# Prag AC

## Framing

#### I value morality.

#### Deliberation and testing are key to ensuring that ethics can respond to changing circumstances

Serra 09 [Juan Pablo Serra. What Is and What Should Pragmatic Ethics Be? Some Remarks on Recent Scholarship*.* EUROPEAN JOURNAL OF PRAGMATISM AND AMERICAN PHILOSOPHY. 2009. Francisco de Vitoria College, Humanities Department, Faculty member.]

This separation of theory and practice runs parallel to another split, namely, that of ethics and morals or, better put, of ethical theory and moral practice. Peirce denies that morality is subject to rationality and thinks that ethics is valuable as a science in a broad sense. But he also regards ethics as a science which bears on human conduct only indirectly, through the examination of past actions and the self-correction of the self in view of future action. In addition, ethics would be a normative knowledge only in so far as it analyzes the adjustment of actions to ends and in so far as it studies the general way in which a good life can be lived. In morals Peirce appeals to instinct and sentiment, and in ethics he recommends the use of logical thinking —just as scientists do. However, even within the framework of his system, it’s not obvious that scientists may so easily set aside their instincts —in fact, instinct (or ‘rational instinct’ as he called it in 1908) plays a significant role in the economy of re- search. Moreover, the statement that in moral issues there may be no possibility of carrying out an inquiry that is truth-oriented is not an uncontroversial one. After all, moral inquiry is performed in a deliberative[ly] way, weighing up argumentations, beliefs and principles, and comparing them either with their probable or conceivable consequences or with lived as well as possible experiences that can be forceful or impinge upon the deliberative subject in such a way as to acquire the compulsory resistance due to reality. As Misak puts it succint- ly, “the practice of moral deliberation is responsive to experience, reason, argument, and thought experiments... Such responsiveness is part of what it is to mak[ing]e a moral decision[s] and part of what it is to try to live a moral life” (2000: 52)3. Likewise, this same deliberative activity implies an effort to acquire habits, beliefs and principles that contribute to a truly free deliberation which, in turn, can result in creative conclusions. For Peirce, as you get more habit-governed, you become more creative and free, and your selfhood acquires plas- ticity and receptiveness to experience4. Vincent Colapietro has referred to Peirce’s description of human reason in terms of a deliberative rationality (1999: 24). Also, in another place he has explained that deliberation for Peirce is a process of preparation for future action which has to do with the checking of previous acts, the rehearsal in imagination of different roads to be followed by possible conduct and the nurturing of ideals (Colapietro 1997: 270, 281). It is precisely this experi- ment carried out within imagination [by] that generates habits, because, as Peirce says in “A Survey of Pragmaticism”, “it is not the muscular action but the accompanying inward ef-forts, the acts of imagination, that produce the habit” (CP 5.479, 1907). Habits are regular ways of thinking, perceiving and interpreting that generate actions. As such, habits have a huge influence on human behavior, manifest themselves in the con- crete things we do and, at the same time, are formed within those same activities. Even more, according to Peirce, the activity takes the form of experimentation in the inner world; and the conclusion (if it comes to a definite conclusion), is that under given conditions, the interpreter will have formed the habit of acting in a given way whenever he may desire a given kind of result. The real and living logical conclusion is that habit (CP 5.491, 1907). Much more evidence could be given to support the view that habits are virtually decided (CP 2.435, c.1893) and also that intelligence comprises inward or potential actions that in- fluence the formation of habits (CP 6.286, 1893). Suffice it to say that, according to Peirce, deliberation is a function of the imagination, and that imagination is in itself an experiment which may have unexpected consequences that impose themselves upon the deliberative subject.

#### The standard and role of the ballot is to endorse consistency with democratic deliberation. It’s key to ensuring students can keep up with updated theories used in practice.

**Taatila & Raij 12** [TAATILA, V., & RAIJ, K. (2012). Philosophical Review of Pragmatism as a Basis for Learning by Developing Pedagogy. Educational Philosophy and Theory, 44(8), 831–844. doi:10.1111/j.1469-5812.2011.00758.] cw//az

The authors of this paper do not claim that a natural world would not exist without social construction made by humans. However, if the goal is to have an effect on social practices, there should be a strong emphasis in any research activities on social construc- tion, acceptance and delivery mechanisms of revealed ‘truths’. A university needs to pay attention to the learning practices that are most effective in creating a social and personal acceptance of the subjects in curriculum and the competence to use this information in practice (Fugate & Jefferson, 2001). There is also a need to pass on the understanding and willingness to act on the ever-changing nature of science. As we know, in any academic subject some theories may be outdated at any time, and the alumni should be able to accept these changes and accommodate them into their own practices. Thus university graduates should be in a constant learning cycle, always acquiring new knowledge in addition to and replacement of the old truths (Chisholm, 2000). Learning is in a central position within a pragmati[sm]c framework. Since pragmatism [it] aims at translating useful knowledge of real-life problems into action, people must constantly acquire new knowledge and skills. The goal of learning is to create constantly new competence to fit the contemporary situation, or in Dewey’s words: ‘Instead of repro- ducing current habits, better habits shall be formed, and thus the future adult society can be an improvement of their own’ (Parker, 2003, xviii). Pragmatism does not see[s] education only as an academic exercise to increase general knowledge, but also as an answer to why and what should one learn, and what the student will use learning for. Pragmatic learning is vocationally directed, so every learning situation should lead toward increased practical competence. This view is held in all types of learning situations, from deep science to very practical skills. ‘According to lecture method [realism] we live in order to learn, but according to the case method [pragmatism] we learn in order to live’ (Ardalan, 2008, p. 22). The pragmatic approach to education strongly critiques transmission-type teaching. Dewey in particular opposed this approach. He saw that the world was frequently presented to students as a set of ready-made knowledge, facts and laws, which scien- tists know to be untrue. For Dewey, the educative process was created by development and growth that takes place in intelligent inquiries into the environment (Seltzer-Kelly, 2008, pp. 293–294). An important aspect of teaching was not on the subject per se, but on making students learn to use scientific methods, and think and act on their own initiative. The requirements on the teacher in a pragmatic context are enormous. It is not sufficient to know the subject matter, but to be able to focus on the individual growth of the students, and to be able to ‘teach’ in open situations to solve problems with no fixed amount of variables. ‘The teacher must ... pay close attention to the particularities, to the individual students and their environmental influences, so that every instructional strategy can be adjusted in light of these’ (Seltzer-Kelly, 2008, p. 299). Dewey saw the teacher’s job as constant interactive intervention to contemporary problems with and by the students, to cultivate[s] the students with a caring but firm hand like that of a gardener (Seltzer-Kelly, 2008, p. 299). All this leads to a requirement for strong pedagogical skills. A teacher must master a large number of different methods to support learning, and be able to vary them according to situational needs ‘Only knowledge of the principles upon which all methods are based can free the teacher from dependence upon the educational nostrums which are recommended like patent medicines, as panaceas for all educational ills’ (McLellan & Dewey, 1908, p. 10). Still, the teacher is not the most important individual in a pragmatic learning process. The learner, the student, is most important. All learning takes place within the student. No amount of given support, instructions and facts can force her to learn if she actively opposes learning. In the pragmatic approach the student must be placed within the situation to personally experience the problems. In pragmatic learning environments, the students ‘... impose a meaningful framework on the unruliness of the case facts. They search for the key pieces of data, distinguishing central facts from peripheral ones. They organize the conflicting explanations and alternatives presented to them, and arrive at a reasonable recommendation for action. They express their views, feelings, reactions, attitudes, and prejudices which are reinforced or rejected by their colleagues. They have the opportunity to re-evaluate and re-appraise their recommendation, character, and personality’ (Ardalan, 2008, p. 28).

#### Other ethical theories are founded on minimalistic criteria, ours resolves this by using these criteria to better inform our judgments, LaFollete 2K[[1]](#footnote-1):

Employs criteria, but is not criterial. The previous discussions enable us to say more precisely why pragmatists reject a criterial view of morality. Pragmatism's core contention that practice is primary in philosophy rules out the hope of logically prior criteria. Any meaningful criteria evolve from our attempt to live morally – in deciding what is the best action in the circumstances. Criteria are not discovered by pure reason, and they [which] are not fixed. As ends of action, they are always revisable. As we obtain new evidence about ourselves and our world, and as our worlds changes, we find[s] that what was appropriate for the old environment may not be conducive to survival in the new [world] one. A style of teaching that might have been ideal for one kind institution (a progressive liberal arts college) at one time (the 60s) may be wholly ineffective in another institution (a regional state university) at another time (the 80s). But that is exactly what we would expect of an evolutionary ethic. Neither could criteria be complete. The moral world is complex and changeable. No set of criteria could give us univocal answers about how we should behave in all circumstances. If we cannot develop an algorithm for winning at chess, where there are only eighteen first moves, there is no way to develop an algorithm for living, which has a finitely large number of "first moves." Moreover, while the chess environment (the rules) stays constant, our natural and moral environments do not. We must adapt or fail. While there is always one end of chess -- the game ends when one player wins – the ends of life change as we grow, and as our environments change. Finally, we cannot resolve practical moral questions simply by applying criteria. We do not make personal or profession decisions by applying fixed, complete criteria. Why should we assume we should make moral decisions that way? Appropriates insights from other ethical theories Nonetheless, there is a perfectly good sense in which a pragmatic ethic employs what we might call criteria, but their nature and role dramatically differ from that in a criterial morality (Dewey 1985/1932) . Pragmatic criteria are not external rules we apply, but are tools we use in making informed judgements. They embody learning from previous action, they express our tentative efforts to isolate morally relevant features of those actions. These emergent criteria can become integrated into our habits, thereby informing the ways that we react to, think about, and imagine our worlds and our relations to others. This explains why pragmatists think other theories can provide guidance on how to live morally. Standard moral theories err not because they offer silly moral advice, but because they misunderstand that advice. Other moral theories can help us isolate (and habitually focus on) morally relevant features of action. And pragmatists take help wherever they can get it. Utilitarianism does not provide an algorithm for deciding how to act, but it shapes habits to help us "naturally" attend to the ways that our actions impact others. Deontology does not provide a list of general rules to follow, but it sensitizes us to ways our actions might promote or undermine respect for others. Contractarianism does not resolve all moral issues, but it sensitizes us to the need for broad consensus. That is why it is mistaken to suppose that the pragmatist makes specific moral judgements oblivious to rules, principles, virtues, and the collective wisdom of human experience. The pragmatist absorbs these insights into her habits, and thereby shapes how she habitually respon[se]ds, and how she habitually deliberates when deliberation is required. This also explains why criterial moralities tend to be minimalistic. They specify minimal sets of rules to follow in order to be moral. Pragmatism, on the other hand, like virtue theories, is more concerned to emphasize exemplary behavior – to use morally relevant features of action to determine the best way to behave, not the minimally tolerable way.

#### Impact Calc: Deliberation is procedural not substantive, it’s the decision-making procedure that generates habits not the evaluation of what impacts matter most:

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BY WAY OF CONCLUSION As LaFollette presents it, the key to understanding pragmatist ethics is that it is not an ethical theory per se, but rather it is an anthropology, a way of understanding the human being and his moral action. Therefore, pragmatist ethics in reality does not propose a new ethical theory, but rather “reconstructs” through a new prism the basic intuitions of the best ethical theories. The fundamental element on which the attention of pragmatist ethics centers is deliberation. Deliberation is not directly responsible for directing action, but only does so indirectly, by means of a critique of past actions, the effort to correct or reinforc[ing]e certain habits and mental experiments that each actor performs in order to determine his own future conduct, and even to determine in a general manner the way in which one wishes to live one’s life (or, what amounts to the same thing, the type of person one wishes to be). The task of a pragmatist ethics, therefore, is not to provide final solutions, but rather to indicate that it is only via the testing and communication of experiences that the [can] superiority of one moral idea over another can be demonstrated. In this sense, one of the principal missions of any given version of pragmatist ethics is to indicate some general manner in which habits can be acquired which, later, will facilitate personal deliberation – both internal and external – in the broad variety of circumstances which make up the moral life.

#### Prefer: 1] Self-justification: To question against deliberation is deliberation which proves that it’s constitutive to us as agents. Two impacts:

#### A] Solves infinite regress - frameworks are only applicable if they unify and guide action, all of agency is unified by deliberation on what course of action to take next.

#### B] Bindingness – morality must prevent agents from opting out– we solve by appealing to deliberation as a constitutive element of agency

#### 2] Explanatory coherence – we don’t automatically know what things are good or bad; we first deliberate on instances of violence to develop rules that let us consistently condemn these instances. Prereq to other theories, there’s never a complete certainty so we must deliberate to break down outdated habits.

#### 3] Epistemic Reliability: disagreement is rife in the squo so most theories are wrong - prefer relative reliability. The law of large numbers proves when we test more we get progressively more accurate results so when we test theories under this fw we’ll get the best calculus. Even if my framework is wrong it’s non-unique we assume every theory is wrong – if ours is more reliable, independent of the actual framework it is truer on the higher epistemic layer.

#### 4] Materiality- Our framework moves away from abstraction and understands knowledge as changing in order to base social change and revision of ideas. Glaude 7’ Eddie S. (Eddie S. Glaude Jr. is the chair of the Center for African-American Studies and the William S. Tod Professor of Religion and African-American Studies at Princeton University.) In a Shade of Blue : Pragmatism and the Politics of Black America. University of Chicago Press, 2007. EBSCOhost. (5-7) Bracketed for grammer. Dulles AS

In a Shade of Blue is my contribution to the tradition I have just sketched. My aim is to think through some of the more pressing conceptual problems confronting African American political life, and I do so as a Deweyan prag-matist. I should say a bit about what I mean by this self-description. John Dewey thought of philosophy as a form of cultural and social criticism. He held the view that philosophy, properly understood as a mode of wis-dom, ought to aid us in our efforts to overcome problematic situations and worrisome circumstances. The principal charge of the philosopher, then, is to deal with the problems of human beings, not simply with the problems of philosophers. For Dewey, over the course of his long career, this involved bridging the divide between science, broadly understood, and morals—a divide he traced to a conception of experience that has led philosophers over the centuries to tilt after windmills. Dewey declared, “The problem of restoring integration and co-operation between man’s beliefs about the world in which he lives and his beliefs about values and purposes that should direct his conduct is the deepest problem of any philosophy that is not isolated from life.”9Dewey bases this conclusion on several features of his philosophy: (1) anti foundationalism, (2) experimentalism, (3) contextualism, and (4) soli-darity.10 Antifoundationalism, of course, is the rejection of foundations of knowledge that are beyond question. Dewey, by contrast, understands knowledge to be thefruitof our undertakingsas we seek “the enrichment of our immediate experience through **the** control over action it exercises.”11He insists that we turn our attention from supposed givens to actual consequences, pursuinga future fundamentally grounded in values shaped by experience and realized in our actions. This view makes clear the experimental function of knowledge. Dewey emphasized that knowledge entails efforts to control and select future experience and that we are always con-fronted with the possibility of error when we act. We experiment or tinker**,** withthe understanding that all facts are fallible and, as such, occasionally afford us the opportunity for revision.12Contextualism refers to an understanding of beliefs, choices, and actions as historically conditioned. Dewey held the view that inquiry, or the pursuit of knowledge, is value-laden, in the sense that we come to problems with interests and habits that orient us one way or another, and that such pursuits are also situational, in the sense that “knowledge is pursued and produced somewhere, some when, and by someone.”13Finally, solidaritycaptures the associational and cooperative dimensions of Dewey’s thinking. Dewey conceives of his pragmatism as “an instrument of social improvement” aimed principally at expanding democratic **life** andbroadeningtheground of individual self-development**.**14Democracy, for him, constitutes more than a body of formal procedures; it is a form of life that requires constant attention if we are to secure the ideals that purportedly animate it. Individuality is understood as developing one’s unique capacities within the context of one’s social relations and one’s community. The formation of the democratic character so important to our form of associated living involves, then, a caring disposition toward the plight of our fellows and a watchful concern for the well-being of our democratic life.

#### 5] Social relations are dynamic and constantly being decentered from normative systems of knowledge; only pragmatism’s understanding of interactive knowledge production can mitigate entrenched violence.

Kadlec 8, Alison. "Critical pragmatism and deliberative democracy." Theoria 55.117 (2008): 54-80. (doctorate in political science from the University of Minnesota and bachelor's degrees from Michigan State University in political theory, constitutional democracy and English literature.)//Dulles AS

Social Intelligence: The Critical Potential Lived Experience Though human nature is intersubjectively generated on an ongoing basis, we are not merely the products of Platonic conceptions of ourselves. Individuals are cultivated in and by society through experiential processes in which we are acted upon, and act back upon a dynamic environment. For Dewey, 'experience' connotes a very specific process that stands in stark contrast to the traditional conception of experience as a matter of private consciousness. Because Dewey's notion of experience is **social, active, and educative,** what he calls the 'experiential continuum' is the process by which we are best able to develop social intelligence. The 'experiential continuum' is characterised by our enduring and undergoing the consequences of our actions, and intelligence is to be understood as the self-conscious and ongoing process of adjusting our attitudes in light of these consequences.25 In The Public and Its Problems , Dewey gives this view of intelligence a decidedly deliberative spin when he says, 'we lie, as Emerson said, in the lap of an immense intelligence. But that intelligence is dormant and its communications are broken, inarticulate and faint until it possesses the local community as its medium'.26 In 'Ethical Principles Underlying Education', Dewey is more explicit in explaining his view of the relationship between social intelligence and the normative commitment to democracy in his declaration that 'ultimate moral motives and forces are nothing more nor less than social intelligence the power of observing and comprehending social situations and social power trained capacities of control at work in the service of social interest and aims'.27 Dewey's unflagging faith in the transformative potential of social intelligence intrinsic to democracy as a way of life **is not Utopian**, nor is it based on a belief that all problems are finally solvable. Rather, it expresses a moral commitment that suggests that a working faith in social intelligence is our best shot at crafting habits and institutions that will further encourage us to identify **new opportunities for the expansion of our capacities** moving forward. The upshot here is that democracy as a way of life means, above all, that we stop thinking of democracy as a thing and start thinking about it as a way. Democracy is belief in the ability of human experience to generate the aims and methods by which further experience will grow in ordered richness. . . . Democracy is the faith that the process of experience is more important than any special result attained, so that the special results achieved are of ultimate value only as they are used to enrich and order the ongoing process. Since the process of experience is capable of being **educative**, faith in democracy is all one with faith in experience and education. All ends and values that are cut off from the ongoing process become arrests and fixations. They strive to fixate what has been gained instead of using it to open the road and point the way to new and better experiences.28 On this account, social intelligence is not a possession, it is a de-centred and educative process of ordering our **experiences** through manifold **communication**. The guiding principles, then, of social intelligence are 1) the protection and expansion of our capacity for free and communicative inquiry and 2) the protection and expansion of our capacity to perceive the shared consequences of our habits and policies. We judge the goodness or badness of these consequences by evaluating the way they act back on and impact our individual capacities for free inquiry that inform the ongoing development of social intelligence In turn, the 'proper conditions' for social intelligence then are those that increase our ability to perceive the complex shared consequences of our choices and practices. Intelligence is social in pragmatism because it requires the development of both firstand second-order attitudes that can only take place in an ongoing process of communication. Free inquiry is not just a matter of having the opportunity to seek information that will allow for the generation of thoughtful attitudes about issues, it is also a matter of appreciating and harnessing the democratic potential of second-order attitudes (attitudes about our attitudes). We are not passive receivers of information, **but dynamic interactors**, and therefore intelligence is intrinsically communicative. Free inquiry is the engine of social intelligence, which is in turn based on our willingness to have our firstorder attitudes adjusted in light of our second-order attitudes.29 The ongoing mutual adjustment of our first-order and second-order attitudes through a back and forth process between the two emerges only to the extent that we have the opportunities to communicate freely with others, and this is none other than the 'method' of social intelligence. The goal of communicative inquiry then is to build an ever richer context for the ongoing development of our ability to perceive the relationship between our beliefs, practices, and institutions. By taking a principal focus on increasing our ability for evermore sophisticated perception of the consequences of our habits of thought and action, we will be better equipped to distinguish between those habits that improve and those that impede our capacities for free inquiry. This is the material of problem-solving, as it is just this capacity for free inquiry that makes it possible to identify common problems in a way that they may be productively addressed. Turning back to the challenges leveled by radical democratic theorists, we can begin to see the opportunities made possible by critical pragmatism. Tapping into the critical potential of lived experience under conditions of unalterable changefulness begins with the therapeutic recognition that there is no such thing as a unified field of power directed entirely by stable and fixed interests. The first implication here is that there are always new opportunities to exploit cracks and fissures in various structurally **entrenched forms of power**. Second, the essentially complexity and flux of our world is always **producing new opportunities for transformative resistance** and for the development of more creative approaches to meaningful deliberation. Critical pragmatism pivots on the notion that under such conditions what we most need are not fixed and static foundations, we need the flexible habits of inquiry and **communication** that make it possible to both identify pernicious obstacles to deliberation and to challenge, circumvent, or neutralise their impact.

## Offense

#### I affirm the resolution: the appropriation of outer space by private entities is unjust. I defend it as a general principle, so spec is irrelevant but I’ll spec the following, anything else must be checked in cx.

#### Merriam Webster defines outer space as “space immediately outside the earth's atmosphere” and UpCounsel defines a private entity as “A private entity can be a partnership, corporation, individual, nonprofit organization, company, or any other organized group that is not government-affiliated.”

#### 1: The appropriation of space by private entities isn’t value neutral but is sutured in a discourse of the cosmic elite and unequal IR.

Stockwell 20 [Samuel Stockwell (Research Project Manager, the Annenberg Institute at Brown University). “Legal ‘Black Holes’ in Outer Space: The Regulation of Private Space Companies”. E-International Relations. Jul 20 2020. Accessed 12/7/21. <https://www.e-ir.info/2020/07/20/legal-black-holes-in-outer-space-the-regulation-of-private-space-companies/> //Xu]

The US government’s support for private space companies is also likely to lead to the reinforcement of Earth-bound wealth inequalities in space. Many NewSpace actors frame their long-term ambitions in space with strong anthropogenic undertones, by offering the salvation of the human race from impending extinction through off-world colonial developments (Kearnes & Dooren: 2017: 182). Yet, this type of discourse disguises the highly exclusive nature of these missions. Whilst they seem to suggest that there is a stake for ordinary citizens in the vast space frontier, the reality is that these self-described space pioneers are a member of a narrow ‘cosmic elite’ – “founders of Amazon.com, Microsoft, Pay Pal… and a smattering of games designers and hotel magnates” (Parker, 2009: 91). Indeed, private space enterprises have themselves suggested that they have no obligation to share mineral resources extracted in space with the global community (Klinger, 2017: 208). This is reflected in the speeches of individuals such as Nathan Ingraham, a senior editor at the tech site EngadAsteroid mining, who claimed that asteroid mining was “how [America is] going to move into space and develop the next Vegas Strip” (Shaer, 2016: 50). Such comments highlight a form of what Beery (2016) defines as ‘scalar politics’. In similar ways to the ‘scaling’ of unequal international relations that has constituted our relationship with outer space under the guise of the ‘global commons’ (Beery, 2016: 99), private companies – through their anthropogenic discourse – are scaling existing Earth-bound wealth inequalities and social relations into space by siphoning off extra-terrestrial resources. By constructing their endeavours in ways that appeal to the common good, NewSpace actors are therefore concealing the reality of how commercial resource extraction serves the exclusive interests of their private shareholders at the expense of the vast majority of the global population.

#### 2: Appropriation intrinsically guts deliberative procedures since it denies the owner’s permission for property rights, blocking one possible experience/form of communication from other groups since it guts communal approaches

Oxford. Lexico. Appropriation. https://www.lexico.com/en/definition/appropriation

the action of taking something for one's own use, typically without the owner's permission.

## Underview

#### [1] aff theory and metatheory is legit else the neg is able to get away with infinite NC abuse.

#### It’s drop the debater – the 2AR is too short to win theory and substance simultaneously.

#### It’s competing interps and no RVIs – else the 6 minute 2NR dump on reasonability or the RVI is unbeatable

#### [2] Aff gets RVIs on counterinterps [A] The 2N has the option of going for either substance or theory with the layer I undercover, the RVI forces the 2N go for theory [B] The 2AR is the shortest speech which means I need to be able to collapse to the highest layer otherwise I have to beat back every layer in 3 min [C] Neg gets T so give an RVI to rectify reciprocity of opportunity

#### [3] The Role of the Ballot is to vote for the debater who best proves the truth or falsity of the resolution. The aff must prove it true and the neg must prove it false.

#### A] Constitutivism – Five dictionaries[[2]](#footnote-2) define to negate as to deny the truth of and affirm[[3]](#footnote-3) as to prove true, and tab and ballot software tell the judge to vote aff or neg – the ballot is constitutively asking for a truth value of the res. Other role of the ballots are justified by their consequences; only TT is justified by what the ballot actually is in the first place. Constitutivism outweighs – the judge only has the jurisdiction to vote on the truth or falsity, even if there are possibly better options; in a game of chess, even if you think of something that would break the rules to make the game more interesting, you don’t do it because the rules determine how the game even works. Jurisdiction controls the internal link to all other voters – disregarding it causes judge intervention and doesn’t let the judge know what they can vote on.

#### [4] Reject util:

#### There’s always infinite pleasure and pain in the universe—util is incoherent since we can’t add or subtract from that..

**Bostrom ’08** (Bostrom, Nick [Professor at University of Oxford, director of Oxford’s Future of Humanity Institute, PhD from London School of Economics]. The Infinitarian Challenge to Aggregative Ethics. 2008. http://www.nickbostrom.com/ethics/infinite.pdf)

In the standard Big Bang model, assuming the simplest topology (i.e., that space is singly connected), there are three basic possibilities: the universe can be open, flat, or closed. **Current data suggests a flat or open universe**, although the final verdict is pending. **If the universe is either open or flat, then it [that] is spatially infinite at every point in time and the model entails that it contains an infinite number of galaxies, stars, and planets**. There exists a common misconception which confuses the universe with the (finite) ‘observable universe’. But **the observable part**—the part that coulsd causally affect us—**would be just an infinitesimal fraction of the whole**. Statements about the “mass of the universe” or the “number of protons in the universe” generally refer to the content of this observable part; see e.g. [1]. **Many cosmologists [also] believe that our universe is just one in an infinite ensemble of universes** (a multiverse), **and this adds to the probability that the world is canonically infinite**; for a popular review, see

#### End states aren’t good in themselves since goodness is indexed – no way to aggregate these interests.

**Geach 56**

Peter T, philosopher, “Good and Evil,” Analysis Vol 17, 32-42, http://fair-use.org/peter-t-geach/good-and-evil

Secondly, though we can sensibly speak of a good or bad human act, **we cannot sensibly speak of a good or bad event**, a good or bad thing to happen. **Event**, like thing, **is too empty a word to convey either a criterion of identity or a standard of goodness**; to ask Is this a good or bad thing (to happen)? is as useless as to ask Is this the same thing that I saw yesterday? or Is the same event still going on?, unless the emptiness of thing or event is filled up by a special context of utterance. **Caesar's murder was a bad thing to happen to a living organism, a good fate for a man who wanted divine worship for himself, and again a good or bad act on the part of his murderers; to ask whether it was a good or bad event would be senseless**.

#### Evolution explains our evaluative judgements, which leaves no room for independent moral facts.

**Street ‘6** [Sharon Street, phil prof at NYU, “A Darwinian Dilemma for Realist Theories of Value, *Philosophical Studies* (2006) 127:109-166] AG

At the end of the day, then, the dilemma at hand is not distinctly Darwinian, but much larger. Ultimately, **the fact that there are any** good **scientific explanations of** our **evaluative judgements is a problem** for the realist about value. It is a problem **because** *realism must* **either** *view the causes described* **by these explanations** *as distorting***, choosing the path that leads to normative skepticism or the claim of an incredible** *coincidence***, or else it must enter into the game of** *scientific explanation***, claiming that the truths it posits actually play a role in the explanation in question**. **The problem with this latter option, in turn, is that they don’t. The best causal accounts of our evaluative judgements, whether Darwinian or otherwise,** *make no reference to* **the realist’s independent** *evaluative truths*. Consider again the old dilemma whether things are valuable because we value them or whether we value them because they are valuable. The right answer, according to the view I’ve been suggesting, is somewhere in between. **Before life began, nothing was valuable**. **But then life arose and began to value** **not because it was recognizing anything, but because** *creatures who valued* (*certain things* in particular) tended to *survive*. In this broadest sense, **valuing** was (and still **is**) **prior to value**. **That is why antirealism** about value **is right**. But I’ve emphasized that antirealist views can make room for the possibility of evaluative error, such that we can be wrong about any given evaluative judgement even as we recognize that the standards for such errors are ultimately ‘‘set’’ by our own evaluative attitudes. Because of this, talk of normative perception still makes sense. Now that there are creatures like us with marvelously complicated systems of valuings up and running, it is quite possible to come to value something because one recognizes that it has a value independent of oneself  not in the realist’s sense, but in an antirealist’s more modest sense. Thus, although valuing ultimately came first, value grew to be able to stand partly on its own. It grew to achieve its own, limited sort of priority over valuing  a priority that we can understand while at the same time being fully conscious of great biddings from the outside.58

1. "Pragmatic Ethics" [Hugh LaFollette](http://www.hughlafollette.com/index.htm) In [Blackwell Guide to Ethical Theory](http://www.hughlafollette.com/papers/b-guide.htm) 2000. Hugh LaFollette is Marie E. and Leslie Cole Professor in Ethics at the University of South Florida St. Petersburg. He is editor-in-chief of The International Encyclopedia of Ethics [↑](#footnote-ref-1)
2. <http://dictionary.reference.com/browse/negate>, <http://www.merriam-webster.com/dictionary/negate>, <http://www.thefreedictionary.com/negate>, <http://www.vocabulary.com/dictionary/negate>, <http://www.oxforddictionaries.com/definition/english/negate> [↑](#footnote-ref-2)
3. *Dictionary.com – maintain as true, Merriam Webster – to say that something is true, Vocabulary.com – to affirm something is to confirm that it is true, Oxford dictionaries – accept the validity of, Thefreedictionary – assert to be true* [↑](#footnote-ref-3)