettered himself by worsening others, may turn out to be beneficial in cases without a veil of ignorance. In sum, **the moral norms that rational contractors will adopt** (and comply with) **are those norms that would be reached by the contractors beginning from a position each has attained through her own actions which have not worsened anyone else,** and adopting as their principle for agreement the rule of minimax relative concession (Gauthier 1986, ch. VII). On one line of thought, contractarianism produces liberal individuals who seem well suited to join the kind of society that Rawls envisioned (Gauthier 1986, ch. XI). On another line, the Hobbesian contractarian argument leads towards the sparse government of libertarianism (Narveson 1988). The controversy here turns on the primary motivation for individuals to make agreements and cooperate. As we said before, there are two such motivations for the Hobbesian contractarian: fear of the depredations of others and benefits from cooperation with others. Libertarianism results when the first of these is primary, whereas when the second is primary, the kind of reciprocity and supportive government that will be discussed in the final section becomes possible.

#### Negate:

#### [1] Contracts – employers and employees have contracts which do not include / do not grant workers to strike. Granting workers to strike is a violation of those companies’ contracts, which ow under my fwk since it’s a breaking of a contract.

#### [2] Self-Interest – States each have their own unique reasons for not recognizing the right of workers to strike and forcing them to do so would be imposing an external principle disregarding each individual position – which would be an intrinsic wrong under the framework.

## Case